



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Lime Down Solar Park

Case Reference: EN010168

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

22 August 2024

TABLE OF CONTENTS

1.	INTRODUCTION.....	1
2.	OVERARCHING COMMENTS	3
2.1	Description of the Proposed Development.....	3
2.2	EIA Methodology and Scope of Assessment	7
3.	ENVIRONMENTAL ASPECT COMMENTS.....	9
3.1	Climate Change	9
3.2	Landscape and Visual	11
3.3	Ecology and Biodiversity	14
3.4	Arboriculture.....	20
3.5	Hydrology, Flood Risk and Drainage.....	22
3.6	Ground Conditions and Contamination	28
3.7	Cultural Heritage	32
3.8	Transport and Access	34
3.9	Noise and Vibration	36
3.10	Glint and Glare	39
3.11	Electromagnetic Fields.....	40
3.12	Air Quality.....	41
3.13	Socio-Economics, Tourism and Recreation	44
3.14	Human Health and Wellbeing.....	47
3.15	Agriculture and Soils	50
3.16	Other Environmental Matters	52
 APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED		
 APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES		

1. INTRODUCTION

- 1.0.1 On 16 July 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Lime Down Solar Park Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Lime Down Solar Park (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:
[Lime Down Solar Project - Project information \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/lime-down-solar-project)
- 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://www.gov.uk/government/collections/national-infrastructure-planning-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 (e.g. 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 Section 4)

ID	Ref	Description	Inspectorate's comments
21.1	Para 4.1.8	Maximum Design Parameters	<p>At this stage of development, the number and locations of project elements such as Battery Energy Storage System (BESS) and on-site substation(s) have not been determined.</p> <p>The Inspectorate notes the Applicant's intention to apply a 'Rochdale Envelope' approach to maintain flexibility within the design of the Proposed Development. 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>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 outlines the relevant parameters / commitments that have informed the assessment.</p>
212	Para 4.14	Electricity export connection to Melksham Substation	<p>The Scoping Report does not identify whether any works would be required at the Melksham Substation that would be included in the DCO works. The likely significant effects from such works should be assessed within the ES, either as part of the Proposed Development, or in the cumulative effects assessment if they are to be consented separately.</p>

ID	Ref	Description	Inspectorate's comments
213	Para 4.2.2 to 4.2.4	Panels	<p>The Scoping Report states that there are two options for the proposed panels: static or tracking, or a combination thereof.</p> <p>Where possible the Inspectorate recommends this decision is made prior to submission of the DCO application. If this is not possible, the ES should identify and assess the worst-case scenario for applicable topics (including Landscape and Visual, Cultural Heritage and Glint and Glare) during operation. If tracking panels are to be used, the ES should assess the potential for significant noise effects on ecological and human receptors during operation.</p>
214	Para 4.2.19	Lighting	<p>The Scoping Report states that temporary site lighting will be required during construction which will be designed as far as practical so as not to cause nuisance outside the site.</p> <p>The ES should describe the location, type and hours of use of lighting required for all phases of the Proposed Development. Impacts resulting from the introduction of lighting during construction, operation and decommissioning which are likely to result in significant effects should be assessed in the ES.</p>
215	n/a	Watercourse crossings	<p>The Scoping Report identifies several watercourses. The methods to be employed for watercourse crossings should be detailed within the ES. Should trenchless installation be relied upon to mitigate potential significant effects, the Applicant should ensure this construction method is demonstrably secured.</p>
216	Para 4.3.1 to 4.3.4	Construction and phasing	<p>The Scoping Report does not at this stage detail anticipated construction activities/methodologies. The ES should clearly describe the construction activities insofar as is reasonably possible; this will be particularly pertinent for the Noise and Vibration assessment. The anticipated numbers of construction vehicles and workers should also be stated.</p>
217	Para 4.3.3	Temporary construction compounds	<p>The Scoping Report states that temporary construction compounds will be required. The ES should confirm the locations and sizes of the construction compounds and where</p>

ID	Ref	Description	Inspectorate's comments
			possible, show detailed layouts. Any mitigation measures proposed to avoid or minimise impacts relating to the use of compounds should be described in the ES.
21.8	Para 4.3.4 and 14.4.9	Construction working hours	<p>Scoping Report paragraph 4.3.4 states that construction activities will be carried out Monday to Friday 07:00-18:00 and between 08:00 and 13:30 on Saturdays. Paragraph 14.4.9 states that noise effects due to construction activities would generally occur during daytime hours (07:00 to 23:00).</p> <p>The ES should provide consistent details of the anticipated construction working hours (including any night-time working required) in the ES, which should be consistent with the working hours specified in the DCO.</p>
21.9	Para 4.3.8 to 4.3.12	Operation	The ES should describe the potential scope and duration of maintenance works that would be required during operation of the Proposed Development, including predicted vehicle movements and staffing numbers. Details should also be provided on any monitoring to be undertaken.
21.10	Para 4.3.16	Assessment of decommissioning	The Scoping Report states that the effects of decommissioning will be considered in relevant sections of the report. An assessment of decommissioning should be undertaken wherever significant effects are likely to occur. Aspect specific comments are provided in Section 3 of this Opinion, where the Applicant has requested to scope out specific matters.
21.11	Para 4.3.19	Materials and waste	<p>The ES should include a description of the nature and quantity of materials and natural resources used in the Proposed Development, including expected quantities and types of any waste that would be generated during construction, operation and decommissioning. The ES should describe the assumptions made in the assessment with regards to likely exportation of waste.</p> <p>The Inspectorate notes Section 21.5.4 of the Scoping Report, which confirms that no separate waste aspect chapter is to be produced but that a Site Waste Management Plan (SWMP) would detail quantities of waste and management as an appendix to the ES. Although the Inspectorate is content with this approach, an assessment of effects relating</p>

ID	Ref	Description	Inspectorate's comments
			to waste should be provided in the relevant aspect chapters where significant effects are likely to occur, including in relation to transport effects arising from the movement of waste.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
221	Para 2.2	Cumulative Effects Assessment (CEA)	The ES should include information on the location of the developments included in the 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.
222	Para 2.2.18 and 2.3.7	Reporting of significant effects	The Scoping Report states that the ES " <i>will highlight residual effects which remain following the implementation of suitable mitigation measures</i> ". The Inspectorate considers that the significance of effects prior to the implementation of mitigation measures should also be reported. This is to enable an understanding of the anticipated effectiveness of mitigation measures.
223	Para 2.3.5	Mitigation	The Inspectorate notes that various outline management plans, which will contain proposed mitigation measures, will be submitted with the DCO application. The outline plans should be sufficiently detailed to provide confidence in the delivery of mitigation, particularly that relied upon within the ES to avoid or reduce significant effects.
224	n/a	Competent experts	The ES should contain details of the competent experts used in the preparation of the ES.
225	n/a	Scoping Table	The Inspectorate advises the use of a table to set out the key changes in parameters/options of the Proposed Development presented in the Scoping Report to that presented in the ES. It is also recommended that

ID	Ref	Description	Inspectorate's comments
			<p>a table is provided demonstrating how the matters raised in the Scoping Opinion have been addressed in the ES.</p>
226	n/a	Baseline conditions	<p>The Inspectorate notes that a number of surveys have been undertaken which have informed the Scoping Report but have not been appended or included. Any information relied upon for the assessments in the ES should be appended to the ES to allow the Inspectorate to gain a full understanding of issues.</p>
227	n/a	Transboundary	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area 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, links for which can be found in paragraph 1.0.7 above.</p>

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Climate Change

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Para 6.6.2, Table 6.2, 6.3 and 6.4	Sea level rise	The Scoping Report states that the Proposed Development is not located in an area that is susceptible to sea level rise. The Inspectorate agrees that significant effects are not likely to occur and an assessment of sea level rise in the in-combination climate change impact assessment and climate change resilience assessment can be scoped out of further assessment.
31.2	Para 6.4.13, 6.4.14 and Table 6.2	In-combination climate change impact assessment	<p>The Applicant proposes to scope out an in-combination climate change impact assessment from the climate chapter of the ES on the basis that climate change impacts relevant to the Proposed Development will be assessed through the other relevant topics of the ES.</p> <p>Given that climate change impacts relevant to the Proposed Development will be assessed through the other relevant topics of the ES, the Inspectorate agrees to scope out an in-combination climate change impact assessment from the climate change chapter. The climate change chapter should signpost where in the ES the relevant climate change factors have been assessed.</p>

ID	Ref	Description	Inspectorate's comments
31.3	n/a	Mitigation	Limited information has been provided with regard to mitigation measures. Any relevant mitigation measures identified from the assessment should be clearly described in the ES and secured through the DCO.

ID	Ref	Description	Inspectorate's comments
314	Para 6.4.3	Greenhouse gas (GHG) impact assessment assumptions	The GHG impact assessment within the ES should clearly describe any assumptions made in determining the quantification of any emissions reduction resulting from the Proposed Development such as the displacement of fossil fuel power generation.
315	Para 6.4.5	GHG emissions	The Inspectorate notes that the Scoping Report does not provide the calculation methods for GHG emissions. For the avoidance of doubt, the ES should specify the methods used to quantify GHG emissions relating to the Proposed Development.
316	Para 6.4.15 and 6.4.16	Assessment methodology – climate change resilience assessment	The Scoping Report does not provide a description of the methodology to be used in the climate change resilience assessment. The ES should explain how the climate change resilience impacts have been identified and the methodology that will be used to determine the significance of effects. Any use of professional judgement to assess significance should be fully justified within the ES.
317	Para 6.4.8 and 6.4.9	Significance criteria – GHG impact assessment	<p>The Scoping Report does not clearly set out how the level of significance for the Proposed Developments GHG emissions and potential impact to the climate will be determined.</p> <p>The assessment presented in the ES should address this. It should be aligned with the approach 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 3.1.6 above, a separate methodology and criteria should also be presented for the assessment of climate resilience.</p>

3.2 Landscape and Visual

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Tables 7.8 and 21.1 and Figure 7.8	Landscape and Visual Impact Assessment (LVIA)	<p>The Scoping Report proposes to scope out:</p> <ul style="list-style-type: none"> • LVIA considering visual receptors with no direct, extensive, or open views within 2km of the Proposed Development; • Visual receptors over 2km from Lime Down A to E, the land at Melksham Substation and the Cable Route Search Corridor; • Visual receptors within the 5km outer study area of the Proposed Development; and • Landscape receptors over 5km from Lime Down A to E, the land at Melksham Substation and the Cable Route Search Corridor. <p>The preliminary Zone of Theoretical Visibility (ZTV) shown in Figure 7.8 shows high potential visibility of the Proposed Development up to and beyond the 5km study area boundary. On the basis of this potential visibility, and in the absence of further detailed information including agreement from relevant statutory consultees, the Inspectorate does not agree to scope these matters out of the ES.</p> <p>The assessment of impacts to landscape and visual amenity (including the study area, ZTV and photomontages) should be based on the relevant worst-case having regard to any parameters applicable to the Proposed Development, including panel orientation and all proposed structures such as the BESS.</p> <p>The ES should include an assessment of impacts on all landscape and visual receptors which are likely to result in significant effects or information demonstrating agreement with the relevant consultation bodies that this matter can be scoped out of further assessment and the absence of a likely significant effect.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
322	Table 21.1	Photomontages where no significant effects are anticipated	The Scoping Report proposes to scope out the production of photomontages where no significant effects are anticipated. The Inspectorate agrees that given the nature of the proposals and the reasoning provided in the Scoping Report that this matter can be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
323	Para 7.3.11	LVIA and Cultural Heritage Assessment	Paragraph 7.3.11 of the Scoping Report states that the LVIA will consider the findings of the Cultural Heritage ES chapter. However, there is minimal information presented in the Scoping Report on how the Landscape and Cultural Heritage assessments will be integrated. The ES should explain how the LVIA and cultural heritage assessments have been integrated and clear cross-referencing should be provided between the Cultural Heritage and Landscape and Visual Impact Assessment chapters.
324	Para 7.5.34	Preliminary Landscape Baseline	The Scoping Report states that the land at Melksham Substation is not located within any Landscape Character Assessments (LCAs) in Wiltshire. The Applicant's attention is drawn to the comments from Wiltshire Council (Appendix 2 of this Opinion) regarding the inclusion of the North and West Wiltshire LCAs within the LVIA. The baseline presented in the ES must be an accurate reflection of the existing situation.
325	Para 7.6.90 and Table 4.1	ZTVs	<p>The Scoping Report states that the ZTVs were based on the Scheme at 4.5m above ground level and that separate ZTVs will be provided for the substations once locations have been established. Table 4.1 of the Scoping Report states that the anticipated heights of the 400kV and 132kV substations are 13m and 7m respectively. Consequently, the ZTVs may not be representative of the full extent of visibility.</p> <p>In order to demonstrate that the full extent of the Proposed Development has been assessed, the ZTVs should be based on maximum design parameters to be permitted by</p>

ID	Ref	Description	Inspectorate's comments
			the DCO. The ES should clearly evidence and justify the final extent of the ZTVs and ensure that any assessment of significance is based on this maximum extent
326	Figure 7.7 - 7.7.8	Viewpoints and photomontages	<p>Figures 7.7 to 7.7.8 of the Scoping Report set out representative viewpoints for the Proposed Development. The Inspectorate notes that most of these viewpoints are in close proximity to the Proposed Development boundary.</p> <p>The Applicant should justify the location of viewpoints, ensuring these capture a worst-case scenario of impacts from the Proposed Development and are representative of visual receptors. Efforts should be made to agree the number and location of viewpoints as well as the locations for photomontages with relevant consultation bodies including local authorities, Historic England and Natural England (NE).</p> <p>The Applicant's attention is drawn to the comments from Wiltshire Council (Appendix 2 of this Opinion) regarding the inclusion of additional representative viewpoints in the LVIA to capture any long-distance views of the Proposed Development.</p>
327	Para 7.7.1 and 7.7.2	LVIA Methodology	The Inspectorate notes that the LVIA methodology is set out in Appendix 7.2 of the Scoping Report. For ease of reference and consistency with other chapters, the LVIA methodology should be included in the relevant ES chapter rather than in a separate document.
328	Para 7.7.4 / Appendix 7.2	Potential effects and mitigation	The Inspectorate notes that while the LVIA methodology (Appendix 7.2) defines the general approach to mitigation and enhancement it does not outline any specific mitigation measures or enhancement plans for the Proposed Development. The ES should describe any relevant mitigation measures identified from the LVIA assessment and explain how delivery of these measures has been secured.

3.3 Ecology and Biodiversity

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Para 8.3.14	Great crested newt survey	<p>The Scoping Report states that District Level Licensing (DLL) for great crested newts (GCN) is currently being explored as a potential compensation option for the Proposed Development. 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, Natural England (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 on 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 impact on GCN and the appropriate compensation required.</p>
332	Table 8.1, 8.2 and Paras 8.3.35 8.3.37 8.3.48 8.3.49 and 8.3.52	Species specific surveys of brown hare, hedgehog, polecat, dormice, harvest mice, reptiles and terrestrial or aquatic invertebrates	<p>The Scoping Report does not propose to conduct any species-specific surveys of brown hare, hedgehog, polecat, dormice, harvest mice, reptiles and invertebrates for all site areas. The Scoping Report states that their presence on-site within all suitable habitat has been assumed and will be considered within the ES assessment.</p> <p>Without certainty on the extent and presence of these species, and without confidence that mitigation through avoidance would be adequate, the Inspectorate does not agree that a detailed assessment of impacts on brown hare, hedgehog, polecat, dormice, harvest mice, reptiles and terrestrial or aquatic invertebrates can be scoped out of further assessment. The Applicant's attention is also drawn to the Environment Agency's (EA's) response to consultation (Appendix 2 of this Opinion) with regard to the potential presence of white-clawed crayfish on site.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Applicant should seek to agree the scope of the ecological impact assessment with relevant consultation bodies including the EA.
333	Para 8.4.2, Table 8.7 and 8.8	Impacts of Electric and Magnetic Fields (EMFs) resulting from cables within the sites and interconnecting cables – all phases	<p>The Scoping Report proposes to scope out impacts of EMFs resulting from cables within the sites and interconnecting cables on ecological receptors on the basis that the voltage of the cables within the site and the interconnecting cables would be between 33 to 132kV and that the risk of EMFs resulting in significant impacts is considered highly unlikely due to the burial, sheathing and relatively low voltage of cabling within and between Lime Down A to E.</p> <p>The Inspectorate agrees that given the nature of the proposals and the reasoning provided in the Scoping Report significant environmental effects are unlikely and this matter can be scoped out of further assessment.</p>
334	Para 8.4.2, Table 8.7 and 8.8	Impacts of EMFs on terrestrial species resulting from the Primary Cable Route – all phases	<p>The Scoping Report proposes to scope out impacts of EMFs on terrestrial species resulting from the Primary Cable Route on the basis that there is no evidence to suggest potential significant effects to terrestrial wildlife and that burial of the 400kV cable will provide a degree of attenuation. The Inspectorate notes that EMF impacts to fish will be considered where the Primary Cable Route crosses watercourses.</p> <p>The Inspectorate agrees that given the nature of the proposals and the reasoning provided in the Scoping Report significant environmental effects are unlikely and impacts of EMFs on terrestrial species resulting from the Primary Cable Route can be scoped out of the ES.</p>
335	Table 8.3 and 8.7	Impacts to the Severn Estuary Special Protection Area (SPA) and Ramsar	Impacts to the Severn Estuary SPA and Ramsar are proposed to be scoped out of the ES on the basis that the Proposed Development site is located approximately 24km from the Severn Estuary. The Scoping Report states that the site encompasses habitat different to those cited within the relevant designations which is not considered to represent functionally linked land to the Severn Estuary SPA and Ramsar. It is further stated that there is not considered to be a hydrological linkage.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The Applicant's attention is drawn to the EA's response to consultation (Appendix 2 of this Opinion) which details that the Avon Bristol Rural Operational Catchment is hydrologically connected to the Severn Estuary and that there is potential for pollutants from the Proposed Development to enter the Severn Estuary. Their response further states that the site is functionally linked to the Severn Estuary Ramsar and the Severn Estuary Site of Special Scientific Interest (SSSI) due to the presence of European eel in watercourses within the Proposed Development site.</p> <p>In the absence of evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters out of assessment. Accordingly, the ES should include an assessment of these matters or the information demonstrating agreement with the relevant consultation bodies and the absence of likely significant effect.</p>
336	Table 8.3 and 8.7	Impacts to the Salisbury Plain SPA	<p>Impacts to the Salisbury Plain SPA are proposed to be scoped out of the ES on the basis that the Proposed Development site is located approximately 19km from the Salisbury Plain SPA and the site consists of enclosed and largely arable farmland, which is disconsonant with the open chalk grassland which characterises the Salisbury Plain. It is further stated that land within the site is not considered to represent functionally linked land for the qualifying bird species of the Salisbury Plain SPA.</p> <p>On the basis of the separation distance and given that the site consists of enclosed and largely arable farmland, the Inspectorate agrees that significant effects on the Salisbury Plain SPA are unlikely and can be scoped out of further assessment.</p>
337	Table 8.3 and 8.7	Impacts to the Mells Valley Special Area of Conservation (SAC)	<p>Impacts to the Mells Valley SAC are proposed to be scoped out of the ES on the basis that due to the separation distance from the Proposed Development (approximately 28.44km at the closest point and 42km from the array areas) and given that there are no known breeding or hibernating roosts for the greater horseshoe bats supported by the SAC, the Proposed Development site would not be expected to represent functionally</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>linked land for the horseshoe bats supported by the SAC, with summer home ranges of this species typically being less than 10km from roost sites.</p> <p>The Inspectorate agrees that given the separation distance, significant effects on the Mells Valley SAC are unlikely and can be scoped out of further assessment.</p>
338	Para 8.3.21 , 8.3.22 , Table 8.4 and Table 8.7	National Statutorily Designated Sites within 5km of the site, designated solely for geological interest	<p>The Scoping Report proposes to scope out impacts to National Statutorily Designated sites within 5km of the site which have been designated solely for the geological interest. Paragraphs 8.3.21 and 8.3.22 identify that two Sites of Special Scientific Interest (SSSI) are located within 5km of the Proposed Development site (Stanton St Quintin Quarry and Motorway Cutting SSSI and Corsham Railway Cutting SSSI). These sites are located approximately 1.73km and 2.98km from the Proposed Development site respectively.</p> <p>The Inspectorate agrees that due to the distance from the Proposed Development and on the basis of their reasons for designation, significant effects on these SSSI's are unlikely and can be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
339	Table 8.1, 8.2 and Paras 8.3.12 and 8.3.14	Field surveys	<p>Tables 8.1 and 8.2 provide the field survey scope and schedule for Lime Down A to E and Land at Melksham Substation respectively. Paragraph 8.3.14 provides the indicative survey scope for the Cable Route Corridor. Paragraph 8.3.12 states that Land at Melksham Substation lies within 500m of the consultation zone associated with Bath and Bradford on Avon Bats SAC, and a detailed bat survey scope has been proposed to reflect this. The Inspectorate notes that a detailed bat survey has not been proposed for Lime Down A to E.</p> <p>Responses to consultation from the EA and Wiltshire Council (Appendix 2 of this Opinion) highlight the presence of beavers within the Bristol Avon catchment and the potential for presence in proximity to the site boundary.</p>

ID	Ref	Description	Inspectorate's comments
			The ES should assess significant effects on ecological receptors where they are likely to occur. The ES should ensure the ecological baseline is robust and justify the extent and scale of surveys undertaken. As noted above, the Inspectorate considers that the Applicant should seek agreement from the relevant consultation bodies on the scale and extent of any surveys undertaken, evidence of which should be provided within the DCO application.
3.3.10	Table 8.6	Fish	Table 8.6 identifies ecological receptors likely to be sensitive to construction, operational and decommissioning impacts. The Inspectorate notes the EA's response to consultation (Appendix 2 of this Opinion) and considers that fish should be included as a potential receptor for each source of impact. Where the cable routes cross watercourses full details which specify any mitigation required to avoid adverse impacts on fish should be detailed within the CEMP and ES.
3.3.11	Table 7.7	Buffer zones	The Inspectorate draws the Applicant's attention to the consultation response from the EA (Appendix 2 of this Opinion). Appropriate buffer zone distances should be defined in the ES, with reference to how this is secured through the DCO. The Applicant should make effort to agree these details with the relevant consultation bodies.
3.3.12	Para 8.3.59	Invasive Non-native Species (INNS)	The Inspectorate draws the Applicant's attention to the consultation responses from the EA (Appendix 2 of this Opinion) regarding records of INNS within the site. The ES should detail and secure mitigation/biosecurity measures during all phases of the Proposed Development to avoid/control the spread and introduction of INNS.
3.3.13	n/a	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable 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

ID	Ref	Description	Inspectorate's comments
			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.

3.4 Arboriculture

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Para 9.5.3, 9.5.4 and Table 9.4	Impacts to trees in Lime Down A to E and Land at Melksham Substation – all phases	<p>The Scoping Report proposes to scope out impacts to trees in Lime Down A to E and Land at Melksham Substation for all phases on the basis that no significant effects are considered likely due to embedded mitigation to avoid impacts on trees and further mitigation to be included within the outline CEMP being in place.</p> <p>The Inspectorate notes that the ground level tree surveys of Lime Down A to E and Land at Melksham Substation have identified 36 veteran trees to date. The Scoping Report states that a full tree survey in accordance with BS 5837:2012 is being undertaken at Land at Melksham Substation and other targeted areas within Lime Down A to E and the Cable Route Corridor where the potential exists for arboricultural impacts.</p> <p>The Inspectorate agrees that significant effects are not likely to occur on the basis that suitable mitigation would be in place and a full tree survey would be undertaken where the potential exists for arboricultural impacts. As such, the Inspectorate agrees to scope this matter out for all phases. However, the ES should describe the mitigation which has been relied on to avoid significant effects and explain how this has been secured.</p>

ID	Ref	Description	Inspectorate's comments
34.2	Para 9.5.5 and Table 9.4	Cable Route Corridor	<p>The Scoping Report states that given that the Cable Route Search Area is still to be refined and the potential for arboricultural impacts from construction activities, it is not proposed to scope out the impacts to trees within the Cable Route Area (once refined) at this point. It is further stated that this will be kept under review and due to proposed mitigation and refinement of the route, the potential for impacts may be unlikely and there is potential for the Cable Route to be scoped out of the ES.</p>

ID	Ref	Description	Inspectorate's comments
			The Inspectorate considers that the ES should provide an assessment of arboricultural impacts within the cable route where there is potential for likely significant effects to occur or demonstrate the absence of likely significant effects supported by appropriate survey data and with agreement from the relevant consultation bodies.
34.3	Para 9.3.1 and Figure 9.1	Study area	The Scoping Report proposes an arboriculture study area of the entirety of the site with a 15m buffer from the boundary. The ES should fully justify why a 15m buffer is considered to be sufficient with agreement if possible, from the relevant consultation bodies.

3.5 Hydrology, Flood Risk and Drainage

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Table 10.7	Impacts on water quality and flow regimes of receiving watercourses from increased silted/nutrient loaded surface water runoff volumes due to earthworks - construction	<p>The Scoping Report proposes to scope out impacts of increased silted/nutrient loaded surface water runoff volumes due to stripping of soil, compound preparation, soil storage and other earthworks on the water quality and flow regimes of receiving watercourses within all site areas during construction. The basis for scoping this matter out of further assessment is that runoff from work site areas would be managed using suitable sustainable drainage systems (SuDS) which would be described and secured through the CEMP.</p> <p>The Inspectorate does not consider enough evidence regarding the final design and control measures has been provided to scope out impacts on water quality and flow regimes of receiving watercourses during construction. In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope out these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
35.2	Table 10.7	Direct adverse impact on water quality due to the release of any site substances as the result of an accidental spill, leading to harm to aquatic ecology – all phases	<p>The Scoping Report proposes to scope this matter out for all phases on the basis that any accidental spills causing pollution would be reduced through suitable mitigation measures that would be adopted and secured within the CEMP.</p> <p>The Inspectorate does not consider enough evidence regarding the final design and control measures has been provided to scope out impacts on water quality due to the release of any site substances on aquatic ecology during construction. The Applicant's attention is drawn to comments from the EA (Appendix 2 of this Opinion) regarding aquatic ecological species potentially present within the site. In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
353	Table 10.7	Contamination of groundwater - construction	<p>The Scoping Report proposes to scope out contamination of groundwater if contaminants are mobilised during construction on the basis that the potential impact pathway would be removed by adoption of good practice pollution prevention techniques that would be secured by the CEMP.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, and further detail of potential impacts to groundwater and details of specific mitigation, the Inspectorate considers that there is insufficient evidence to agree that mobilisation of ground contamination should be scoped out at this stage. Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
354	Table 10.7	Impacts on groundwater flow paths and levels along the cable route - operation	<p>The Scoping Report proposes to scope out impacts on groundwater flow paths and levels along the cable route as a consequence of cable installation and presence of the cable during operation of the Proposed Development. This is on the basis that groundwater flows are not expected to be impacted due to the depth of the cable installation and predominance of non-aquifer superficial deposits within the Cable Route Search Corridor.</p> <p>The Applicant's attention is drawn to the response to consultation from the EA (Appendix 2 of this Opinion) which raises concerns about the accuracy of the Scoping Report's statement on the predominance of non-aquifer superficial deposits present within the Cable Route Search Corridor.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly, the ES should include an assessment of these</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
355	Table 10.7	Impacts on water quality from surface water runoff or drainage - operation	<p>The Scoping Report proposes to scope this matter out on the basis that surface water runoff from the BESS would be subject to treatment using suitable SuDS prior to release into the receiving water environment and runoff from the sites and cable corridor would be 'clean' rainfall runoff, with no detriment to its quality.</p> <p>Given the advice from the EA in relation to the baseline (Appendix 2 of this Opinion), the presence of a Drinking Water Groundwater Safeguard Zone within the central part of the BESS site and the limited information provided regarding mitigation to prevent surface water runoff from causing pollution, the Inspectorate considers that there is insufficient evidence to agree to scope this matter out of further assessment. Accordingly, the ES should include an assessment of these matters or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect. The Applicant's attention is drawn to comments from the EA regarding how firewater will be managed and contained.</p>

ID	Ref	Description	Inspectorate's comments
356	Para 10.4.1	Baseline	<p>The Applicant's attention is drawn to advice from the EA (Appendix 2 of this Opinion) raising concerns with the description of the baseline within the Scoping Report, the PRAs for the Land at Melksham Substation and Lime Down A to E.</p> <p>The Applicant should ensure that the baseline presented within the ES is accurate, consistent and utilises appropriate guidance. The baseline and receptors should be agreed wherever possible with the relevant consultation bodies.</p>
357	Para 10.5.1	Hydraulic modelling	The Scoping Report states that the analysis of flood extents is reliant on the accuracy of the published EA Flood Map for Planning and ES flood data. It is further stated that no new hydraulic modelling will be undertaken as part of the study. The Applicant's attention is

ID	Ref	Description	Inspectorate's comments
			<p>drawn to the EA's response to consultation (Appendix 2 of this Opinion) which states that the EA do not hold any detailed hydraulic modelling for the main rivers and ordinary watercourses which bisect the order limits for the Proposed Development. The response further highlights that there are ordinary watercourses that bisect the site which have no associated Flood Zones due to the small size of their respective catchments but may have associated flood risk. Furthermore, Wiltshire Council's response to consultation (Appendix 2 of this Opinion) highlights the need for detailed pluvial modelling utilising site-specific topographical surveys.</p> <p>The Inspectorate considers that the assessment of flood risk, including climate change, associated with these watercourses must be adequately assessed. The methodology should be agreed with the relevant consultation bodies and described within the ES.</p>
35.8	Para 10.6.2 and Table 10.6	Construction phase assessment of fluvial flooding	<p>Paragraph 10.6.2 of the Scoping Report highlights that works may affect the hydromorphology of rivers. However, the risk of fluvial flooding and impacts to the site, along with the potential risk to third parties, during the construction phase has not been scoped in.</p> <p>The Inspectorate considers that the ES should provide an assessment of fluvial flood risk for the construction phase where there is potential for likely significant effects to occur or demonstrate the absence of likely significant effects with agreement from the relevant consultation bodies.</p>
35.9	Para 10.1.1	Groundwater flood risk	<p>The Applicant's attention is drawn to Wiltshire Council's advice (Appendix 2 of this Opinion) regarding historic groundwater flooding and the need for groundwater monitoring to establish the peak seasonal groundwater levels. The Inspectorate considers that the assessment within the ES should include groundwater flood risk. The scope of the assessment and methodology utilised should be agreed wherever possible with the relevant consultation bodies.</p>
35.10	Para 10.7.2	Water quality monitoring	<p>From the information contained within the Scoping Report it is unclear if any water quality sampling/ monitoring is proposed. Given that there are waterbodies within the site boundary, the Proposed Development site is located within multiple Water Framework</p>

ID	Ref	Description	Inspectorate's comments
			<p>Directive (WFD) catchments, and construction impacts may alter water quality, surface and ground water quality sampling should be undertaken to inform the baseline. The results should be reported in the ES.</p> <p>The Applicant's attention is drawn to Wiltshire Council's consultation response (Appendix 2 of this Scoping Opinion) regarding the establishment of a monitoring program, for the construction and operation of the Proposed Development.</p>
35.11	n/a	Hydrogeological Risk Assessment	<p>The Applicant's attention is drawn to Wessex Water's response to consultation (Appendix 2 of this Opinion) with regard to the presence of the Great Oolite aquifer within the site boundary and the potential for impacts to this aquifer from polluting substances derived from the construction and operation of the Proposed Development.</p> <p>The Inspectorate considers that a Hydrogeological Risk Assessment should be undertaken of the potential pollution sources arising from the Proposed Development and the potential pathways through to the aquifer. The scope of the assessment should be agreed with the relevant consultation bodies and should consider the use of buried fluid filled cables if they form part of the proposal and potential usage of perfluoroalkyl substances (PFAS) in the components of the Proposed Development. Cross reference should be made to the Ground Conditions and Contamination ES Chapter.</p>
35.12	n/a	Climate change	<p>Limited information has been provided within the Scoping Report regarding the impacts of climate change on flood risk. The ES and associated Flood Risk Assessment (FRA) should use the latest climate change projections available and explain how they have been applied. Efforts should be made to agree the approach with the relevant consultation bodies.</p>
35.13	Para 11.3.7 4	Private water supplies	<p>The Scoping Report does not refer to private groundwater supplies. For the avoidance of doubt, any potentially impacted permitted or private water supplies should be identified and included in the assessment where there is the potential for likely significant effects to occur.</p>

ID	Ref	Description	Inspectorate's comments
35.14	n/a	Water resources	<p>The Scoping Report does not consider the consumption of water during the construction and operation phases.</p> <p>The ES should provide details relating to water supply and demand requirements during construction and operation (including in the context of BESS fire risk). The Inspectorate considers that water resources should be classed as a receptor in the ES where significant effects are likely to occur.</p>
35.15	Para 10.4.2	Reservoirs	<p>The Scoping Report does not refer to the risk of flooding from reservoirs. This should be assessed within the ES where there is potential for likely significant effects to occur.</p>

3.6 Ground Conditions and Contamination

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
36.1	Para 11.4.8, 11.4.15, 11.5.1, 11.5.2 and Table 10.4	Ground conditions and contamination assessment for Lime Down A to E and Land at Melksham Substation – all phases	<p>The Scoping Report seeks to scope out an assessment of ground conditions and contamination at Lime Down A to E and Land at Melksham Substation on the basis of the findings of the Preliminary Risk Assessments (PRAs) and through implementation of a detailed outline Construction Environmental Management Plan (CEMP).</p> <p>The Inspectorate notes that the PRAs for Lime Down A to E (Appendix 11.3) and Land at Melksham Substation (Appendix 11.1) identify potential geohazards and make recommendations for further investigation including a geotechnical site investigation. Given the potential geohazards, concerns with the baseline highlighted by the EA (Appendix 2 of this Opinion), the Inspectorate does not consider that there is sufficient information at this time to scope out an assessment of ground conditions and contamination.</p> <p>In addition, the Inspectorate notes that a PRA has not yet been undertaken for the Cable Route Corridor. The Applicant proposes to produce a PRA for the Cable Route Corridor which would be summarised within the Other Environmental Matters ES Chapter. The PRA for the cable route corridor would be provided within an appendix to the chapter. This appears to contradict Scoping Report paragraph 11.4.22 which states that the PRA would be provided within the Ground Conditions and Contamination ES Chapter. Although unclear, from the information provided it appears that the Applicant is requesting to scope out a Ground Conditions and Contamination ES Chapter.</p> <p>The Inspectorate considers that there are a number of unresolved and uncertain matters identified in the Scoping Report material and on this basis a Ground Conditions and Contamination ES Chapter prepared in accordance with relevant guidance should be included in the ES. The PRA for the Cable Route Corridor should be provided as an appendix to the Ground Conditions and Contamination ES Chapter with the results presented within the ES Chapter. Where the PRA for the Cable Route Corridor identifies the potential for likely significant effects, an assessment of these matters should be</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>provided within the ES. Where matters have been scoped out of assessment, the ES should still include an explanation as to how the conclusion of no likely significant effects has been reached.</p> <p>The Inspectorate advises that the outline CEMP should be submitted with the DCO application.</p>
362	Para 11.4.8, 11.4.15 and Table 10.4	Exposure to contamination through direct contact/ingestion and inhalation of dust, vapours and asbestos fibres (construction workers, future site users and adjacent site users and adjacent residents) – all phases	<p>The Scoping Report seeks to scope these matters out on the basis of the same rationale detailed above at ID 3.6.1.</p> <p>Given the findings of the PRAs and proposed mitigation measures, the Inspectorate agrees that significant effects are not likely to occur and agrees to scope these matters out from further assessment for all phases at Lime Down A to E and Land at Melksham Substation. As set out within ID 3.6.1, the provision of a PRA for the Cable Route Corridor as an appendix to the Ground Conditions and Contamination ES Chapter is acceptable in principle. Should the PRA identify the potential for likely significant effects of exposure to contamination on construction workers, future site users, adjacent site users and adjacent residents an assessment of these matters should be provided within the ES. If this matter is ultimately scoped out of assessment, the ES should still include a justification as to how the conclusion of no likely significant effects has been reached.</p>
363	Para 11.4.11, 11.4.18, 11.5.1, 11.5.2	Mobilisation of existing contamination to controlled waters – construction and decommissioning	<p>The Scoping Report seeks to scope these matters out on the basis of the same rationale detailed above at ID 3.6.1.</p> <p>Given the concerns about the baseline highlighted by the EA (Appendix 2 of this Opinion), the Inspectorate does not consider that there is sufficient information at this time to scope out an assessment of these matters. Accordingly, the ES should include an assessment of these matters or the information demonstrating agreement with the relevant consultation bodies and the absence of likely significant effects.</p> <p>As set out within ID 3.6.1, the provision of a PRA for the Cable Route Corridor as an appendix to the Ground Conditions and Contamination ES Chapter is acceptable in principle. Should the PRA identify the potential for mobilisation of existing contamination to</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>controlled waters to occur, an assessment of these matters should be provided within the ES. If this matter is ultimately scoped out of assessment, the ES should still include a justification as to how the conclusion of no likely significant effects has been reached. The Scoping Report does not state whether this matter would be considered during operation. The Inspectorate is content that significant effects as a result of the mobilisation of existing contamination to controlled waters is unlikely to occur during operation and considers that this matter can be scoped out of further assessment during operation.</p>
364	Para 11.4.11, 11.4.18, 11.5.1, 11.5.2 and Table 10.4	Spillages or leakages of fuels and chemicals to controlled waters – all phases	<p>The Scoping Report seeks to scope these matters out on the basis of the same rationale detailed above at ID 3.6.1.</p> <p>Given the concerns about the baseline highlighted by the EA (Appendix 2 of this Opinion), the Inspectorate does not consider that there is sufficient information at this time to scope out an assessment of these matters. Accordingly, the ES should include an assessment of these matters or the information demonstrating agreement with the relevant consultation bodies and the absence of likely significant effects.</p> <p>As set out within ID 3.6.1, the provision of a PRA for the Cable Route Corridor as an appendix to the Ground Conditions and Contamination ES Chapter is acceptable in principle. Should the PRA identify the potential for spillages or leakages of fuels and chemicals to controlled waters to occur, an assessment of these matters should be provided within the ES. If this matter is ultimately scoped out, the ES should still include an explanation as to how the conclusion of no likely significant effects has been reached.</p>
365	Para 11.4.12, 11.4.19, 11.4.20 and Table 10.4	Accumulation and migration into buildings of hazardous ground gases on future site users and built environment - operation	<p>The Scoping Report seeks to scope these matters out on the basis of the same rationale detailed above at ID 3.6.1.</p> <p>Given the concerns about the baseline highlighted by the EA (Appendix 2 of this Opinion), the Inspectorate does not consider that there is sufficient information at this time to scope out an assessment of these matters. Accordingly, the ES should include an assessment of these matters or information demonstrating agreement with the relevant consultation bodies and the absence of likely significant effects.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			As set out within ID 3.6.1, the provision of a PRA for the Cable Route Corridor as an appendix to the Ground Conditions and Contamination ES Chapter is acceptable in principle. Should the PRA identify the potential for hazardous ground gases to accumulate and migrate into buildings, enclosed spaces and sub-floor voids, an assessment of this matter should be provided within the ES. If this matter is ultimately scoped out, the ES should still include an explanation as to how the conclusion of no likely significant effects has been reached.

ID	Ref	Description	Inspectorate's comments
366	Table 11.3	Definition of significant effects	Scoping Report Table 11.3 provides the combination of receptor sensitivity and magnitude of impact but does not explain which effects will be considered significant or how it will be determined whether an effect is significant if the outcome has potential to be either minor or moderate or either moderate or major etc. The ES should clearly set out how significant effects are defined and describe how any decisions are made where there is potential for an effect to either be significant or not.
367	Para 11.3.1	Baseline	The Applicant's attention is drawn to comments at ID 3.5.6 with regard to the inconsistencies and factual inaccuracies of the description of the baseline within the Scoping Report and key receptors missing from the presented baseline.
368	Para 8.3.13	Drilling fluid breakout plan	The Scoping Report details that Horizontal Directional Drilling (HDD) may be utilised. This has not been discussed in the context of groundwater and land contamination. The ES should confirm where HDD will be employed and should this have potential to impact groundwater or take place in land affected by contamination, appropriate mitigation, such as measures to be included in a drilling fluid breakout plan, should be described in the ES and appropriately secured.

3.7 Cultural Heritage

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Table 12.5	Impact to archaeological remains during the operation and decommissioning phases	<p>The Scoping Report proposes to scope this matter out on the basis that activities associated with the operation and decommissioning phases are not considered to cause further impact to buried archaeological remains beyond that which will occur during the construction phase. Table 12.5 recommends that mitigation measures are considered to ensure archaeological remains are adequately protected during the operation and decommissioning phases.</p> <p>The Inspectorate considers that potential indirect impacts to archaeology remaining in situ during the operation may include impacts from alteration of drainage patterns as a result of the existence of the Proposed Development. Furthermore, there is potential for ground disturbance during decommissioning and effects are likely to be similar to those experienced during construction. Accordingly, the ES should include an assessment of this matter or demonstrate the absence of likely significant effects with agreement from the relevant consultation bodies.</p>

ID	Ref	Description	Inspectorate's comments
37.2	Para 12.3.1, 12.3.2 and 12.3.3	Heritage receptors	<p>The Scoping Report identifies designated heritage assets which have the potential to be affected by the Proposed Development. The Applicant's attention is drawn to Historic England's consultation response (Appendix 2 of this Opinion) with regard to designated and non-designated receptors which should be considered within the assessment.</p> <p>The Applicant should seek to agree the heritage assets for inclusion and exclusion within the assessment with the relevant consultation bodies and provide evidence of this consultation within the application documents.</p>

ID	Ref	Description	Inspectorate's comments
373	Paras 12.3.1, 12.3.2 and 12.3.3	Study area	<p>The Scoping Report proposes a study area of 2km for designated heritage assets and Conservation Areas with the option of assessing designated assets beyond the 2km study area where there is potential for impacts to occur. A study area of 1km is proposed for records of non-designated heritage assets and a 250m study area is proposed for designated and non-designated assets along the Cable Route Corridor.</p> <p>The ES should establish the study area with reference to the extent of the likely impacts which should be informed by fieldwork and the ZOI. The Applicant should agree this study area with relevant consultation bodies where possible. 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 ES Chapter). The Applicant should make efforts to agree the approach with the relevant consultation bodies.</p>
374	Para 12.3.31	Trial trenching	<p>Where trial trenching is proposed to inform the baseline for the assessment, the need for, methodology, extent and coverage of trial trenches should be agreed in advance with the relevant consultation bodies. The extent of trial trenching activity should be agreed as part of a Written Scheme of Investigation with Wiltshire Council, where possible.</p>

3.8 Transport and Access

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
381	Para 13.6.2 - 13.6.5 and Table 21.1	Assessment of transport impacts during the operational and decommissioning phases	<p>The Scoping Report estimates 4 vehicle movements per month during operation which will not trigger the screening thresholds specified in the Institute of Environmental Management and Assessment (IEMA) Guidelines – Environmental Assessment of Traffic and Movement (2023). On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p> <p>The Scoping Report states that transport impacts during the decommissioning phase will be equivalent to or less than those during the construction phase and proposes to scope this matter out. Indicative traffic numbers for the construction or decommissioning phases are not provided within the Scoping Report. As such, the Inspectorate is not in a position to scope this matter out at this stage. The ES should provide information on the likely trip generation during decommissioning and confirm the assessment conclusions for the decommissioning phase, based on reasonable assumptions. Further details on the specific mitigation measures required to avoid likely significant effects should also be provided.</p>

ID	Ref	Description	Inspectorate's comments
382	Para 13.3.2 and Figure 13.1	Study area - roads	It would assist the reader if the roads set out in Paragraph 13.3.2 of the Scoping Report were identified on Figure 13.1 and a version of this figure is provided in the ES.

ID	Ref	Description	Inspectorate's comments
383	Para 13.3.4 and Figure 13.1	Indicative Study Area – Traffic and Transport	<p>Paragraph 13.3.4 of the Scoping Report states that the study area for the Traffic and Transport assessment is shown on Figure 13.1. However, Figure 13.1 only shows proposed construction vehicle routes.</p> <p>The ES should explain how the study area for the Traffic and Transport assessment has been defined, with reference to the extent of likely impacts. The ES should document any consultation undertaken with relevant highways authorities with regards to the scope of the proposed assessment, including matters agreed/not agreed.</p> <p>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>
384	Para 4.2.29	Abnormal Indivisible Loads (AILs)	<p>The Scoping Report states that the transformers will be classified as an Abnormal Indivisible Load (AIL) and an additional assessment will be undertaken by an AIL specialist to identify suitable routes.</p> <p>The impacts on safety from the delivery of AILs should be assessed within the ES where significant effects are likely to arise. Appropriate measures to ensure safe transportation of hazardous loads (if any) should be included within the AIL Transport Management Plan.</p>
385	Para 13.3.2	Impacts on the Strategic Roads Network (SRN)	<p>Paragraph 13.3.2 of the Scoping Report states that the study area for the assessment of significant effects on transport and access “<i>will consist of all PRoW within the Sites and the roads that comprise the construction vehicle routes from Junctions 17 and 18 of the M4</i>” however does not discuss likely significant effects on the M4 itself.</p> <p>Given that construction vehicles are likely to access the Proposed Development via the M4 the ES should include an assessment of traffic impacts on the SRN (including the M4 and associated junctions) during construction and decommissioning which are likely to result in significant effects.</p> <p>The applicant’s attention is drawn to the consultation response from National Highways in relation to potential effects on the M4 (Appendix 2 of this Opinion).</p>

3.9 Noise and Vibration

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
391	Table 14.10 and 21.1	Assessment of vibration impacts from solar PV arrays during the operation phase	<p>The Scoping Report proposes to scope out an assessment of vibration impacts during the operation phase on the basis that solar PV arrays do not use plant or equipment that generate significant vibration levels.</p> <p>Considering the nature of the Proposed Development during operation the Inspectorate is content to scope this matter out of further assessment.</p>
392	Table 14.10 and 21.1	Assessment of noise and vibration impacts from operational traffic	<p>The Scoping Report proposes to scope out an assessment of noise and vibration impacts from operational traffic on the basis that minimal road traffic movements (4 per month) would occur during operation.</p> <p>On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p>

ID	Ref	Description	Inspectorate's comments
393	Para 14.4.1 and Figure 14.1	Study area	<p>Paragraph 14.4.1 of the Scoping Report states that the study area for the Noise and Vibration assessment is shown on Figure 14.1. Figure 14.1 only shows the site boundary and proposed long term monitoring locations.</p> <p>A plan illustrating both the extent of the study area and the expected route(s) of construction traffic should be included in the ES.</p>
394	Appendix	Long term monitoring locations	<p>Appendix 14.1 of the Scoping Report sets out "long term monitoring locations" for the Proposed Development. Paragraph 14.4.4 states that monitoring locations have been selected to be representative of baseline noise conditions at sensitive receptor locations</p>

ID	Ref	Description	Inspectorate's comments
	14.1, Paragraph 14.4.4		and communities in proximity to the Scheme. The Inspectorate notes that all monitoring locations are in close proximity to Lime Down A to E and Melksham Substation and no monitoring has been undertaken in proximity to the Cable Route Corridor. The ES should include an assessment of noise impacts at all locations where significant effects are likely or otherwise present a justification in the ES as to why significant effects are not likely to occur.
395	Para 14.4.1	Study area	The study area for noise and vibration is defined in Scoping Report paragraph 14.4.1 using an arbitrary distance of 500m from the Proposed Development however this distance is not justified. The ES should explain how the study area and sensitive receptors have been selected with reference to the extent of likely impacts and relevant supporting evidence such as modelling and/or relevant guidance. Effort should be made to agree the study area(s) with relevant consultation bodies.
396	Para 14.4.5	Baseline noise and vibration surveys – Lime Down C	Paragraph 14.4.5 of the Scoping Report states that <i>“baseline condition surveys for the extension of Lime Down C have not been completed prior to the submission of this Scoping Report”</i> . All works that have the potential of being required and to be permitted by the DCO should be described and assessed in the ES.
397	Para 14.5.1	Operational effects	The Scoping Report states that operational effects will cease completely when operation of the scheme ceases and are therefore temporary. The Inspectorate acknowledges that operational noise effects would cease upon decommissioning, however given the design life of the Proposed Development is expected to be 60 years, care should be taken in the assessment not to underplay potential operational effects in this regard.
398	Para 14.5.23	Mitigation	The Scoping Report states that during the construction and operation stages of the development embedded mitigation in the form of a CEMP and OEMP will be used and therefore, no additional mitigation is expected to be required.

ID	Ref	Description	Inspectorate's comments
			For the avoidance of doubt, any measures that are envisaged to mitigate likely significant effects, embedded or otherwise, should be described within the ES.

3.10 Glint and Glare

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 21.1	Assessment of glint and glare effects – land at Melksham Substation and Cable Route Corridor	<p>The Scoping Report proposes to scope out an assessment of glint and glare effects to aviation, railway, road and residential receptors from the Land at Melksham Substation and Cable Route Search Corridor as no solar panels will be sited within these areas.</p> <p>Considering the nature of the Proposed Development the Inspectorate is content to scope this matter out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.10.2	Para 15.5.3 and Table 21.1	Assessment of glint and glare to aviation, railway, road and residential receptors from Lime Down A to E	<p>The Scoping Report proposes that the assessment of glint and glare effects will be set out in full in a Technical Appendix to the ES and summarised within the 'Other Environmental Matters' chapter of the ES. The Inspectorate is content with this approach.</p> <p>The 'Other Environmental Matters' chapter of the ES should identify any significant effects resulting from glint and glare. ES aspect chapters (such as LVIA and Cultural Heritage) should cross refer to the Glint and Glare assessment where relevant.</p>
3.10.3	N/A	Glint and glare impacts on users of Public Rights of Way (PRoW)	<p>The Scoping Report considers the potential for glint and glare impacts on road and residential receptors but there is no consideration of recreational users of PRoW. The Glint and Glare assessment should include an assessment of the potential impact of the Proposed Development on receptors located on PRoW.</p> <p>The Applicant's attention is drawn to the comments from the Cotswolds National Landscape Board (Appendix 2 of this Opinion) regarding the assessment of potential glint and glare impacts of the Proposed Development upon receptors located on PRoW within the Cotswolds National Landscape (CNL) or with views back towards the CNL.</p>

3.11 Electromagnetic Fields

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Para 16.5.4 and Table 21.1	Assessment of Electromagnetic Fields (EMF) from the BESS, substations, transformers and PV inverters	<p>The Scoping Report proposes to scope out an assessment of EMF from the BESS, substations, transformers, and PV inverters as these will be housed in protective enclosures, and the substations and BESS will be situated at least 100m from residences and workplaces. It is therefore considered in the Scoping Report that there would be no significant EMF impacts.</p> <p>On this basis and subject to the provision of technical reporting to demonstrate that relevant design standards have been met the Inspectorate is content to scope out consideration of EMF from the BESS, substations, transformers and PV inverters.</p>

ID	Ref	Description	Inspectorate's comments
3.11.2	Table 21.1	Assessment of EMF from the Cable Route Corridor during construction and operation	<p>The Scoping Report proposes that the assessment of EMF associated with the Cable Route Corridor will be summarised within the 'Other Environmental Matters' chapter of the ES. The Inspectorate is content with this approach.</p> <p>The 'Other Environmental Matters' chapter of the ES should identify any significant effects resulting from EMF. ES aspect chapters (such as Human Health) should cross refer to the EMF assessment where relevant. The Scoping Report proposes that the assessment of EMF impacts associated with the Cable Route Corridor on fish will be addressed in Chapter 8. The Inspectorate is content with this approach.</p>

3.12 Air Quality

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Para 17.5.10 and 17.6.1 and Table 21.1	Assessment of dust emissions during the construction and decommissioning phase	<p>The Scoping Report proposes to scope out an assessment of dust emissions during the construction phase on the basis that a construction dust risk assessment will be undertaken to determine the risk of dust impacts to human and ecological receptors and identify appropriate mitigation measures that would be incorporated into the CEMP.</p> <p>Paragraph 17.6.1 of the Scoping Report proposes to scope out an assessment of dust emissions during the decommissioning phase on the basis that mitigation measures incorporated into the CEMP to manage fugitive dust emissions during construction will also be adopted for the decommissioning phase.</p> <p>Limited information has been provided in the Scoping Report regarding the likely significant effects associated with dust emissions during construction and decommissioning and on this basis the Inspectorate does not agree to scope this matter out at this stage. The ES should include an assessment of dust emissions arising from activities during construction and decommissioning which are likely to result in significant effects or otherwise present a justification in the ES as to why significant effects are not likely to occur. It should be clear how all mitigation measures would be delivered and secured, through cross reference to the outline CEMP and DCO.</p>
3.122	Table 21.1	Assessment of emissions from non-road mobile machinery (NRMM) during the construction phase	<p>The Scoping Report proposes to scope out an assessment of emissions from non-road mobile machinery during the construction phase on the basis that while there may be an increase in emissions from NRMM impacts are likely to be minimal and temporary in nature and controlled through a CEMP.</p> <p>Limited information has been provided in the Scoping Report regarding the likely use of NRMM. Specifically, no information has been provided as to the type, number, location or operational hours of such machinery and likely emissions, other than references to the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>minimal and temporary nature of NRMM use. On this basis the Inspectorate is unable to scope this matter out of further assessment.</p> <p>The ES should include an assessment of NRMM emissions during construction which are likely to result in significant effects or otherwise present a justification in the ES as to why significant effects are not likely to occur.</p>
3.123	Table 21.1, Para 17.5.5	Assessment of traffic emissions during the construction, operation and decommissioning phases	<p>Table 21.1 of the Scoping Report proposes to scope out an assessment of traffic emissions during the construction phase. This appears to contradict paragraph 17.5.5 which states that "<i>the number of vehicles associated with the construction phase is not yet confirmed and detailed assessment of construction vehicle emissions will be scoped in until traffic flows are available to consider if the traffic flows have the potential to significantly alter congestion</i>", meaning the Applicant's proposed approach is unclear.</p> <p>In the absence of information on the likely number and type of vehicles required for construction, the Inspectorate does not agree to scope this matter out at this stage. The ES should include an assessment of road traffic emissions during construction which are likely to result in significant effects or otherwise present a justification in the ES as to why significant effects are not likely to occur.</p> <p>Paragraph 17.5.7 of the Scoping Report proposes to scope out an assessment of traffic emissions during operation on the basis that minimal road traffic movements (4 per month) would occur, and air quality impacts will be negligible. On this basis, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES should confirm the operational vehicle types and numbers (with reference to thresholds within guidance) to justify this position.</p> <p>Paragraph 17.5.2 of the Scoping Report proposes to scope out an assessment of traffic emissions during decommissioning on the basis that effects are likely to be short term and similar to construction phase impacts. In the absence of evidence demonstrating that decommissioning activities would not result in road traffic emission effects greater than construction, the Inspectorate is not in a position to agree to scope this matter out.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>The ES should include an assessment of road traffic emissions during decommissioning which are likely to result in significant effects or otherwise present a justification in the ES as to why significant effects are not likely to occur.</p> <p>The Project Description chapter of the ES should clearly set out the likely number and type of vehicles required for construction, operation and decommissioning.</p>

ID	Ref	Description	Inspectorate's comments
3.124	Para 17.4.3	Baseline data	<p>Paragraph 17.4.3 of the Scoping Report proposes to characterise baseline ambient air quality by way of a desk study. Paragraph 17.4.6 states that the closest monitoring site is located approximately 8km south of the application site. The Applicant should ensure that the baseline can be adequately characterised through a desk study and effort should be made to reach agreement with relevant consultation bodies, including the local authorities, as to whether any additional survey or monitoring work is required.</p>
3.125	Para 17.5.3	Study area	<p>The Scoping Report states that the Study Area for the Proposed Development includes an area <i>"up to 250m from the Sites, Cable Route Search Corridor, and Land at Melksham Substation presented in Figure 3.1"</i>.</p> <p>The ES should include an explanation of the study areas used to identify potential for significant air quality effects on human and ecological receptors. This should be supported by appropriate figures. The assessment methodology and selection of study areas should be discussed and agreed with relevant consultation bodies.</p>

3.13 Socio-Economics, Tourism and Recreation

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.131	Table 21.1, Para 18.5.2	Assessment of socio-economic impacts for decommissioning other than those explicitly scoped in	<p>The Scoping Report proposes to scope out an assessment of socio-economic impacts during decommissioning (apart from employment) on the basis that these will be no more significant than those assessed for construction, and difficulties associated with providing a meaningful assessment of potential impact for a 2089 future baseline date.</p> <p>The Inspectorate acknowledges these potential limitations but does not agree that decommissioning can be excluded from the ES given that likely significant effects have been identified for the construction phase. The ES should provide information on the socio-economic impacts during decommissioning based on reasonable assumptions where likely significant effects may occur.</p>
3.132	Table 21.1, Para 18.5.2	Assessment of tourism and recreation impacts during the decommissioning phase	<p>The Scoping Report proposes to scope out an assessment of tourism and recreation impacts during the decommissioning phase on the basis that these will be short to medium term and no more significant than those assessed for construction.</p> <p>The Inspectorate does not agree that decommissioning can be scoped out at this stage given that likely significant effects on PRow and heritage assets have been identified for the construction phase. The ES should provide information on tourism and recreation impacts during decommissioning based on reasonable assumptions where likely significant effects may occur.</p>
3.133	Table 21.1, Para 18.5.2	Assessment of impacts to property value and crime – all project phases	<p>The Scoping Report proposes to scope out an assessment of impacts to property value and crime for all project phases on the basis that there is little evidence that property value or levels of crime or safety are significantly affected by the development of solar farms.</p> <p>The Inspectorate agrees that significant effects are not likely in relation to crime and safety or property value and is content to scope these matters out. The ES should provide details</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			on security proposed during construction and operation (such as installation of security fencing, CCTV, and lighting).

ID	Ref	Description	Inspectorate's comments
3.134	Para 18.5.1	Workforce	<p>Paragraph 18.5.1 of the Scoping Report states that the Proposed Development will provide increased access to employment opportunities, increased workplace population, and increased direct and indirect economic activity.</p> <p>The ES should provide the anticipated number of jobs proposed to be created for each of the phases of the Proposed Development and consider the potential impact of construction workers on capacity of local accommodation and services.</p>
3.135	Para 18.3.2	Study area	<p>The Scoping Report states that a 20km study area has been adopted for the socio-economic, tourism and recreation assessment, with "<i>detailed assessment of impacts on individual tourism and recreation assets focussed to within an approximately 2km impact area (or as dictated by zones of theoretical visibility) to define the extent to which these impacts are likely to be felt</i>".</p> <p>The ES should include a clear justification as to how the study areas for the socio-economic, tourism and recreation assessment have been defined. The study areas and receptors should be depicted on corresponding figures to aid understanding. It should be clear how the selected study areas relate to the extent of the likely impacts from the Proposed Development.</p>
3.136	Plate 18.1	Local Impact Area and relevant local authorities	<p>Plate 18.1 of the Scoping Report is not clearly legible at the scale currently provided.</p> <p>The ES must include clear and appropriate figures to support the impact assessment. Figures should be of an appropriate scale and shading to allow each element on the figure to be clearly distinguishable and include clear keys/legends and labels.</p>

ID	Ref	Description	Inspectorate's comments
3.13.7	Plate 18.2	Regional Impact Area – Southwest ITL1 region	It would assist the reader if the red line boundary for the Proposed Development could be shown on this figure.

3.14 Human Health and Wellbeing

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Table 21.1	Human Health and wellbeing matters	<p>The Scoping Report proposes to scope out an assessment of impacts to the following matters:</p> <ul style="list-style-type: none"> • physical activity (all project phases); • risk taking behaviour (all project phases); • diet and nutrition (all project phases); • housing (operation); • relocation (all project phases); • transport modes, access and connections (operation); • community safety (all project phases); • social participation, interaction and support (all project phases); • climate change mitigation and adaptation (construction and decommissioning); • radiation (all project phases); • health and social care services (construction and decommissioning); • built environment (construction and decommissioning); and • wider societal infrastructure and resources (construction and decommissioning). <p>Regarding impacts on health and social care services during construction and decommissioning, the Inspectorate notes that this matter is listed in both the 'Proposed Elements to be scoped in' and 'Proposed Elements to be Scoped out' columns of Table 21.1, meaning the Applicant's proposed approach is unclear. For the avoidance of doubt,</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>the Inspectorate considers that this matter should be scoped in for all stages of the Proposed Development where likely significant effects could occur, or a justification should be presented in the ES as to why significant effects are not likely to occur.</p> <p>Given the nature of the Proposed Development and the information provided within the Scoping Report, the Inspectorate agrees that all other human health and wellbeing matters listed at 3.14.1 can be scoped out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.142	Table 21.1	Human health and wellbeing assessment	<p>The Scoping Report proposes to assess impacts to the following human health and wellbeing matters in other topic chapters and summarise findings in the 'Other Environmental Matters' ES Chapter:</p> <ul style="list-style-type: none"> • housing (construction and decommissioning); • open space, leisure and play (all phases); • transport modes, access and connections (construction and decommissioning); • community identity, culture, resilience and influence; • education and training; • employment and income; • climate change mitigation and adaptation (operation); • air quality; • water quality or availability; • land quality; • noise and vibration; • health and social care services (construction and decommissioning); and

ID	Ref	Description	Inspectorate's comments
			<ul style="list-style-type: none"> • wider societal infrastructure and resources (operation) <p>The Inspectorate is content with this approach. The EIA Methodology ES chapter should provide clear cross-referencing to where the relevant impacts on human health are considered. Consideration should be given to direct and indirect impacts on human health receptors.</p>
3.14.3	Para 19.3.1	Zone of Influence (Zol) / Study area	<p>The Scoping Report states that the Local Impact Area (LIA) for socio-economic impacts has been used for the human health and wellbeing assessment to ensure the worst-case impact area is included.</p> <p>The Inspectorate notes that limited information has been provided to explain how the study area was selected. The study area for the human health and wellbeing assessment and its extent should be clearly explained in the ES and justification provided. The assessment methodology and selection of study areas should be discussed and agreed with relevant consultation bodies.</p>
3.14.4	Table 19.5	Human health and wellbeing assessment	<p>The Scoping Report proposes to assess impacts to the following human health and wellbeing matters in the Socio-Economics, Tourism and Recreation Chapter of the ES:</p> <ul style="list-style-type: none"> • requirement for temporary accommodation for the construction workforce and potential health effects on existing residents; • impacts on tourism and recreation facilities; • education and training opportunities; and • impacts on employment and income opportunities. <p>The Inspectorate is content with this approach. The EIA Methodology ES chapter should provide clear cross-referencing to where the relevant impacts on human health are considered. Consideration should be given to direct and indirect impacts on human health receptors.</p>

3.15 Agriculture and Soils

(Scoping Report Section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	Para 20.4.6	Direct effects on soil resources and agricultural land - operation	The Inspectorate agrees that effects on soil and agricultural land during the operational phase of the Proposed Development can be scoped out on the basis that significant effects on soil and agricultural land are likely to be restricted to the construction and decommissioning phases.
3.15.2	Para 20.4.3	Individual owner-occupied farm holdings – construction and operation	The Scoping Report proposes to scope out impacts on individual owner-occupied farm holdings on the basis that landowners that form part of the Proposed Development have signed up to a voluntary agreement and have considered the potential effects on the viability of farm holdings. The Inspectorate is content to scope out impacts on individual owner-occupied farm holdings, subject to providing evidence of such agreements. Where such agreements have not been reached then the ES should include an assessment of the effects on individual farm holdings.

ID	Ref	Description	Inspectorate's comments
3.15.3	Para 20.4.11	Baseline	The Inspectorate welcomes the provision of a plan that identifies the provisional Agricultural Land Classification (ALC) of land within the site. The ES should quantify the areas of land according to Grades 1 to 5 of the ALC, including differentiating between Grades 3a and 3b.
3.15.4	Para 20.3.4	Agricultural Land Classification (ALC)	The Scoping Report states that soil and ALC surveys have been undertaken at an observation density of one per 2ha, supported by soil pit data and laboratory analysis. The ES should contain a clear tabulation of the areas of land in each Best Most Versatile (BMV) classification to be temporarily or permanently lost as a result of the Proposed

ID	Ref	Description	Inspectorate's comments
			Development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided. The Applicant should ensure that the approach is justified, aligns with relevant guidance and/or standards (e.g., Natural England Technical Information Note TIN049, 2012), and/or is agreed with the relevant consultation bodies.
3.155	Para 20.4.1 and 20.5.1	Grazing during operation	The Scoping Report states that subject to demand, agricultural uses including sheep grazing may resume within the solar PV arrays once construction is complete. Where the ES relies upon grazing and other agricultural usages as mitigation, it should be demonstrated that the land is not subject to restrictive covenants that would prevent such use and that such mitigation is secured in respect of the operation of the Proposed Development.
3.156	Para 20.5.2	Soil Management Plan (SMP)	The Scoping Report states that an outline SMP and overarching outline CEMP will incorporate best practice measures to ensure adverse effects on agricultural land and soil are minimised wherever possible. For clarity, a draft/ outline version should be provided with the application and appropriately secured via the dDCO.

3.16 Other Environmental Matters

(Scoping Report Section 21)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1		n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.16.2	Para 21.7.1	Aspects to be considered within the 'Other Environmental Matters' Chapter of the ES	<p>The Scoping Report proposes that the following aspects will be considered within the 'Other Environmental Matters' Chapter of the ES:</p> <ul style="list-style-type: none"> • ground conditions and contamination; • glint and glare; • EMFs; • human health; • major accidents and disasters; • light pollution; • minerals; • waste; and • telecommunications, utilities and television. <p>Regarding Ground Conditions and Contamination, the Inspectorate considers that there are a number of unresolved and uncertain matters identified in the scoping material and on this basis a Ground Conditions and Contamination chapter prepared in accordance with</p>

ID	Ref	Description	Inspectorate's comments
			<p>relevant guidance should be included in the ES. Please refer to the Inspectorate's comments at ID 3.6.1 of this Scoping Opinion.</p> <p>Regarding all other aspects set out at paragraph 21.7.1, the Inspectorate has considered this approach and agrees that a standalone chapter is not necessary for these matters.</p>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Hawkesbury Parish Council
	Acton Turville Parish Council
	Badminton Parish Council
	Calne Without Parish Council
	Melksham Without Parish Council
	Bromham Parish Council
	Bremhill Parish Council
	Grittleton Parish Council
	St. Paul Malmesbury Without Parish Council
	Charlton Parish Council
	Holt Parish Council
	South Wraxall Parish Council
	Atworth Parish Council
	Broughton Gifford Parish Council
	Semington Parish Council
	Melksham Parish Council
Seend Parish Council	
Rowde Parish Council	

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Box Parish Council
	Corsham Parish Council
	Colerne Parish Council
	Biddestone & Slaughterford Parish Council
	North Wraxall Parish Council
	Chippenham Town Council
	Chippenham Without Parish Council
	Lacock Parish Council
	Langley Burrell Without Parish Council
	Nettleton Parish Council
	Castle Combe Parish Council
	Kington St. Michael Parish Council
	Kington Langley Parish Council
	Stanton St. Quintin Parish Council
	Luckington and Alderton Parish Council
	Sherston Parish Council
	Hullavington Parish Council
	Sutton Benger Parish Council
	Seagry Parish Council
	Great Somerford Parish Council
	Little Somerford Parish Council
	Lea and Cleverton Parish Council
	Brokenborough Parish Council
	Hilperton Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Yatton Keynell Parish Council
	Sopworth Parish Council
	Easton Grey Parish Council
	Malmesbury Parish Council
	Christian Malford Parish Council
	Dauntsey Parish Council
	Westonbirt with Lasborough Parish Council
	Didmarton Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	The Forestry Commission
Relevant AONB Conservation Boards	Cotswolds Conservation Board
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant Highways Authority	Wiltshire Council Highways Authority
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Wiltshire Police and Crime Commissioner
The relevant ambulance service	South Western Ambulance Service NHS Foundation Trust
The relevant fire and rescue authority	Dorset and Wiltshire Fire and Rescue Service

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

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

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board
NHS England	NHS England
The relevant NHS Foundation Trust	Royal United Hospitals Bath NHS Foundation Trust
	South Western Ambulance Service NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority
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

STATUTORY UNDERTAKER	ORGANISATION
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Independent Water Networks
	South West Water
	Severn Trent
	Wessex 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
	CNG Services 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	

STATUTORY UNDERTAKER	ORGANISATION
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Gas
The relevant electricity generator with CPO Powers	Melksham East Storage Limited
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (South West) Limited
	Aidien Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Squire Energy Metering Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited

STATUTORY UNDERTAKER	ORGANISATION
	Vattenfall Networks Limited
	Scottish and Southern Electricity Networks
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Wiltshire Council
New Forest District Council
Vale of White Horse District Council
Cotswold District Council
Test Valley Borough Council
New Forest National Park Authority
Dorset Council
West Berkshire Council
Bath and North East Somerset Council
Somerset Council
South Gloucestershire Council
Swindon Borough Council
Oxfordshire County Council
Gloucestershire County Council
Hampshire County Council

TABLE A6: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
West of England Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Atworth Parish Council
Bath and North East Somerset Council
Bremhill Parish Council
Calne Without Parish Council
Chippenham Without Parish Council
Christian Malford Parish Council
Corsham Town Council
Cotswold District Council
Cotswolds National Landscape Board
Dauntsey Parish Council
Dorset and Wiltshire Fire and Rescue Service
Dorset Council
Environment Agency
Grittleton Parish Council
Hampshire County Council
Health and Safety Executive
Historic England
Hullavington Parish Council
Kington Langley Parish Council
Kington St Michael Parish Council
Langley Burrell Without Parish Council
Luckington and Alderton Parish Council

Malmesbury Town Council
Melksham Without Parish Council
National Gas Transmissions
National Grid Electricity Distribution
National Grid Electricity Transmission
National Highways
NATS Safeguarding
Natural England
Network Rail
New Forest National Park Authority
Northern Gas Networks
Seagry Parish Council
Severn Trent Water
Sherston Parish Council
Somerford Parish Council
South Wraxall Parish Council
St Paul Malmesbury Without Parish Council
Sutton Benger Parish Council
UK Health Security Agency
Wessex Water
West Berkshire District Council
Wiltshire Council
Yatton Keynell Parish Council



Martin Kyte
Clerk to Atworth Parish Council
Clerk@atworth.org

Date: 14th August 2024

RESPONSE TO LIME DOWN EIA SCOPING DOCUMENT

Atworth Parish Council have been invited to respond to an invitation to contribute to the Environmental Impact Assessment(EIA) Scoping Document on the proposed Lime Down development.

There are several considerations that must be scoped in for the EIA that appear to be lacking in content or not included at all and these are listed below.

However, before such detail is covered it is worth noting that the developer claims Stage 1 Non-Statutory consultation is complete and that community engagement is ongoing. This is incorrect. CAWS have set out in writing to the developer why Stage 1 was ineffective and why it cannot be claimed to be complete and as a Parish sitting on the boundary of this proposed development it would appear that any engagement with the community since initial briefing has been almost non-existent.

As a result, continued and wide-ranging community consultation must form part of any scoping document.

Areas requiring more detail to be scoped in for the EIA are as follows;

Cumulative Impact

Such impact must be a major aspect of the evaluation of Lime Down and the environmental damage it would cause. Atworth Parish Council are concerned that the proposed application does not properly consider the position of a number of villages in this small area that are becoming surrounded by renewable development industrialization which is dramatically changing the environment in which we live.

We recently agreed to one more development in our village at Studley Farm, but in an area that is already contributing greatly to renewable targets, the Cumulative impact of any new sites will disproportionately tip the balance in terms of environmental damage and acceptability.

Landscape and Visual

There will be significant landscape and visual receptor damage. The proposed BESS (incorrectly described as being in Melksham village and land at Melksham sub-station) is on prominent agricultural land in the neighbouring village to us of Whitley and any further development there would clearly have a significant impact on the surrounding landscape character. Local walkers seeking a more tranquil rural place to walk have effectively been kettled into the area east of the wine cellars, north of Atworth and west of Whitley. This area is very popular and attracts visitors from further afield to walk. A 60-year life is not temporary but a lifetime, and any screening would take 15 years or more to be effective but we question whether screening on such a prominent site can be achieved at all.

Given the unique characteristics of Whitley and nearby settlements, the review area for designated and non-designated assets should extend to 3km and 4km respectively. The method to assess impacts on any Conservation Area with close proximity to the site should be expanded.

Noise and Vibration

The Atworth Parish boundary is extremely close to the proposed BESS in Whitley.' Assessment of noise and vibration during the construction, operation and decommissioning phases must be fully scoped in.

Air Quality

Dust emissions during construction, operation and decommissioning and reference of the risk and impact of BESS fires to the Health and Safety Executive with an assessment under Control of Major Accident Regulations 2015 (COMAH) must be scoped in.

Transport and Access

Atworth already has a high volume of heavy traffic passing along the A365 and is often a popular diversion route when works on the A350 or A4 are present. Construction, operational and any decommissioning additional traffic could last for 60 years and with other increased industrialization in the locality, the impact is not acceptable and this consideration must also be scoped in.

Other Environmental Issues

The BESS would present clear environmental risks on the proposed site during build, operation and running, all of which should be properly considered as part of the EIA. This should cover;

- potential surface water contamination, including silt, sediment, nutrients and chemical spills during and after construction.
- groundwater contamination, which is a notable risk given that the area is a groundwater protection zone.
- dust emissions during construction and the effects of toxic gas releases in the event of a fire.
- the potential release of toxic fluids from high voltage cables

Human Health and Wellbeing

The impacts upon the local community, landscape, ecology and hydrogeology will be profound. Wanting to live in and be surrounded by a rural community and to enjoy the freedom, tranquility and beauty of our natural habitats should not have to be earned and fought for when the rewards of such change and industrialisation lie purely in the hands of the landowners and investors. Physical and mental wellbeing of local parishioners will be under threat with no benefits realisation to any of the local parish communities.

Atworth Parish Council look forward to an update as to progress and the overall findings of the scoping report

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www.bathnes.gov.uk

Fax: (01225) 394199
DX: 8047 (Bath)
Date: 24th July 2024
Our Ref: 24/02738/CONSLT

Planning Inspectorate
C/o Todd Brumwell

Dear Sir/Madam

Town and Country Planning Act 1990

Address to which the proposal relates: Application No: **24/02738/CONSLT**
Planning Applications Outside BANES Planning Bath Bath And North East Somerset

Description of proposal: **EIA scoping consultation for proposed Lime Down Solar Park.**

Name of Applicant: **Planning Inspectorate**

With reference to the above consultation request, Bath and North East Somerset Council would like to make the following comments:

The submitted EIA Scoping Report considers the potential Transport and Access Impacts associated with the development proposals at Chapter 13. Paragraph 13.3.2 of the document presents the proposed transport assessment study area, and it is noted that the M4 junctions 17 and 18 would both be used by construction traffic. However, it is unclear which parts of the local highway network would be used to provide access to Junction 18 and whilst the A46 is listed, it is not clear whether the A420 and/or A4 would be used to provide a connection to parts of the development. Given the scale of the proposal, there appears to be some potential for significant transport impacts throughout the construction and decommissioning phases, and the A4 corridor (part of which is maintained by the local highway authority) should be included within the Environmental Statement. The B&NES Highway Authority is content that there would not be a significant impact upon the B&NES authority highway network during the operational development phase.

Yours faithfully

Louise Morris

Head of Planning & Building Control

From: [Bremhill Parish Clerk](#)
To: [Lime Down Solar](#)
Cc: [Colin Pearson](#); [Chris Minty](#); [Robin O'Kelly](#); [Richard Tucker](#); [Mike Rigby](#); [William Bailey](#); [Kim Stuckey](#); [John Harris](#); [Tom Glass](#); [Arthur Ford](#); [Terry Satchell](#); [Ashley O'Neill](#); [Isabel McCord](#)
Subject: Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 06 August 2024 13:47:11

Dear Sir/Madam

Thank you for the sight of the Scoping Report which will be used by the applicant to develop the Environmental Statement for the Lime Down Solar Park planning application.

Bremhill Parish Council Neighbourhood Plan supports the development of solar energy infrastructure in the right places. The scale and location of Lime Down Solar Park raises concerns about the detrimental impact on the rural Cotswold landscape and its historic villages, biodiversity and the loss of land suitable for food production and hence the impact on the country's food security.

We note that the Scoping Report discusses mitigation measures and proposes monitoring arrangements. It does not say who will do the monitoring and whether it will be independently reviewed. In terms of the 10% net gain for biodiversity the monitoring should be species specific.

Bremhill Parish Council has nothing further to add at this stage.

Kind regards,

Sarah Gingell
Clerk
Bremhill Parish Council
[REDACTED] [@gmail.com](#)

Please note my usual work days are Tuesdays and Thursdays.

From: [Clerk](#)
To: [Lime Down Solar](#)
Subject: Re: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 02 August 2024 08:22:49
Attachments: [image001.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image003.png](#)
[Outlook-5lcrfw2e](#)

Good Morning,

Thank you for the invitation to make comments. We would like to confirm that Calne Without Parish Council offers no comment on the EIA assessment.

Many thanks,

Katherine Checchia
Clerk
Calne Without Parish Council
7 Studley Gardens
Studley
Calne, Wiltshire SN11 9FR



Please note; I work part time and my working pattern can vary, I will respond to your email as soon as I am in the office.

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: 17 July 2024 4:04 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Dear Sir/Madam,

We are contacting you at this time in relation to the Lime Down Solar Park which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the pre-application stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) ("the EIA Regulations"), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

To inform the scope and level of detail of the information to be provided within the ES, the

Applicant has requested a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State under Regulation 10 of the EIA Regulations.

Before adopting a Scoping Opinion, the Inspectorate must consult the relevant 'consultation bodies' defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant's approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant's own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is **14 August 2024** and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate.

For further information about the NSIP planning process, please click on the links below:

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)
- [Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



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CHIPPENHAM WITHOUT PARISH COUNCIL

www.chippenhamwithoutparishcouncil.gov.uk

Vivian A Vines MBE SLCC
Clerk of the Council

Tel [REDACTED]
Email clerk@chippenhamwithoutparishcouncil.gov.uk

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

8 August 2024

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

Your Ref: EN010168

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

I refer to your letter of the 17 July 2024 regarding the Planning Inspectorate, on behalf of the Secretary of State, being asked by the Applicant for a Scoping Opinion as to the information to be provided in an Environmental Statement (EIA) relating to the Proposed Development.

My Council is grateful that they have been identified as a consultation body and have pleasure in providing you with their views on what information they consider should be included in the Scoping Opinion that should be beneficial and improve the Environmental Statement required from the Applicant.

As a preamble, the Parish Council feel that not knowing the totality of subjects applicable to the proposal they cannot say they are confident that all that needs to be covered in an EIA are, or will be covered and that, perhaps, there is or should be a Government List/Schedule of prescribed subjects to be addressed by the Scoping Study and EIA?

The Council consider that as this is a huge project in its embryonic stage, with a potential decision timescale some three years hence, then it is important that all possible matters are covered to avoid any potential loopholes occurring. Being mindful of this, the Council considers that the following matters need consideration and inclusion in any Scoping Opinion provided:

1. EIA requirement to consider alternatives to the proposal.

The alternatives to the existing proposal that need to be considered are:

a. Alternative sites.

The Scoping Opinion should include a survey and assessment of alternative physical locations within the same radial distance from the proposed grid connection point at Melksham.

Comment; The Council is unsure if examples are required, or can be given, but if it is acceptable then it is aware of a Salisbury Plain alternative. This could be used in conjunction with the disused chalk quarry at Westbury, Wiltshire and the new incinerator at Westbury that will be laying a connection to Frome for the electricity that it generates. This cable is not yet in place and may already have planning consent. This being so, a Solar Farm sited on Salisbury Plain could utilise the incinerator's National Grid connection at Frome or ensure that when the cable is laid that it is capable of taking the Solar Park's input. A Scoping Report evaluation could/should be made of the Lime Down proposals that generate 500 MW and covers 900 hectares (2240 acres) with the old cement works site at Westbury covering 31 hectares (77 acres) that could be a contributory site in a Salisbury Plain proposal.

b. Alternative technologies.

The Scoping Opinion should include an assessment of alternative technologies to include;

- i) The use of the Lime Down area as a site for wind turbines.

Comment; An onshore wind turbine has a blade height of 50 metres and generates 2.5-3 MW. If the turbines had an individual capacity of 2.5 MW then 200 would be required (166 at 3 MW). Given that NPPF is to be amended to allow onshore wind turbines, this needs to be evaluated.

- ii) The use of the Lime Down area (part) as a site for small scale nuclear power plants.

Comment; Small scale nuclear power plants as currently being proposed/developed by Rolls Royce, with a Government decision on the future scheduled for the autumn, need to be evaluated as an alternative. One small scale nuclear power plant generates 475MW. Its location is far more flexible. If located at Westbury, for example, it would have the advantage of a rail link.

- iii) The use of the Lime Down area to use grass, via anaerobic digestion, as a means of generating renewable energy.

Comment; This technology is promoted by *Ecotricity*, for example see:

<https://www.ecotricity.co.uk/#:~:text=Switch%20to%20Ecotricity-,Sustainable%20green%20gas,back%20%E2%80%93%20no%20fossil%20fuels%20required>

The advantage of this technology if employed at the Lime Down site is that it would enable the area to retain its present rural character of open field grass harvesting, and the CO₂ released by anaerobic digestion (AD) would be reabsorbed by the continual regrowth of the grass. The methane generated by the AD process could either be converted on site into electricity or even supplied to the Gas Grid. The Scoping Opinion needs a full evaluation of this alternative, along with organic agricultural principles for growing the grass as organic principles will result in carbon sequestration (increased retention of carbon in the soil that has been drawn down from the atmosphere).

- iv) The use of the Lime Down area as a site for a mix of the above three suggestions.

2. EIA requirement to consider the Evaluation of Historic Assets.

The EIA needs to consider all of the proposed Solar Park area for the possible existence of archaeological assets, and the impact of excavation for cables and foundations upon all such possible assets.

An assumption is made that an EIA will consider the impact on the Cotswold Area of Outstanding Natural Beauty, but the Council wishes to ensure that this is the case.

Comment; NPPF policy/guidance require planning applications to safeguard the whole country's Historic Assets. The land identified by this proposal is adjacent to the Roman Fosse Way, and at one point incorporates the Fosse Way within the installation. The EIA therefore needs to undertake a full evaluation of the historic assets, often archaeological remains, in the proposed Solar Park area throughout all eras of human settlement. In the case of Roman presence in the area there is a Romano-British settlement and Scheduled Monument at Easton Grey, near Malmesbury, Wiltshire, see: <https://historicengland.org.uk/listing/the-list/list-entry/1013354>

3. EIA requirement to consider Grade of Agricultural Land.

The EIA needs to include a comprehensive, scientifically conducted survey conducted by a qualified professional consultancy.

Comment; Solar Parks should be on land at Grade 3b and below, and not on Grade 3a land and above. Therefore the EIA needs to establish the agricultural soil grading of each field at the grade that it currently is. This must not be an *ad hoc* assessment based on hearsay or similarly weak evidence, but on clear scientific methodology conducted objectively.

An example of such a professional consultant is *Land Research Associates*, see:

[http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,\(Technical%20Information%20Note%200049\)](http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,(Technical%20Information%20Note%200049))

Comment; Solar Parks/Farms should be limited to brownfield land and poorer quality unproductive land. The statement made by the Secretary for Energy & Net Zero, on 15 May 2024 made clear the need to balance both the need for energy security and food production and said the use of Best and Most Versatile agricultural land should be avoided where possible. It also said “the Government is aware of concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective.”

4. EIA requirement to consider the Evaluation of Biodiversity.

A development project **has to** include an uplift in biodiversity.

Comment; Uplift is generally defined as a 10% improvement. In order for this aspect of the Applicant's EIA to be valid, it has to:

i) Conduct a thorough biodiversity census in all areas of the proposed development of all animals (including birds and insects) and plant species, their level of presence (density), and the areas in which they are to be found. Significant hotspots need to be identified.

ii) Conduct a thorough habitat census within the planned development area and establish the link between the habitat census and the presence and prevalence of the animal and plant species identified. In short, the EIA needs to be using the ecosystem-based means of assessment, which reveals ecological structure and integration. A habitat census will include soil - structure and life living in it - as well as all features above soil, extending from field character, hedgerows, trees, wildlife corridors, and the access for aerial species to the land territory that they require in order to breed and forage. Habitat also includes land character e.g. areas of water and their permanence, an essential dimension of overall ecological character and structure.

iii) Conduct a thorough census of soil health at the mini- and micro- levels for animals, fungi and other microscopic life forms. This needs to be done on a field by field basis. Soil

health is vital to the existence of habitat and thus to a full record of the ecological structure of the area and the biodiversity that it supports.

Having produced this thorough biodiversity survey, the EIA then needs to examine and record:

iv) The level of adverse impact that the development, and operation throughout its lifetime, will have on the existing biodiversity, its abundance and its habitat availability. As the development has to demonstrate 'biodiversity uplift', the *existing* character of biodiversity, abundance and habitat availability needs to be quantified - both before (actual) and after (predicted) development of the Solar Park.

v) The nature of the biodiversity 'uplift' has to be quantified in precisely the same way. It needs to predict the full range of animals and plants that will be present, their abundance, and the availability of the habitats that they require. In short, the EIA needs to demonstrate how biodiversity 'uplift' (10% improvement) **will be accomplished against all these parameters.**

In closing, as mentioned above, my Council is grateful for the opportunity of responding to the consultation and they trust that their views are taken into consideration when the matter is determined.

Yours faithfully

A solid black rectangular box used to redact the signature of the council member.

For Chippenham Without Parish Council

CHRISTIAN MALFORD PARISH COUNCIL

www.christianmalford.org.uk

8 August 2024

The Planning Inspectorate

By Email: limedown@planninginspectorate.gov.uk

Dear Sir/Madam

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Christian Malford Parish Council is not antisolar but we do support solar in proportion around the country and in the right places – we do not feel that this development meets these criteria, for example: Wiltshire has already met it's 2030 carbon neutral of 500mWh by currently producing 827mWh.

We recognise that this is a very complex overly long, technical, scientific and policy led document. However, as a team of Councillors with engineering, scientific, farming, commerce and civil service experience we have commented to the best of our combined experience on the scoping consultation, especially with regard to significant omissions, as follows:

1. Cumulative Effect of the scale of the development.

This is of considerable significance in the case of Lime Down. Whilst presented as a single NSIP by IGP it is, in effect, six projects (the underground powerline joining Lime Down to Melksham, plus areas A, B, C, D and E). Each of these six projects would qualify as NSIPs in their own right. It is the massive cumulative impact of IGP's proposals that singles it out from other Solar Park applications and justifies scoping into the EIA.

Government policy and legal precedent support our position on this. The Government's NPPF states that planning authorities should take into account the cumulative impacts from individual sites and/or from a number of sites in a locality.

2. Habitat Loss and Fragmentation

Large-scale solar farms require extensive land areas, which can lead to the clearing of trees and vegetation and the displacement of wildlife. This habitat disruption can have significant consequences for local biodiversity, potentially threatening species that rely on the affected areas. The document identifies impact on 138 conservation areas.

3. Soil and Water Resources

Construction and maintenance activities can lead to soil erosion and compaction, affecting soil health and lead to an increased risk of flooding and water contamination.

4. Microclimate Changes

The installation of extensive solar panels can alter local microclimates by changing surface albedo (reflectivity) and temperature.

5. Chemical Use and Pollution

Solar panel manufacturing and maintenance may involve the use of chemicals that could contaminate soil and water if not managed properly. This includes potential leaks or spills of coolant fluids, cleaning agents, or other chemicals used in panel upkeep.

The projected lifespan of the site indicates that both solar panels and batteries will have to be replaced at least once during the life. There are still many unknown factors regarding the disposal and recycling of these components.

6. Impact on Wildlife

The development will have an impact on dormice, which are a protected species. Birds and insects may be affected by the presence of solar panels. Birds can sometimes mistake reflective panels for water and collide with them. Insects attracted to the heat or light emitted by the panels can also be impacted, potentially disrupting local ecosystems.

7. Land Use Change

Converting agricultural or natural land to solar farms can alter the landscape significantly, potentially reducing land available for farming or conservation. This change can affect food production and natural land reserves.

8. Noise and Light Pollution

During construction and maintenance, solar farms will generate noise and light pollution, which will disturb local wildlife and human populations. Nighttime lighting for security will disrupt nocturnal animals and contribute to light pollution.

9. Public Rights of Way

The proposal impacts multiple footpaths, byways and long distance paths (Cotswold Way, McMillan Way), which will deter walkers from using this area and impacting the local economy.

10. Landscape

The Cotswolds and Avon Vale are described in the document as areas of “open and expansive landscape”. Clearly 2000 acres of 4.5m high solar panels is a complete anathema to this description. There is no assessment of the impact to archaeological remains during the operation and decommissioning phases.

11. Property Prices

There will be a detrimental impact on property prices, despite the report’s claims that they are “*very unlikely to be significantly affected by the Scheme*”.

CHRISTIAN MALFORD PARISH COUNCIL

www.christianmalford.org.uk

Mitigating these effects requires careful planning and implementation of best practices, such as choosing less ecologically sensitive sites, employing wildlife corridors, using less water-intensive cleaning methods, mitigating the impact on the local economy through reduced tourism and implementing effective waste management and recycling programs for old panels. Additionally, integrating solar development with agricultural activities (agrivoltaics) can help balance energy production with environmental conservation and local land use needs.

Yours sincerely

[REDACTED]

Linda Roslyn
Clerk to Christian Malford Parish Council

✉ parishclerk@christianmalford.org.uk | ☎ [REDACTED]

(I am in the office Tuesday and Thursday mornings only)

From: [David Martin](#)
To: [Lime Down Solar](#)
Cc: [Kirsty Gilby](#); [Tina Ellis](#); [Alan Brown](#)
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 13 August 2024 10:24:33
Attachments: [image004.jpg](#)
[image005.jpg](#)
[image006.png](#)
Importance: High

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On behalf of Corsham Town Council and in Kirsty Gilby's absence:

EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Dear Sir or Madam

Thank you for inviting Corsham Town Council to submit comments on the EIA Scoping for Lime Down Solar Park.

At a recent Council (Planning) Meeting Councillors expressed concern that the timescale given for responses to the scoping report was very challenging for small councils, with limited resources, especially during the holiday season.

Corsham Town Council feels strongly that the Corsham Neighbourhood Plan and Corsham Batscape Strategy should be included as part of the local planning policies considered relevant to the Scheme which are identified in section 5.5 on page 47. The Corsham Batscape Strategy clearly shows the Drew's Pond Wood Direct Migration Route crossing the site (pages 32 and 33 of the Corsham Batscape Strategy) and the Corsham Neighbourhood Plan should be included as the proposed cable route corridor goes through the Neighbourhood Plan Area.

The Town Council would like the Planning Inspectorate to ensure that the possible use of alternative sites has been fully explored and that if this site was felt to be the most sustainable, that the opportunity to upgrade the existing sub-station at Minety should be investigated as, if this were possible, then the cabling to the Whitley substation would be unnecessary, thus reducing the environmental impact of the proposal.

The Town Council asks that the impact on agricultural land in our parish is fully assessed including compensation for landowners.

We would also seek assurance that impact on existing minerals permissions, mining, tunnels and existing businesses which use the underground will be fully assessed.

Many thanks

Kind regards

Kirsty

Mrs Kirsty Gilby
Finance and Planning Officer
Corsham Town Council

Direct Line - [REDACTED]

David J Martin
Chief Executive
Corsham Town Council
Town Hall
High Street
CORSHAM
Wiltshire
SN13 0EZ

Direct Dial: [REDACTED]
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Mobile: [REDACTED]

www.corsham.gov.uk

CTC-4cmLogo-Green.jpg



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From: [Graham Smith](#)
To: [Lime Down Solar](#)
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 09 August 2024 09:52:17
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
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Dear Mr Brumwell

Thank you for consulting the authority on the Scoping Report for the Lime Down Solar Park.

The authority notes that the proposed Solar Park is contained wholly within the Wiltshire Council administrative area.

The authority has no specific comments to make on the Scoping Report which appears comprehensive.

The authority's main concern would be with construction traffic using local roads within this District to access the development sites. The diagrams at Appendix 13.1 provide limited information at this stage on this aspect.

The authority will therefore await further information on this aspect as part of the next stage of the project.

Regards

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 24, 2024 9:17 AM
To: Graham Smith [REDACTED]@cotswold.gov.uk>
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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Dear Mr Smith,

Thank you for your email.

Here's a link to the Scoping Report (comprising a main text and three appendices):
<https://national-infrastructure->

consenting.planninginspectorate.gov.uk/projects/EN010168/documents

Links to the Scoping Report have also been provided within the letter attached to the original email.

Please do let me know if you're unable to access this. The Scoping Report contains a site plan and comprises the full extent of information we currently have on the Proposed Development.

Requests for further information regarding location should be made directly to the Applicant using the contact details provided within the letter [REDACTED] ([@islandgp.com](mailto:[REDACTED]@islandgp.com)).

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



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From: Graham Smith [REDACTED] [@cotswold.gov.uk](mailto:[REDACTED]@cotswold.gov.uk)>

Sent: Tuesday, July 23, 2024 8:07 AM

To: Lime Down Solar <limedown@planninginspectorate.gov.uk>

Subject: FW: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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Graham Smith



From: Graham Smith [REDACTED] <[\[REDACTED\]@cotswold.gov.uk](mailto:[REDACTED]@cotswold.gov.uk)>
Sent: Monday, July 22, 2024 5:43 PM
To: Planning Mail (CDC) <Planning.mail@cotswold.gov.uk>
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Dear Mr Brumwell

Thank you for consulting authority on the scope of the environmental assessment.

At this stage I cannot give any comments in the absence of a location plan showing the site and its extent.

On receipt I can then provide the necessary comments.

Regards

From: Planning Mail (CDC) <Planning.mail@cotswold.gov.uk>
Sent: Wednesday, July 17, 2024 6:05 PM
To: Graham Smith [REDACTED] <[\[REDACTED\]@cotswold.gov.uk](mailto:[REDACTED]@cotswold.gov.uk)>
Subject: FW: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation



From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 4:29 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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FAO Head of Planning

Dear Sir/Madam,

We are contacting you at this time in relation to the Lime Down Solar Park which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible

Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the pre-application stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) (“the EIA Regulations”), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

To inform the scope and level of detail of the information to be provided within the ES, the Applicant has requested a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State under Regulation 10 of the EIA Regulations.

Before adopting a Scoping Opinion, the Inspectorate must consult the relevant ‘consultation bodies’ defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant’s approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant’s own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is **14 August 2024** and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate.

For further information about the NSIP planning process, please click on the links below:

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)
- [Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



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**Cotswolds
National
Landscape**

Deb Glassop
EIA Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

By email only to: limedown@planninginspectorate.gov.uk;

12 August 2024

Dear Deb,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development)

Cotswolds National Landscape Board response to EIA Scoping consultation

Thank you for consulting the Cotswolds National Landscape Board¹ ('the Board') on the information submitted by the Applicant to source a Scoping Opinion as to the information to be provided within an Environmental Statement ('ES') in connection with the above proposed solar park, of which three of the constituent sites, Lime Down A, B and C and the Cable Route Search Corridor are located within the setting of the Cotswolds National Landscape ('the CNL')².

It is understood that the proposed development is to be advanced under the Nationally Significant Infrastructure Project ('NSIP') regime outlined within the Planning Act 2008, seeking the approval of a Development Consent Order ('DCO') from the Secretary of State for Energy Security and Net Zero. The Board is a statutory consultee in respect of this NSIP as outlined at Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as the proposed application is likely to affect the Cotswolds National Landscape.

After reviewing the Applicant's Environmental Impact Assessment ('EIA') Scoping Report and its appendices and having visited the proposed Lime Down sites, the Board considers that the proposal has the **potential to give rise to significant environmental effects upon the Cotswolds National Landscape designation and its setting.**

Annex 1 below provides the Board's assessment of the Applicant's EIA Scoping Report in respect of landscape and visual impact, cumulative impacts and glint and glare. We also make a number of recommendations for amendments or additions to the Applicant's Preliminary Environmental Information Report ('PEIR') and Environmental Statement ('ES') in order that the potential effects of the proposal upon the CNL and its setting are adequately assessed. These include:

- We recommend that Viewpoint 6 which lies on the CNL's boundary is relocated c.150m eastwards to the junction of the unnamed lane with bridleway SHER16 where a clearer view of the site is available and is a location more likely to be used by walkers and riders;

Cotswolds Conservation Board

Cotswold Business Centre
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Cheltenham, Gloucestershire GL54 2QB
07841 663607
info@cotswoldsaonb.org.uk

The Cotswolds National Landscape is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board.

cotswoldsaonb.org.uk

Chairman:
Brendan McCarthy
Vice Chair:
Rebecca Charley

- We recommend an additional viewpoint is provided located on footpath SHER15 at the southern boundary of field A11, looking northwards across the field towards the CNL boundary to enable an assessment of the impact of the proposal on views back towards the CNL;
- Viewpoint 30 should be extended westwards or an additional viewpoint provided to incorporate the clear view across the site to the CNL including the spire of St Giles' church at Alderton;
- We recommend that photomontages of the proposal are provided from viewpoints 3, 4, the recommended additional viewpoint located on footpath SHER15 at the southern boundary of field A11 looking northwards across the field towards the CNL boundary, 6 (amended location referred to above), 25, 26, 27b, 30 (amended orientation referred to above) and 31 to enable an accurate assessment of the potential impacts of the proposal on the CNL;
- The Glint and Glare Assessment is expanded to incorporate an assessment of the potential impact of the proposal upon receptors located on Public Rights of Way within the CNL or with views back towards the CNL (i.e. viewpoints 2, 3, 4, 5, 6 (amended location referred to above), the recommended additional viewpoint located on footpath SHER15 at the southern boundary of field A11 looking northwards across the field towards the CNL boundary, 25, 26, 27b, 30 (amended orientation referred to above), 31, 32, 33).

Please do not hesitate to contact me if you wish to discuss this response further.

Yours sincerely,



Simon Joyce MRTPI
Planning Officer

██████████ [@cotswolds-nl.org.uk](mailto:██████████@cotswolds-nl.org.uk) | ██████████

ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE RESPONSE TO EIA SCOPING CONSULTATION IN RESPECT OF THE PROPOSED LIME DOWN SOLAR PARK

Preamble

The Board has previously responded to the Applicant's non-statutory Phase One Consultation in April 2024, having had our attention brought to the proposal by a third party. Contrary to the implied engagement mentioned at paragraph 1.5.1 of the Applicant's EIA Scoping Report, the Applicant has not, to date, met with or contacted the Board to discuss the proposal. The Board would welcome the opportunity to discuss the proposal with the Applicant.

This response has been informed by a site visit conducted by the Board's Planning Officer in August 2024.

Policy background

Statutory duty to seek to further the purpose of Cotswolds National Landscape designation

In reaching his decision in respect of a future DCO application, the Secretary of State has a statutory duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape³ ('the duty') and the Secretary of State should explicitly address the duty within the DCO decision letter, including an explanation of how he considers the duty has been discharged.

Further information on this new duty is provided in Appendix 1 below and the Board recommends that, in fulfilling this 'duty to seek to further the purpose', the Secretary of State should: (i) ensure that planning decisions are consistent with relevant National Policy Statements, national and local planning policy and guidance; and (ii) take into account the following Board publications⁴:

- Cotswolds National Landscape Management Plan 2023-2025 ([link](#)); in particular Policies CE1 (Landscape), CE4 (Tranquillity), CE5 (Dark Skies) and CE11 (Major Development);
- Cotswolds AONB Landscape Character Assessment ([link](#)) particularly, in this instance, with regards to Landscape Character Types (LCT) 11 (Dip-Slope Lowland) and 14 (Cornbrash Lowlands);
- Cotswolds AONB Landscape Strategy and Guidelines ([link](#)) particularly, in this instance, with regards to LCT 11 ([link](#)), including Section 11.4 and LCT 14 ([link](#)), including Section 14.4;
- Cotswolds AONB Local Distinctiveness and Landscape Change ([link](#));
- Cotswolds National Landscape Climate Change Strategy ([link](#));
- Cotswolds National Landscape Board Position Statements ([link](#)) particularly, in this instance, with regards to the Renewable Energy Position Statement ([link](#)), in particular section 3.4.4, Development in the Setting of the AONB ([link](#)) and Tranquillity Position Statement ([link](#)), in particular sections 4.4 and 5.2.

Whilst the discharge of the duty is primarily a matter for the Secretary of State as the 'relevant authority', we also wish to take this opportunity to highlight the duty to the Applicant and strongly recommend that they refer to the Board's policies and guidance referenced above within both their Preliminary Environmental Information Report ('PEIR') and Environmental Statement ('ES') and give explicit consideration as to how the proposal seeks to further the statutory purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape in order to assist the Secretary of State in discharging the duty.

National Policy Statements relating to National Landscapes

NPS EN-1

Section 5.10 of the National Policy Statement for Energy ('NPS EN-1') identifies that virtually all NSIPs will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.

Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.

NPS EN-1 states that National Landscapes (AONBs) have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints.

Paragraph 5.10.8 states that the duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.

Paragraph 5.10.34 also confirms that the duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.

For projects which may affect a National Landscape, the Applicant's assessment should include effects on the natural beauty and special qualities of these areas (paragraph 5.10.20). The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation (paragraph 5.10.21). The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions, from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised (paragraph 5.10.22).

NPS EN-3

Chapter 2.10 of National Policy Statement for Renewable Energy Infrastructure ('NPS EN-3') deals with solar photovoltaic generation projects and paragraph 2.10.96 states that landscape and visual impacts should be considered carefully pre-application. Potential impacts on the statutory purposes of nationally designated landscapes should form a part of the preapplication process.

Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints (paragraph 2.10.97).

Applicants should follow the criteria for good design set out in Section 4.7 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays especially within nationally designated landscapes. Whilst there is an acknowledged need to ensure solar PV installations are adequately secured, required security measures

such as fencing should consider the need to minimise the impact on the landscape and visual impact. The Applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries.

Development within the setting of the Cotswolds National Landscape

It is understood that the proposed solar park extends to a total of 901ha comprising five sites along with further land at Melksham substation identified for a Battery Energy Storage System and a large Cable Route Search Corridor between the sites and the substation. Three of the five sites, Lime Down A, Lime Down B and Lime Down C, are either located directly adjacent to the CNL boundary or extend to within 200m of the CNL's boundary at their closest point. Accordingly, the Board considers that these three sites (A, B and C) as well as part of the Cable Route Search Corridor are located within the setting of the CNL.

In addition to the National Policy Statements discussed above, paragraphs 180 and 182 of the National Planning Policy Framework ('NPPF') provide the highest status of protection for the landscape and scenic beauty of National Landscapes. Paragraph 180 states that planning decisions should both contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

Paragraph 182 then outlines the 'great weight' to be given to the conservation and enhancement of the landscape and scenic beauty of National Landscapes. This 'great weight' is relevant in this instance as the site forms part of the National Landscape's setting and a development of the scale proposed could, in the view of the Board, potentially have a significant adverse impact on its landscape and visual character and quality.

Furthermore, the requirement that development within the setting of National Landscapes "*should be sensitively located and designed to avoid and minimise adverse impacts on the designated areas*" was also added into what is now paragraph 182 with the July 2021 publication of the NPPF.

Notably, mention of this requirement is omitted in the discussion of paragraph 182 at paragraph 7.4.15 of the EIA Scoping report and we wish to highlight this requirement of national planning policy to the Applicant.

Notwithstanding, any adverse effects on the National Landscape need to be assessed properly and fully taken into account when determining this application, with the appropriate weighting applied in the decision.

The Board's Position Statement on Development in the Setting of the AONB referred to above outlines how the surroundings of the Cotswolds National Landscape are also important to its landscape character and quality. Development proposals that affect both views into and out of the National Landscape need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the National Landscape.

The National Planning Policy Guidance ('NPPG', 2014, Paragraph: 039 Reference ID: 8-039-20190721) also confirms in relation to the former Section 85 duty⁵ (that relevant authorities 'shall have regard' to their purposes for which these areas are designated) that "*This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection.*" Although the Section 85 duty has now been superseded by the duty at Section 245 of the Levelling Up and Regeneration Act, until the NPPG is updated the Board considers the NPPG to be equally relevant to the new duty in this respect.

A High Court decision (Stroud District Council v Secretary of State for Communities and Local Government (Gladman Development Ltd) February 2015) helps to confirm the application of what is now paragraph 182 of the NPPF as far as 'great weight' is concerned. Mr Justice Ouseley stated in this case

that paragraph 115 (now paragraph 182) of the NPPF “*certainly covers the impact on the scenic beauty of the land actually within the AONB. It seems to me that it would be unduly restrictive to say that it could not cover the impact of land viewed in conjunction with the AONB from the AONB. But to go so far as to say that it must also cover land from which the AONB can be seen and great weight must be given to the conservation of beauty in the AONB by reference to that impact reads too much into paragraph 115.*”.

The above decision helps to clarify that there are differing ways of assessing impacts on the setting of the National Landscape which require the application of different policies and guidance: (i) harm directly to land in the designated National Landscape itself from views out of the National Landscape and between parts of the National Landscape towards new development in its setting (where paragraph 182 of the NPPF is relevant) and: (ii) as a separate material consideration, harm to land outside the designated National Landscape, for example views of new development in the context or backdrop of the National Landscape (where paragraphs 182 or 183 is not relevant).

Any impact upon views back towards the National Landscape, from outside the National Landscape, may be a separate material consideration and subject to separate policy and guidance, for example paragraph 180 of the NPPF also states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.

The Board’s position on large-scale solar energy proposals

The Board’s Vision, outlined at Section 2 of the Cotswolds National Landscape Management Plan 2023-2025, was drawn up in the light of the interlinked issues of the climate emergency, nature’s decline and the ecological crisis and health and societal changes. Outcome 1 of the Management Plan relates to climate action, stating that the National Landscape is a place that is mitigating and adapting to climate change, and has a clearly defined pathway towards net zero emissions. Section 3 of the Management Plan clearly outlines that some climate change mitigation and adaptation measures have the potential to adversely affect the natural beauty of the National Landscape, but with careful design and implementation, many of these measures can not only conserve but also enhance natural beauty. The challenge is to develop a pathway to net zero which also conserves and enhances natural beauty.

Management Plan policy CC1 advocates ‘generating energy from low carbon sources in a manner consistent with the purpose of National Landscape (AONB) designation’. This is expanded upon within the Board’s Renewable Energy Position Statement, wherein paragraph 3.4.4.13 details the Board’s present position on large-scale solar energy proposals such as this. It states that “*In principle, the Board would not be supportive of solar energy schemes larger than five hectares in size. For larger schemes that might be put forward, Applicants should be required to demonstrate that the scheme could be accommodated without significantly affecting the natural beauty of the CNL*”.

As such, the Board considers that it is essential that the ES prepared in support of the DCO application demonstrates that the scheme can be accommodated without significantly affecting the natural beauty of the CNL and at the same time seeks to further the purpose of the National Landscape’s designation.

Landscape and Visual Impact

We agree with the Applicant’s assessment that landscape and visual matters are to be ‘scoped into’ the ES.

Any Landscape and Visual Impact Assessment (‘LVIA’) prepared as part of an Environmental Statement should include a detailed consideration of the landscape and visual impact of the proposed solar park upon the National Landscape and its setting, including the potential impacts upon local landscape character (including land within the setting of the CNL which may complement the character of the CNL landscape) and impacts upon views from within the National Landscape or towards the National Landscape.

For avoidance of doubt, we also agree with the Applicant’s assessment that:

- The northern boundary of three field parcels (Fields A1, A11 and A12) within Lime Down A adjoin the boundary of the CNL south and southeast of Sherston;
- The CNL boundary follows Foxley Road to the north of Lime Down B, however a combination of topography and strong hedgerow limits intervisibility;
- The CNL boundary adjoins the western edge of Lime Down C at Fields C1, C6, C8 and C10 along an unnamed road to the east of Alderton.
- Lime Down D has no landscape and visual relationship with the Cotswolds National Landscape;
- Lime Down E has no landscape and visual relationship with the Cotswolds National Landscape;
- Land at Melksham Substation has no landscape and visual relationship with the Cotswolds National Landscape;
- The Cable Route Search Corridor is located either close to or adjacent to the Cotswolds National Landscape boundary near Sherston, Alderton, Grittleton, Yatton Keynell and Biddlestone.

Therefore, and as outlined above, we consider that sites A, B and C and parts of the Cable Route Search Corridor are located within the setting of the Cotswolds National Landscape. We consider that sites D, E, and the land at Melksham Substation are not located within the setting of the Cotswolds National Landscape.

Having reviewed the Landscape and Visual chapter of the EIA Scoping Report and its associated Appendices, including the proposed LVIA methodology outlined at Section 7.3 and Appendix 7.2 of the EIA Scoping Report, much of its scope and content is appropriate.

In respect of paragraph 7.8.4 and Appendix 7.4, we agree that the Cotswolds National Landscape including its special qualities are to be scoped into the EIA, along with NCA107 Cotswolds, LCTs 11 Dip Slope Lowland and 14 Cornbrash Lowlands and LCAs 11A South and Mid Cotswolds Lowlands and 14B West Malmesbury Lowland Farmland from the Cotswolds AONB Landscape Character Assessment.

In particular, we note and agree that:

- The assessment will consider all built development and infrastructure associated with the scheme and not just the solar panel arrays;
- The assessment of the magnitude of impact and significance of effect will be made against wintertime conditions at construction, operation at year 1, operation at year 15 and decommissioning. Photography is to be taken in both summer and winter to ensure a worst-case scenario is assessed and illustrated;
- The LVIA will consider the construction, operational and decommissioning lighting strategy for the Scheme including details of directionality and intermittent lighting. It will also describe any landscape measures necessary to avoid or mitigate lighting effects. We note that paragraph 4.2.18 of the EIA Scoping report states that lighting is not required within the solar arrays for the operational period of the scheme but that lighting may be required during construction and decommissioning;
- For the purposes of the LVIA process, the Scheme is assessed as a long-term duration (paragraph 1.7.29);
- National Landscapes are considered to have a 'high' landscape value (Table 7.2.1.3, paragraph 1.6.6) and likely to have a 'high' landscape sensitivity (Table 7.2.1.5);
- Views from and within National Landscapes have a 'high' visual value (Table 7.2.1.9);
- Views from well used public rights of way and visitors to protected landscapes where views of the surroundings are an important contributor to the experience are of 'high' visual susceptibility (Table 7.2.1.10);
- In accordance with Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, it is important to determine whether the predicted landscape and visual effects arising from the Scheme are likely to be significant. Landscape and visual effects which result in a Major, Major to Moderate, and Moderate landscape or visual effect are considered to be significant (paragraph 1.9.4).

We wish to make a number of comments on the proposed viewpoints identified at Figures 7.7 and 7.10 and the viewpoint photography shown at Appendix 7.3. The Board's Planning Officer has visited these viewpoints which are located within or oriented back towards the CNL during August 2024. We also have recommendations for additional viewpoints which should be included within the ES:

Lime Down A

- We agree with the location and orientation of Viewpoints 2, 3, 4 and 5;
- We recommend that Viewpoint 6 is relocated c.150m eastwards to the junction of the unnamed lane with bridleway SHER16 (shown on the photograph below) where a clearer view of the site is available and is a location more likely to be used by walkers and riders.



View of the site from junction of unnamed road and bridleway SHER16, c.150m east of Viewpoint 6

- We recommend an additional viewpoint is provided located on footpath SHER15 at the southern boundary of field A11, looking northwards across the field towards the CNL boundary to enable an assessment of the impact of the proposal on views back towards the CNL.

Lime Down B

- We agree that Viewpoint 18 provides a representative view of the site from the CNL boundary.

Lime Down C

- We agree with the location and orientation of Viewpoints 25, 26, 27b, 31, 32 and 33.
- Viewpoint 30 should be extended westwards or an additional viewpoint provided to incorporate the clear view across the site to the CNL including the spire of St Giles' church at Alderton as shown in the photograph below:



View of the CNL across the site facing southwest from Viewpoint 30

Based on the preliminary site visit by the Board's Planning Officer, we recommend that photomontages of the proposal are provided from the following viewpoints to enable an accurate assessment of the potential impacts of the proposal on the CNL:

- Viewpoint 3
- Viewpoint 4
- Additional viewpoint located on footpath SHER15 at the southern boundary of field A11, looking northwards across the field towards the CNL boundary
- Viewpoint 6 (amended location referred to above)
- Viewpoint 25
- Viewpoint 26
- Viewpoint 27b
- Viewpoint 30 (amended orientation referred to above)
- Viewpoint 31

We also request that view cones are added to the viewpoint locations shown at Figures 7.7 and 7.10 to help readers to interpret the orientation and direction of the viewpoints.

Cumulative impacts

We note and agree that cumulative impacts are to be scoped into the ES and that an assessment of the in-combination landscape and visual effects of Lime Down A to E will be undertaken to determine the effects of the Scheme as a whole. A cumulative assessment will be undertaken, assessing both the cumulative landscape and visual effects of the Scheme ('Cumulative Sites') and of the Scheme in conjunction with other local developments ('Cumulative Developments') within the Cumulative Effects chapter of the ES.

Glint & Glare

Paragraph 5.2 of the Board's Tranquillity Position Statement referred to above identifies heliographic effect as a factor that can adversely influence the tranquillity of the CNL which is one of its identified 'special qualities'. The Board recommends that measures should be taken to avoid or minimise the reflection of sunlight off surfaces such as solar panels, agricultural buildings or industrial buildings, for example, by using a less reflective surface and by positioning relevant developments in a less intrusive position and / or location.

Sections 11.4 and 14.4 of the Cotswolds AONB Landscape Strategy and Guidelines also referred to above advises that a glint/glare assessment is undertaken to determine the heliographic impact on receptors.

The Applicant's Glint and Glare Receptor Scoping and Methodology is included at Appendix 15.1 and does not consider the potential impact upon receptors located within the CNL or looking back towards the CNL (for example users of public rights of way). We therefore recommend that the Glint and Glare Assessment is expanded to incorporate an assessment of the potential impact of the proposal upon receptors at the viewpoint locations discussed above.

APPENDIX 1: THE STATUTORY DUTY ON RELEVANT AUTHORITIES TO SEEK TO FURTHER THE STATUTORY PURPOSE OF THE COTSWOLDS NATIONAL LANDSCAPE, SECTION 245 OF THE LEVELLING UP AND REGENERATION ACT 2023

Section 245 of the Levelling Up and Regeneration Act (LURA) 2023¹ places a duty on relevant authorities² to seek to further the statutory purposes of protected landscapes³ (the 'seek to further' duty). With regards to national landscapes, this requirement has been incorporated into Section 85 of the Countryside and Rights of Way (CROW) Act, which now states:

- *In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*⁴

This replaces the previous version of Section 85 of the CROW Act, which required relevant authorities to have regard to the statutory purpose of national landscapes.

Section 245 was inserted into the Levelling Up and Regeneration Bill by the House of Lords as it made its way through Parliament. The Government's Explanatory Notes on the Lords Amendments to the Bill for this Act provide that (emphasis added):

- *The clause strengthens the duty on certain public authorities when carrying out functions in relation to these landscapes to seek to further the statutory purposes and confers a power to make provision as to how they should do this.*⁵

The 'seek to further' duty is, therefore, clearly intended to impose new and more onerous requirements with respect to the statutory purposes than existed before.⁶

In this regard, the Government's press release, when the Levelling Up and Regeneration Bill became law in October 2023, stated that (emphasis added):

- *The Act will enhance our national network of beautiful, nature-rich protected landscapes that can be enjoyed right across the country.*⁷

The 'seek to further' duty is, therefore, clearly intended to ensure that the natural beauty of protected landscapes (including national landscapes) will be enhanced as a result of relevant authorities exercising or performing their functions.

The LURA confers powers on the Secretary of State to make provisions for how a relevant authority is to comply with the 'seek to further' duty, including what the authority may, must or must not do to comply with the duty. It is also anticipated that the Government will provide guidance on how the duty should be applied in due course. However, the duty is not dependent on these provisions or on this guidance – it is in force now, and must be complied with as part of any decision or course of action that has implications for these protected areas.⁸

¹ Section 245 of the Levelling Up and Regeneration Act 2023 ([link](#)).

² 'Relevant authority', in this context, includes any Minister of the Crown, public body, statutory undertaker or person holding public office.

³ 'Protected landscapes' means national parks, the Broads and national landscapes.

⁴ Section 85 of the Countryside and Rights of Way Act 2000 ([link](#)).

⁵ UK Parliament (2023) *Levelling Up and Regeneration Bill – Explanatory Notes on Lords Amendments*. Updated version, 12 October 2023. ([Link](#)). Page 35.

⁶ Landmark Chambers (2024) *Re: section 245 of the Levelling Up and Regeneration Act 2023*. Instructed by the Campaign for National Parks. ([Link](#)). Paragraph 6.

⁷ <https://www.gov.uk/government/news/new-laws-to-speed-up-planning-build-homes-and-level-up>

⁸ Landmark Chambers (2024) *Re: section 245 of the Levelling Up and Regeneration Act 2023*. Instructed by the Campaign for National Parks. ([Link](#)). Paragraph 2a.

At the present time, the two most useful reference points relating to the 'seek to further' duty are the advice produced by Natural England⁹ and the legal opinion obtained by Campaign for National Parks (CNP)¹⁰.

The Natural England advice states that:

- *The duty to 'seek to further' is an active duty, not a passive one. Any relevant authority must take all reasonable steps to explore how the statutory purposes of the protected landscape (A National Park, the Broads, or an AONB) can be furthered.*
- *The new duty underlines the importance of avoiding harm to the statutory purposes of protected landscapes but also to seek to further the conservation and enhancement of a protected landscape. That goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what measures can be taken to further the statutory purpose. If it is not practicable or feasible to take those measures the relevant authority should provide evidence to show why it is not practicable or feasible.*
- *The proposed measures to further the statutory purposes of a protected landscape, should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured. Natural England's view is that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory management plan. The relevant protected landscape team/body should be consulted.*

The CNP's legal opinion sets out a number of principles to help ensure compliance with the 'seek to further' duty:¹¹

- (a) The new duties are very broad in scope, applying to "any functions" in relation to, or so as to affect, land in the protected areas. Relevant authorities would do well to assume that if their decision touches in any way upon an AONB, National Park or the Broads, the relevant duty is engaged.*
- (b) The duties are pro-active, and not merely an afterthought: the authority must "seek to further" the stated purposes in the exercise of their functions. That means that the duties should be pro-actively considered as part of any decision to which the duty applies. A failure to consider those duties, or a failure to understand their pro-active and mandatory nature, would be an error of law.*
- (c) An authority must factor in the relevant duty before the adoption of a proposed policy and not merely as a "rearguard action", following a concluded decision.*
- (d) It will be important for relevant authorities to record the steps taken by the decision maker in seeking to meet the statutory requirements and demonstrate how the decision complies with the duty.*
- (e) While there is no obvious requirement to expressly reference the new duties in every decision, they are not merely a box-ticking exercise, and they must be rigorously applied as part of any relevant decision.*
- (f) General regard to the benefit of protecting these landscapes is not the same as having specific regard to the statutory purposes, by way of conscious approach to the statutory criteria.*
- (g) These duties are outcome-based: they do not simply require "due regard" to be had to them. If, having considered the implications of a decision, an authority reaches the view that the decision does not "seek to further" the applicable legislative purpose, it would be hard to argue that the decision would in fact be open to the relevant authority: because it would appear to be in breach of the applicable duty. In those circumstances, the decision would need to either be withdrawn or modified such that the relevant authority could confidently say that it did seek to further the relevant purpose.*
- (h) To be clear, however, this does not mean that the duty precludes decisions that are "net harmful" to an AONB, National Park or the Broads: if that were so, the duty would be to "further the purpose" rather than to "seek to further the purpose." But what is required is positive evidence that the*

⁹ This advice ([link](#) – Annex 2) was submitted, in December 2023, by Natural England, as a statutory consultee, to the Examining Authority for the examination of the Lower Thames Crossing, which is a Nationally Significant Infrastructure Project (NSIP).

¹⁰ Landmark Chambers (2024) Re: section 245 of the Levelling Up and Regeneration Act 2023. Instructed by the Campaign for National Parks. ([Link](#)).

¹¹ Landmark Chambers (2024) Re: section 245 of the Levelling Up and Regeneration Act 2023. Instructed by the Campaign for National Parks. ([Link](#)). Paragraph 17.

relevant authority has, in all the circumstances, sought to further the purpose: not merely through mitigation of harm but by taking all reasonable steps to further the purpose.

- (i) *As to whether a decision or course of action in fact seeks to further the relevant purpose ... this is a question for the relevant authority in the first instance, subject to challenge on Wednesbury principles. But a positive conclusion that the decision or course of action does seek to further that purpose is clearly required.*

The legal opinion goes on to pose a number of questions that a relevant authority should ask itself when considering whether it has complied with the duty:¹²

- i. *What are the required statutory purposes my decision must seek to further?*
- ii. *Does my decision in fact pro-actively seek to further those purposes? If so, how does it do so? If not, how can my decision be modified so that I can confidently conclude that it does seek to further the relevant purposes?*
- iii. *As a matter of best practice, have I recorded how I have concluded that my decision seeks to further the required purposes, which I can produce in the event of a subsequent legal challenge?*

The legal opinion makes the following additional points:¹³

- *[Relevant authorities] would be well-advised not treat the new duties as "business as usual" and to consider the pro-active duties now placed on them to seek to further the purposes of AONBs, National Parks and the Broads. I agree with Natural England that this means that relevant authorities should ensure, with evidence, that their decisions do all they reasonably can to further the statutory purposes, including going beyond merely mitigating harm. This could include, for example, delivering enhancements to the natural beauty of the area, or creating new opportunities for the understanding and enjoyment of the special qualities of national parks by the public (rather than merely maintaining or supporting existing opportunities). Moreover, if there is an obvious alternative approach that better furthers the statutory purposes and the relevant authority cannot evidence (1) why it cannot reasonably adopt that approach or (2) that its chosen approach also seeks to further the statutory purposes, the decision will be open to legal challenge.*

¹² Landmark Chambers (2024) Re: section 245 of the Levelling Up and Regeneration Act 2023. Instructed by the Campaign for National Parks. ([Link](#)). Paragraph 19.

¹³ Landmark Chambers (2024) Re: section 245 of the Levelling Up and Regeneration Act 2023. Instructed by the Campaign for National Parks. ([Link](#)). Paragraph 21.

NOTES:

1. The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.
2. Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
3. Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023.
<https://www.legislation.gov.uk/ukpga/2023/55/enacted>
4. The documents referred to in our response can be located on the Cotswolds National Landscape website under the following sections
 - a. Cotswolds National Landscape (CNL) Management Plan 2023-2025
www.cotswoldsaonb.org.uk/management-plan
 - b. Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
 - c. Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
 - d. Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
 - e. Cotswolds National Landscape Board Position Statements
www.cotswoldsaonb.org.uk/ps1
www.cotswoldsaonb.org.uk/ps2
5. Section 85 of the Countryside and Rights of Way Act 2000.
www.legislation.gov.uk/ukpga/2000/37/section/85

DAUNTSEY PARISH COUNCIL

www.dauntseyparishcouncil.gov.uk

Vivian A Vines MBE SLCC
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8 August 2024

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

Your Ref: EN010168

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

I refer to your letter of the 17 July 2024 regarding the Planning Inspectorate, on behalf of the Secretary of State, being asked by the Applicant for a Scoping Opinion as to the information to be provided in an Environmental Statement (EIA) relating to the Proposed Development.

My Council is grateful that they have been identified as a consultation body and have pleasure in providing you with their views on what information they consider should be included in the Scoping Opinion that should be beneficial and improve the Environmental Statement required from the Applicant.

As a preamble, the Parish Council feel that not knowing the totality of subjects applicable to the proposal they cannot say they are confident that all that needs to be covered in an EIA are, or will be covered and that, perhaps, there is or should be a Government List/Schedule of prescribed subjects to be addressed by the Scoping Study and EIA?

The Council consider that as this is a huge project in its embryonic stage, with a potential decision timescale some three years hence, then it is important that all possible matters are covered to avoid any potential loopholes occurring. Being mindful of this, the Council considers that the following matters need consideration and inclusion in any Scoping Opinion provided:

1. EIA requirement to consider alternatives to the proposal.

The alternatives to the existing proposal that need to be considered are:

a. Alternative sites.

The Scoping Opinion should include a survey and assessment of alternative physical locations within the same radial distance from the proposed grid connection point at Melksham.

Comment; The Council is unsure if examples are required, or can be given, but if it is acceptable then it is aware of a Salisbury Plain alternative. This could be used in conjunction with the disused chalk quarry at Westbury, Wiltshire and the new incinerator at Westbury that will be laying a connection to Frome for the electricity that it generates. This cable is not yet in place and may already have planning consent. This being so, a Solar Farm sited on Salisbury Plain could utilise the incinerator's National Grid connection at Frome or ensure that when the cable is laid that it is capable of taking the Solar Park's input. A Scoping Report evaluation could/should be made of the Lime Down proposals that generate 500 MW and covers 900 hectares (2240 acres) with the old cement works site at Westbury covering 31 hectares (77 acres) that could be a contributory site in a Salisbury Plain proposal.

b. Alternative technologies.

The Scoping Opinion should include an assessment of alternative technologies to include;

- i) The use of the Lime Down area as a site for wind turbines.

Comment; An onshore wind turbine has a blade height of 50 metres and generates 2.5-3 MW. If the turbines had an individual capacity of 2.5 MW then 200 would be required (166 at 3 MW). Given that NPPF is to be amended to allow onshore wind turbines, this needs to be evaluated.

- ii) The use of the Lime Down area (part) as a site for small scale nuclear power plants.

Comment; Small scale nuclear power plants as currently being proposed/developed by Rolls Royce, with a Government decision on the future scheduled for the autumn, need to be evaluated as an alternative. One small scale nuclear power plant generates 475MW. Its location is far more flexible. If located at Westbury, for example, it would have the advantage of a rail link.

- iii) The use of the Lime Down area to use grass, via anaerobic digestion, as a means of generating renewable energy.

Comment; This technology is promoted by *Ecotricity*, for example see:

<https://www.ecotricity.co.uk/#:~:text=Switch%20to%20Ecotricity-,Sustainable%20green%20gas,back%20%E2%80%93%20no%20fossil%20fuels%20required>

The advantage of this technology if employed at the Lime Down site is that it would enable the area to retain its present rural character of open field grass harvesting, and the CO2 released by anaerobic digestion (AD) would be reabsorbed by the continual regrowth of the grass. The methane generated by the AD process could either be converted on site into electricity or even supplied to the Gas Grid. The Scoping Opinion needs a full evaluation of this alternative, along with organic agricultural principles for growing the grass as organic principles will result in carbon sequestration (increased retention of carbon in the soil that has been drawn down from the atmosphere).

- iv) The use of the Lime Down area as a site for a mix of the above three suggestions.

2. EIA requirement to consider the Evaluation of Historic Assets.

The EIA needs to consider all of the proposed Solar Park area for the possible existence of archaeological assets, and the impact of excavation for cables and foundations upon all such possible assets.

An assumption is made that an EIA will consider the impact on the Cotswold Area of Outstanding Natural Beauty, but the Council wishes to ensure that this is the case.

Comment; NPPF policy/guidance require planning applications to safeguard the whole country's Historic Assets. The land identified by this proposal is adjacent to the Roman Fosse Way, and at one point incorporates the Fosse Way within the installation. The EIA therefore needs to undertake a full evaluation of the historic assets, often archaeological remains, in the proposed Solar Park area throughout all eras of human settlement. In the case of Roman presence in the area there is a Romano-British settlement and Scheduled Monument at Easton Grey, near Malmesbury, Wiltshire, see: <https://historicengland.org.uk/listing/the-list/list-entry/1013354>

3. EIA requirement to consider Grade of Agricultural Land.

The EIA needs to include a comprehensive, scientifically conducted survey conducted by a qualified professional consultancy.

Comment; Solar Parks should be on land at Grade 3b and below, and not on Grade 3a land and above. Therefore the EIA needs to establish the agricultural soil grading of each field at the grade that it currently is. This must not be an *ad hoc* assessment based on hearsay or similarly weak evidence, but on clear scientific methodology conducted objectively.

An example of such a professional consultant is *Land Research Associates*, see:

[http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,\(Technical%20Information%20Note%200049\)](http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,(Technical%20Information%20Note%200049))

Comment; Solar Parks/Farms should be limited to brownfield land and poorer quality unproductive land. The statement made by the Secretary for Energy & Net Zero, on 15 May 2024 made clear the need to balance both the need for energy security and food production and said the use of Best and Most Versatile agricultural land should be avoided where possible. It also said "the Government is aware of concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective."

4. EIA requirement to consider the Evaluation of Biodiversity.

A development project **has to** include an uplift in biodiversity.

Comment; Uplift is generally defined as a 10% improvement. In order for this aspect of the Applicant's EIA to be valid, it has to:

i) Conduct a thorough biodiversity census in all areas of the proposed development of all animals (including birds and insects) and plant species, their level of presence (density), and the areas in which they are to be found. Significant hotspots need to be identified.

ii) Conduct a thorough habitat census within the planned development area and establish the link between the habitat census and the presence and prevalence of the animal and plant species identified. In short, the EIA needs to be using the ecosystem-based means of assessment, which reveals ecological structure and integration. A habitat census will include soil - structure and life living in it - as well as all features above soil, extending from field character, hedgerows, trees, wildlife corridors, and the access for aerial species to the land territory that they require in order to breed and forage. Habitat also includes land character e.g. areas of water and their permanence, an essential dimension of overall ecological character and structure.

iii) Conduct a thorough census of soil health at the mini- and micro- levels for animals, fungi and other microscopic life forms. This needs to be done on a field by field basis. Soil

health is vital to the existence of habitat and thus to a full record of the ecological structure of the area and the biodiversity that it supports.

Having produced this thorough biodiversity survey, the EIA then needs to examine and record:

iv) The level of adverse impact that the development, and operation throughout its lifetime, will have on the existing biodiversity, its abundance and its habitat availability. As the development has to demonstrate 'biodiversity uplift', the *existing* character of biodiversity, abundance and habitat availability needs to be quantified - both before (actual) and after (predicted) development of the Solar Park.

v) The nature of the biodiversity 'uplift' has to be quantified in precisely the same way. It needs to predict the full range of animals and plants that will be present, their abundance, and the availability of the habitats that they require. In short, the EIA needs to demonstrate how biodiversity 'uplift' (10% improvement) **will be accomplished against all these parameters.**

In closing, as mentioned above, my Council is grateful for the opportunity of responding to the consultation and they trust that their views are taken into consideration when the matter is determined.

Yours faithfully

A solid black rectangular box used to redact the signature of the council member.

For Dauntsey Parish Council



The Planning Inspectorate
By Email

Direct Line: (01722) 691717
Email: forwardplanning@dwfire.org.uk
Date: 6th August 2024
Your Ref: EN010168

Site address: Lime Down Solar Park, Land north of Hullavington, Wiltshire

EIA Consultation: Lime Down Solar Project comprises inverters, transformers, a battery energy storage system, an online substation, site access, cable connections, security fencing and CCTV monitoring equipment, construction compound and any required landscaping. The Scheme will comprise a 500MW export connection, 250MW import connection and 1,000MWh battery.

This application falls within the area for which Dorset & Wiltshire Fire and Rescue Service (DWFRS) is responsible for delivering an operational and emergency response.

Whilst Dorset & Wiltshire Fire and Rescue Service would not object in principle to the lawful development of this site it is recognised that these installations pose some specific hazards in the event of fire. Any fire involving grid scale Li-ion battery storage would be treated as a hazardous materials incident in order that specialist technical advice can be obtained at the earliest opportunity.

Since these sites generally fall outside the requirements of Building Regulations due to the temporary nature of the structures, the Fire and Rescue Service (FRS) are not generally in a position to comment or make representation regarding the design of the site. We take this opportunity to make early observations and provide comments or recommendations in line with current guidance to influence the development.

We are keen to work with developers to ensure we understand the new technology and potential impact it may have on the surrounding area.

The Regulatory Reform (Fire Safety) Order 2005 is limited in its application to such developments due to the low life risk during normal occupation. Process fire risk is generally regulated by the HSE but in the absence of regulation under COMAH there is an expectation that fire and rescue services will initiate an emergency response in the event of an incident, in conjunction with the site operator's own plans.

Due to the complexities associated with differing battery chemistry and the limited effect of firefighting jets, current firefighting tactics will focus on defensive measures to prevent fire spread to adjacent containers as apposed to extinguishing a battery fire.

Chief Fire Officer Ben Ansell

Our response crews have been provided with additional training and awareness in the hazards and risk management of BESS installations and as such the risk to them is considered to be controlled, although it would be true to say that the risks cannot be eliminated completely.

The following recommendations should be considered at the design stage and early contact with the FRS for site familiarisation and exercising of emergency plans is strongly advised. The proposed safety measures should cover the construction, operational and decommissioning phases of the project. Any development should not negatively impact on the Service's ability to respond to an incident. The Responsible Person must carry out and regularly review the Fire Risk Assessment and Risk Management Plan.

It is our recommendation that before planning permission is granted, the layout, access and provision of a suitable water supply comply as far as is reasonably practicable with the minimum requirements under B5 of Approved Document B, The Building Regulations 2010.

Please also consult the latest guidance - [NFCC BESS Planning Guidance Document](#).

Water Supplies

Fire service resources for the provision of water include standard fire engines, bulk water carriers and High Volume Pumps (HVP's) with additional resources available from neighbouring services through National Resilience capabilities if required. The delivery of water to a BESS site would inevitably require multiple vehicles for a prolonged period.

Specific consideration should be given to water supply resilience for manual firefighting and the terrain over which fire service vehicles may have to drive to access the site. This is particularly relevant where remote sites may have limited access to fire hydrants and where multiple vehicles may be required to ensure continuous water supply.

Current guidance states the water supply should be able to provide a minimum of 1,900 l/min for at least 120 minutes. DWFRS may wish to increase this requirement dependant on location and their ability to bring supplementary supplies to site in a timely fashion. Hydrants should be subject to suitable testing and maintenance by the operator. If a suitable pressure fed water supply is not available, then an Emergency Water Supply (EWS) meeting the above standard should be incorporated into the design for example, a water storage tank or open water source.

The inclusion of drenchers or fire service inlets to battery modules may be a design consideration.

Site Access

Suitable facilities for safely accessing the site should be provided. Site contingency plans must consider the impact of wind direction on access and egress from the site which may impose operational constraints and an inevitable delay in firefighting. Current guidance states a minimum of 2 access routes.

The provision of suitable turning space and appropriately sized footprint for hard standing to enable an effective firefighting response with multiple vehicles is essential.

The inclusion of additional roadways and hardstanding areas should be factored into the environmental impact assessment.

Access between BESS units and spacing

The NFCC guidance recommends a minimum of 6 metres between battery containers, unless suitable design features can be introduced to reduce that spacing. Any reduction in this separation distance should be considered and designed by a competent fire engineer.

Individual site location and design will mean that distances between BESS units and site boundaries will vary. Proposed distances should consider risk and mitigation factors. Current guidance suggests a minimum distance of 25 metres prior to any mitigation.

Site Design

Sites should be maintained in order that the risk of potential fire spread between units is reduced. This will include ensuring that combustibles are not stored adjacent to units and access is clear and maintained. Areas within 10 metres of BESS units should be cleared of combustible materials and vegetation.

Automatic suppression systems which aim to prevent thermal run-away within cells are a feature of most systems however the effectiveness of these systems is variable. Alternative extinguishing media are not considered appropriate at this time.

Early detection of a potential fire situation is critical and fast response detection system linked to the battery management system is considered an essential component of the design. It is considered unlikely that fire service resources would be in attendance within the timeframe required to prevent a thermal run-away event once it has begun.

An Information Box should be installed at the FRS access point. This should include emergency contact information, emergency isolation points and details of the specific hazards on site.

Environmental Considerations

Once thermal run-away has occurred, defensive firefighting tactics would be the preferred option to allow the cell or module involved in fire to burn out and to protect surrounding modules and infrastructure. This would be undertaken on advice and with agreement from the Environment Agency and technical support services.

The potential for contaminated fire water runoff is acknowledged as an area for further consideration, although the type and level of contamination is not easily quantifiable. Our default position is therefore one of containment where possible although this is very difficult to achieve for large volumes of water during a dynamic incident.

Consideration should also be given to engaging with the Environment Agency in relation to protection of water sources or aquifers in the event of fire water runoff and any pollution control measures as may be appropriate.

Airborne smoke and products of combustion would inevitably contain toxic effluents. Liaison with other agencies to support the air monitoring and warning and informing of local residents would form an essential part of the emergency response.

It is our experience that most site designers and operators are keen to engage with fire services to ensure that their operational plans are fit for purpose, and we have already undertaken site visits to the larger installations within our area to assist with operational planning.

We also recognise the concerns of residents in relation to the impact of these sites on the local environment and whilst we cannot provide assurance that we will not experience a fire in one of these sites, we are taking steps to ensure that the impacts are reduced as far as possible.

Yours sincerely
Graham Kewley - Group Manager – Protection

On behalf of the Dorset & Wiltshire Fire and Rescue Authority



Planning Services

County Hall, Colliton Park
Dorchester, Dorset, DT1 1XJ

☎ 01305 838336- **Development Management**

☎ 01305 224289- **Minerals & Waste**

🖱 www.dorsetcouncil.gov.uk

The Planning Inspectorate
By email:
limedown@planninginspectorate.gov.uk

Date: 12 August 2024

Ref: P/CONS/2024/00120

Team: Western and Southern

Case Officer: Matthew Pochin-Hawkes

① [REDACTED]

[REDACTED]

[REDACTED]@dorsetcouncil.gov.uk

Dear The Planning Inspectorate

Application No: P/CONS/2024/00120

Location: Lime Down Solar Park Wiltshire

Proposal: Consultation on Scoping Opinion from Planning Inspectorate on behalf of SoS in relation to Lime Down Solar Park NSIP

Thank you for consulting Dorset Council. Dorset Council has no comments to make on this application.

Yours sincerely

Matthew Pochin-Hawkes
Lead Project Officer

The Planning Inspectorate
[via Planning Inspectorate email
address
limesdown@planninginspectorate.gov.uk
]

Our ref: XA/2024/100123/01-L01

Your ref: EN010168

Date: 12th August 2024

Dear Sir/Madam,

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

**Application by Lime Down Solar Park Limited (the Applicant) for an Order
granting Development Consent for the Lime Down Solar Park (the Proposed
Development)**

Thank you for your consultation on the Environmental Impact Assessment (EIA) Scoping Opinion for the above Nationally Significant Infrastructure Project (NSIP). We have reviewed the Lime Down Solar Park EIA Scoping Report Main Report and Appendices. We have the following advice to offer.

Flood Risk

We acknowledge that flood risk during the operation and decommissioning phases of the development is scoped in, and that a Flood Risk Assessment (FRA) is to be completed at a later stage. However, the risk of fluvial flooding and impacts to the site, along with the potential risk to third parties, during the construction phase has not been scoped in. Paragraph 10.6.2 mentions how the works may affect the hydromorphology of rivers, but reference is not made to the impact on the fluvial floodplain which subsequently may lead to an increase in flood risk.

The proposed scheme is classified as '*Essential Infrastructure*' as defined in Annex 3: Flood Vulnerability classification of the Planning Practice Guidance (PPG).

There are some areas of the site that are situated within Flood Zones 2 and 3 which have a higher probability of flooding from rivers and/ or the sea. The Sequential Test

will therefore be required to be passed, as outlined in the National Policy Statement (NPS) EN-1, and the National Planning Policy Framework (NPPF).

A sequential approach should be applied to the layout of the site, with all buildings, substation, and anything considered to be critical infrastructure located outside of areas at risk of flooding (Flood Zone 1). However, if solar panels and equipment need to be situated in areas at risk of flooding (Flood Zone 2 and 3), then The Exception Test must also be applied and the FRA must assess flood risk from all sources of flooding.

Built development within the fluvial floodplain should be quantified to establish the need for compensatory flood storage. We understand that development within flood risk areas will predominantly be solar panel on supports, which would result in minimal loss of storage, however this should be demonstrated and quantified within the FRA.

The Scoping Report states that the project has an operational lifetime of 60 years. Please note that the PPG (Paragraph: 006 Reference ID: 7-006-20220825) states that non-residential development should include an assessment of flood risk over at least 75 years.

The impacts of climate change on flood risk have not been assessed in the Scoping Report. This assessment is necessary to understand the impacts of future flood risk to the development. Due to the lifetime of the development, we would expect the development to be assessed against the higher central and upper climate change estimates for the 2080's epoch. The higher central scenario for the 2080's epoch would constitute the design event for the scheme. The upper estimate would act as a sensitivity test. The assessment should also be able to demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to the upper climate change scenario, as required by NPS EN-1.

The applicant should use the 1 in 100 years plus an allowance for climate change as the design event when reviewing the necessity for floodplain compensation. Additionally, the design flood level should be used when designing finished floor levels and river crossings with an additional 600mm freeboard as the minimum height.

The applicant will need to confirm operational needs for the site, i.e., will the site remain operational and will staff remain on site during a flood event. There will also

need to be consideration given to access and egress from the site during flood event scenarios.

Further advice relating to specific sections of the Hydrology, Flood Risk and Drainage chapter is detailed below.

Section 3.3.42 Hydrology, Flood Risk and Drainage Designations, Lime Down B, p.22

Whilst the majority of the Lime Down B area is within Flood Zone 1, there are some small ordinary watercourses that cross this area which have no associated Flood Zone mapping.

Section 3.3.63 Hydrology, Flood Risk and Drainage Designations, Lime Down C, p.24

Whilst the majority of the Lime Down C area is within Flood Zone 1, there is a small ordinary watercourse which bisects the area which flows in an easterly direction which has no associated Flood Zone mapping.

Section 3.3.82 Hydrology, Flood Risk and Drainage Designations, Lime Down D, p.25

There are two ordinary watercourses which bisect Lime Down D area which have no associated Flood Zone mapping.

Section 3.3.102 Hydrology, Flood Risk and Drainage Designations, Lime Down E, p.28

There is a small ordinary watercourse which joins the main river within Lime Down E at 392560, 182100. This watercourse has no associated Flood Zone mapping.

Section 10.4.2 Preliminary Baseline Conditions, p.166

This section of the scoping report briefly introduces fluvial and surface water flood risk within the Order limits. Please also consider the risk of flooding from reservoirs. Reservoir flood extents can be viewed via the long term flood risk service available online at: [See flood risk on a map - Check your long term flood risk - GOV.UK \(check-long-term-flood-risk.service.gov.uk\)](https://www.gov.uk/check-long-term-flood-risk)

Section 10.4.8, p.167

This section describes how most of the sites are in Flood Zone 1. For information, please note that a catchment area of 3km² was the de minimis in the generalised 2d modelling used to determine the extent of Flood Zone 2 and 3 where no detailed

hydraulic modelling is available. There may be flood risk associated with watercourses which have smaller catchments, it is just not mapped or included within the Flood Map for Planning. Please consider this when assessing flood risk to the proposed sites.

Section 10.4.19, p.169

This section describes one potential location for the Battery Energy Storage System (BESS) near to Melksham Substation. This section describes how the nearest waterbody is the South Brook which is approximately 700 metres to the south. Please note, there is also an ordinary watercourse which runs south through the proposed site location and joins the South Brook. Any associated flood risk from this watercourse is not included within the Flood Map for Planning although the flow pathways are visible on the Risk of Flooding from Surface Water outputs. Depending on the final location of the BESS, it may be prudent to undertake further investigation and hydraulic modelling of this watercourse.

Section 10.5.1, p.169 Assumptions and Limitations

This section describes how the analysis of flood extents is reliant on the accuracy of the Environment Agency's Flood Map for Planning and EA Flood Data and that no new hydraulic modelling will be undertaken as part of the study. The Environment Agency do not hold any detailed hydraulic modelling for the main rivers and ordinary watercourses which bisect the order limits for the development. The Flood Map for Planning for the watercourses which cross the Order limits is based on strategic scale 2d modelling which was undertaken in 2006 using JFlow software. Both the Flood Map for Planning and Risk of Flooding from Surface Water products do not consider the effects of climate change. Furthermore, it is important to note that there are ordinary watercourses which bisect the proposed solar panel areas and battery energy storage locations which have no associated Flood Zones due to the small size of their respective catchments (<3km²). There may be flood risk associated with these watercourses, it is just not modelled and mapped as a catchment area of 3km² was the de minimis in the generalised 2d modelling used to determine the extent of Flood Zone 2 and 3 where no detailed hydraulic modelling is available. The assessment of flood risk, including climate change, associated with these watercourses must be adequately assessed, with the methodology used provided. It is recommended that further investigation and modelling is undertaken for these watercourses so that the risk to the solar panel areas and BESS locations can be properly quantified, considering the impacts of climate change. For further information please see the guidance on undertaking modelling for Flood Risk Assessments available online at [Using modelling for flood risk assessments -](#)

GOV.UK (www.gov.uk) as well as guidance on assessing climate change for Flood Risk Assessments which can be found here: Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

Figure 4.3 BESS Options

Please note, for the BESS site within solar panel area Lime Down D there are two ordinary watercourses which bisect this area. The fluvial flood risk for these watercourses is not represented in the Flood Map for Planning because the catchment size is less than 3km². Similarly for the BESS site near to Whitley, there is an ordinary watercourse which crosses this site location and flows southwards to join the South Brook. It is important that Flood Risk from these watercourses is assessed through hydraulic modelling depending on which site is taken forward.

Surface Water Quality

Operational impacts from surface water runoff have been scoped out of the assessment. We are unable to support this decision as too little information has been provided regarding mitigation to prevent surface water from causing pollution at the BESS and substation compounds. It is unclear how the applicant will ensure that routine runoff from these areas is free of contaminants. Additionally, no information is provided on how firewater will be managed and contained at these locations. Plans to prevent firewater from causing pollution should align with relevant fire safety management plans to ensure that the application of firewater and firefighting agents will always be accompanied with appropriate containment.

Furthermore, the applicant has stated that impacts from silt/ nutrient loaded surface water runoff and from the release of polluting substances has been scoped out due to the provision of “*Suitable SuDS*” to ensure appropriate treatment. The applicant should note that they have described a water discharge activity, which requires an environmental permit. The applicant should ensure that sufficient space is provided within the redline boundary to provide adequate treatment facilities to ensure that permissible limits can be met.

The applicant will require a water discharge activity permit for the discharge of any polluting, noxious or harmful matter. This applies even if treatment is provided. It is likely to apply for surface water runoff from any areas of exposed soil, unless the Regulatory Position Statement on Temporary Dewatering from Excavations to Surface Water applies. We note that the applicant has not included The Environmental Permitting (England and Wales) Regulations 2016 in the Scoping Report. This should be considered going forward.

Further advice relating to specific sections of the Hydrology, Flood Risk and Drainage chapter is detailed below.

Section 10.4.4

It should be noted that Lime Down A, B, C and D also all fall within the “*Tributary - source to conf Sherston Avon*” waterbody catchment.

Section 10.4.5

It should be noted that Lime Down E also falls within the “*Sutton Benger Bk – Source to conf R Avon*” waterbody catchment.

Section 10.7.5

Care should be taken by the applicant when applying the methodology for determining watercourse sensitivity proposed in Table 10.3. This methodology risks misrepresenting the sensitivity of a watercourse to pollutions and changes in water quality. The table proposes that a river with a higher Q95 flow is more sensitive than one with a lower Q95. The reverse of this is true with regards to water quality, with the less dilution meaning a higher sensitivity to change. Additionally, the table proposes that watercourses with a Water Framework Directive (WFD) designation are more sensitive than those that do not. This is again inaccurate, as WFD designation is a method of monitoring and classifying the ecological health of the water environment and not an indication of greater or lesser sensitivity to change. When determining the sensitivity of a watercourse, the applicant should ensure that professional judgement and the results of any surveys are also incorporated into the assessment.

Section 10.7.6

Table 10.4 proposes to use changes in WFD status as the key indicator for the magnitude of an impact. This approach also risks misrepresenting impacts from significant pollution and changes in water quality, which can cause detrimental effects on the local ecology without impacting the WFD status of the overall waterbody. This could be due to the duration of the change or the location of the impact in relation to monitoring locations used to classify individual element status. The applicant should also consider the duration, extent and severity of any water quality impacts when determining their magnitude.

Protection of Controlled Waters – Groundwater & Contamination Issues

We have reviewed the 'Environmental Impact Assessment Scoping Report' (July 2024), with particular focus on Chapter 10 Hydrology, Flood Risk and Drainage and Chapter 11 Ground Conditions and Contamination. We have also reviewed Appendix 11.1 Preliminary Geo-Environmental Risk Assessment (Land at Melksham Substation) (Delta-Simons, July 2024) and Preliminary Geo-Environmental Risk Assessment (Lime Down A to E) (Delta-Simons, July 2024). We provide the following comments on potential risks to groundwater and land contamination caused by the proposed development.

There are some inconsistencies and factual inaccuracies in the Scoping Report. For example, the geological setting presented as Table 10.2 and Section 10.4.11 differ from those presented in Section 11.3 and the Preliminary Risk Assessments (PRA). Of concern, the Scoping Report and PRAs fail to mention highly sensitive geology present within the site boundary:

- Lime Down B: an area of Ooidal limestone (Forest Marble Formation and Chalfied Oolite Formation) - Principal aquifer. Not mentioned in Sections 11.3.15, 11.3.17 or Appendix 11.3, Section 2.2 where the relevant geological setting is discussed.
- Land at Melksham Substation: an area of Limestone (Forest Marble Formation) – Principal aquifer. This is not mentioned in Sections 10.4.21, 11.3.57, 11.3.60 or Appendix 11.1, Section 2.2 where the relevant geological setting is discussed.
- Land at Melksham Substation is within a Drinking Water Groundwater Safeguard Zone. This is not mentioned in the Scoping Report.

Furthermore:

- Table 10.2 does not list all the geological formations present underlying Lime Down B, C or E areas. It also does not mention Source Protection Zones (SPZs) which would be relevant here.
- Section 10.4.11 states "*The bedrock geology is overlain by superficial deposits that support an 'Unproductive' aquifer across the Sites.*" This is incorrect. Superficial deposits are in isolated bands and, where present, are Secondary A or Secondary undifferentiated aquifer.
- Section 10.4.21 only mentions one bedrock formation when three are present in this area. There is reference to superficial geology which isn't recorded on Environment Agency maps. The absence of superficial geology is noted in the PRA (Appendix 11.1).

- Section 11.3.27 does not mention presence of superficial Head deposits. These are mentioned in the corresponding section of the PRA.
- Superficial Head deposits are described throughout as a Secondary A aquifer. This is incorrect, it is a Secondary undifferentiated aquifer.
- Appendix 11.3, Section 2.2, fails to mention superficial Alluvium in Lime Down A and bedrock Forest Marble Mudstone underlying Lime Down C.
- Several historical landfill sites are adjacent to the Cable Route Search Corridor and at least one is within the Order limits. These are freely available to [download from GOV.UK](#). These are not mentioned in any of the reports, albeit the PRAs do not cover the cable route area. Section 11.4.21 states, *“based on the available information to date significant sources of contamination and therefore significant environmental effects have not been identified”*. Historical landfill sites are a potential source of contamination and must be considered with respect to the proposed development. When refining the Cable Route Corridor, the potential presence of ground gas, ground water contamination and any ground stability issues relating to these landfills need to be considered. The potential presence of any associated infrastructure located outside of the boundary, such as drainage connections to foul sewer or environmental monitoring, also need to be considered. There are no active landfill sites in the vicinity of the site.
- No comment is made on the potential presence or depth of groundwater in the Scoping Report. The PRA mentions a BGS borehole with an indicated groundwater level of 1.50m below ground level. This would have an impact on the potential for contamination to migrate into sensitive aquifers.

Given the number of errors here, we are concerned that there might be other inaccuracies or omissions not yet noted.

The Scoping Report makes no reference to guidance used regarding groundwater and contaminated land. Amongst other industry best practice guides, we strongly advise that these documents are used:

- The Environment Agency’s approach to groundwater protection (February 2018): [The Environment Agency’s approach to groundwater protection \(publishing.service.gov.uk\)](#) - this is a useful document that provides an overview of the activities that are acceptable in SPZs.
- Protect groundwater and prevent groundwater pollution (March 2017): [Protect groundwater and prevent groundwater pollution - GOV.UK \(www.gov.uk\)](#)

Land Contamination Assessment

Two Preliminary Geo-Environmental Risk Assessments have been produced to date, one for Lime Down A to E, and one for Land and Melksham Substation. We expect to see a Preliminary Geo-Environmental Risk Assessment for the proposed cable route prior to approval of any works.

“Suitable SuDS” is used as justification for scoping out construction risks to groundwater (Table 10.7). These therefore need to be in place *before* any construction commences. Construction of the SuDS would therefore need its own plan to mitigate against risks to groundwater at that time. Conventional SuDS are not generally suitable mitigation for contamination. Any scheme must be designed to prevent contamination entering the groundwater.

Impacts on groundwater during operation have been scoped out due to *“the predominance of non-aquifer superficial deposits within the Cable Route Search Corridor”*. As mentioned above, this statement is incorrect as there are minimal superficial deposits across the site. We request that the applicant reassesses the risk, taking the correct ground conditions into account.

Potential risks to groundwater from installing foundations (for solar panel frames, conversion units and inverters, fencing, substations and BESS) are not mentioned in the Scoping Report. These need to be considered and scoped in or out.

Section 13.6.3 states, *“during the operation phase, the panels will be replaced at least once and the BESS at least twice”*. We expect to see an environmental management plan in place for these activities which employs the same or greater protection measures than that used for the construction phase.

In Section 11.3.74, the applicant has acknowledged a public water supply within the proposed Cable Route Search Corridor. It is not clear if the search included private potable water abstractions, but these must also be considered. In Section 11.3.75 it is stated, *“The presence of water abstractions from groundwater and surface water within/adjacent to the remaining Cable Route Search Corridor is not known at this stage and will be assessed as part of the ES chapter”*. We support the inclusion of this assessment in the Environmental Statement (ES). This inclusion is not reiterated in Table 10.4, which appears to apply to the whole site.

In Section 8.3.13 it states, *“Techniques such as Horizontal Directional Drilling (HDD) may also be implemented to avoid damage to ecologically valuable habitats”*. 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. In the Scoping Report, HDD is not discussed in the context of groundwater and land contamination. This is a disappointing omission. We expect this assessment to be included in the Construction Environmental Management Plan (CEMP) or EIA. A drilling fluid breakout will also be required for any HDD activities. Where the placement of cables takes place in land affected by contamination, the management of the waste material will need to be carefully managed.

BESS and Firewater

The BESS is proposed to be sited either on the Land at Melksham Substation, or within land at Lime Down D.

The geology underlying the Land at Melksham Substation has been incorrectly recorded in the Scoping Report and PRA. The central part of the BESS site is underlain by a Principal aquifer and is within SPZ1, associated with a potable water abstraction 145m northeast. This area is within a Drinking Water Groundwater Safeguard Zone, which is not mentioned in the Scoping Report. Safeguard zones are established around public water supplies where additional pollution control measures are needed. These comments also apply to Lime Down D which is also partially within SPZ1.

As such, we request that the scoping report be revised, or the potential impact on groundwater, SPZ1 and potable water abstraction from the BESS site is scoped into the EIA. When the scheme details are finalised, it will be important to ensure that the proposed activities are compliant with our groundwater protection policies, in particular, in relation to SPZs.

The BESS site will require a sealed drainage system to be in place to contain and manage any fire-fighting effluent or contaminated surface waters generated by a fire at the site. The National Fire Chief's Council has published detailed guidance on recommended fire protection measures for BESS sites. We recommend the applicant refers to this when designing the scheme: [Grid Scale Battery Energy Storage System planning – Guidance for FRS \(nfcc.org.uk\)](https://www.nfcc.org.uk)

Summary

We are not satisfied with the site descriptions presented, or the conclusions made. Section 11.5 concludes that all risks to sensitive land uses and groundwater can be scoped out. We disagree with this conclusion as it is based on incorrect information.

Geological descriptions are incomplete. The presence of Source Protection Zones, including SPZ1 (unconfined), has been ignored. Historical landfill sites within and adjacent to the site boundary have not been acknowledged.

We agree that many of the construction risks can be managed through an effective CEMP; however we are concerned that such a plan will not be sufficient if it is based on the wrong information. In principle a detailed CEMP could be sufficient to scope out most risks to groundwater. However, if “*Suitable SuDS*” is used as justification for scoping out construction risks to groundwater, these therefore need to be in place before any construction commences. Conventional SuDS are not generally suitable mitigation for contamination. Any scheme must be designed to prevent contamination entering the groundwater.

The only mitigation listed under “*Mitigation Measures*” (sections 11.4.23 to 11.4.28) are the CEMP, Discovery Strategy, and bunded fuel tanks and chemicals. SuDS is discussed in Chapter 10 (Hydrology, Flood Risk and Drainage), but not Chapter 11 (Ground Conditions and Contamination). We would like to see further consideration of the risks before agreeing to the conclusions on what should be scoped in or out.

In Section 11.5.1, the applicant states “*it is proposed that Lime Down A to E and Land at Melksham Substation be scoped out of further consideration in the ES.*” We assume that this statement only refers to Ground Conditions and Contamination, however this is not explicitly clear. We disagree with the applicant’s conclusion for the reasons given in this response.

In Section 11.5.2, the applicant states that risks from the cable route are temporary and limited to construction workers. The type of cables to be used in the Scheme have not been specified. If fluid-filled cables are proposed, pollution prevention from such cables should be included in the CEMP. If HDD is used through any of the unconfined SPZs, we expect to see controls in place to manage fluid breakout. Historical landfill sites within the site and adjacent to the site boundary must also be considered.

Water Resources

There exist abstractions for potable water supply within the site boundary and almost all of the site is within SPZ1 or SPZ2. There is insufficient evidence to agree that mobilisation of ground contamination should be scoped out at this stage. This is the conclusion presented in both the Hydrology, Flood Risk and Drainage (Table 10.6) and Ground Conditions and Contamination (Table 10.4) sections.

Potable water supply is identified by the Scoping Report as having very high sensitivity and potentially major adverse magnitude as set out in the approach and method section of the Hydrology, Flood Risk and Drainage chapter. We recommend that this remains scoped into the assessment. The justification of good practices and pollution prevention techniques secured by the CEMP preventing pathways seems premature without further investigation of the risk and details of specific mitigation.

The Scoping Report does not include any reference to the consumptive use of water in construction or operation phases of the development (with reference to 5.16.7 of the NPS EN-01). However, other chapters (e.g. transport and access) make reference to the use of water for dust suppression and wheel washing facilities.

The use of water from the local environment will be subject to an abstraction licence if it exceeds 20m³ per day. There is surface water availability on the Bristol and Avon catchment, however conditions to protect low flows may restrict access during prolonged dry weather. More information can be found in the [abstraction licensing strategy](#).

Consumptive uses of water for construction should not be underestimated and we recommend that all water demands, the impacts on potential sources of supply (including potable supply if applicable) are evaluated at the EIA stage.

Dewatering activities are not described in the Scoping Report, however there is below ground excavation required for foundations and below ground cables. Whilst water demands are unknown, it is difficult to confirm whether abstraction licences will be required. If dewatering is necessary, it will require an abstraction licence if it doesn't meet the criteria for exemption in [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works](#). It may also require a discharge permit if it falls outside of the Environment Agency [regulatory position statement for de-watering discharges](#). If abstraction or impoundment licences are required, the determination period is up to 3 months, 4 months if advertising is necessary. A water resources assessment at the EIA stage could help to identify and problem solve any obvious obstacles and design implications and may help to expedite the permitting process later on. If dewatering will take place, and it can be demonstrated to be discharged to the same source of supply without intervening use (i.e. non-consumptive), this will increase the likelihood of a licence being granted.

Biodiversity

We note that a WFD Assessment will be conducted (Section 10.7.3). This should include an assessment of any potential impacts (such as sediment pollution) to watercourses on-site and the potential to impact hydrologically linked watercourses, which may therefore also impact the biodiversity that relies on these watercourses.

The Avon Bristol Rural Operational Catchment is hydrologically connected to the Severn Estuary, thus there is the possibility of pollutants from the site making their way to the Severn Estuary. Therefore, we recommend that the applicant scopes in the Severn Estuary Special Area of Conservation, Special Protection Area and Ramsar as a potential ecological receptor in Table 8.8.

It is to our knowledge that beavers are currently moving through the Bristol Avon catchment and they may be present within the site boundary in the near future. Beavers are designated a European protected species under the Conservation of Habitats and Species Regulations 2017 (as amended), therefore, we advise the applicant to consider beavers in the same way as otter and water vole, by scoping beavers in as a potential ecological receptor, and conducting a species-specific survey.

It is positive to read that habitat and protected species surveys have commenced in 2023 and 2024 (Section 8.3.46 and 8.3.52). However, it appears that the applicant has not provided a copy of the Preliminary Ecological Appraisal (PEA) report, results from the UKHAB survey or results from completed species surveys (such as great crested newt and eDNA surveys or water vole and otter surveys) as part of the appendices. Therefore, we are unable to comment on the methodology or the results of the surveys at this stage.

We note that detailed surveys for aquatic invertebrates will not be conducted as detrimental impacts to invertebrates are considered to be low (Section 8.3.52). However, we hold multiple records of white-clawed crayfish just outside the site on the River Avon, Gauze Brook and By Brook; therefore, it can be reasonably assumed that the species may be present on the site. We encourage the applicant to consider the impact of pollution and siltation on white-clawed crayfish and consider conducting an aquatic invertebrate survey.

It is positive to read that the applicant intends to apply the mitigation hierarchy (Section 8.5.8). However, we note that this section seems to define the meaning of mitigation, compensation and enhancement (and circumstances where they may be

applied) rather than outline any specific mitigation or enhancement plans for the scheme. The applicant refers to the possibility of applying seasonal timings and having an ECoW present during construction (Section 8.3.14), however these comments lack detail at this stage.

We note that the applicant intends to provide an 8-metre buffer from ditches and watercourses (Table 7.7). We recommend the provision of a 10-metre buffer from watercourse bank-tops as a minimum, to effectively protect the watercourse from sediments, enable bank stabilisation through vegetation establishment and allow space for commuting by mammals. However, where natural geomorphic processes take place (such as lateral channel migration), we advise the applicant to consider buffers greater than 10-metres in some locations where watercourse migration is identified, if appropriate and where feasible.

Section 8.4.2 highlights the risk of habitat fragmentation by culverts. Any culverting of a watercourse or waterbody can impact the dispersal of some organisms, for example, they can act as a barrier to fish species and otters. Therefore, we would oppose to the culverting of any watercourse. If vehicle crossings need to be constructed, we recommend the construction of open-span structures (such as bridges). It is positive to read that the applicant is considering crossing watercourses via HDD (Section 8.2.13). However, we recommend against conducting HDD at night (as mentioned in Section 4.3.4) due to the potential disturbance of nocturnal protected species. If culverts are currently present on the site, we recommend the opening-up of these culverts where feasible.

It is positive to read that the risk of spreading Invasive Non-native Species (INNS) has been considered (Section 10.6.2). We note that no INNS were detected on site (Section 8.3.59); however, we hold records of Himalayan balsam within the Cable Route Search Corridor, Japanese Knotweed within Lime Down E and the Cable Route Search Corridor, and Canadian waterweed within the Cable Route Search Corridor near Pond Close Farm. We also hold records of INNS just outside the site boundary, including Nuttall's waterweed on an unnamed main river outside the Cable Route Search Corridor, Least duckweed at Yatton Keynell, Himalayan balsam and Giant hogweed both along an unnamed main river at Lacock. Therefore, we recommend that INNS pre-construction surveys are completed, and that the applicant submits a Biosecurity Method Statement and Invasive Species Management Plan alongside the Development Consent Order (DCO) application for the proposed development.

Fisheries

Section 8.2.1

The Salmon & Freshwater Fisheries Act 1975, The Eels (England and Wales) Regulations 2009, and the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 have not been included in the list of legislation that is relevant to biodiversity. This Act and these Regulations should be considered and included as relevant in the Preliminary Environmental Information Report (PEIR) and ES.

Section 8.3.5

The extensive watercourse network should be considered when undertaking further habitat surveys. Cable routes that cross the extensive watercourse network could have an adverse impact on sensitive fish species through increase noise from construction activities, magnetic fields from buried cables and an impact from the footprint of the crossing on sensitive spawning grounds. Cable crossings of any watercourse should be avoided in the first instance. If crossings cannot be avoided then full details which specify how the crossing will not adversely impact fish must be detailed with the CEMP, Decommissioning Environmental Management Plan (DEMP) and ES.

Section 8.3.13

HDD is included as a method that could be implemented to minimise impacts to watercourses. However, such activities may disturb fish during key periods of migration and spawning and in extreme cases noise may kill fish. The EIA should include an assessment on the risk of fish populations within main rivers being impacted by noise and vibration from construction and decommissioning. This assessment should be included in the Noise and Vibration chapter of the PEIR and ES. Mitigation and management of any impacts should be detailed in the CEMP and DEMP.

Section 8.4.4

Table 8.6 identifies ecological receptors likely to be sensitive to construction, operational and decommissioning phase impacts. We recommend that fish are included in this as a potential receptor for each source of impact.

Section 8.4.5

Beneficial effects to fish could also include the development of buffer strips which will improve the marginal and in-channel habitat and reduce fine sediment and diffuse pollution.

Table 8.7 and Table 8.8

We recommended that the Severn Estuary Ramsar site should be scoped in as an 'Ecological receptor' due to the presence of European eel in some of the watercourses within the proposed development site. The site is therefore functionally linked to the Severn Estuary Ramar and the Severn Estuary Site of Special Scientific Interest (SSSI).

Further comments

The use of culverts as temporary and permanent watercourse crossings can impact fish populations through migration barriers and habitat loss both in-channel and marginal. Culverting also impacts on fish habitat and spawning habitat by decreasing the quality of substrate. The Environment Agency therefore opposes the culverting of any watercourse and would prefer the installation of a clear full span crossing that maintains the natural substrate and allows free passage of fish.

If sections of watercourses are required to be coffer dammed during the temporary works, a fish rescue will need to be undertaken, and Authorisation issued under Section 27 of the Salmon and Freshwater Fisheries Act 1975. In addition to this, any de-watering pumps will need to be adequately screened to prevent the impingement or entrainment of fish in accordance with the Eels (England and Wales) Regulations 2009. Furthermore, any over-pumping of waterbodies could cause loss of flow or desiccation of a reach which would lead to loss of fish habitat and mortality. Should any over-pumping occur measures must be in place to ensure that fish are not harmed, or habitat it not lost.

An increase in fine sediment/ silt in watercourses would smother important spawning gravels, clog interstitial spaces in gravel, impact on fish egg and larval development and reduce all fish's ability to respire by the clogging of gills. The CEMP, Landscape and Ecological Management Plan (LEMP), and DEMP must detail the following mitigation:

- Robust silt control measures such as, but not limited to, buffer strips, barriers, SuDS ponds.

- A method of works which make sure construction is stopped if unacceptable silt run off were to occur.

A WFD assessment will need to consider impacts to fish classifications in downstream waterbodies. Tributaries of the Bristol Avon River (such as the Gauze and Rodbourne Brooks) will provide spawning and juvenile habitat for brown trout which will migrate into the wider catchment. Therefore wider consideration of WFD impacts will be necessary. The development must ensure that there is no deterioration in WFD status due to construction, operation and decommissioning.

Geomorphology

Although effects on the water environment due to increased sediment loading and accidental spills have been scoped out using a CEMP, a risk remains, and the possible pathways have not been fully investigated. The items proposed to be scoped out in Table 10.7 should remain scoped in at the current time.

It is positive that a cumulative assessment will be undertaken, but this also needs to consider the “source to sea” effects that the development may have. The applicant may need to consider mitigation to change “negligible negative” effects of the development into positive enhancements that would reduce the cumulative effects of existing and future developments both up and downstream.

General comments

The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes.

Any infrastructural developments on river/ floodplain environments should be designed and delivered to have a minimal impact on natural river dynamics (e.g. erosion, deposition, meander migration etc.) and should not place any significant limitations on future river restoration projects. The applicant should avoid unnecessary interference with natural processes. We encourage use of trenchless techniques such as HDD to minimise the likelihood of cables entering the water environment. The applicant should also avoid preventing delivery of current and future mitigation measures, for example, avoid bringing cables to surface level in floodplains earmarked for future river restoration.

If river crossings (bridges, culverts, and buried cables) are required as part of the development, we would expect to see geomorphologically robust designs that will cause minimal impacts on natural fluvial processes operating in the river/ floodplain

environment over the course of the 21st century. Therefore, it should we ensured that watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.

The applicant should avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels/shafts which are left in-situ after decommissioning could be exposed by future channel/bank erosion or river movement, becoming an impediment to natural processes.

Any potential construction, operational, and decommissioning phase impacts that the proposed scheme may have on the river must be subject to a WFD Assessment that is to our satisfaction. Therefore, the applicant should consider opportunities to deliver WFD mitigation measures as part of the design.

Geomorphologically dynamic behaviour is deemed likely to intensify in the next decades in line with Flood Estimation Handbook ([Flood Estimation Handbook \(FEH\) | UK Centre for Ecology & Hydrology \(ceh.ac.uk\)](#)). Therefore, any infrastructure developments should also take some account of the likelihood for increased lateral and vertical river dynamics anticipated to result from continued hydro-climatic intensification (e.g. 'a flood-rich epoch') over the remainder of the 21st century (i.e., future proofed designs that are not just based on present-day baseline geomorphological configuration/ behaviour).

The applicant should note that WFD applies to all surface waterbodies, not just those designated for monitoring purposes.

The applicant should also note that Biodiversity Net Gain (BNG) guidelines indicate that structures built within 10-metre of the bank top of a watercourse qualify as encroachment, which may affect the uplift score calculated using the BNG Watercourse metric.

Yours faithfully,

Miss Siobhan Martin
Planning Advisor – National Infrastructure Team
Email: Nlteam@environment-agency.gov.uk

Appendix 1 – Environmental Permitting – Advice to Applicant

In addition to the above, the below guidance should be followed to inform which permits may be necessary for this project. Due to the lengthy timescales currently involved in the determination process, we would encourage you to engage with our permitting pre-application advice service at the earliest possible opportunity.

Flood Risk Activity Permit (FRAP)

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

A Bespoke permit has a determination period of 8 weeks; however, we would recommend you factor in 12 weeks as there may be requirements for additional information and process delays.

Dewatering, abstraction and discharges

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](https://www.gov.uk/guidance/rps-261)
(www.gov.uk)

If you don't meet the exemption and require a full abstraction licence you 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)

Please note that the typical timescale to process a licence application is 9-12 months. You 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.

You 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)

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.

Sustainable Drainage Systems (SuDS)

The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Government's non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply.

See the Environment Agency's approach to groundwater protection, position statement G13: [Groundwater protection position statements - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Impounding licence requirement

If you intend to impound a watercourse then you are likely to need an impounding licence from the EA. An impoundment is any dam, weir or other structure that can raise the water level of a water body above its natural level. 'On-line' impoundments hold back water in rivers, stream, wetlands and estuaries, and consequently affect downstream flows, sediment transport and migration of fish. Impoundments could be created through works to modify or change existing watercourses. An Impoundment Licence could also be required if you amend, modify or remove existing in channel structures. More information is available on gov.uk: [Apply for a water abstraction or impounding licence - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/organisations/environment-agency/about-us/impounding-licence)

Discharge of trade effluent

Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent. If you are not able to discharge effluent, it will be classed as waste, and you must then comply with your duty of care responsibilities. If you wish to discharge effluent, after appropriately treating it, to groundwater or surface water a permit under the Environmental Permit Regulations will be required. Full characterisation of the effluent will be required, and modelling may be required at the planning stage to determine the impact of the effluent on the receiving watercourse. A trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer. Further guidance is available at: [Pollution prevention for businesses - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/organisations/environment-agency/about-us/pollution-prevention-for-businesses)

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.

Movement of waste off-site

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here:

https://www.gov.uk/uploads/system/uploads/attachment_data/waste-duty-care-

[code-practice-2016.pdf](#)

If you need to register as a carrier of waste, please follow the instructions here:
<https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales>

If you require any local advice or guidance please contact the National Enquiries Unit on: 03708 506 506

Characterisation and classification of waste

In order to meet your objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Some waste (e.g. wood and wood based products) may be either a hazardous or non-hazardous waste dependent upon whether or not they have had preservative treatments.

Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. In the case of treated wood, it may require high temperature incineration in a directive compliant facility. More information on this can be found here: <https://www.gov.uk/how-to-classify-different-types-of-waste>

Use of waste on-site

If materials that are potentially waste are to be used on-site, you will need to ensure you can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where you cannot meet the criteria, you will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

- We have produced guidance on the recovery test which can be viewed at <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

If you require any local advice or guidance please contact the National Enquiries Unit on: 03708 506 506

The waste hierarchy & resource management in relation to construction wastes

The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

Resource efficiency and the circular economy

The circular economy is a concept designed to keep materials in use as long as possible, thus promoting resource efficient practice and deriving economic benefits. Adherence to the waste hierarchy and adoption of best practice in relation to site waste management planning will help you deliver against circular economy objectives.

Observance of the waste hierarchy objectives and principles of the circular economy will depend upon the selection of the most sustainable option at every phase of a development project, from reduction through design and architecture, to the selection of the most efficient recovery process for the treatment and use of waste.

Management and reporting systems

Where a development involves any significant construction or related activities, we would recommend using a management and reporting system to minimise and track the fate of construction wastes, such as that set out in PAS402: 2013, or an appropriate equivalent assurance methodology. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.

You can find more information on the Waste Framework Directive here:

<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the WFD). The 'Is it waste' tool, allows you to make an assessment and can be found here:

<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

Protected Provisions

Any requests to disapply any permits or consents should be sent to us in writing as soon as possible to allow us sufficient time to consider them (minimum 6 months).

Depending on the outcome this will have implications on the content of the DCO.

Appendix 2 – Environmental betterment opportunities – advice to applicant

BNG will become a legal requirement for NSIPs in November 2025. It is positive to read that a BNG assessment will form part of the ES chapter and a net gain of at least 10% is intended to be demonstrated by the Scheme. You should deliver a greater percentage of BNG where it is feasible.

It is positive to read that you have conducted a habitat survey using the UKHABs Classification System (Table 8.1), which provides accurate habitat identification data for the BNG Metric. You should use the latest statutory (official) version of the biodiversity metric tool to calculate BNG. We also encourage the use of the Watercourse Metric (where appropriate).

We encourage you to deliver wetland habitat enhancements as part of BNG delivery. We also encourage habitat enhancements to be delivered ahead of project completion, if possible, to provide habitats sooner. The biodiversity metric rewards units if enhancements are delivered early, which therefore provides an incentive.

Potential BNG opportunities

There could be opportunities for environmental betterment and BNG through supporting the delivery of local projects such as the Gauze Brook Restoration Project (led by Hullavington Environment Group) and the Magnificent Marden Project (led by the Bristol Avon Rivers Trust) with the aim of restoring sections of rivers for biodiversity. We also advise you to refer to the '[Bristol Avon Catchment Partnership: Catchment Plan 2022-2027](#)' which details actions to improve the catchment.

Somerset Council have been appointed the responsible authority to develop the Local Nature Recovery Strategy. The Council is currently in the process of drafting a strategy, which it aims to publish in early 2025 following consultation. We advise that you refer to this strategy to inform decisions on where to site off-site BNG delivery and potential enhancements.

Grittleton Parish Council

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

8th August 2024

Your Ref: EN010168

Dear Sir

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) - Scoping consultation

The proposed solar park lies outside of the Parish, however the Parish will be significantly affected by the proposed transport route and potentially any impact on the areas Tourism Trade.

Councillors have noted the following errors and omissions in the scoping documents which relate to these particular areas:

Chapter 13 Transport & Access

This chapter only mentions construction traffic which we understand to mean delivery of equipment. There is no assessment of the impact which will be caused by construction workers, the EIA should include information on the numbers involved, over what time period, where accommodation will be provided and how are they transported.

The following errors & omissions were also noted:

- 13.3.10 - B4039 description fails to mention The Gibb & the 30 mph speed limit in that settlement
- 13.3.12 - Fails to mention the 30 mph speed limit in The Gibb & approaching Grittleton, as well as parking around The Salutation Inn at the crossroads.
- 13.3.27 – Cycle Route – No methodology to access use
- 13.3.33 – No vehicle count has been undertaken on B4039
- 13.3.35 – Other Baseline Date Sources – Use of Personal Injury Collision Data, this is not considered to be an accurate measure of collisions on the local road network.
- 13.4.27 – Pre & post construction highway condition survey should include all unclassified roads as well as all junctions on A & B roads

Chairman: Brendan Mc Carron, The Horseshoes, Sevington SN14 7LD

Email: parishcouncil.grittleton@gmail.com

Grittleton Parish Council

Chapter 18 Socio – Economics Tourism & Recreation

Construction workers accommodation, if tourism accommodation is taken up by construction workers there will be a knock on impact on the regions economy, as witnessed in Somerset where Hinkley C construction workers using tourist accommodation don't spend money in the wider economy.

Socio & Economic impact, there is no consideration on the wider and longer term impact of with drawing a large area of land from mixed use agriculture to occasional sheep grazing, this will result in the lose of direct agricultural jobs and in the wider area lose of support jobs for example with agricultural equipment & support suppliers.

There is no recognition of significant local events which affect the local highway network for example - Badminton Horse Trials and WOMAD, which could be severely harmed during the construction period.

Yours faithfully

Ian J Plowman
Clerk to Grittleton Parish Council

From: [McCulloch, Laura](#)
To: [Lime Down Solar](#)
Cc: [Spatial Planning](#)
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 17 July 2024 16:22:33
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image001.png](#)

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Dear Todd,

Thank you for your email regarding the Lime Down Solar Park EIA Scoping.

I can confirm that, due to its proximity to Hampshire, it is not considered that it will have any implications and therefore the County Council has no comments.

Yours sincerely,

Laura McCulloch MRTPI MCIHT
Head of Spatial Planning

My working week is Tuesday to Friday



[Click here to chat to me on MS Teams](#)



From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 4:29 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Caution: This is an external email and could contain malicious content. Do not open any links or attachments if you were not expecting them. If the e-mail looks suspicious, please report via the 'Report Phishing' Button found on your toolbar.

FAO Head of Planning

Dear Sir/Madam,

We are contacting you at this time in relation to the Lime Down Solar Park which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the pre-application stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) (“the EIA Regulations”), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

To inform the scope and level of detail of the information to be provided within the ES, the Applicant has requested a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State under Regulation 10 of the EIA Regulations.

Before adopting a Scoping Opinion, the Inspectorate must consult the relevant ‘consultation bodies’ defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant’s approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant’s own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is **14 August 2024** and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate.

For further information about the NSIP planning process, please click on the links below:

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)
- [Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate

T [REDACTED]

 @PINSgov  The Planning Inspectorate  planninginspectorate.gov.uk

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DPC:76616c646f72



Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN
Email: limedown@planninginspectorate.gov.uk

CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2, Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS.
NSIP.applications@hse.gov.uk

Date: 25/07/2024

Dear Sir/Madam,

**PROPOSED LIME DOWN SOLAR PARK PROJECT
PROPOSAL BY LIME DOWN SOLAR PARK LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (as amended) REGULATIONS 10 and 11**

Thank you for your email on 17 July 2024 regarding the information to be provided in an environmental statement relating to the above project.

HSE's land use planning advice:

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

According to HSE's records, the proposed DCO application boundary for this Nationally Significant Infrastructure Project is within the consultation zones of a major accident hazard pipeline ['MAHP']. This is based on the Lime Down Solar Park solar panel and cable corridor search area boundary (red and orange lines) in Figure 3.1 Site Plan in the Scoping Report EIA Scoping Report Appendices Part 1 Appendix 3.1 [downloaded from: EN010168-000005-EN010168_LDSP_Scoping Appendices (1 of 3).pdf (planninginspectorate.gov.uk)].

The major accident hazard pipeline is operated by National Grid Gas and is:

- 14 Feeder Wormington/ Pucklechurch; HSE ref. number 7227, Transco ref.: 1497.

The Applicant should contact the above operator to verify the above and to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident. There are three particular reasons for this:

- i. The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii. The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii. To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice is dependent on the location of areas where people may be present [[HSE: Land use planning - HSE's land use planning methodology](#)]. Based on the information in the EIA Scoping Main Report July 2024 it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. 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 Substances Consent be needed?

Hazard classification is relevant to the potential for accidents. 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.

Based on the EIA Scoping Report July 2024, 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 in-scope hazardous 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: [Nationally Significant Infrastructure Projects - Advice Note Eleven, Annex G: The Health and Safety Executive - GOV.UK \(www.gov.uk\)](#). This document includes consideration of risk assessments under the heading “Risk assessments”.

In the Scoping Report it was not clear if there was consideration of risk assessments arising from the development’s vulnerability to major accidents (e.g. from the above identified sites and/or pipelines). We would advise this is considered further in line with Advice Note 11 Annex G 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.”*

Explosives sites

Explosives Inspectorates response is no comment to make as there is no HSE Licensed explosive sites in the vicinity of the proposed development.

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

CEMHD NSIP Consultation Team



Historic England

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

Direct Dial: [REDACTED]
Mobile: [REDACTED]
Our Ref: PL00795841

Send via e-mail: limesdown@planninginspectorate.gov.uk

9 August 2024

Dear Planning Inspectorate

Ref: EN010168

**Request for a Formal EIA Scoping Opinion for the Lime Down Solar Park.
Planning Act 2008 (as amended) and The Infrastructure Planning
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)
– Regulations 10 and 11**

Thank you for consulting us about the above EIA Scoping Opinion. Historic England has reviewed the information submitted in the scoping report from the applicant and our own records for the proposed development area. We have also made a site visit to the northern area of the proposed scheme but did not visit the proposed cable route or the Melksham Sub-Station site. In our view this development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area around the proposed site.

Our initial assessment shows that the following number of designated heritage assets are within 2km of the proposed development.

- 761 Listed Buildings (50 Grade I, II*)
- 12 Scheduled Monuments
- 21 Conservation Areas
- 2 Registered Parks and Gardens (RPG)

We would draw your attention, in particular but not exclusively, to the following:

- Bradfield Manor Farmhouse (Grade I Listed Building)
- St Giles Church Alderton (Grade I Listed Building)
- Alderton Conservation Area
- Corsham Park (Grade II* RPG)



Historic England, Fermentation North (1st Floor), Finzels Reach, Hawkins Lane, Bristol, BS1 6WQ
Telephone 0117 975 1308 www.HistoricEngland.org.uk

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Whilst Historic England's remit extends to the whole of the historic environment, our statutory development advice is normally restricted to the highest grades of designated heritage assets, such as grade I and II* Listed Buildings and Registered Historic Parks and Gardens, and Scheduled Monuments. In this instance, the majority of the Listed Buildings that are affected by the development are grade II. It is therefore of particular importance that advice is also sought from the conservation specialists at Wiltshire Council.

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place.

We would draw your attention, in particular but not exclusively, to the following:

- Fosse Way Roman Road (and any associated roadside settlements)
- Silchester to Bath Roman Road (and any associated roadside settlements)
- Badminton Estate parkland outside of the Grade I RPG.

Overall the Scoping report includes a range of assessment methodologies to allow for an understanding of the environmental impacts.

The Proposed Scheme

The proposed scheme comprises five areas of Solar Arrays within Lime Down (lettered A to E), generating up to 500kw of energy. This will require additional infrastructure and connection to the Grid comprising: a number of 33kV and 132kV substations located within the Solar Arrays, a battery energy storage system (BESS), up to 400kV substations and interconnecting cables.

The cable route will require a working area of between 25 and 35m but this may be wider.

The Scoping report sets out the assessments to be undertaken for construction, operation and decommissioning of the development.

Historic England Advice

Listed Buildings and RPGs

The potential impacts of this proposal on highly significant assets need to be carefully assessed to inform the location, siting and design of the BESS and Sub-Station Area, as well as the solar panels. We would expect to see accurate visualisations to help explain the impacts of this infrastructure on heritage settings (e.g. including views of





and from the asset). We have particular concerns regarding Area D and its close proximity to Bradfield Manor Farm (Grade I listed Building).

As outlined in section 2.4 of the Scoping Report, the Environmental Statement will need to include information about the reasonable alternatives that have been studied. We suggest that this should include the BESS and Sub-Station Area.

Badminton Grade I RPG lies outside of the 2km study area but is within the ZTV of the scheme. Thought therefore needs to be given to any possibly designed long views in or out of the parkland.

The land around Alderton is within the wider Badminton Estate and the landscape to the west of the village has remnants of parkland (ornamental) planting indicating it was part of the wider Badminton Estate Parkland.

Historic England consider that this land forms part of the setting of the RPG, which only covers the core of the Parkland where it best survives, and should be considered as a non-designated heritage asset (NDHA) in its own right. The setting of this heritage asset may be extensive and although the registered park is beyond the 2km study area, the wider estate reflects scenic and heritage qualities that merit consideration.

Opportunities to restore or improve the former planting along roads and within this landscape would help to potentially mitigate any identified impacts.

Archaeology

We welcome the surveys and assessments proposed to inform the Environmental Statement (ES) set out in Chapter 12 – 12.3.31. This is essential to ensure the archaeology is characterised to allow us to provide informed advice on any mitigation strategy proposed. The survey techniques proposed will provide an idea of what may be present along the route corridor. It will also identify if there is any archaeology potentially of national significance. It is therefore important to identify, understand and characterise these sites, through desk-top assessments, geophysics and archaeological evaluation trenching at an early stage in the process.

Having this work done as early as possible will help ensure the construction is not delayed by unexpected archaeological sites.

The archaeological mitigation needs to be set out in the Construction Environment Management Plan and controlled through the DCO requirements. We note that this is not referred to in Chapter 12 and recommend that this is made clearer in the documentation. For example, it clearly states in other Chapters that the works will be controlled through the CEMP (e.g. 9.4.10, Table 10.7, 11.5.2, 14.5.23).





Detailed Comments on the Scoping report

2. Methodology

In relation to the historic environment, it will be important that the tabular assessment approach described in section 2 is complemented and supported by a reasoned, narrative discussion of the significance of any heritage assets affected and the level of impact and harm. This should preferably be informed by the approaches contained in Historic England guidance, and will be necessary to meet the policies within Chapter 5.9 (Historic Environment) of the Overarching National Policy Statement for Energy (EN-1).

2.4 Reasonable alternatives

We recommend that this should include looking at the BESS and Sub-stations that may be within the setting of heritage assets and looking at alternative locations to remove or minimise any harm caused.

4 Scheme Description

4.2.35 Landscaping any new tree planting will need to be located away from known archaeology and should be assessed as part of the cultural heritage chapter.

7. Landscape and Visual

We welcome the statement at 7.3.11 that the LVIA will consider the findings of the cultural heritage chapter. However, based on the remainder of this paragraph we are a little unclear how exactly the LVIA and Cultural Heritage assessments will be integrated. Further clarity would be welcome.

We would also welcome the better integration of the Landscape Character Areas with the Cultural Heritage Chapter as this will be important in understanding the setting of many of the heritage assets.

12 Cultural Heritage

12.2 Legislation, Policy and Guidance

We recommend that the following guidance is also referred to:

- European Landscape Convention
- The Convention for the Protection of the Architectural Heritage of Europe
- The European Convention on the Protection of Archaeological Heritage

12.2.1 – we welcome the inclusion of Historic England Good Practice Advice (GPA) in this list, however we note that GPA2 is listed twice (ref 136 and 137) and GPA3:





The Setting of Heritage Assets, is not listed. Was the second GPA 2 (ref 137) meant to be GPA3?

12.3.1 – we recommend that the Grade I Badminton RPG and associated estate landscape are included in the assessment.

Summary of designated heritage assets – we welcome that there are none within the proposed solar farm areas or sub-station sites. However, there are many within the Cable Route Search Corridor and we would welcome further discussion on how these will be avoided or mitigated.

12.4.5 – We acknowledge that setting impacts during construction may largely be treated as reversible. However, it should be noted that in the case of impacts associated with the loss of vegetation and in particular mature trees, replacement planting could take many years to be fully effective. See comment on 4.2.35 above.

12.5 Assessment Methodology

12.5.3 – In accordance with National Policy Statement EN-1 (paragraph 4.1.5), could this consider opportunities for heritage enhancements, alongside mitigation of impacts?

Assessment of Effects 12.5.8 – 12.5.10, as stated in response to Chapter 2, any tabulated assessment should be accompanied by a reasoned, narrative discussion of the significance of heritage assets affected and the level of impact and harm to those assets, following guidance in the GPAs.

Appendices

Report 3 of 3, Appendix 12.1 Cultural Heritage Figures – We suggest the figures include Badminton Grade I RPG as this is close to northwestern extent of the solar area (See comments above).

Conclusion

Historic England has some concerns regarding the level of information proposed to inform the ES. Significant work is needed to provide detailed assessments of the heritage assets that may potentially be affected. We would welcome continued engagement to help shape the ES and ensure the information provided is to a standard that allows us to make a full and informed assessment of the proposed development and its potential impacts.

In accordance with National Policy Statement EN-1, the Applicant will also need to show how the mitigation hierarchy (avoid, reduce, mitigate, compensate) has been





Historic England

applied, giving priority to the avoidance of impacts in the first instance. In decision making, great weight will be given to the conservation of heritage assets.

To facilitate this and in advance of submission of the DCO application, we would be keen to be involved in a Technical Working Group focusing on cultural heritage and including other expert stakeholders such as Wiltshire Council's Archaeologist and Conservation Officer.

Yours sincerely

Melanie Barge

Inspector of Ancient Monuments

E-mail: [REDACTED] [@HistoricEngland.org.uk](mailto:[REDACTED]@HistoricEngland.org.uk)

Cc: Rose Callis (Historic England, South West Science Advisor)

Simon Hickman (Historic England, South West Team Leader)

Kim Miller (Historic Environment Planning Adviser)



Historic England, Fermentation North (1st Floor), Finzels Reach, Hawkins Lane, Bristol, BS1 6WQ

Telephone 0117 975 1308 www.HistoricEngland.org.uk

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Hullavington Parish Council. Formal Response to Lime Down Solar Park EIA, document Ref:EN010168.

This is the formal response of the Hullavington Parish Council (HPC) to the proposed Lime Down Solar Park development. It has been prepared specifically to respond to the applicant's submission of a scoping EIA (Environmental Impact Assessment) document to the Planning Inspectorate dated the 16th of July 2024. HPC has resolved to object to the Lime Down Solar Park development and it is anticipated that HPC will continue to advance further objections at the appropriate points in the planning process. The comments made by HPC in this note relate solely to the Applicant's submitted scoping EIA document.

1. The Applicant should Scope In the effects of run off rainfall and it's potential to cause flooding beyond the Application site as a result of a substantial part of the 2,000 acre site being covered by impermeable solar panels. The Applicant should Scope In run off into the main River Avon, and the lower parts of the Gauzebrook and the two un-named streams which will take run off from Areas A to C. HPC would expect to see Flood Risk Assessments for all potential water environment receptors with the potential to be affected by the Lime Down scheme to include Luckington, Sherston, Malmesbury, Corston and Malmesbury St Paul Without, as well as communities downstream on the Avon to Great Somerford, Chippenham and beyond. The Applicant should Scope In assessments of Sustainable Drainage Systems (SuDS) to see whether SuDS could assist those communities that could be affected by increased flooding outside of the boundaries of the Application site.
2. A major proportion of The Lime Down site is Designated by the Environment Agency as a Source Protected Zone as it is highly vulnerable to groundwater pollution. Therefore the Applicant should specifically Scope In within Chapters 10 and 11 the impact of run off on the important water aquifers that sit beneath the site and contain large and regionally important sources of drinking water for the locality and well beyond. This Scoping In should cover both the construction and operation phases of the whole Lime Down scheme. HPC contend that it is insufficient for the Applicant to rely on good practices solely referenced within the Construction Environment Management Plan (CEMP) as the CEMP is not an environment assessment tool.
3. HPC contend the proposed Battery Energy Storage Site (BESS) within site D should be classified under the COMAH (Control of Major Accident Hazard) Regulations. Has the Applicant consulted the HSE (Health and Safety Executive) on the proposed location of the BESS and Scoped in any recommendations and/or advices.
4. The Applicant should Scope In a range of alternative sites to the proposed BESS within Site D. The BESS site should only be chosen after a range of Alternatives have been considered (in addition to the Melksham option)including sub dividing the BESS capacity and spreading it over a range of less constrained locations. The Applicant should Scope In the impacts of the potential siting of the BESS immediately adjacent to the main line railway between London and South Wales. Has Network rail been consulted on the applicants Scoping document, and if not HPC contend that any Network Rail advices should be Scoped In

5. The Applicant should Scope In the impacts of the potential siting of the BESS immediately adjacent to curtilages of historic and cultural assets of National Significance. Has Historic England been consulted on the Applicants Scoping document, and if not HPC contend they should be consulted at this stage and their advices should be Scoped In.
6. The Applicant should scope In the effects of Buffer Zones around watercourses liable to flood at a minimum of 10m from the furthest extent of potential flooding in a 1 in 100 year flood event (with climate change factored in).
7. The applicant should Scope In the effects of buffer zones of 10m being provided on both sides of established hedgerows and /or bat flight corridors.
8. The Applicant should Scope In the effects of Buffer Zones alongside PROW (Public Rights Of Way) at a minimum depth of 10m and designed to avoid unnatural, claustrophobic senses of enclosure in what are largely open highly attractive landscapes with long range views out.
9. The Applicant should Scope In the fact that footpath and bridleway HULL7 is also a recognised long distance walking route known as The Palladian Way.
10. The Applicant should Scope In all factors that will impact their decision on the preferred cable routes both between the areas of solar arrays, Areas A to E and the connection to the National Grid at Whitley, Melksham. The current Scoping Report misses out important constraints that need to be assessed before the preferred routing decisions are taken e/g many aspects of ecology.
11. The Applicant should Scope in the potential effects of multiple Buffer Zones leaving development land parcels that would not function well in landscape terms e/g many fields adjacent to the Gauzebrook in Area D.
12. The Applicant should scope In the effects of high metal security fencing within Areas A to E on roaming wild animals e/g deer. The Applicant should Scope In the effect of vast expanses of solar panels on bird behaviour, not only on bird ground nesting and feeding habitats but also on bird flight habitats and patterns.
13. The Applicant should Scope In the absolute need to achieve a 20% BNG (bio diversity net gain) following the latest Policies in the Draft Wiltshire Local Plan.
14. The Applicant should Scope In the effects of the development on all Protected Species e/g slow worm, dormouse, grass snake, not just those species currently identified.
15. The Applicant should Scope In within the LVIA (Landscape and Visual Impact Assessment) the impacts on the "settings" of Historic Assets as well as the impact on the Assets themselves.
16. The Applicants should Scope In the visual effects of any "cut and fill" residual material proposed to be left on site.

17. The Applicant should Scope In the provisions of the Written Ministerial Statement of May 2024 particularly regarding the cumulative impact of the 5 large scale solar farms over Areas A to E. Each site, A to E is a large NSIP development in it's own right and needs to be considered both with other sites within the lime Down Application site and with sites in Wiltshire that are either operational or consented.
18. The Applicant should Scope In within the baseline background noise assessment "normal" noise outside of seasonal farming operations e/g harvesting.
19. The Applicant should Scope In it's site selection process for all of the five solar farm sites. The applicant should also explain the reasons for discarding alternative sites that were considered.
20. The Applicant should Scope In financial modelling of the projected de commissioning costs, and identify the proposed upfront security arrangements for those costs, including bonding of those costs.
21. The Applicant should re examine the selection of LVIA viewpoints to ensure they are representative of the true visual impact of the scheme. From limited sampling it would appear to HPC that some viewpoints minimise the visual effects of the development.
22. HPC are concerned that the Applicants soil sampling has been undertaken from the perimeter of fields with resultant samples likely to give lower quality readings than samples from within the heart of fields. Similar concerns on the widespread quality of soil sampling for solar farm development were the subject of a Parliamentary Written Answer given on the 23rd of May 2024. HPC therefore request the Applicants Scope In soil sampling from within the hearts of affected fields.

Please acknowledge these Representations by email to:

hpcclerk@yahoo.co.uk.

Please also provide HPC with an Interested Party Reference Number for future correspondence.

Yours sincerely,

Hullavington Parish Council.

From: [Susan Hart](#)
To: [Lime Down Solar](#)
Cc: [Councillors](#); [Greenman, Howard](#)
Subject: IMPORTANT - AMENDED RESPONSE FROM KINGTON LANGLEY PARISH COUNCIL: EN010168 Application by Lime Down Solar Park Limited for an Order granting Development Consent for the Lime Down Solar Park
Date: 14 August 2024 15:56:02

You don't often get email from klparishclerk@btinternet.com. [Learn why this is important](#)

Dear Planning Inspectorate – with apologies, please find slightly amended response to the Application above from Kington Langley Parish Council. This now supersedes the previous version.

Many thanks and my apologies for the late change.

Response by **Kington Langley Parish Council** in response to Application by Lime Down Solar Park Limited for an Order granting Development Consent for the Lime Down Solar Park (EN010168) – as agreed at the Parish Council meeting held on Monday 12 August 2024 (Minute 056.24)

Thank you for the opportunity to comment on the Scoping Opinion that will guide the Environmental Impact Assessment. We recognise the need to balance and protect the security of both food production and energy supply and, bearing in mind the statement made by the Secretary for Energy & Net Zero on 15 May 2024, we would welcome improvements to the processes that are applied to assess agricultural land quality.

We would like to see that the agricultural land assessments are:

- Carried out by appropriately qualified experts who are employed by companies that adhere to a recognised quality assurance scheme, for example are ISO 9001 accredited; and
- The resulting assessments and reports are independently reviewed by appropriately qualified experts who are employed by companies that have a recognised quality assurance scheme.

Such a process would help to ensure assessments are accurate and created without bias, which are key factors that would aid the independent certification of agricultural land quality.

Similarly, we would like to see the same quality assurance assessment and independent verification processes applied to the site's biodiversity assessments. Improving the rigour of environmental impact assessments is particularly important with so much agricultural land at stake.

Because the proposed Lime Down development is particularly large the Scoping should consider:

- the habitat disruption and impact on soil quality caused by installation and maintenance (e.g cleaning) of large areas of solar panel and related equipment
- the potential for microclimate changes
- loss of nature corridors - linked solar sites acting as barriers to wildlife movement, and loss of unkempt verges on roads, tracks and footpaths in the solar park region
- impact on footpaths for humans (degradation of amenity value)

We believe areas covered by the solar park have heightened risk of flooding, so an assessment of the park's impact on this must be included in the Scoping.

Finally, we feel the Scoping should look at the distribution of solar panel installation across the country and ensuring Wiltshire takes its fair share and no more.

From Parish Clerk - On behalf of Kington Langley Parish Council

Sue Hart MBA FRSA MCMI

Clerk to Kington Langley Parish Council

M: [REDACTED] E: klparishclerk@btinternet.com

KINGTON ST MICHAEL PARISH COUNCIL

www.kingtonstmichaelparishcouncil.gov.uk

Vivian A Vines MBE SLCC
Clerk of the Council

Tel [REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

8 August 2024

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

Your Ref: EN010168

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

I refer to your letter of the 17 July 2024 regarding the Planning Inspectorate, on behalf of the Secretary of State, being asked by the Applicant for a Scoping Opinion as to the information to be provided in an Environmental Statement (EIA) relating to the Proposed Development.

My Council is grateful that they have been identified as a consultation body and have pleasure in providing you with their views on what information they consider should be included in the Scoping Opinion that should be beneficial and improve the Environmental Statement required from the Applicant.

As a preamble, the Parish Council feel that not knowing the totality of subjects applicable to the proposal they cannot say they are confident that all that needs to be covered in an EIA are, or will be covered and that, perhaps, there is or should be a Government List/Schedule of prescribed subjects to be addressed by the Scoping Study and EIA?

The Council consider that as this is a huge project in its embryonic stage, with a potential decision timescale some three years hence, then it is important that all possible matters are covered to avoid any potential loopholes occurring. Being mindful of this, the Council considers that the following matters need consideration and inclusion in any Scoping Opinion provided:

1. EIA requirement to consider alternatives to the proposal.

The alternatives to the existing proposal that need to be considered are:

a. Alternative sites.

The Scoping Opinion should include a survey and assessment of alternative physical locations within the same radial distance from the proposed grid connection point at Melksham.

Comment; The Council is unsure if examples are required, or can be given, but if it is acceptable then it is aware of a Salisbury Plain alternative. This could be used in conjunction with the disused chalk quarry at Westbury, Wiltshire and the new incinerator at Westbury that will be laying a connection to Frome for the electricity that it generates. This cable is not yet in place and may already have planning consent. This being so, a Solar Farm sited on Salisbury Plain could utilise the incinerator's National Grid connection at Frome or ensure that when the cable is laid that it is capable of taking the Solar Park's input. A Scoping Report evaluation could/should be made of the Lime Down proposals that generate 500 MW and covers 900 hectares (2240 acres) with the old cement works site at Westbury covering 31 hectares (77 acres) that could be a contributory site in a Salisbury Plain proposal.

b. Alternative technologies.

The Scoping Opinion should include an assessment of alternative technologies to include;

- i) The use of the Lime Down area as a site for wind turbines.

Comment; An onshore wind turbine has a blade height of 50 metres and generates 2.5-3 MW. If the turbines had an individual capacity of 2.5 MW then 200 would be required (166 at 3 MW). Given that NPPF is to be amended to allow onshore wind turbines, this needs to be evaluated.

- ii) The use of the Lime Down area (part) as a site for small scale nuclear power plants.

Comment; Small scale nuclear power plants as currently being proposed/developed by Rolls Royce, with a Government decision on the future scheduled for the autumn, need to be evaluated as an alternative. One small scale nuclear power plant generates 475MW. Its location is far more flexible. If located at Westbury, for example, it would have the advantage of a rail link.

- iii) The use of the Lime Down area to use grass, via anaerobic digestion, as a means of generating renewable energy.

Comment; This technology is promoted by *Ecotricity*, for example see:

<https://www.ecotricity.co.uk/#:~:text=Switch%20to%20Ecotricity-,Sustainable%20green%20gas,back%20%E2%80%93%20no%20fossil%20fuels%20required>

The advantage of this technology if employed at the Lime Down site is that it would enable the area to retain its present rural character of open field grass harvesting, and the CO₂ released by anaerobic digestion (AD) would be reabsorbed by the continual regrowth of the grass. The methane generated by the AD process could either be converted on site into electricity or even supplied to the Gas Grid. The Scoping Opinion needs a full evaluation of this alternative, along with organic agricultural principles for growing the grass as organic principles will result in carbon sequestration (increased retention of carbon in the soil that has been drawn down from the atmosphere).

- iv) The use of the Lime Down area as a site for a mix of the above three suggestions.

2. EIA requirement to consider the Evaluation of Historic Assets.

The EIA needs to consider all of the proposed Solar Park area for the possible existence of archaeological assets, and the impact of excavation for cables and foundations upon all such possible assets.

An assumption is made that an EIA will consider the impact on the Cotswold Area of Outstanding Natural Beauty, but the Council wishes to ensure that this is the case.

Comment; NPPF policy/guidance require planning applications to safeguard the whole country's Historic Assets. The land identified by this proposal is adjacent to the Roman Fosse Way, and at one point incorporates the Fosse Way within the installation. The EIA therefore needs to undertake a full evaluation of the historic assets, often archaeological remains, in the proposed Solar Park area throughout all eras of human settlement. In the case of Roman presence in the area there is a Romano-British settlement and Scheduled Monument at Easton Grey, near Malmesbury, Wiltshire, see: <https://historicengland.org.uk/listing/the-list/list-entry/1013354>

3. EIA requirement to consider Grade of Agricultural Land.

The EIA needs to include a comprehensive, scientifically conducted survey conducted by a qualified professional consultancy.

Comment; Solar Parks should be on land at Grade 3b and below, and not on Grade 3a land and above. Therefore the EIA needs to establish the agricultural soil grading of each field at the grade that it currently is. This must not be an *ad hoc* assessment based on hearsay or similarly weak evidence, but on clear scientific methodology conducted objectively.

An example of such a professional consultant is *Land Research Associates*, see:

[http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,\(Technical%20Information%20Note%200049\)](http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,(Technical%20Information%20Note%200049))

Comment; Solar Parks/Farms should be limited to brownfield land and poorer quality unproductive land. The statement made by the Secretary for Energy & Net Zero, on 15 May 2024 made clear the need to balance both the need for energy security and food production and said the use of Best and Most Versatile agricultural land should be avoided where possible. It also said "the Government is aware of concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective."

4. EIA requirement to consider the Evaluation of Biodiversity.

A development project **has to** include an uplift in biodiversity.

Comment; Uplift is generally defined as a 10% improvement. In order for this aspect of the Applicant's EIA to be valid, it has to:

i) Conduct a thorough biodiversity census in all areas of the proposed development of all animals (including birds and insects) and plant species, their level of presence (density), and the areas in which they are to be found. Significant hotspots need to be identified.

ii) Conduct a thorough habitat census within the planned development area and establish the link between the habitat census and the presence and prevalence of the animal and plant species identified. In short, the EIA needs to be using the ecosystem-based means of assessment, which reveals ecological structure and integration. A habitat census will include soil - structure and life living in it - as well as all features above soil, extending from field character, hedgerows, trees, wildlife corridors, and the access for aerial species to the land territory that they require in order to breed and forage. Habitat also includes land character e.g. areas of water and their permanence, an essential dimension of overall ecological character and structure.

iii) Conduct a thorough census of soil health at the mini- and micro- levels for animals, fungi and other microscopic life forms. This needs to be done on a field by field basis. Soil

health is vital to the existence of habitat and thus to a full record of the ecological structure of the area and the biodiversity that it supports.

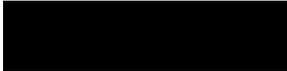
Having produced this thorough biodiversity survey, the EIA then needs to examine and record:

iv) The level of adverse impact that the development, and operation throughout its lifetime, will have on the existing biodiversity, its abundance and its habitat availability. As the development has to demonstrate 'biodiversity uplift', the *existing* character of biodiversity, abundance and habitat availability needs to be quantified - both before (actual) and after (predicted) development of the Solar Park.

v) The nature of the biodiversity 'uplift' has to be quantified in precisely the same way. It needs to predict the full range of animals and plants that will be present, their abundance, and the availability of the habitats that they require. In short, the EIA needs to demonstrate how biodiversity 'uplift' (10% improvement) **will be accomplished against all these parameters.**

In closing, as mentioned above, my Council is grateful for the opportunity of responding to the consultation and they trust that their views are taken into consideration when the matter is determined.

Yours faithfully

A solid black rectangular box used to redact the signature of the council member.

For Kington St Michael Parish Council

LANGLEY BURRELL WITHOUT PARISH COUNCIL

www.langleyburrellparishcouncil.gov.uk

Vivian A Vines MBE SLCC
Clerk of the Council

Tel [REDACTED]
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[REDACTED]
[REDACTED]
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8 August 2024

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

Your Ref: EN010168

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The EIA needs to consider all of the proposed Solar Park area for the possible existence of archaeological assets, and the impact of excavation for cables and foundations upon all such possible assets.

An assumption is made that an EIA will consider the impact on the Cotswold Area of Outstanding Natural Beauty, but the Council wishes to ensure that this is the case.

Comment; NPPF policy/guidance require planning applications to safeguard the whole country's Historic Assets. The land identified by this proposal is adjacent to the Roman Fosse Way, and at one point incorporates the Fosse Way within the installation. The EIA therefore needs to undertake a full evaluation of the historic assets, often archaeological remains, in the proposed Solar Park area throughout all eras of human settlement. In the case of Roman presence in the area there is a Romano-British settlement and Scheduled Monument at Easton Grey, near Malmesbury, Wiltshire, see: <https://historicengland.org.uk/listing/the-list/list-entry/1013354>

3. EIA requirement to consider Grade of Agricultural Land.

The EIA needs to include a comprehensive, scientifically conducted survey conducted by a qualified professional consultancy.

Comment; Solar Parks should be on land at Grade 3b and below, and not on Grade 3a land and above. Therefore the EIA needs to establish the agricultural soil grading of each field at the grade that it currently is. This must not be an *ad hoc* assessment based on hearsay or similarly weak evidence, but on clear scientific methodology conducted objectively.

An example of such a professional consultant is *Land Research Associates*, see:

[http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,\(Technical%20Information%20Note%200049\)](http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,(Technical%20Information%20Note%200049))

Comment; Solar Parks/Farms should be limited to brownfield land and poorer quality unproductive land. The statement made by the Secretary for Energy & Net Zero, on 15 May 2024 made clear the need to balance both the need for energy security and food production and said the use of Best and Most Versatile agricultural land should be avoided where possible. It also said "the Government is aware of concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective."

4. EIA requirement to consider the Evaluation of Biodiversity.

A development project **has to** include an uplift in biodiversity.

Comment; Uplift is generally defined as a 10% improvement. In order for this aspect of the Applicant's EIA to be valid, it has to:

i) Conduct a thorough biodiversity census in all areas of the proposed development of all animals (including birds and insects) and plant species, their level of presence (density), and the areas in which they are to be found. Significant hotspots need to be identified.

ii) Conduct a thorough habitat census within the planned development area and establish the link between the habitat census and the presence and prevalence of the animal and plant species identified. In short, the EIA needs to be using the ecosystem-based means of assessment, which reveals ecological structure and integration. A habitat census will include soil - structure and life living in it - as well as all features above soil, extending from field character, hedgerows, trees, wildlife corridors, and the access for aerial species to the land territory that they require in order to breed and forage. Habitat also includes land character e.g. areas of water and their permanence, an essential dimension of overall ecological character and structure.

iii) Conduct a thorough census of soil health at the mini- and micro- levels for animals, fungi and other microscopic life forms. This needs to be done on a field by field basis. Soil

health is vital to the existence of habitat and thus to a full record of the ecological structure of the area and the biodiversity that it supports.

Having produced this thorough biodiversity survey, the EIA then needs to examine and record:

iv) The level of adverse impact that the development, and operation throughout its lifetime, will have on the existing biodiversity, its abundance and its habitat availability. As the development has to demonstrate 'biodiversity uplift', the *existing* character of biodiversity, abundance and habitat availability needs to be quantified - both before (actual) and after (predicted) development of the Solar Park.

v) The nature of the biodiversity 'uplift' has to be quantified in precisely the same way. It needs to predict the full range of animals and plants that will be present, their abundance, and the availability of the habitats that they require. In short, the EIA needs to demonstrate how biodiversity 'uplift' (10% improvement) **will be accomplished against all these parameters.**

In closing, as mentioned above, my Council is grateful for the opportunity of responding to the consultation and they trust that their views are taken into consideration when the matter is determined.

Yours faithfully

A solid black rectangular box used to redact the signature of the council member.

For Langley Burrell Without Parish Council

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

This is a formal response of the Luckington and Alderton Parish Council (LAPC) to the proposed Lime Down Solar Park development. It has been prepared specifically to respond to the developer's submission of a scoping EIA (Environmental Impact Assessment) document to the Planning Inspectorate (Ref: EN010168) on the 16th July 2024. The Parish Council has resolved to object to this development on a specific range of issues, and it is expected that the Parish Council will continue to advance its objections, at the appropriate junctures, as the application process progresses.

At this time, Luckington and Alderton Parish Council recognises that the developer's application in respect of the proposed Lime Down Solar Park is at the Pre-Application stage, so the comments made by the Parish Council relate solely to the submission of the developer's scoping EIA.

Consultation:

Section 1.5 of the scoping EIA deals with the 'Consultation and Engagement' phase of the LDSP proposals. Whilst the developers have undertaken some consultation within the local communities during the initial 'non-statutory' phase of the Lime Down Solar Park, these have not gone well and have failed to include many residents in the process. We understand that LDSP have received over 1400 submissions from the community, despite failing to engage with significant sections of the community who will be directly affected by their proposals. Our concerns are:

- Inadequate notice and publicity were given of the 'consultation events', only held in the large villages. The initial event in Sherston was only advised to Parish Councils 48 hours in advance, and virtually no local publicity was given to the event by the developers, nor did they make any use of social media to publicise it. Consequently, most of the community were unaware of it taking place, and had no opportunity to attend.
- There is very limited public transport in the rural area impacted by the LDSP during weekday office hours, and there is none during evenings or weekends, when most of the 'publicity events' were staged. This meant that only residents with their own transport could attend the promotional events.
- Many of the residents in the area affected by LDSP's proposals are older, some do not have their own transport, and are less able or willing to use the internet or to engage with LDSP 'online', many simply do not have the skills to do so. When advised by the developer that they could 'go to the website', they were being offered an option that they simply cannot utilise.
- The developer was directly advised, at the outset of the non-statutory consultation process, of these challenges for the residents, and the inappropriateness of being overly reliant on internet solutions to conduct the consultation.
- The developer ignored the consultation concerns raised from within the community, several parish areas did not have any locally held, accessible consultation events, and

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

no arrangements were put in place to assist the travel challenged residents and no viable alternative was offered. This has severely undermined community confidence in the developer's ability and commitment to community consultation as part of the development process.

- When the developer submitted the EIA to the Planning Inspectorate on the 16th July 2024, they chose not to inform local statutory consultees until the following day (17th July 2024), even though the developer's representatives were attending a formal LAPC council meeting later that same day (17th July). The EIA was, obviously, the main topic of discussion at this Parish Council meeting, members of the public were in attendance. The late notice made it difficult for Councillors to be properly prepared and challenge the developers.
- Wessex Water has been omitted from the list of Statutory Consultees. This is misguided as they operate sewage treatment plants on the Sherston Avon and the Gauzebrook, both are historically 'High Risk' in terms of surface and groundwater flooding. Wessex Water also extract significant volumes of drinking water from the important Greater and Inferior Oolite 'vulnerable' aquifers which underly the large areas beneath the proposed development sites and the extensive hinterland areas beyond the proposed site boundaries. Not including Wessex Water as a Statutory Consultee is both disingenuous and increases the risk of unmitigated sewage contamination and the compromising of the drinking water supply of much of North Wiltshire.

Recommendation:

LAPC recommends that the EIA be amended to include specific consultation commitments during the future consultation phases of this project to include:

- 'In-person' consultation events to be held in every parish council area directly affected by LDSP's proposals, or situated within 5 miles of the proposed development sites or cable corridors to Melksham.
- These events, and any other 'consultation' processes should be actively and widely publicised (at least 2 weeks in advance) by means of local papers, radio and social media, in addition to the expected letters to the statutory consultees.
- LDSP should make specific arrangements to enable improved engagement and consultation accessibility for the older, mobility challenged and digitally disadvantaged within the communities affected by the LDSP proposals.
- Include Wessex Water as a Statutory Consultee to allow proper independent assessment of the potential risks that the proposed LDSP development poses to sewage systems, surface flooding, groundwater and drinking water supplies in the wider area impacted by the LDSP development.

Cumulative and In-Combination Effects:

EIAA Para: 2.2.28

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

If there is only one type of effect on a sensitive receptor (i.e., only one technical chapter has identified effects on that sensitive receptor), then it will be considered that there are no potential in-combination effects and the sensitive receptor will not be taken forward to Stage 2 of the assessment. This screening assessment will be reported in the ES.

The Parish Council feel that this provides inadequate protection in respect of some of the more sensitive receptors in the area affected by the development and would propose a change to this definition:

If there is only one type of effect on a sensitive receptor (i.e., only one technical chapter has identified effects on that sensitive receptor), then it will be considered that there are no potential in-combination effects and the sensitive receptor will not be taken forward to Stage 2 of the assessment. However, if the one type of effect on a sensitive receptor has been categorised as both ‘high impact’ and ‘high sensitivity’ (Table 2.3), then this will be treated in the same way as if it had ‘two or more types of residual effect’ and should be taken forward to Stage 2 of the assessment. This screening assessment will be reported in the ES.

Surface Water Drainage:

EIA Para 4.2.34

The area within the proposed development sites comprises of land, under which sit two major aquifers (Greater and Inferior Oolite), these are both classed as ‘vulnerable’ near the proposed sites and are used for extensive drinking water extraction.

The area both within and beyond the proposed development sites is very prone to significant surface water flooding. The ground is also porous and the water table in the area frequently ‘overtops’ the ground level, resulting in surface water flooding along the routes which the surface water takes to enter the nearby Sherston Avon and Gauzebrook watercourses to reach the Bristol Avon catchment & watercourse. Whilst it is laudable that the developer intends to try to contain flooding and surface water within their sites, the history of this area makes such a course of action highly unlikely. Therefore, the developer should be required to include, within the scope of the EIA and subsequent Environmental Assessment, a full evaluation of the wider consequences of the proposed development on nearby watercourses (Sherston Avon and Gauzebrook) by both surface water and subterranean groundwater emanating from the developers’ sites. Historical flood risk in the wider area shows extensive ‘high risk’ receptor water courses, and is the result of both sources.

The developer should also be required to conduct a wider assessment of the potential impact of their proposed industrial scale scheme on the wider catchment area of the Bristol Avon. This river system is very sensitive to changes to the volume and timing of surface and groundwater entering the system, and there are several ‘high risk’ flood areas downstream from the proposed development sites including, Brook End, Malmsbury, The Somerfords,

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

Corston, Chippenham, Melksham, Trowbridge, Bradford on Avon, Bathford, Bath, Keynsham, and Bristol. Almost all these settlements have historically suffered from major flood events, causing extensive damage and disruption. The proposed Lime Down Solar Scheme is much larger than any previous schemes in the catchment area, and it clearly has the potential to have a significant impact on the river system.

Recommendation:

The developer should be required to investigate the potential off-site risk and include a detailed assessment of all potential off-site impacts of their development on surface water, groundwater, flood risk and drinking water. At this stage the developer rules this 'out of scope'. That should be challenged as it suggests insufficient detailed knowledge of the local geology, surface water and groundwater systems. This should all be ruled 'in-scope' and then we may be able to mitigate properly against risks which could prove to be catastrophic for local communities if they remain unaddressed.

Site Reinstatement:

EIA Para: 4.3.17

The land within the Scheme will be restored and returned to its original use as far as possible after decommissioning. This will include removal of the substations, converter units/inverters and BESS.

Throughout the non-statutory consultation period, the developer has repeatedly stated in public that the land used will be returned to its original agricultural use at the end of the proposed 60-year life of the development. The wording of this paragraph suggests that it will not be possible to do that, and the arbiter of what is 'as far as possible' is the developer. This does not place a sufficient onus on the developer to make good on their statement that the land being fully returned to agricultural use, and therefore, the paragraph should be rewritten to avoid the local community facing an undesirable legacy. We suggest it should be amended to read:

'The land within the Scheme will be restored and returned to its original use and agricultural classification after decommissioning. This will include removal of the substations, converter units/inverters and BESS. It will also include such remedial action as necessary to reinstate the productive qualities of the land and soil within the Scheme sites.'

Conclusions on Scoping

Chapter 6.6: Conclusions on Scoping:

The Parish Council is extremely concerned at some of the proposed decisions regarding moving some issues 'out of scope', despite the clear argument for placing them within scope on both local knowledge and scientific grounds.

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

The geology beneath the area of the actual sites proposed for the Lime Down Solar Park development, and beneath the extensive hinterland beyond those boundaries, is much more complicated than is suggested by the simplistic and detail-poor summary contained within the developers EIA. The area within and surrounding the proposed LDAP development comprises a Great Oolitic Limestone layer (aquifer), beneath which lies a low permeability bed of Fullers Earth, and below that the Inferior Oolitic Limestone (aquifer). The Oolitic layers are important aquifers and are used as a reliable source of drinking water. Wessex Water extract water at various points, including the important extraction point at Allington, very close to both the proposed solar sites (A-E) and the proposed Cable Corridors. There are several other borehole extraction points nearby, including Rodbourne and Luckington/Alderton, the latter of which is drawn from the aquifers, pumped into the Sherston Avon, and subsequently extracted from the Sherston Avon for cross-country transportation to the River Thames, supplementing the Thames Water supply to London.

Groundwater is water in the soil and underlying rocks, and is the source of most of the water in rivers. In many areas it is also a source of drinking water. To protect drinking water supplies, the Government has established Groundwater Source Protection Zones (SPZs) round the most important drinking water supplies which use groundwater.

Throughout the area, within and without the development sites, there are likely to be fissures in the strata which transmit pollutants rapidly into the groundwater below. The probability of these fissures was a significant contributory argument that resulted in the rejection of an application to construct a toxic waste dump in nearby Sherston several years ago.

The entire LDSP area is in a Groundwater Source Protection Zones SPZ. The SPZ provides some protection from contamination for public water supplies (Bristol Water and Wessex Water in the North Wiltshire area) and for private borehole drinking water supplies, which we know exist in this area.

The area within and without the developers' sites have a history of surface water flooding and many of them are identified as 'High Risk'. The ground underneath the developers planned sites is permeable and porous. The prediction of water flows below ground is challenging and it is difficult to predict outcomes without detailed research and proper modelling. This is self-evident by the many local springs that appear and disappear in the area as their subterranean course changes.

It should not be confined to the developers to deal with such an important matter, without proper scrutiny. We would suggest that the CEMP (the developer's own 'Construction Environment Management Plan') is not the right vehicle to manage this issue. We would recommend that the area within and without the developers' sites to the extent that the surface and groundwater enter the Sherston / Bristol Avon catchment area are brought

Luckington and Alderton Parish Council Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168)

‘within scope’ of the full Environmental Assessment. This will allow the scrutiny of these publicly important issues to be fully considered within the Planning Inspectorate’s managed public process and not effectively dealt with by the developer behind closed doors.

The Oolitic Limestone layers beneath, and in the area surrounding the proposed LDSP development, also contain fissures and fractures which allow ground water and any pollutants to pass through the rock layers and potentially contaminate the supply of drinking water. Precisely locating these fissures is difficult and costly. If contaminate infiltration happens because of the LDSP development, the implications for public health are, we suggest, significant.

The information supporting these comments is available via the British Geological Survey and Environment Agency Websites, from the Drinking Water Inspectorate and from Wessex Water and from other relevant online GIS mapping systems. These issues have been repeatedly brought to the attention of the developer, but the fact that the developer is seeking to limit the ‘in scope’ Study Area to the confines of the developers’ sites, suggests that these concerns regarding surface water flooding, ground water flooding and contamination and drinking water sources are being given little, if any, priority by the developer, and are arguably being totally ignored.

These water-related issues are too important, and pose too much risk to the wider public, not to be subjected to public scrutiny and addressed in the full Environmental Assessment.

The following important questions need to be answered by the developer as part of the full Environmental Assessment, and not shoved ‘out of scope’ and potentially ignored:

- Will the proposed LDSP development have an impact on surface water and ground water flooding in the adjacent Sherston Avon and Gauzebrook watercourses? If so, what is that impact and what mitigation or defence measures are required to deal with it effectively?
- Will the proposed LDSP development have an impact on surface water and ground water flooding in the wider Bristol Avon River systems, specifically those downstream settlements where there is a history of flooding and property damage, and that are considered ‘High Flood Risk’? If so, what is that impact, where will it impact and what mitigation or defence measures are required at each affected location.
- Will the proposed LDSP development have an impact on drinking water quality and extraction in the areas around the proposed LDSP development sites and potential cable corridors? If so, what is that impact and what mitigation or defence measures are required to deal with it effectively?

Recommendation:

That the 'In Scope' Study area for environmental impact should be amended to include the following, so that these important issues can be considered as part of the public statutory consultation process:

- The area within and surrounding the proposed LDSP development sites and cable corridors from which surface water flows and subsequently enters either the Sherston Avon or Gauzebrook watercourses. It should also include any implications downstream of the development and any actions necessary to mitigate against any detrimental effects which may be disclosed.
- The area within and surrounding the proposed LDSP development sites and cable corridors from which ground water flows and subsequently enters either the Sherston Avon or Gauzebrook watercourses. It should also include any implications downstream of the development and any actions necessary to mitigate against any detrimental effects which may be disclosed.
- The area within and surrounding the proposed LDSP development sites and cable corridors from which surface water or groundwater flows and subsequently enters and moves through the Great and Inferior Oolitic aquifer layers. It should also include any implications for drinking water extraction, whether by water companies or private boreholes. It should identify any implications arising from the development and include any actions necessary to mitigate against any detrimental effects which may be disclosed.

10.2 Study Area

Para 10.2.1 & Para 10.2.2

The EIA states:

The Study Area, illustrated in Figure 10.1, includes all land within the Site in addition to a 250m buffer from Lime Down A to E, the Land at Melksham Substation, and Cable Route Search Corridor. This is considered sufficient to include all water environment receptors with the potential to be affected by the Scheme, considering the nature of the associated construction activities and operational infrastructure, and based on precedent set by assessment of similar projects.

The Site incorporates Lime Down A to E, the Land at Melksham Substation, and Cable Route Search Corridor as shown in Figure 3.1. The Cable Route Search Corridor will be refined during the design process to a preferred route, which will be presented in the PEIR.

Recommendation:

Whilst we are cognisant that the definition of the 'Study Area' in the EIA is required to be 'reasonable', we feel that the developer's definition is inappropriate and overly narrow. It seeks to exclude many important issues which have significant implications for the wider community and potentially the public across a very large geographic area.

The scope of the ‘Study Area’, should be increased in respect of surface water, groundwater, flooding and drinking water extraction to include the area both within and surrounding the proposed LDSP development sites and cable corridors from which surface water and ground water flows and subsequently enters either the Sherston Avon or Gauzebrook watercourses.

It should also include the area within and surrounding the proposed LDSP development sites and cable corridors from which surface water or groundwater flows and subsequently enters and moves through the Great and Inferior Oolitic aquifer layers. It should also include any implications for drinking water extraction, whether by water companies or private boreholes.

Conclusions on Scoping

Table 10.4:

Construction/Decommissioning Phase

Mobilisation of existing contamination via vertical/lateral migration through permeable deposits below the site. Controlled Waters, including underlying groundwater.

EIA shows as: Out

We recommend this should be ‘In Scope’ due to the previously described complexity and sensitivity of the water system inside and outside the confines of the LDSP proposed sites and cable corridors.

Spillages or leakages of fuels and chemicals. Leaching of chemicals from faulty battery incidents (fire damage, ash deposition and extinguishing waters).

Controlled Waters, including underlying groundwater.

EIA shows as Out

We recommend this should be ‘In Scope’ due to the previously described complexity and sensitivity of the water system inside and outside the confines of the LDSP proposed sites and cable corridors.

Operations Phase:

Spillages or leakages of fuels and chemicals. Leaching of chemicals from faulty battery incidents (fire damage, ash deposition and extinguishing waters) via vertical/lateral migration through permeable deposits below the site.

Controlled Waters, including underlying groundwater.

EIA shows as Out

We recommend this should be ‘In Scope’ due to the previously described complexity and sensitivity of the water system inside and outside the confines of the LDSP proposed sites and cable corridors.

Luckington and Alderton Parish Council

2nd August 2024



MALMESBURY TOWN COUNCIL

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14th August 2024

Re Lime Down Solar

Environmental Impact Assessment Scoping Report (EIA) (reference EN010168)

At the Malmesbury Town Council planning and environment committee meeting on 13th August 2024, it was resolved to request amendments to the Environmental Impact Assessment (EIA) by way of increasing the factors in scope – namely;

1. Flood Risk

At present, the consideration of risk of flooding risk is limited to the area housing the panels only. MTC believe further consideration should be given in respect of water “run-off” to immediate and indirect rivers and streams – many of which will directly affect Malmesbury which has a recent and significant history of flooding.

Recent developments in and directly around Malmesbury which include Sustainable Underground Drainage Systems (SuDS) should also be reviewed as part of this assessment, reviewing their suitability for the above.

Malmesbury Town Council request that a Flood Risk Assessment and consideration of water-run off is conducted and included in the EIA to incorporate a wider area to include Malmesbury.

2. Water Contamination/Ground Water

As the area occupying the potential development site for Lime Down is a drinking water source (the aquifer is under the development and is utilised by Malmesbury and beyond) and as such is designated a Source Protection Zone by the Environment Agency, Malmesbury Town Council request that a suitable analysis is conducted as part of the EIA in relation to safe drinking water and the potential impact of this development.

3. Soil Contamination

Given the prolonged (2+ Year) period of construction for the proposed site, Malmesbury Town Council request that further assessment is included in the EIA in relation to soil contamination relating to both the construction and any future event, including damage to cabling, panels or BESS facilities.

4. Traffic & Transport Management

Currently any impact arising from construction traffic or diverted traffic is not assessed in relation to neighbouring settlements, including Malmesbury. Malmesbury Town Council strongly object to this omission and request the scope is widened to include impact on Malmesbury – such disruption is very likely to have a material impact on the town, including trade, access and tourism.

5. Consideration for Emergency Services

Hullavington is designated as a potential site to house the development's Battery Energy Storage System (BESS). Given the increased risk this poses, including that of damage and fire, Malmesbury Town Council strongly request further consideration is given to the suitability and additional training requirements required by Malmesbury's resident part-time Fire Service, given they would be likely to attend an incident. Further consideration must also be included in the EIA for any impact on air quality and ground water contamination resulting from an incident at the Hullavington BESS.

6. Visual Assessment

At present, Malmesbury is out of the scope area (2km) for Visual Assessment and request in the strongest terms that the scope area should be increased to 5km to include Malmesbury.

Malmesbury has a unique visual footprint, both in and outward of the town, and it's prominent hill-top placement means the visual impact of the proposed development will apply to Malmesbury.

Proposal ends.

Cllr James Slade
Chair - Planning & Environment Committee
Malmesbury Town Council

Melksham Without Parish Council response to the Environment Impact Assessment scoping document consultation by the Planning Inspectorate ref. EN010168 for Lime Down Solar Park

8th August 2024

This is the formal response of Melksham Without Parish Council to the proposed Lime Down Solar EIA scoping document as a statutory consultee, with particular reference to the areas that are located in the parish. It has been formulated following review at both the parish council's Planning Committee and Full Council public meetings at the end of July, and with input from local community members, particularly from Whitley.

For context, Melksham Without Parish Council is one of the largest rural parishes in Wiltshire, with a population of approximately 7,200. Two of the villages in the parish are **Whitley**, which is referred to in the Lime Down documentation as "Land at the Melksham Substation" and **Beanacre** which is the site of the National Grid 400kV "Melksham Substation" and the southerly end of the Cable Route Search Corridor. We believe the Lime Down documentation is very misleading in its description of these two sites as they are named throughout the documentation, as they do not accurately portray the historic, rural settlements that they are but imply that they are urban, industrial areas in the town.

Melksham Without Parish surrounds the town of Melksham on three sides – the northern, eastern and southern. In the past, the three villages in the north – Beanacre, Shaw and Whitley – were ancient centres of population. Whitley is mentioned in the Domesday book.

Through the passage of time, the villages of Whitley and Shaw have grown but continue to be distinct settlements. Whitley was probably settled around the same time as Shaw and the origin of both names means a white clearing or wood/copse. At its heart, the village is an agricultural centre with a number of working farms, and farms that have been converted to residential use but the agricultural land associated with them dispersed to other local farms. The village is rich with listed buildings. The agricultural heritage, the listed buildings, along with some other significant 20th century residential development, give Whitley its unique character, charm and local distinctiveness. Medieval Shaw was a small community centred on its manor house and the chapel. The settlement remained small and rural but by the 17th century there were a reasonable number of houses. The population grew during the 19th century and a church and school were provided. Whitley and Shaw are considered to be a "Large Village" by Wiltshire Council in their adopted Core Strategy and emerging Local Plan (Reg 19 stage at Sept 23).

Beanacre [Bennecar/Benecar] (Beanfield) is the ribbon development, interspersed with open frontages, along the busy, main A350 between the northern boundary of the town of Melksham and the village of Lacock. It is one of the oldest settlements in the area, first mentioned in estate records of 1275, the earliest surviving dwelling is the Grade I listed Old Manor which lies off the Old Road.

The parish council also feel that the project location is misleading on the PINS portal, “land north of Hullavington, Wiltshire” may cover the solar farm but not the supporting infrastructure, the BESS proposed in Whitley or the proposed underground cable connection to the substation through Beanacre, both of which are south of Hullavington and the M4 and in West Wiltshire. Whilst 5 parcels of land are located to the north of Hullavington, the 6th, and the cable route search corridor, are not. To a member of public looking at the website, they would believe all the proposals are for the north of the county.

Item	Doc Ref	Comment
60 Year Life	2.2.11 4.3.9 20.4.2 20.4.1 4	<p>A 60-year BESS life is, for all intents and purposes, permanent. Describing the BESS as “temporary” is inappropriate as it sets an incorrect context/expectation regarding the life of the scheme.</p> <p>The ability of any Decommissioning Bond to be effective so far in the future is remote. This means there is a high risk that the land will never return to agricultural use.</p> <p>A 60-year BESS life implies the same timescale for access tracks and land for any related infrastructure and equipment. In fact, the scoping document refers to the BESS, access tracks, substations and units being permanent and this needs to be considered within the EIA.</p> <p>The Scoping Study should therefore explore these risks and set out a methodology to assess and mitigate them.</p> <p>Risks associated with proposed equipment upgrades, refits, replacements, and maintenance over a 60-year life also need to be included in the EIA and this should also therefore be part of the scoping.</p>
Land at Melksham Substation	4.1.4	Throughout the scoping document the BESS site is described as “Land at Melksham Substation”. This descriptor suggests the proposed site is brownfield and that it is co-located with the substation.

	7.5.10 2	<p>As the proposed site is actually a greenfield site which is in productive agriculture use, we submit that the developer's description is misleading and should be changed throughout the document to something more illustrative such as "Agricultural Land at Whitley".</p> <p>We also note references to the "Village of Melksham" demonstrating a lack of local research.</p> <p>The land at Melksham Substation is located within the parish of Melksham Without, not the parish of Melksham</p>
Screening	2.2.12 7.3.2	<p>We note that any screening will not be effective for circa 15 years. We do not consider a baseline 15-year period for screening maturity, 25% of the project timescale, to be remotely acceptable.</p> <p>The scoping study should therefore properly set out a methodology to satisfactorily mitigate such matters, including plans for how those mitigants will be implemented, such that screening becomes effective during the first 5 years of the project.</p> <p>The new 400kV substation will be 13m to the top of the bushbars, that is the height of a 4-storey building, will vegetation and trees be sufficient to screen?</p>
Safety	2.3.5 11.4's 11.4.10 11.5.1 21.2.6 Table 22.2	<p>It is unacceptable to delay an assessment of safety until after the DCO application is made (we note the current proposal that the Outline Battery Storage Safety Management Plan (BSMP) will not be available until it is submitted with the DCO application).</p> <p>The scoping should therefore include a methodology for a preliminary safety assessment which should include fire, pollution and contamination risks. Regulators,</p>

	<p>including the HSE and the EA, and the Fire Service should be consulted on that methodology.</p> <p>The development of a pollution and contamination prevention strategy should be developed as part of the EIA and the scoping should set the methodology for that process.</p> <p>Arrangements should be included for an independent technical expert review of all the proposed safety management and risk prevention method statements.</p> <p>It is unacceptable to predetermine and scope out such risks at this stage of the project.</p> <p>There are several concerns about fire risk. That the batteries will ignite, and then be very difficult to extinguish. They are very close together, and the fire could easily spread, with no means of fire engines to gain access between the batteries. Anecdotal evidence to date is that the fires need water on them for days, not hours, to put them out (as evidenced by fires in electric cars which are not allowed to be unattended for 2/3 days). This will have a huge impact on the community, with the toxic fumes, but also the impact of the water used then running off to heavily increase the surface water flooding potential. The water runoff will be contaminated by the lithium and will flow into the water course and saturate the ground. There are also anecdotal concerns raised at the risk of explosion from these type of electric storage batteries; these are physically much larger in scale compared to the fires in electric cars and scooters that are reported in the press with regularity. The parish council are keen to see any comments submitted by the Fire Service to be scoped into this EIA.</p> <p>Concerns are also raised about the widescale use of lithium on the site, with no research into possible long-</p>
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		<p>term harm of the lithium as it's a new technology. This should be scoped in.</p> <p>Details of the risk management of the site must be scoped in, who will maintain the installation and what processes will be put in place? Will the batteries be monitored and tested for any change in temperatures, moisture content in the batteries for example? And if so, what is the plan to address any increased risks?</p>
Status of Consultation	1.5.3	<p>It is noted that the developer claims Stage 1 Non-Statutory consultation is complete and that community engagement is ongoing. This is incorrect. CAWS have set out in writing to the developer why Stage 1 was ineffective and why it cannot be claimed to be complete. Engagement with the community since then has been almost non-existent evidenced by a raft of unanswered questions and correspondence.</p> <p>Building on this feedback, the scoping document should set out an ongoing community engagement methodology consistent with the principles of paras 39-46 of the NPPF. That methodology should provide for community involvement in discharging the various studies and assessments set out elsewhere in the scoping document.</p>
"No Development"	2.4.4	<p>We submit that the BESS proposal is unnecessary to realise the benefits of the proposed solar generation scheme and the government's Net Zero ambitions, and that a "no development" for the BESS component of the scheme should be fully evaluated.</p> <p>Our assertion is based on our community group's detailed research regarding the position of batteries in the electricity generation supply chain. We would be happy to make a copy of their paper available on request.</p>
	4.2.12	<p>The document states that "excess energy from the grid can also be imported to the batteries" but that should not be the only reason for the BESS.</p>

<p>Development s in Technology</p>	<p>2.5.2</p>	<p>We submit that the proposed technical design of the scheme should be frozen for the purposes of the EIA and that the scoping should therefore clearly set that out.</p> <p>Without a technical baseline we do not believe any meaningful conclusions can be drawn during the EIA and that the implementation of technical alternatives in the future may undermine EIA conclusions and potentially introduce new risks.</p>
<p>Consistency</p>		<p>The document contains many inconsistencies. For example, heritage information in some parts of the document is at odds with other parts of the document suite.</p> <p>The scoping should be reviewed and updated throughout to ensure consistency.</p> <p>We also submit that there should be a consistent assessment methodology across all sites regardless of whether they are for BESS or solar panels.</p>
<p>Mineral Safeguarding Area</p>	<p>3.3.117 11.3.64 11.3.65 Appen dix 11.2</p>	<p>In light of the Mineral Safeguarding Area and the abundance of closed stone mines, some of which have been repurposed into alternative businesses, the scoping should set out a methodology for working in these areas and how to assess the future impact on such areas from building and operating the BESS. That methodology should include a risk assessment that should include fire, toxic fumes, and ground and water contamination.</p> <p>Given the known close proximity of some workings and the likelihood that some shafts exist either under the site or close to the boundary, we submit that the scoping should include a methodology for reviewing the existence of underground workings and the risks associated with heavy and dangerous BESS equipment above or nearby.</p>

Weight	4.2.8	<p>There is no process or methodology to assess the weight impact of equipment on the Site especially in relation to heritage assets, underground workings (we note "...the quality of the received plans is poor and the exact location of some of the workings in relation to the Site are difficult to establish"), soil, hydrology and drainage.</p> <p>The scoping should include a defined process for assessing weight.</p>
Neighbourhood Plan	5.5.1 7.4.18	<p>The scoping makes no reference to the emerging Joint Melksham Neighbourhood Plan 2020-2038 which is currently undergoing its second regulation 14 consultation (Version B: June 24). This is a major deficiency and should be corrected. Lime Down Solar were consulted on the second Reg 14 consultation in June, and so are well aware of it.</p>
Boundary and Buffer Distances	1.1.2 3.2.1 7.5.10 2 7.5.10 7	<p>There appears to be no standard methodology for the measurement of boundary and buffer distances. As a result, for example, distances between the site and residential properties are inconsistent. Some appear to be measured from the centre of the site, some from the northern or southern boundaries and therefore vary by over 100m across the scoping document giving an inaccurate and confusing description of the proposals.</p> <p>The scoping should set out a standard method for the statement of such distances.</p>
Vistas and Landscape	7.2.18 7.6.67 7.6.95 Fig 7.1 Fig 7.1.6 Fig 7.2	<p>As the site is dominant in the regional landscape the search areas need to be widened to include, as a minimum, Bowden Hill, Sandridge, Seend Cleeve, Berryfield and Westbury White Horse. We submit that the search areas should include 10km and 15km zones.</p> <p>Given local topography, it makes no sense to centre the search areas on the site (as the site is not highly visible from the north). These search areas should therefore be</p>

	<p>Fig 7.3 Fig 7.7.6 Fig 7.8 Fig 7.8.6 Fig 7.9.6 Fig 7.10 Fig 7.10.6</p>	<p>replaced by splays radiating east, west and south from the centre of the site.</p> <p>All designated and non-designated assets with a direct line of sight should be assessed.</p>
Bats	<p>Table 8.3 Table 8.4 8.3.32</p>	<p>The scoping does not appear to acknowledge the Bat colony at Park Lane Quarry or the Drews Pond Bat Migration Route.</p> <p>A methodology needs to be included to consider these and any similar matters.</p>
Trees and Woodland	<p>Table 8.5 8.3.4 Fig 8.11 Fig 9.1.6 4.2.28</p>	<p>The scoping does not appear to consistently recognise TPOs on or around the site, and important woodlands such as Buttonhole Wood, The Plantations and Brittle Wood are either not addressed, or are addressed inconsistently.</p> <p>The methodologies need to be revised to include all TPOs and all relevant woodlands and include these in scope.</p> <p>Site access should be included in the scope of the trees and existing mature hedgerows that will have to be removed to secure the road visibility splays that are</p>

	9	<p>needed to accommodate 16.5m HGVs on the B3353 at Whitley.</p> <p>Arboriculture. Please refer to the adopted Melksham Neighbourhood Plan 1 (July 21) Policy 16 Trees and hedgerows and the emerging Neighbourhood Plan 2 Policy 17 Trees and hedgerows and the Wiltshire Design Guide</p>
Heritage	<p>1.1.2</p> <p>3.3.10</p> <p>8 -</p> <p>3.3.111</p> <p>7.5.10</p> <p>6</p> <p>7.8.7</p> <p>12.3.1</p> <p>5</p>	<p>The scoping is inconsistent with regard to the existence and likely location of the mediaeval settlement. The likelihood of a Roman settlement is not considered at all.</p> <p>A methodology needs to be included to better locate all ancient settlements along with a mitigation strategy for any such assets.</p> <p>Non-designated heritage assets should be listed not just referenced on a map. That approach will better allow all such assets to be captured in the analysis.</p> <p>Vistas from all heritage assets should be assessed.</p> <p>We dispute the developers position regarding the lack of Scheduled Monuments within a 2km radius of the Site, as the Wiltshire HER shows many. The scoping document should therefore demonstrate how the HER will be fully analysed and how that information will be used to inform the workstreams set out elsewhere in the document.</p> <p>Given the unique characteristics of Whitley and nearby settlements, the review area for designated and non-designated assets should extend to 3km and 4km respectively.</p>

		<p>The method to assess impacts on the Gastard Conservation Area should be expanded given its close proximity to the site.</p> <p>The Roman road, the Wansdyke, the Grade II listed buildings and their setting, evidence of medieval farming and the other items of historic interest in the villages will all be impacted by the proposals. Archaeological investigations will need to be undertaken as part of evidence gathering to inform the decision-making.</p>
Cumulative Impact	<p>7.7.6</p> <p>Page 11 2.2.34</p> <p>7.3.14</p>	<p>The methodology for assessments of cumulative impact should be clearly set out.</p> <p>Tier one should include those solar farms and BESS that have already been constructed, not just those under construction.</p> <p>Concerns are raised about the cumulative effect of the sheer amount of battery storage facility installations in the surrounding area. Residents feel that at every turn on walks on Rights of Way, they see a sea of solar panels or battery storage already. Please refer to Appendix 1 for a snapshot from the Wiltshire Council online mapping with the current battery storage installations surrounding Whitley. Likewise, Appendix 2 for the cumulative effect of the number of solar farms in the area.</p> <p>“Due to the dispersed nature of the Sites within the Scheme, an assessment of the in combination landscape and visual effects of Lime Down A to E will be undertaken to determine the effects of the Scheme as a whole”. The cumulative and in combination effect of the “land at Melksham sub station” site proposed for the BESS at Whitley, and the existing Melksham Substation at Beanacre should also be in the scope, there is no reason to exclude them.</p>

Water	<p>3.3.118 to 3.3.119</p> <p>8.3.34</p> <p>10.4.2 2</p> <p>10.5.1</p> <p>10.5.2</p> <p>10.6.3</p> <p>10.6.6</p> <p>10.7.2</p> <p>11.3.63</p> <p>Fig 10.3</p> <p>Table 10.6</p>	<p>Mapping not appropriate for scale of location.</p> <p>Local knowledge shows that topographical surveys have not been thorough, omitting known ditches which contribute to local flooding. The document also shows that surveys have been conducted only in summer months, as all ditches are referred to as dry, when they are incredibly wet / flooded in winter.</p> <p>All surveys should be conducted again in wet winter conditions to ensure baselines reflect actual wet winter conditions on the ground.</p> <p>The EIA needs to include flooding, surface water and groundwater and contamination risks both within the Site (which is shown as scoped in) AND outside the site (which is shown as scoped out). The impact of the proposed development on surrounding communities and downstream is significant and the water related risks are high. Given the expected life of the project (60 years) and the risks associated with climate change, it is imperative that scoping considers all these matters, both on-site and off-site, properly.</p> <p>Regarding the safety risks, the scoping needs to consider contaminated water from firefighting, both inside and outside the site.</p> <p>Given the local geology, the aquifers that run close to the site are considered highly vulnerable. Those aquifers need to be in scope and the scoping document should set a methodology for how any risks are to be assessed and mitigated during the EIA.</p> <p>We note no new connections to the water supply main are proposed. Given the significant safety risks the scoping should set out a methodology for calculating emergency water supply needs and how they might be satisfied.</p>
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	<p data-bbox="435 1352 501 1384">10.3</p> <p data-bbox="435 1720 512 1787">Page 175</p>	<p data-bbox="568 259 1382 409">The scoping also needs to consider the extent to which water (contaminated or not) will be caught in SuDS. This is especially important given the topography of the site and pre-existing significant flood risks.</p> <p data-bbox="568 501 1382 689">Construction of the BESS will inevitably lead to increased levels of silt, sediment and nutrients entering the local surface water and river systems. Given the significant water risks associated with the Whitley site those matters should be brought in scope of the EIA.</p> <p data-bbox="568 781 1302 851">Modelling needs to take into consideration Wiltshire Council data and local data as well as EA data.</p> <p data-bbox="568 943 1369 1048">The methodology and risk assessment also needs to consider the 100+ wells in Whitley most of which are still in some form of use.</p> <p data-bbox="568 1142 1337 1247">We note runoff from the solar panels is considered but runoff from the BESS is not. BESS runoff needs to be scoped in.</p> <p data-bbox="568 1283 1382 1471">10. Hydrology, the adopted Neighbourhood Plan 1 and the emerging NHP2 should be considered here, Policy 3: Flood Risk and natural flood management especially as it specifically references the South Brook catchment area, see page 31 & 33 of the adopted NHP1.</p> <p data-bbox="568 1503 1362 1653">There have been several instances of extensive internal property flooding in both Whitley and Beanacre, the Wiltshire Council drainage team must be consulted on these aspects for their local knowledge.</p> <p data-bbox="568 1740 1286 1809">Surface water runoff from the BESS should not be scoped out</p> <p data-bbox="568 1904 1382 2009">The villages of Shaw and Whitley suffer from surface water flooding regularly; with regular instances of internal flooding of properties that are well documented. The</p>
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		<p>volunteer flood wardens are regularly deployed to protect properties with sandbags and pump out water to prevent property flooding. There is telemetry installed in the watercourse opposite Shaw School to inform the Environment Agency and the flood wardens. The catchment area is “flashy”, it comes very quickly, and leaves quickly but with devastation often left in its place. There are concerted efforts to install flood mitigation measures as part of community benefits in planning obligations as well as new Environment Agency funding to help with flooding of properties further downstream at Dunch Lane. BART (Bristol & River Avon Trust) have installed natural flood management measures north of Whitley. Wiltshire Council’s drainage team have installed a drainage scheme on Corsham Road and First Lane in the last ten years.</p> <p>The community and stakeholders are working hard, and together, to minimize the risk of further flooding in the two villages and it is felt that the hard surfaces of the battery storage units, and the hardstanding concrete slabs that they will sit on could dramatically raise the risk of flooding to properties in Shaw and Whitley and further downstream. The effects of this must be scoped in. The size of any flood attenuation would also have to be very large scale and give an industrial feel; with some 50 acres of hard landscaping.</p>
Soil		We note that this is scoped out in the operational phase. For BESS this should be scoped in due to permanent disturbance, especially when elsewhere in report the BESS is referred to as permanent.
Traffic	13.3.3 3	The scoping should consider traffic flows for the B3353.
Technical Studies	Page 17 3.1.5	This states that the BESS will be either at “D. Hullavington” or “Land at Melksham Substation” and that “ongoing technical studies will determine which location is most appropriate” – is this part of the scope of the EIA? What technical studies are being used to inform this decision, they fall within the scope of the EIA.

Wider Context	Page 17 3.2.3	Wider context, the report makes no mention of the villages that are close to “Land at Melksham Substation”, Whitley for the BESS and Beanacre for the substation
Ecology Mitigation	4.2.32 8.3.47 8.3.49	<p>The ecological mitigation and enhancement measures should not just include “bird and bat boxes” as detailed and they should not just be for the “range of species recorded within the local areas” but they should be aiming to increase the biodiversity too. In 8.3.49 & 8.3.47 it states that there is evidence of amphibians and reptiles at Land at Melksham Substation, including Great Crested Newts.</p> <p>The advice of the Melksham and Wiltshire separate Design Guides should be adhered to and included in the scope; as too the National Design Guide references N1, N2 and N3 provide information on what is expected at a national level.</p> <p>As per DC.03.10 of the Melksham Design Guidelines and Code July 2023 https://www.melkshamneighbourhoodplan.org/files/ugd/c4c117_deba1f1a4db7400590f1268b0e78c591.pdf</p> <p>“New development should propose small interventions into the built environment to provide species with cover from predators and shelter during bad weather. Some examples are bird, bat and bee bricks, reptile refugia and hibernacula within the development, in order to increase biodiversity.”</p> <p>As per the Wiltshire Design Guide (March 2024) https://www.wiltshire.gov.uk/media/13005/Wiltshire-Design-Guide-Printable/pdf/Final_Sign_off_8320_WiltshireDesignGuide_Consultation-1.0-.pdf?m=1711381358013</p> <p>6.6.4 in new woodlands and meadows and on the advice of qualified ecologists incorporate plant species that will attract pollinating insects, dead wood, log piles, reptile refugia and hibernacula.</p> <p>New development should protect the identified priority habitats in the area like ponds, hedges, water courses, chalk grasslands, TPOs and woodland blocks. Additional actions to protect the specific habitats are set out in the Wiltshire Biodiversity Action Plan.</p>

		<p>New development should help increase movement of species between isolated wildlife populations.</p> <p>Biodiversity, woodlands, hedgerows, ditches should be protected and enhanced where possible and be an integrated part of the design process rather than an afterthought.</p> <p>Land sown as grassland and meadow management – as per the Wiltshire Design Guide 6.2.3 this should be looking for opportunities to extend designated wildlife sites and increase provision of pollen/nectar rich wildflower habitats.</p> <p>There will be an inevitable impact on the wildlife and biodiversity of the Whitley BESS site. This is not fields of solar panels with compatible uses of agriculture, wildlife and biodiversity; this is fields of metal boxes full of live electrical equipment, sitting on concrete pads and gravel. The requirement for biodiversity net gain, which came into force in February 2024, cannot surely find a realistic way to be put in place for an increase of 10% on what is already a site rich in biodiversity. How this can be achieved must be scoped in.</p>
Green Infrastructure	7.3.13	<p>“Green infrastructure scale interventions will be in line with the Biodiversity Opportunity Mapping Study undertaken by the Greater Lincolnshire Nature Partnership” why is this not in line with the Wiltshire Council Green and Blue Infrastructure plans, the Neighbourhood Plans in the scheme areas, and the Local Natural Recovery Strategy that Wiltshire Council are currently working on.</p> <p>One assumes that it’s a “cut and paste” and it should refer to Wiltshire and not Lincolnshire?</p>
Soil Compaction	8.4.5	<p>This section states that the “reduced movement of agricultural machinery will result in reduced soil compaction and/or damage to root systems” due the solar panels. The scope also needs to be looking at the effect of the soil compaction of the BESS, and of the run off from the solar panels as well as the disruption to the</p>

		root systems from construction and the underground cabling. See Appendix 3 for photos of potential issues.
Noise	14.4.9	<p>“Noise effects due to construction activities would be temporary in nature will generally only occur during daytime hours (07:00 to 23:00 hours) As such, it is considered that noise effects due to construction are unlikely to result in significant effects. However, it is not possible to conclude that construction effects would be 'not significant' when localised temporary. “</p> <p>Construction activity should not be between 7am and 11pm, this is unacceptable.</p>
	14.4.10	<p>“During the operation phase, noise would be generated by the substations, inverters, battery storage systems and transformers associated with the Scheme at the Solar PV sites and the Land at Melksham Substation. The level of noise at nearby receptors would be dependent on the plant noise emission levels and distance to the receptors. Operational noise levels will be predicted at the nearest residential receptors and assessed to determine the magnitude of any effect. Any effects of operational noise shall be temporary for the duration of the site’s operational lifespan.”</p> <p>60 years is not temporary</p> <p>There will be 200no. unit operating at 65Db each, which we understand will give a combined noise level of 88Db in a flat area. For comparison, the noise level coming from the M4 is 85Db, and this will be the noise inflicted on residents of Top Lane. Due to all the hard surfaces and sharp edges the noise will bend and defract and will be quieter for some residents but noisier for others, and will feel like a Chinook helicopter overhead with the “pulsing/beating” sound/feeling that brings. The noise will be very different in character to the noise of the natural environment currently experienced.</p> <p>The effects of the noise impact must be scoped in.</p>
Matters to be scoped out	14.6.2	Vibration from operation, there is no mention of the operation of the new 400kV substation or the BESS, just the solar arrays, this should be addressed. They should not be scoped out.

		<p>Concerns have been raised about the weight of the battery storage units on site and any potential vibration, especially as the area is littered with historic underground quarries and a network of tunnels.</p> <p>Operational traffic – it says there will be little operational traffic but omits to mention the traffic for the replacement of the BESS and the solar panels several times over the lifetime, only the day-to-day operations, these should be scoped in.</p>
Glint and glare	15.4.8	<p>Whilst the solar arrays are not at “Land at Melksham substation” and at the Melksham Substation should you also be identifying the Wiltshire Air Ambulance base that is within 10km of those sites? The Wiltshire Air Ambulance is in the parish of Melksham Without, and south of Melksham, but with its flight path to and from the base for servicing all over Wiltshire https://www.wiltshireairambulance.co.uk/our-lifesaving-work/our-airbase</p>
Air Quality	17	<p>There is no mention of Air Quality in Melksham, but it’s one of the main drivers in the business case for a Melksham Eastern A350 Bypass https://www.wiltshire.gov.uk/media/4983/A350-Melksham-Bypass-Strategic-Outline-Business-Case-2017/pdf/A350_Melksham_Bypass_SOBC_2017.pdf?m=1604514276497</p> <p>Just because it does not currently have an air quality monitoring station in Melksham, it does not mean that there are not air quality issues, this should be scoped in.</p>
Socio-Economics, Tourism & Recreation	18	<p>There is comprehensive documentation on the JSNA (Joint Strategic Needs Assessment) for Wiltshire, by area, so you can look for Melksham for example, but this has not been referenced or used as a source of reference. This brings together over 140 indicators spanning 10 different topics. This should be scoped in. As should the Wiltshire Intelligence website, which provides a location for a wide range of data sets, indicators and assessments that have relevance to Wiltshire’s residents. https://www.wiltshireintelligence.org.uk/jsna/</p>

	<p>18.3.1 0</p> <p>18.5.1</p>	<p>https://www.wiltshireintelligence.org.uk/cajsna/</p> <p>https://www.wiltshireintelligence.org.uk/</p> <p>“The Scheme is predominantly set within agricultural land which is not in itself a key tourist attraction or destination. The land does however play a role in providing a landscape context to recreational use of pedestrian and cycling routes and trails, and to the enjoyment and appreciation of the neighbouring Cotswolds National Landscape, which the Scheme borders”</p> <p>The setting of the tourism in Wiltshire should be scoped in, for example, the effect on the Pear Tree Inn and other B&Bs in Top Lane Whitley who will adjacent to and with a view of the BESS; it’s not enough to just consider the field its proposed to be built in.</p> <p>“Impacts on tourism and recreation during construction and operation. Effects on tourism and recreation are likely to be limited to those facilities immediately impacted by the Scheme, such as PRoW and heritage assets within close proximity to the Scheme boundaries”</p> <p>There is no mention of the impact on any local businesses, and tourism providers, no one will be going to the pub for a meal after their walk to the heritage asset on the PRoW if they are impacted. This must be scoped in.</p> <p>Concerns have been raised about the impact on the local facilities and businesses. The Pear Tree Inn and Spindles bike shop/Sprockets Café both on Top Lane attract visitors from all over the locality and further afield for the accommodation at the Pear Tree and holiday rentals in the village. Visitors come for the views from these venues, and the surrounding countryside, and these will be impacted by the countryside and landscape being altered beyond recognition as so widescale. The local estate agent has already reported two house sales in the village that have fallen through since the start of the Lime Down public consultation, as a direct result of the proposals and others on hold. Residents have chosen to live in the village for the views and neighbouring countryside amenities and are upset at the prospect of that changing, and the lowering of their house prices as a result, if they then decide to relocate.</p>
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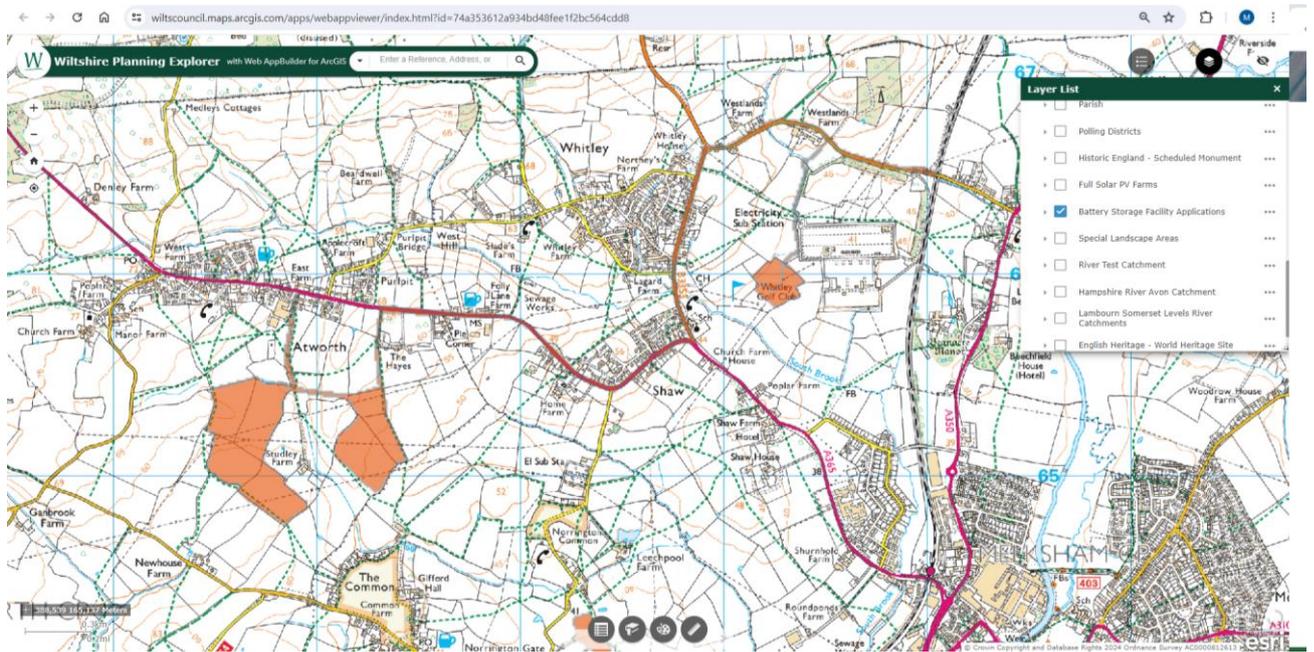
		Some of the existing residential development is only 100m from the proposed site.
Scoped out of the EIA	18.5.2	<p>“The following matters are proposed to be scoped out of the EIA:</p> <p>Specific matters. Impacts upon property value, and crime are proposed to be scoped out of any stage of the assessment due to these matters being very unlikely to be significantly affected by the Scheme. This is as there is little conclusive evidence that property value is significantly affected by the development of utility scale solar farms or that any negative effect is felt over a large area.”</p> <p>What about any evidence that the siting of a BESS or 400kV sub station has on the impact on property value, this should be scoped in.</p>
Other Environmental matters	21.2.6 Table 21.2	<p>“Major Accident or Disaster Potential</p> <p>Flooding</p> <p>Properties and people in areas of increased flood risk. Both the vulnerability of the Scheme to flooding, and its potential to exacerbate flooding, will be addressed in the Hydrology, Flood Risk and Drainage chapter of the ES. The Scheme does not propose large expanses of hardstanding that would be likely to cause significant increase to surface water flooding”</p> <p>The scheme does propose a large expanse of hardstanding for the BESS at the “Land at Melksham substation” in an area known to flood with internal property flooding (14 properties in Whitley in 2014) and therefore should be considered and scoped in. This should also include the impact of the underground cabling at Beanacre which also should be scoped in, due to the changes to water flow and ditch management during construction.</p>
Other relevant planning documents	5.6	<p>Recent decisions on planning applications should be considered as planning precedent and scoped in.</p> <p>Recently refused application (21/3/24) for a battery storage facility at Land at Somerford Farm, Brinkworth</p>

	<p>(Planning application PL/2022/02824) by Wiltshire Council.</p> <p>The proposed battery storage facility and ancillary development will result in uncharacteristic and harmful landscape and visual effects. The loss of existing agricultural land and replacement with a new urban industrial use is considered to have an unacceptable adverse landscape effect on the quiet rural tranquillity and character of the surrounding fields and more importantly, on the very close existing residential development.</p> <p>The proposal is thereby objected to by reason of its size, scale, design, appearance as it would have a harmful impact on the landscape character and appearance of the area in conflict with Core Policy 51 ii, iv, vi v11 and Core Policy 57 I, iii of the Wiltshire Core Strategy and Paragraphs 135 and 180 of the NPPF.</p> <p>Policy 2: Renewable Energy in both the adopted Melksham Neighbourhood Plan and the emerging draft Melksham Neighbourhood Plan 2 (Regulation 14 version October 2023) as proposals are only supported if it can be demonstrated that:</p> <ul style="list-style-type: none">a. the siting and scale of the proposal is appropriate to its setting;b. the proposal will not result in adverse impacts on the local environment which cannot be satisfactorily mitigated;c. the proposal does not create an unacceptable impact on local amenity and safety;d. the proposal does not have an unacceptable degree of impact on a feature of heritage, natural or biodiversity importance.e. there are direct benefits to the local community.
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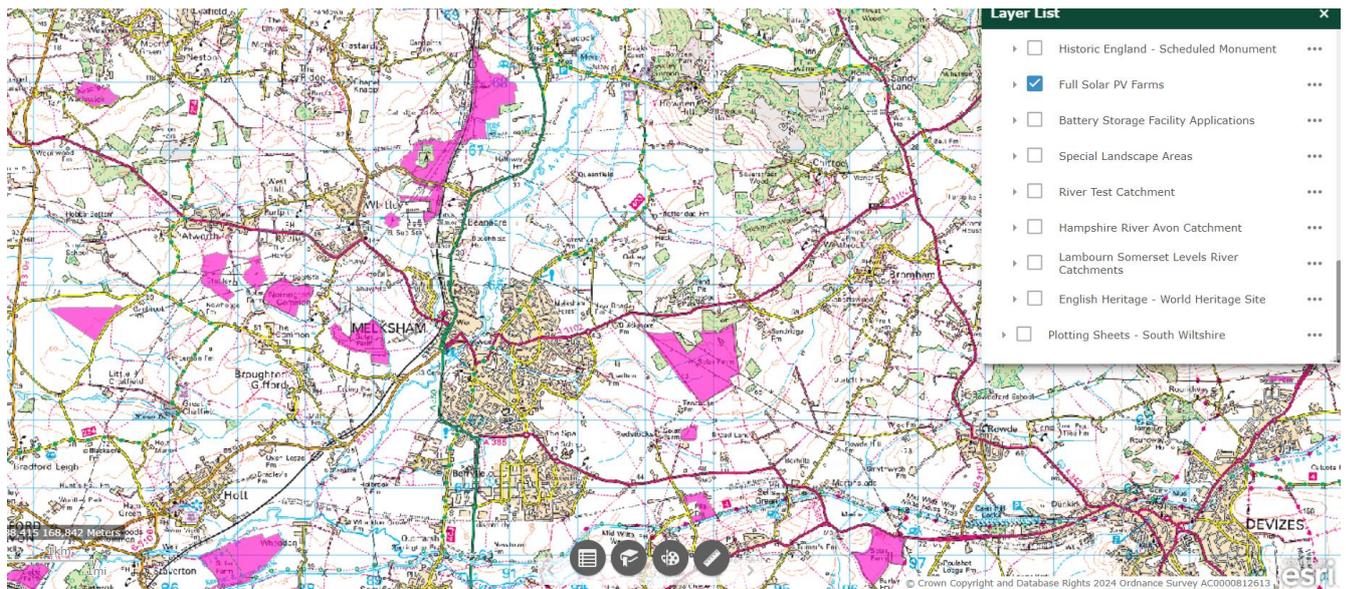
		<p>Proposals for energy storage will be supported, where it meets one or more of the following:</p> <ol style="list-style-type: none"> a. it is located on or near, existing or proposed renewable energy generation sites; b. it alleviates grid constraints; and c. it enables the delivery of further renewable developments.
Human Health and Wellbeing	19	<p>The proposed BESS at Whitley is huge, and we understand it will be the largest in Europe and will completely alter the feel of the village and surrounding countryside. From the indicative plan it looks as though it is the same size as the village itself. The impact on the wellbeing of the residents must be scoped in.</p> <p>The well-being of residents in the village of Whitley and the surrounding villages has already been impacted. The prospect of this proposed battery storage site is already making residents feel anxious and spoiling their quiet enjoyment of where they live. The thoughts of the impact of the delivery and construction period; the impact of any final installation on the daily life of residents – on their daily dog walk on the adjacent Right of Way, the view out the window, the feel of the village - are already being keenly felt.</p>
Light Pollution	21.3	<p>There are concerns relating to the light pollution at the site. For both the neighbouring residents and the established wildlife. Presumably, the security lighting will be triggered by motion sensors, and by the local wildlife, including the badgers, rabbits, and deer that are regularly seen on the fields? This is very impactful on nocturnal wildlife, and is known to affect migrating wildlife, affect pollinators (butterflies and bees) as well as impact on the amenity of the neighbouring residents. The impacts of this must be scoped in.</p>

<p>Delivery and Construction</p>	<p>4.3</p>	<p>A very detailed delivery and construction method programme and plan will presumably be required as part of any application but the parish council and residents are clear that any agreed plan must be adhered to, with a suitable penalty clause arrangement in place if the construction is not to plan to act as a strong deterrent. Unfortunately, the delivery of the solar farm at neighbouring Norrington (W/12/02072/FUL) brought the area to a standstill for days, with it regularly reported on the national traffic bulletins on the radio. Due to a short timescale for a deadline to be connected to the grid with financial implications for the developers, the construction and delivery plan was ignored. Deliveries were continuous through the night, with foreign drivers knocking on residents' doors in the small hours of the night seeking directions. This is unacceptable and there seemed to be no recourse to halt this impact on the residents and the major highway delays in the area. There is currently a battery site being installed southwest of the Beanacre substation, which has raised numerous issues and visits to the site and residents' gardens due to the impact the installation is making on the residents; particularly noise from machinery which is currently being investigated by Wiltshire Council's public protection environmental health team to establish if it's still construction noise or the finished installed equipment noise (17/04116 & PL/22/02615 refers).</p> <p>The parish council are seeking more than reassurance, but tangible measures to ensure that this type of impact on the local community cannot happen in the future for any proposed installations.</p> <p>It is understood that the access to the proposed BESS site will only be via Goodes Hill, with only emergency access via Littleworth Lane which is used constantly for access to the Right of Ways MELW65 & MELW72, with many visitors to the area parking in Littleworth Lane to access the RoW as it's a popular dog walking area.</p> <p>These elements must be scoped in and considered as part of the CEMP.</p>
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Appendix 1: BESS in the area surrounding Whitley and Beanacre



Appendix 2: Solar Farms in the area surrounding Melksham including Whitley and Beanacre



Appendix 3: Potential soil compaction and rivulets



Submitted via email to: limedown@planninginspectorate.gov.uk

12/08/2024

Dear Sir/Madam,

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Project (the Proposed Development)

I refer to your email dated 17/07/2024 regarding the above proposed DCO. This is a response on behalf of National Gas Transmission (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has 1 feeder main located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Main – FM14 – Wormington to Pucklechurch
- Cathodic Protection Groundbeds/TR
- Ancillary apparatus

Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.

CATHODIC PROTECTION SYSTEM

To ensure a high level of safety and reliability in operation, National Gas Transmission's assets are protected by a cathodic protection system. It is essential that buried steel pipework associated with the transmission and distribution of natural gas is designed, installed, commissioned and maintained to withstand the potentially harmful effects of corrosion and that the corrosion control systems employed are monitored to ensure continued effectiveness. Installations in the vicinity of National Gas Transmission's assets which may potentially interfere with the cathodic protection system must be assessed and approved by National Gas Transmission, and appropriate control measures must be put in place where required.

Installations which have the potential to interfere with National Gas Transmission's Cathodic protection system include (but are not limited to):

1. High voltage cable crossings and parallelism
2. High voltage ac pylon parallelism
3. Battery Energy Storage Systems
4. Third party pipelines with cathodic protection systems
5. PV Solar arrays

Further information on D.C interference can be found in UKOPA/GPG/031 Edition C Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx

Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx (hold ctrl and click to access) Further information on A.C. interference can be found in UKOPA/GPG/027 UKOPA Good Practice Guide UKOPA Good Practice Guide (hold ctrl and click to access)

The safe limits for transfer voltage and impressed current that a high-pressure gas pipeline can be exposed to are outlined in T/PL/ECP/1, T/PL/ECP/2 and BS EN 50122-1. These are the safe limits for non-electrically trained personnel.

SOLAR FARMS

Please be aware of the specific guidance for developing solar farms near to gas transmission pipelines:

<https://www.nationalgas.com/document/82936/download>

UKOPA Good Practice Guide - Requirements for the Siting and Installation of Solar Photovoltaic (PV) Installations in the Vicinity of Buried Pipelines - UKOPA/GP/014 Edition 1

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.

Key Considerations:

- NGT has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.
- Please be aware that written permission is required before any works commence within the NGT easement strip. Furthermore a Deed of Consent will be required prior to commencement of works within NGT's easement strip subject to approval by NGT's plant protection team.
- Any large installations which may result in a large population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning methodology, and the HSE response should be submitted to National Gas Transmission for review
- The below guidance is not exhaustive and all works in the vicinity of NGT's asset shall be subject to review and approval from NGT's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGT's Dial Before You Dig Specification for Safe Working in the Vicinity of NGT Assets. There will be additional requirements dictated by NGT's plant protection team.
- NGT will also need to ensure that its pipelines remain accessible during and after completion of the works.
- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGT representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of NGT High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGT's Plant Protection team is essential:
 - Demolition
 - Blasting
 - Piling and boring
 - Deep mining
 - Surface mineral extraction
 - Landfilling
 - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
 - Wind turbine installation - minimum separation distance of 1.5x the mast/hub height is required, and any auxiliary installations such as cable or track crossings will require a deed of consent.
 - Solar farm installation
 - Tree planting schemes

Traffic Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- Permanent road crossings will require a surface load calculation, and will require a deed of consent.

- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGT prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGT pipeline without the prior permission of NGT
- NGT will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGT.
- An NGT representative shall monitor any works within close proximity to the pipeline to comply with NGT specification T/SP/SSW22

New Asset Crossings:

- New assets (cables/pipelines etc) may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- The separation distance for a cable >33kV is 1000mm and pre and post energisation surveys may be required at National Gas Transmission's discretion. A risk assessment/method statement will need to be provided to, and accepted by National Gas Transmission prior to the deed of consent being agreed. Where a new asset is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGT representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

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

Adequate access to NGT pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.

Yours Faithfully

Asset Protection Team

Further Safety Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<https://www.hse.gov.uk/pubns/books/hsg47.htm>

Working Near National Gas Assets

<https://www.nationalgas.com/land-and-assets/working-near-our-assets>

Specification for Safe Working in the Vicinity of National Gas High Pressure Pipelines and Associated Installations

<https://www.nationalgas.com/document/82951/download>

Tree Planting Guidance

<https://www.nationalgas.com/document/82976/download>

Excavating Safely

<https://www.nationalgas.com/document/82971/download>

Dial Before You Dig Guidance

<https://www.nationalgas.com/document/128751/download>

Essential Guidance:

<https://www.nationalgas.com/gas-transmission/document/82931/download>

Solar Farm Guidance

<https://www.nationalgas.com/document/82936/download>

From: [NGED, Map Response](#)
To: [Lime Down Solar](#)
Subject: FW: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 18 July 2024 10:05:05
Attachments: [image002.png](#)
[image009.jpg](#)
[image003.png](#)
[image021.png](#)
[image022.jpg](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)
[image026.jpg](#)
[image027.png](#)
[image028.png](#)

Good Morning Todd Brumwell,

Thank you for your email and information.

Unfortunately we are unable to process your application/request because the location given is showing as out of our area.

From the Postcode / Location given, the Distributor covering that area is Scottish & Southern Electricity Networks - 0800 048 3516.

Kind Regards
Map Response Team

Map Response

Asset Management & Operations Support / Mapping



+44 (0) [REDACTED]
nged.mapresponse@nationalgrid.co.uk

Toll End Road, Tipton, DY4 0HH
nationalgrid.co.uk

Please consider the environment before printing this email.

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: 18 July 2024 10:52
To: NGED, Map Response <nged.mapresponse@nationalgrid.co.uk>; Lime Down Solar <limedown@planninginspectorate.gov.uk>
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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DO NOT click links or open attachments unless you recognise the sender and know the content is safe.
If you notice anything **suspicious** please use the **"Report as Phishing"** button.

Good morning,

Thank you for raising this. The links all work our end but will monitor to see if any other consultees have been affected.

Here's a link to the Scoping Report (comprising a main text and three appendices): <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010168/documents>

Please do let me know if you're unable to access this. The Scoping Report contains a site plan and comprises the full extent of information we currently have on the Proposed Development.

Requests for further information regarding location should be made directly to the Applicant using the contact details provided within the letter [REDACTED] [@islandgp.com](mailto:[REDACTED]@islandgp.com)).

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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From: NGED, Map Response <nged.mapresponse@nationalgrid.co.uk>

Sent: Thursday, July 18, 2024 10:08 AM

To: Lime Down Solar <limedown@planninginspectorate.gov.uk>

Subject: FW: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Good morning,

Thank you for your email below.

Unfortunately none of the links in your attachment appear to be working.

Should you wish NGED to investigate/consult further in this process please resubmit your request to include the full work site address (you may provide eastings and northings if the site does not have a post code), and if possible a site location plan.

Kind regards

Map Response Team

Map Response

Asset Management & Operations Support / Mapping



+44 [REDACTED]
nged.mapresponse@nationalgrid.co.uk

Toll End Road, Tipton, DY4 0HH
nationalgrid.co.uk

Please consider the environment before printing this email.

Good morning,

Thank you for your email below.

Unfortunately none of the links in your attachment appear to be working.

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From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: 17 July 2024 16:24
To: NGED, Info <nged.info@nationalgrid.co.uk>
Cc: NGED, Map Response <nged.mapresponse@nationalgrid.co.uk>
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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If you notice anything **suspicious** please use the **"Report as Phishing"** button.

Dear Sir/Madam

Please see attached correspondence on the proposed Lime Down Solar Park

Please note the deadline for consultation responses is **14 August 2024** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



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DPC:76616c646f72



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You may report the matter by contacting us via our contacts pages:

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Registered number: 2366894 (South West) / 2366985 (South Wales) / 2366923 (East Midlands) /

3600574 (West Midlands)

Registered Office: Avonbank, Feeder Road, Bristol, BS2 0TB

For the other registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

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- ZF 400 kV OHL MELKSHAM - MINETY 1
 MELKSHAM - MINETY 2
- YYM 400 kV OHL BRAMLEY - MELKSHAM 1
 BRAMLEY - MELKSHAM 2
- XL 275 kV OHL IRON ACTON - MELKSHAM 1
 IRON ACTON - MELKSHAM 2

Cable Apparatus

- MELKSHAM - THINGLEY: 33 kV Commissioned Cable. MELK4 THIJ3R2 K1 01

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

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.

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 and future 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.

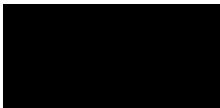
Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

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.

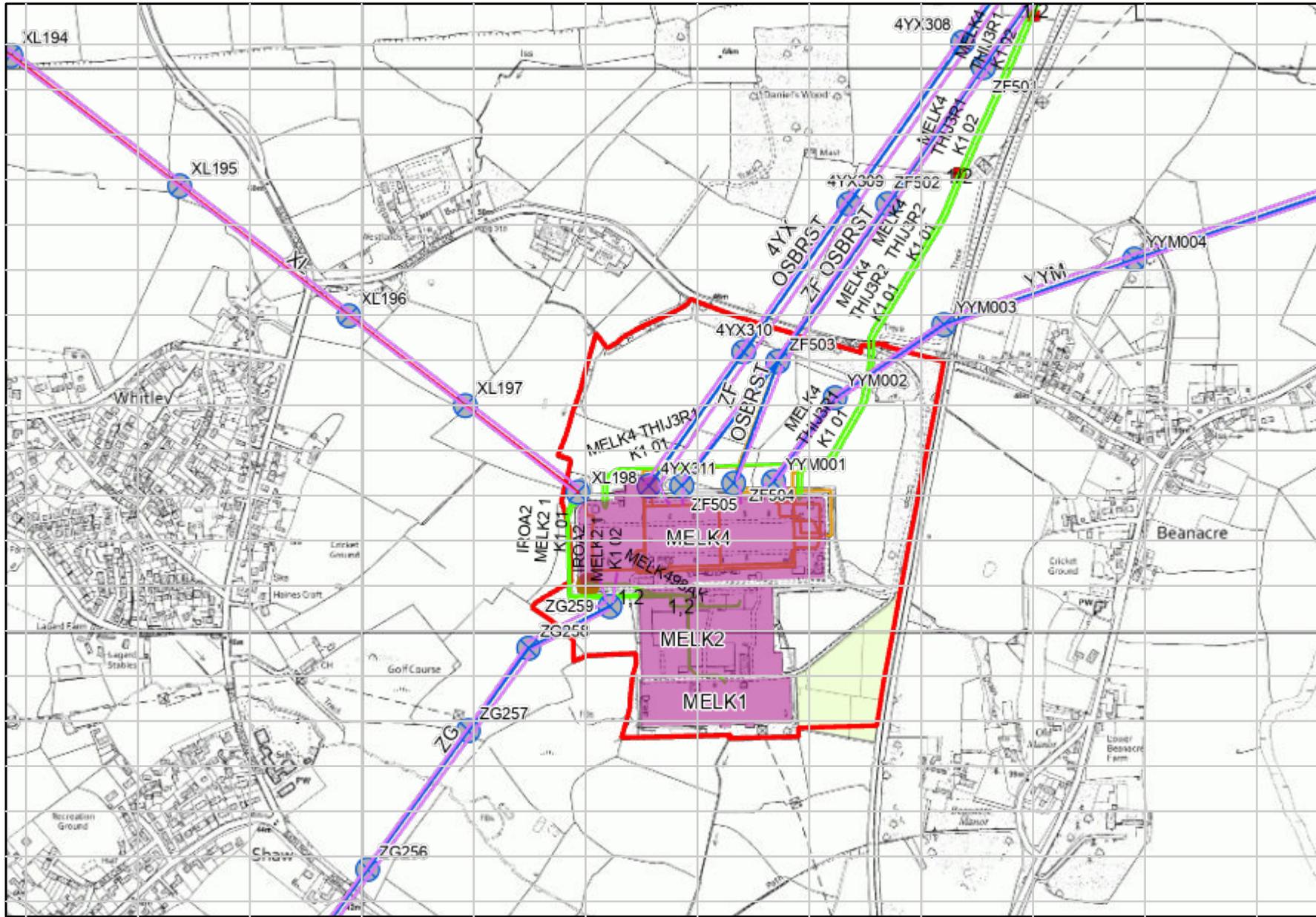
Yours faithfully



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



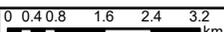
165520165600165680165760165840165920166000166080166160166240166320166400166480166560166640166720166800166880166960167040



Legend

Electric Land Ownership	Buried Cable
Tenancy	Buried Cable Commissioned
Electric Land Ownership - Freehold	Towers
Telecoms	Towers Commissioned
RAMM	OHL 275Kv
Cable	OHL 275Kv Commissioned
Accessories	OHL 400Kv
Joint Bay	OHL 400Kv Commissioned
Link Box	OHL Circuits
Pillar	Commissioned
Fibre Cable	Substations
Fibre Cable Commissioned	Substations Commissioned

Notes



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Date: 8/14/2024 Page size: A4 Landscape
 Time: 3:21 PM Printed By: Tiffany.Bate
 Scale: 1:10,000

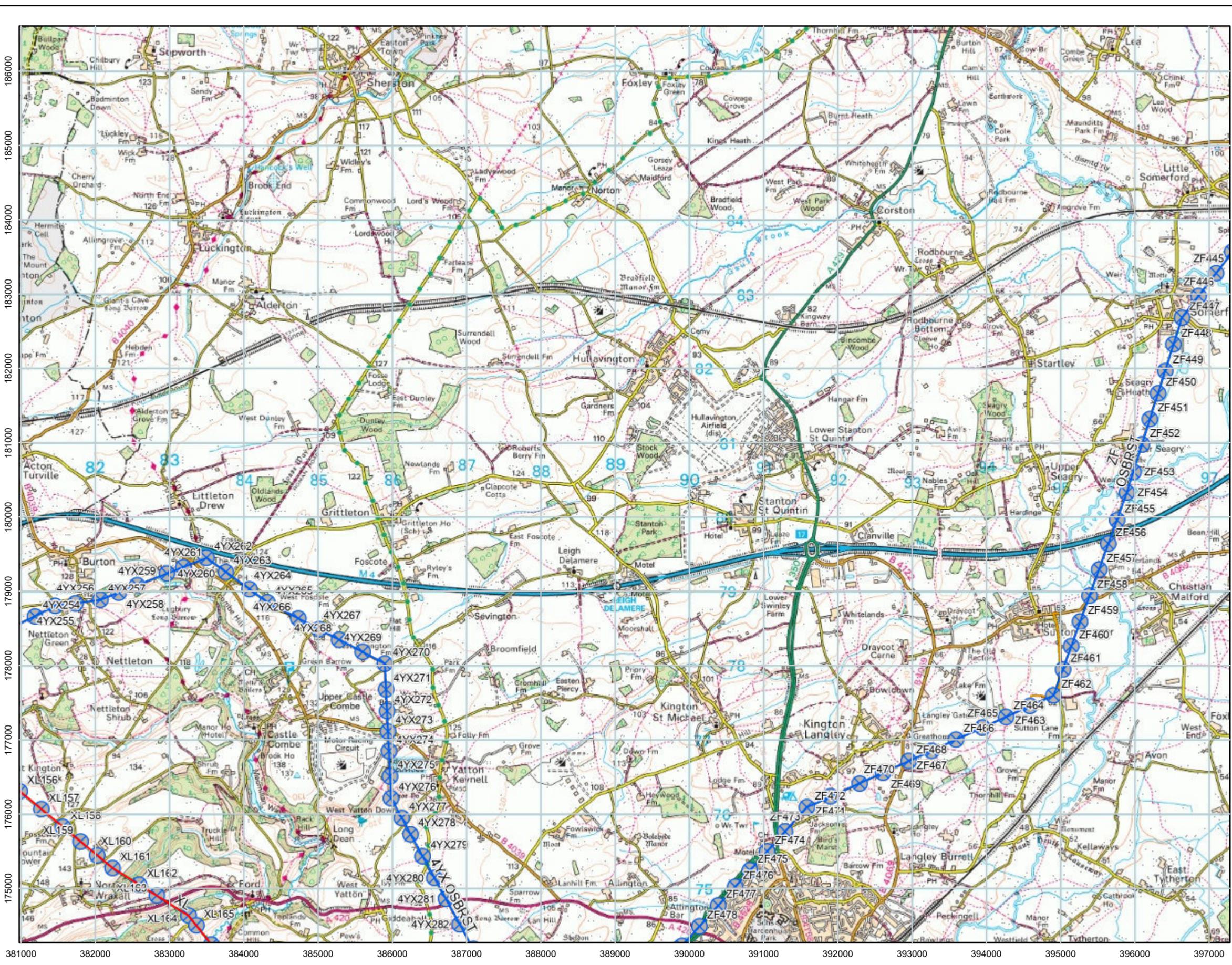
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Legend

- Fibre Cable
- Fibre Cable Commissioned
- Towers
- Towers Commissioned
- OHL 275Kv
- OHL 275Kv Commissioned
- OHL 400Kv
- OHL 400Kv Commissioned

Notes

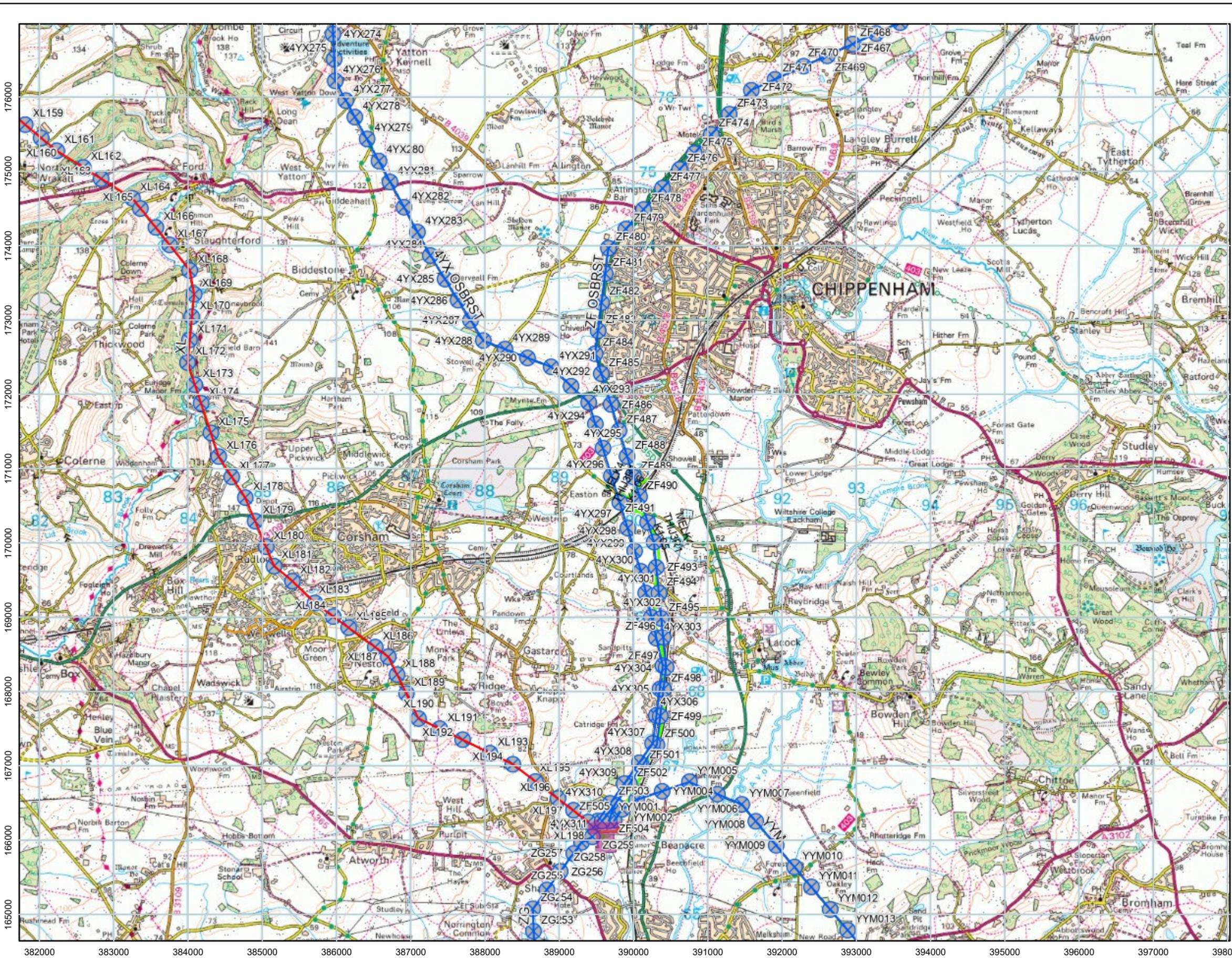


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Date: 8/14/2024 Page size: A3 Landscape
Time: 3:17 PM Printed By: Tiffany.Bate
Scale: 1:50,000



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



Legend

- Fibre Cable
 - Commissioned
 - Buried Cable
 - Commissioned
- Towers
 - Commissioned
- OHL 275Kv
 - Commissioned
- OHL 400Kv
 - Commissioned
- Substations
 - Commissioned

Notes



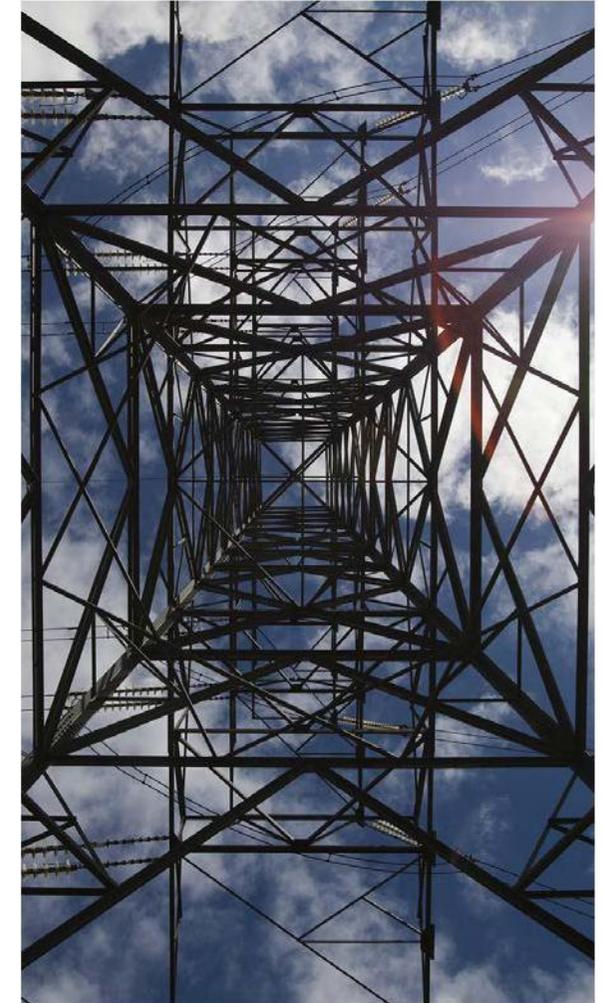
Technical Guidance Note 287

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





Purpose and scope	3	Risk of impact identification	6
Contact National Grid	3	Risks or hazards to be aware of	7
How to identify specific National Grid sites.....	3	Land and access	7
Plant protection.....	3	Electrical clearance from overhead lines.....	7
Emergencies.....	3	Underground cables.....	8
		Impressed voltage	8
Part 1 – Electricity Transmission		Earth potential rise.....	9
infrastructure	4	Noise	9
Overhead lines.....	4	Maintenance access	9
Underground cables.....	4	Fires and firefighting.....	10
Substations	4	Excavations, piling or tunnelling	10
		Microshocks.....	10
Part 2 – Statutory requirements for		Specific development guidance	11
working near high-voltage electricity	4	Wind farms.....	11
Electrical safety clearances	4	Commercial and housing developments	11
Your Responsibilities – Overhead Lines.....	5	Solar farms.....	12
		Asset protection agreements	13
Part 3 – What National Grid will do for		Contact details	13
you and your development	6	Emergency situations	13
Provision of information	6	Routine enquiries.....	13
Drawings.....	6	Appendix A OHL Profile Drawing Guide	14
		Appendix B OHL Tower Stand Off &	
		Reconductoring Area	15



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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.

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.

400kV

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





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

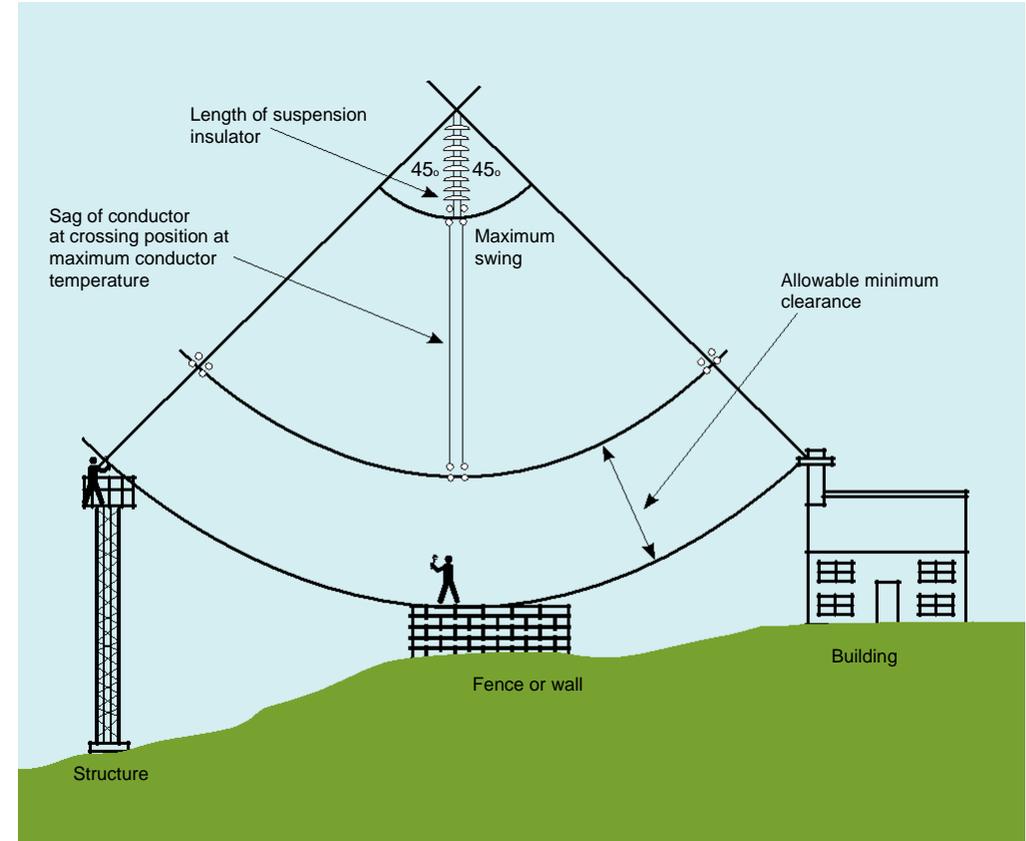
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

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.

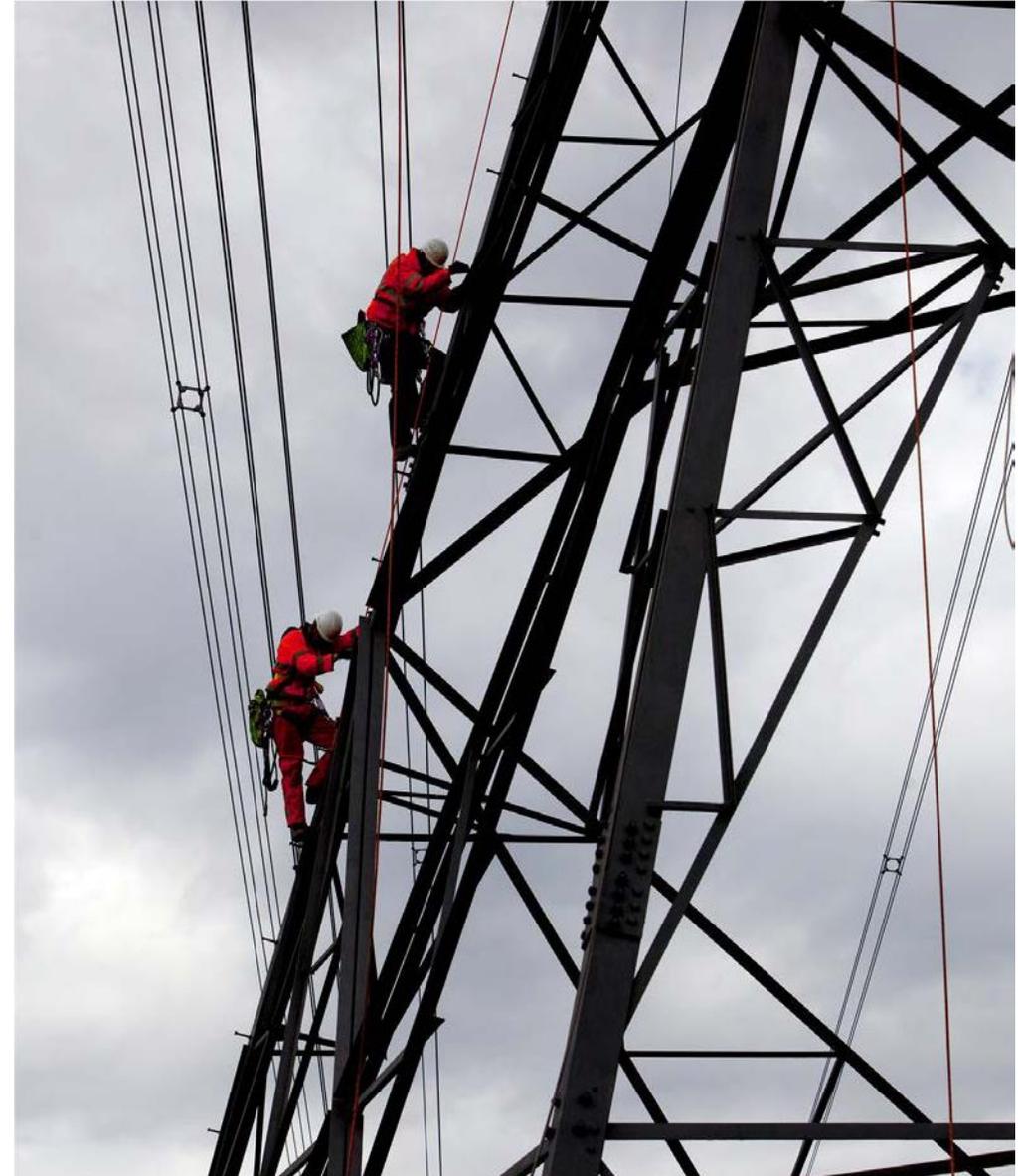
Maintenance access

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.

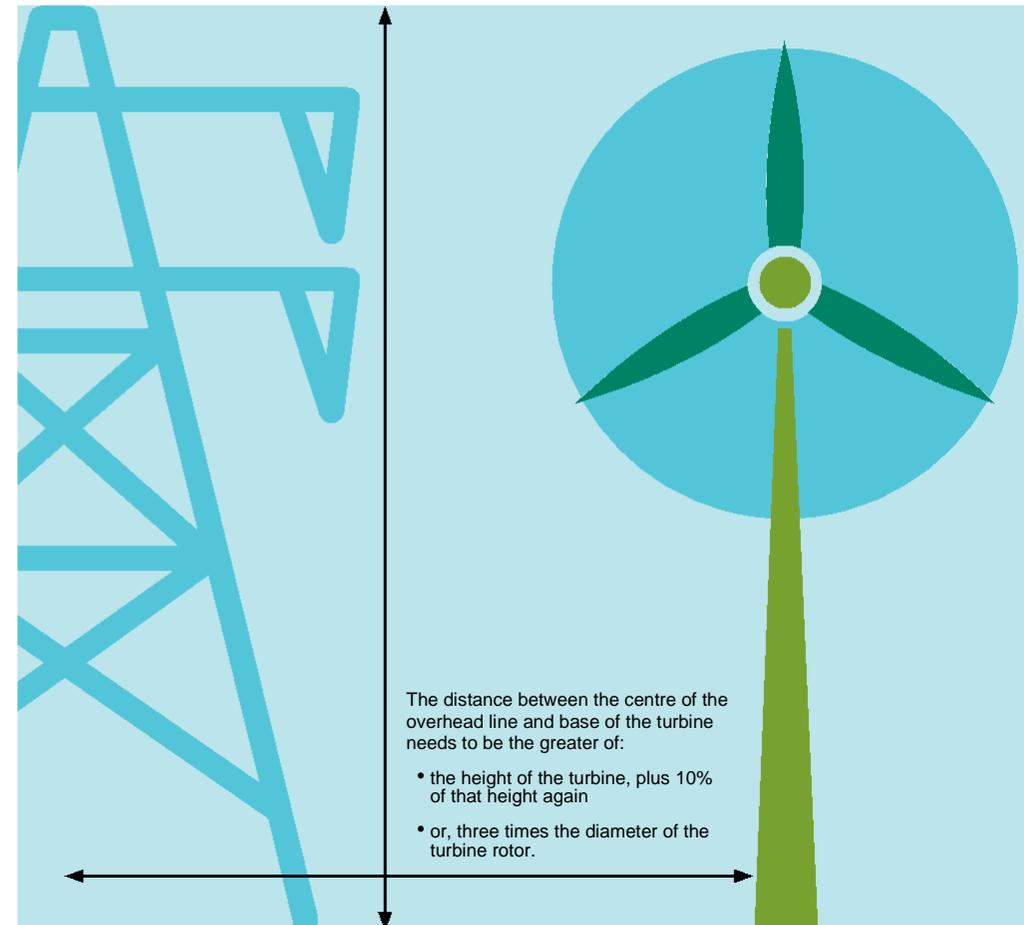
Commercial and housing developments

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.

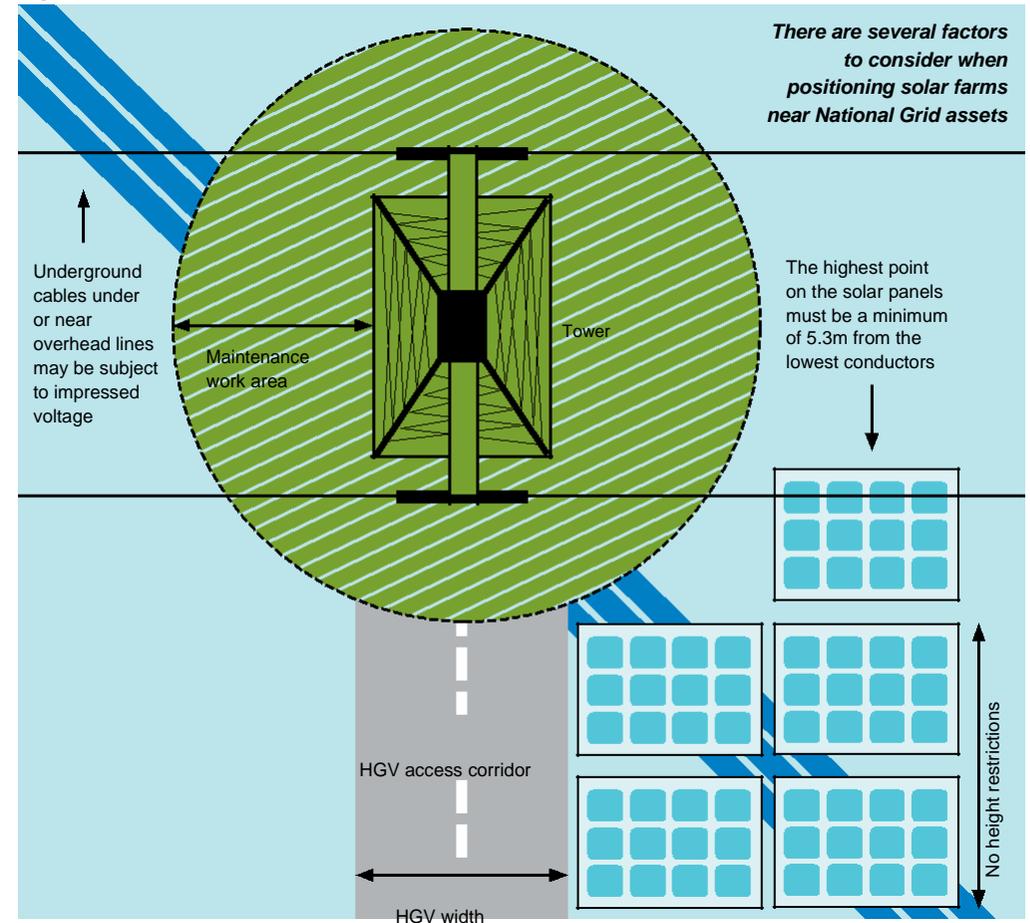
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

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

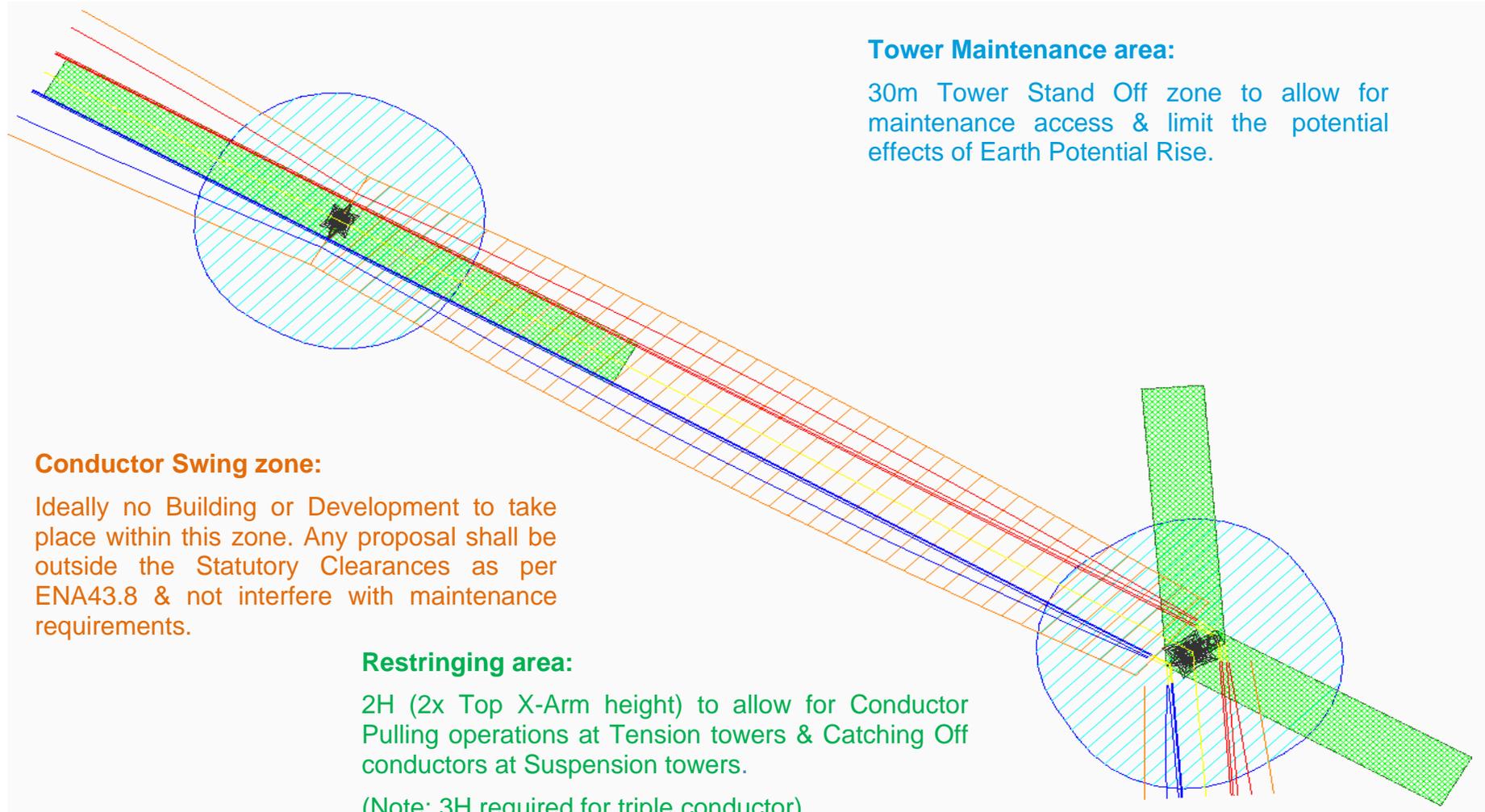
Opening hours:
Monday to Friday 08:00-16:00

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OHL Tower Stand Off & Reconducting Area



From: [Gaynor Gallacher](#)
To: [Lime Down Solar](#)
Subject: EN01068: Lime Down Solar Park DCO - Scoping Opinion - National Highways comments
Date: 31 July 2024 13:56:01

You don't often get email from [REDACTED]@nationalhighways.co.uk. [Learn why this is important](#)

Dear Sir/Madam

National Highways and Environmental Impact Assessment Reports

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

EN010168: Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) – Request for scoping opinion

Thank you for inviting National Highways (previously operating as the Highways Agency and Highways England) to provide comments on the above request for a scoping opinion. As a Statutory Consultee we seek to act as a proactive partner and therefore welcome pre-application discussion. This includes the opportunity to provide advice on the scope of any Environmental Statement pursuant to the procedures set out in the Environmental Impact Assessment Regulations 2017, which also identifies us as a statutory party.

Whilst we have no view on whether the above development meets the requirements for an Environmental Statement, we offer comments on the assessment of traffic impacts that we would expect to accompany any submission, as well as potential operational asset impacts that will require consideration by the applicant. Our comments relate to matters arising from our responsibilities to manage and maintain the strategic road network (SRN) which in this case comprises the M4 motorway and junctions 17 and 18 in particular. Comments relating to the local road network should be sought from the appropriate Local Highway Authority.

We understand that the scheme comprises of a series of Solar Arrays across approximately 900 ha within sites identified as Lime Down A to E, a number of 33kV and 132kV substations located within the Solar Array sites, a BESS, up to two 400kV substations, and interconnecting cables. The point of connection for the scheme to the National Grid is at the existing 400kV Melksham Substation. The scheme will be linked to Melksham Substation via underground cables within a Cable Route Corridor. The Cable Route Search Corridor is indicated but the route remains under consideration and subject to environmental assessments, landowner negotiations and consultation input. The scheme is expected to operate for 60 years, with batteries and solar panels likely to require replacement at least once during this period. Subject to the DCO process, it is anticipated that construction could commence in 2027 with the site operational by 2029.

It is acknowledged that the primary traffic impact will be during the construction phase, and all construction vehicles are likely to route to the sites via the M4 at

either junction 17 or 18. It will therefore be necessary for the scheme to be supported by a transport assessment which specifically considers the construction phase of the development and a construction traffic management plan which should consider the impact on the M4 and associated junctions. National Highways will also need to be a party in any further discussions regarding the Cable Route Corridor as the cables will need to pass under the M4 and any associated works will need to be agreed with us. Given that the Solar Arrays will be located at least 1.7km to the north of the M4, we consider that the development is unlikely to otherwise have any significant adverse impacts on the SRN.

We have therefore set out below both the general and specific areas of concern that National Highways would expect to see considered as part of any Environmental Statement submission.

General aspects to be addressed

- An assessment of transport related impacts of the proposal should be carried out and reported as described in current national planning practice guidance.
- Environmental impacts arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported, along with the environmental impact of the road network upon the development itself.
- Adverse changes to noise and air quality should be considered, including in relation to compliance with the European air quality Limit Values and/or Local Authority designated Air Quality Management Areas (AQMAs) and World Health Organisation (WHO) criteria.

Location specific considerations

- The assessment of traffic impacts accompanying any DCO submission should consider the operation of the strategic road network in line with national planning practice guidance and DfT Circular 01/2022 *The Strategic Road Network and the Delivery of Sustainable Development*. Where proposals result in a severe congestion or unacceptable safety impact, mitigation will be required in line with current policy. Specific consideration will need to be given to the M4 and junctions 17 and 18 in particular. With regards the SRN the transport assessment should specifically consider traffic impacts during the construction phase.
- A construction traffic management plan will need to accompany any submission. The scoping report indicates that all construction vehicles are likely to route to the development site via the M4 and junctions 17 or 18. Vehicle types, volumes and routing will need to be clearly understood and appropriate mitigation measures understood and agreed.
- The effects of the proposed development should be assessed cumulatively with other schemes and we would expect the applicants to agree an appropriate list of schemes, including committed development in the area.

- The scheme Cable Route Corridor will pass under the M4 in a location yet to be defined. Any drilling works to accommodate the cable route must be subject to the Design Manual for Roads and Bridges CD622 Managing Geotechnical Risk reporting, and subject to review and acceptance by National Highways. We would welcome further engagement directly with the applicant to progress this requirement.
- Works to implement the Cable Route Corridor under the M4 will be subject to either a s61 consent or s50 licence. Again, National Highways would encourage early engagement with the applicant to progress the required agreements and funding arrangements.

These comments are only advisory as the responsibility for determining the scope and form of any EIA Report rests with the Planning Authority. Our comments are made on the basis of the information available to us at this time, and are made without prejudice to future advice and/or recommendations, which would be made on receipt of a formal submission.

We would welcome the opportunity to engage directly with the applicant with regards to the emerging Cable Route Corridor and associated M4 impacts.

Kind regards
Gaynor

Gaynor Gallacher
South West Operations – Assistant Spatial Planner (Highways Development Management)

National Highways | Ash House | Falcon Road, Sowton Ind. Estate | Exeter | EX2 7LB

Tel: [REDACTED]

Web: <http://www.nationalhighways.co.uk>

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Consider the environment. Please don't print this e-mail unless you really need to.

From: [NATS Safeguarding](#)
To: [Lime Down Solar](#)
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation [SG37835]
Date: 19 July 2024 11:21:57
Attachments: [~WRD0004.jpg](#)
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[image018.png](#)
[image001.png](#)

Our Ref: SG37835

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 Safeguarding

E: natssafeguarding@nats.co.uk

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



NATS Public

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>

Sent: Wednesday, July 17, 2024 3:51 PM

Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Dear Sir/Madam

Please see attached correspondence on the proposed Lime Down Solar Park

Please note the deadline for consultation responses is **14 August 2024** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72

Date: 13 August 2024
Our ref: 482552
Your ref: EN010168



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BY EMAIL ONLY

Dear Mr. Brumwell,

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

Proposal: Lime Down Solar Park - EIA Scoping Notification and Consultation

Location: Land North of Hullavington & Land at Melksham Substation, County of Wiltshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 17 July 2024.

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.

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

Yours faithfully,

Kyle Conroy
Sustainable Development Higher Officer
Wessex Area 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 information provided to date we are confident that the general principles are likely to be addressed within the Environmental Statement.

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;

¹ National Infrastructure Planning (planninginsepectorate.gov.uk) Insert 2 – information to be provided with a scoping request, Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements

- 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.

Plans or projects that Natural England are aware of that might need to be considered in the ES	
Project /Plan	Status
Hullavington Solar Park	Existing completed projects
Rodbourne Rail Solar Farm	Existing completed projects
Red Barn Solar Farm	Plans or projects for which an application has been made and which are under consideration by the consenting authorities

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 includes the emerging Local Nature Recovery Strategy (LNRS) for Wiltshire 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).

5. International and European Sites

The development site is within or may impact on the following **European/ Internationally Designated Nature Conservation Site**:

Bath & Bradford on Avon Bats SAC (Special Area of Conservation)

The Bath & Bradford on Avon Bats SAC [Designated Sites View \(naturalengland.org.uk\)](http://naturalengland.org.uk) is located within 10km of the development site (4km of the cable route search area) and therefore potential impacts upon the designated site should be taken into consideration.

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

6. Nationally Designated Sites

Sites of Special Scientific Interest

The development site may impact on the following **Sites of Special Scientific Interest (SSSI's)**:

- [Harries Ground, Rodbourne SSSI](#)
- [Sutton Lane Meadows SSSI](#)
- [Box Mine 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. We acknowledge the applicant's search and agree with the identified list of statutory designated SSSI sites in Table 8.4 of the Scoping Report and the justification for scoping out SSSI sites designated for geological features. Specific consideration should be given to those designated sites which are directly adjacent to the development boundary, including Harries Ground, Rodbourne SSSI.

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on SSSIs and their 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 Geportal](#).

7. Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local

nature reserves. Local Sites are identified by the local wildlife trust, geo-conservation 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. Contact the relevant local body for further information.

8. Protected Species

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.

Applicants should check to see if a mitigation licence is required using NE guidance on licencing [NE wildlife licences](#). Natural England are unable to advise upon the decision for a licence. This responsibility falls to the developer. Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) contains details of Natural England's role in wildlife licencing for NSIPs.

9. 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.

Should the [DLL scheme for GCN](#) 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.

It should be noted that at present, a scheme is active within the project boundary in Wiltshire. Natural England would encourage engagement from the applicant regarding DLL as soon as possible to ensure entry into the scheme is feasible. Contact can be made with GCNDLL using the following email address, gcndll@naturalengland.org.uk.

10. 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

11. Ancient Woodland, Ancient and Veteran Trees

Ancient woodland has been identified within the scoping areas for the proposed development. 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 186 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.

Ancient woodland needs to be considered in line with the Overarching National Policy Statement (NPS) for Energy EN-1. The NPS EN-1 makes reference to ancient woodland, veteran trees and other irreplaceable habitats in the following paragraphs: [5.4.14](#), [5.4.15](#), [5.4.32](#) & [5.4.54](#).

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.

12. Biodiversity Net Gain

The Environment Act 2021 includes NSIPs in the requirement for Biodiversity Net Gain (BNG), with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025.

Natural England welcome the Project's commitment to include a BNG assessment and demonstrate a net gain of at least 10%. We also acknowledge the reference made in the Scoping Report to assessments that will be carried out using the [Statutory Biodiversity Metric](#). We also welcome the reference to habitat creation and enhancement from the scheme.

Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both, however, on-site provision should be considered first in line with the mitigation hierarchy. Natural England advise that the Statutory Biodiversity Metric should be used to calculate the biodiversity impact of the development. The same version of the BNG metric should be used pre- and post-development to ensure consistency.

Natural England recognises the opportunity for the development to deliver BNG and it is recommended that the following guidance is applied in order to achieve this:

- [Biodiversity Net Gain: Good Practice Principals for Development](#)
- [BS 8683: 2021 Process for designing and implementing Biodiversity Net Gain](#)

In order to maximise nature recovery and target habitat enhancement where it will have the greatest local benefit it is recommended that locally identified opportunities should be acknowledged and incorporated into the design of BNG (both on and off-site). This should include any locally mapped ecological networks and priority habitats identified by Wiltshire County Council. In addition, Local Nature Recovery Strategies (LNRS) are a new mandatory system of spatial strategies for nature established by the Environment Act 2021 which will contribute to the national Nature Recovery Network (NRN). Work is currently underway to develop these strategies, which will identify strategic priorities for nature protection, recovery, and enhancement. Given the size, scale and opportunities afforded by the application it is therefore recommended that engagement with relevant local planning authorities, responsible authorities and statutory consultees (including Natural England) is undertaken to align habitat enhancement through the development with any emerging plans and policies in relation to LNRS.

13. Landscape

Nationally Designated Landscapes

The development site may impact on the Cotswolds National Landscape.

The Energy National Policy Statement EN-1 gives significant protection including within the setting of the protected landscape.

Public bodies have a duty to seek to further the statutory purposes of designation in carrying out their functions (under section 245 of the Levelling Up and Regeneration Act 2023). This duty also applies to proposals outside the designated area but impacting on its natural beauty.

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.

Landscape and Visual Impacts

[Section 245](#) (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 (LURA) places a duty on relevant authorities (including local planning authorities) in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or a National Landscape in England, to seek to further the statutory purposes of the area. Planning Practice Guidance ([Natural environment - GOV.UK \(www.gov.uk\)](#)) confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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](#) as referenced in paragraph 155 of the Scoping Report (48 Trent and Belvoir Vales). 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 National Landscapes, 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.

14. Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

15. 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.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

16. Soils and Agricultural Land Quality

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. This includes during construction (i.e. siting of construction compounds and temporary access tracks) and operation (i.e. location of pylons, permanent access tracks and supporting infrastructure).
- 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 will require a detailed Agricultural Land Classification (ALC) survey on the entire Order Limits and the cable route. 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. This may be amended for linear areas to provide an accurate depiction of the land quality along the linear area. 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 through the Soil Management Plan. This should include consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain, as well as sustainable soil management throughout all phases of the development. 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](#).

17. Decommissioning and After use

The ES should include details of the decommissioning and after use of the site. If the site is reverted to agriculture, the loss of created habitats could have a negative impact on biodiversity, habitats and species which have established in the operational period.

18. 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) ^[1]. 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

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

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](#)

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scaill.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>

There is potential for this development to cause adverse impacts to designated sites via dust and vehicle emissions during the construction phase of the development. Please note that adverse impacts specifically to designated sites during all phases of development should be assessed within the ES.

19. Climate Change

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development will embed Nature Based Solutions, maintain ecological networks and build resilience to climate change. The ES should also incorporate the policies as set out in NPS EN-1 relating to climate change.

20. Contribution to Local Environmental Initiatives and Priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies including landscape strategies, green infrastructure strategies, Sustainable Drainage System (SuDS) strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas. Opportunities

for wider environmental gains often include multifunctional benefits and can improve environment for people, nature and climate.

From: [Grace Lewis](#)
To: [Lime Down Solar](#)
Subject: DCO Scoping Lime Down Solar Park
Date: 30 July 2024 08:33:40
Attachments: [image007.png](#)

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OFFICIAL



Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

My Ref: P/TP24/289

Your Ref: EN010168

Date: 29 July 2024

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPLICATION NO: EN010168

PROPOSAL: Scoping Lime Down Solar Park

Dear Sir/Madam,

Thank you for your email dated **17 July 2024** together with the opportunity to comment on this proposal.

Network Rail is a statutory undertaker and owns, operates and maintains the majority of the rail infrastructure of Great Britain pursuant to its network licence. Under the terms of that licence Network Rail is under a duty to secure the operation, maintenance, renewal and enhancement of the network in order to satisfy the reasonable requirements of customers and funders. Therefore any proposed development which is in close proximity to the railway or could potentially affect Network Rail's land interests, need to be carefully considered.

The EIA should consider Transport and Access and the use of any Network Rail assets (e.g. level crossings, bridges etc..) both during construction phases and post construction. Where level crossing may be used, these should be assessed within the submitted transport assessment and recommendations made for appropriate mitigation to reduce the additional risk generated at the crossings.

Lime Down Development areas C, D and E should also consider the impact of drainage and flood risk on the adjacent railway. The parcels of land should also consider any glint and glare to be generated by the solar panels and any impacts this may have on nearby railway signals and train drivers vision.

We hope these comments are useful.

Yours Sincerely,

Grace Lewis

Town Planning Technician (Wales and Western)

Network Rail

Temple Point, Redcliffe Way, Bristol, BS1 6NL

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From: [David Illsley](#)
To: [Lime Down Solar](#)
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 19 July 2024 07:17:10
Attachments: [image001.png](#)
[image002.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.jpg](#)
[image003.png](#)

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development)

PINS reference: EN010168

Thank you for consulting the New Forest National Park Authority on the proposed Lime Down Solar Park.

The land parcels associated with this proposed development are located within the administrative boundary of Wiltshire Council. The New Forest National Park Authority is an adjoining planning authority to Wiltshire Council. Therefore, by virtue of Section 43 of the Planning Act 2008 (local authorities for the purposes of the consultation requirements in section 42) and Section 133 of the Localism Act 2011 (Pre-application consultation with local authorities) it is agreed that the New Forest National Park Authority is legally a 'consultation body' for this NSIP proposal.

The proposed Lime Down Solar Park is located over 40 miles from the northern boundary of the New Forest National Park. Given this distance - allied to the fact that we do not consider there to be any landscape impacts on the National Park (including in combination/cumulative impacts) - I can confirm that the New Forest National Park Authority does not have any comments to make regarding the Scoping Opinion for the proposed Lime Down Solar Park development.

Regards

David Illsley BA (Hons) MA MRTPI
Policy & Conservation Manager
Tel: [REDACTED]

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 4:29 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

FAO Head of Planning

Dear Sir/Madam,

We are contacting you at this time in relation to the Lime Down Solar Park which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain

size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the pre-application stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) (“the EIA Regulations”), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

To inform the scope and level of detail of the information to be provided within the ES, the Applicant has requested a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State under Regulation 10 of the EIA Regulations.

Before adopting a Scoping Opinion, the Inspectorate must consult the relevant ‘consultation bodies’ defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant’s approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant’s own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is **14 August 2024** and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate.

For further information about the NSIP planning process, please click on the links below:

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)
- [Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



New Forest National Park Authority

Lymington Town Hall
Avenue Road
Lymington
SO41 9ZG

Switchboard: 01590 646600

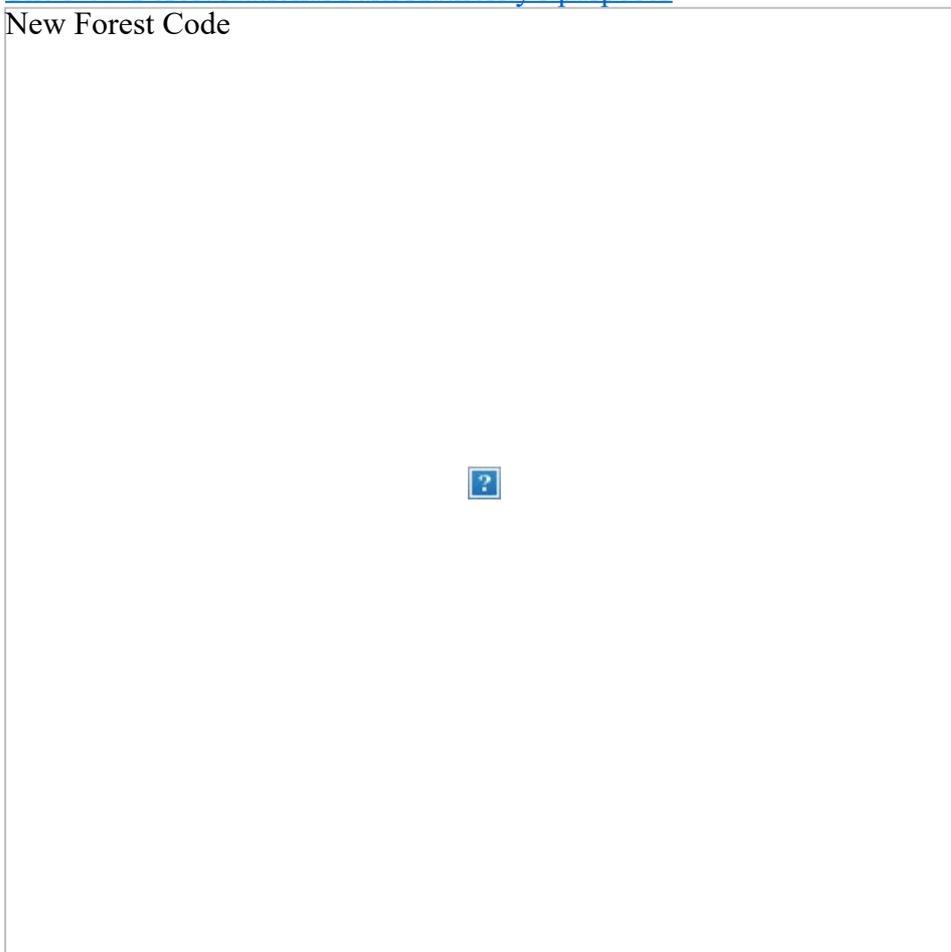
Website: www.newforestnpa.gov.uk

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[The New Forest National Park Authority's purposes](#)

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From: [Before You Dig](#)
To: [Lime Down Solar](#)
Subject: RE: EXT:EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 23 July 2024 07:56:35
Attachments: [~WRD0001.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image001.png](#)

Good Morning,

Northern Gas Networks do not cover this area.

Please forward your enquiry to dig@wwutilities.co.uk

You can use the link below to check which gas network operator covers each area before submission to ensure you have the correct network;

<https://www.energynetworks.org/operating-the-networks/whos-my-network-operator>

Kind regards,

Lucy McMahon

**Administration Assistant
Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland
SR3 3XR**

My working days are Monday, Tuesday & Wednesday 08:00am – 16:30pm

Before You Dig: 0800 040 7766 (option 5)

www.northerngasnetworks.co.uk

facebook.com/northerngasnetworks

twitter.com/ngngas

Alternative contact:

beforeyoudig@northerngas.co.uk



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Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please**

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 3:51 PM
Subject: EXT:EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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Dear Sir/Madam

Please see attached correspondence on the proposed Lime Down Solar Park

Please note the deadline for consultation responses is **14 August 2024** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



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The Planning Inspectorate



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DPC:76616c646f72



SEAGRY PARISH COUNCIL

www.seagryparishcouncil.gov.uk

Vivian A Vines MBE SLCC
Clerk of the Council

Tel [REDACTED]
Email clerk@seagryparishcouncil.gov.uk

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

8 August 2024

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

Your Ref: EN010168

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

I refer to your letter of the 17 July 2024 regarding the Planning Inspectorate, on behalf of the Secretary of State, being asked by the Applicant for a Scoping Opinion as to the information to be provided in an Environmental Statement (EIA) relating to the Proposed Development.

My Council is grateful that they have been identified as a consultation body and have pleasure in providing you with their views on what information they consider should be included in the Scoping Opinion that should be beneficial and improve the Environmental Statement required from the Applicant.

As a preamble, the Parish Council feel that not knowing the totality of subjects applicable to the proposal they cannot say they are confident that all that needs to be covered in an EIA are, or will be covered and that, perhaps, there is or should be a Government List/Schedule of prescribed subjects to be addressed by the Scoping Study and EIA?

The Council consider that as this is a huge project in its embryonic stage, with a potential decision timescale some three years hence, then it is important that all possible matters are covered to avoid any potential loopholes occurring. Being mindful of this, the Council considers that the following matters need consideration and inclusion in any Scoping Opinion provided:

1. EIA requirement to consider alternatives to the proposal.

The alternatives to the existing proposal that need to be considered are:

a. Alternative sites.

The Scoping Opinion should include a survey and assessment of alternative physical locations within the same radial distance from the proposed grid connection point at Melksham.

Comment; The Council is unsure if examples are required, or can be given, but if it is acceptable then it is aware of a Salisbury Plain alternative. This could be used in conjunction with the disused chalk quarry at Westbury, Wiltshire and the new incinerator at Westbury that will be laying a connection to Frome for the electricity that it generates. This cable is not yet in place and may already have planning consent. This being so, a Solar Farm sited on Salisbury Plain could utilise the incinerator's National Grid connection at Frome or ensure that when the cable is laid that it is capable of taking the Solar Park's input. A Scoping Report evaluation could/should be made of the Lime Down proposals that generate 500 MW and covers 900 hectares (2240 acres) with the old cement works site at Westbury covering 31 hectares (77 acres) that could be a contributory site in a Salisbury Plain proposal.

b. Alternative technologies.

The Scoping Opinion should include an assessment of alternative technologies to include;

- i) The use of the Lime Down area as a site for wind turbines.

Comment; An onshore wind turbine has a blade height of 50 metres and generates 2.5-3 MW. If the turbines had an individual capacity of 2.5 MW then 200 would be required (166 at 3 MW). Given that NPPF is to be amended to allow onshore wind turbines, this needs to be evaluated.

- ii) The use of the Lime Down area (part) as a site for small scale nuclear power plants.

Comment; Small scale nuclear power plants as currently being proposed/developed by Rolls Royce, with a Government decision on the future scheduled for the autumn, need to be evaluated as an alternative. One small scale nuclear power plant generates 475MW. Its location is far more flexible. If located at Westbury, for example, it would have the advantage of a rail link.

- iii) The use of the Lime Down area to use grass, via anaerobic digestion, as a means of generating renewable energy.

Comment; This technology is promoted by *Ecotricity*, for example see:

<https://www.ecotricity.co.uk/#:~:text=Switch%20to%20Ecotricity-,Sustainable%20green%20gas,back%20%E2%80%93%20no%20fossil%20fuels%20required>

The advantage of this technology if employed at the Lime Down site is that it would enable the area to retain its present rural character of open field grass harvesting, and the CO₂ released by anaerobic digestion (AD) would be reabsorbed by the continual regrowth of the grass. The methane generated by the AD process could either be converted on site into electricity or even supplied to the Gas Grid. The Scoping Opinion needs a full evaluation of this alternative, along with organic agricultural principles for growing the grass as organic principles will result in carbon sequestration (increased retention of carbon in the soil that has been drawn down from the atmosphere).

- iv) The use of the Lime Down area as a site for a mix of the above three suggestions.

2. EIA requirement to consider the Evaluation of Historic Assets.

The EIA needs to consider all of the proposed Solar Park area for the possible existence of archaeological assets, and the impact of excavation for cables and foundations upon all such possible assets.

An assumption is made that an EIA will consider the impact on the Cotswold Area of Outstanding Natural Beauty, but the Council wishes to ensure that this is the case.

Comment; NPPF policy/guidance require planning applications to safeguard the whole country's Historic Assets. The land identified by this proposal is adjacent to the Roman Fosse Way, and at one point incorporates the Fosse Way within the installation. The EIA therefore needs to undertake a full evaluation of the historic assets, often archaeological remains, in the proposed Solar Park area throughout all eras of human settlement. In the case of Roman presence in the area there is a Romano-British settlement and Scheduled Monument at Easton Grey, near Malmesbury, Wiltshire, see: <https://historicengland.org.uk/listing/the-list/list-entry/1013354>

3. EIA requirement to consider Grade of Agricultural Land.

The EIA needs to include a comprehensive, scientifically conducted survey conducted by a qualified professional consultancy.

Comment; Solar Parks should be on land at Grade 3b and below, and not on Grade 3a land and above. Therefore the EIA needs to establish the agricultural soil grading of each field at the grade that it currently is. This must not be an *ad hoc* assessment based on hearsay or similarly weak evidence, but on clear scientific methodology conducted objectively.

An example of such a professional consultant is *Land Research Associates*, see:

[http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,\(Technical%20Information%20Note%200049\)](http://www.lra.co.uk/services/soil-survey-soil-mapping/agricultural-land-grades#:~:text=Land%20grades%20are%20determined%20by,(Technical%20Information%20Note%200049))

Comment; Solar Parks/Farms should be limited to brownfield land and poorer quality unproductive land. The statement made by the Secretary for Energy & Net Zero, on 15 May 2024 made clear the need to balance both the need for energy security and food production and said the use of Best and Most Versatile agricultural land should be avoided where possible. It also said "the Government is aware of concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective."

4. EIA requirement to consider the Evaluation of Biodiversity.

A development project **has to** include an uplift in biodiversity.

Comment; Uplift is generally defined as a 10% improvement. In order for this aspect of the Applicant's EIA to be valid, it has to:

i) Conduct a thorough biodiversity census in all areas of the proposed development of all animals (including birds and insects) and plant species, their level of presence (density), and the areas in which they are to be found. Significant hotspots need to be identified.

ii) Conduct a thorough habitat census within the planned development area and establish the link between the habitat census and the presence and prevalence of the animal and plant species identified. In short, the EIA needs to be using the ecosystem-based means of assessment, which reveals ecological structure and integration. A habitat census will include soil - structure and life living in it - as well as all features above soil, extending from field character, hedgerows, trees, wildlife corridors, and the access for aerial species to the land territory that they require in order to breed and forage. Habitat also includes land character e.g. areas of water and their permanence, an essential dimension of overall ecological character and structure.

iii) Conduct a thorough census of soil health at the mini- and micro- levels for animals, fungi and other microscopic life forms. This needs to be done on a field by field basis. Soil

health is vital to the existence of habitat and thus to a full record of the ecological structure of the area and the biodiversity that it supports.

Having produced this thorough biodiversity survey, the EIA then needs to examine and record:

iv) The level of adverse impact that the development, and operation throughout its lifetime, will have on the existing biodiversity, its abundance and its habitat availability. As the development has to demonstrate 'biodiversity uplift', the *existing* character of biodiversity, abundance and habitat availability needs to be quantified - both before (actual) and after (predicted) development of the Solar Park.

v) The nature of the biodiversity 'uplift' has to be quantified in precisely the same way. It needs to predict the full range of animals and plants that will be present, their abundance, and the availability of the habitats that they require. In short, the EIA needs to demonstrate how biodiversity 'uplift' (10% improvement) **will be accomplished against all these parameters.**

In closing, as mentioned above, my Council is grateful for the opportunity of responding to the consultation and they trust that their views are taken into consideration when the matter is determined.

Yours faithfully

A solid black rectangular box used to redact the signature of the council member.

For Seagry Parish Council

From: [Asset.Protection](#)
To: [Lime Down Solar](#)
Subject: RE: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation J-240718-24345
Date: 19 July 2024 14:04:25
Attachments: [image008.jpg](#)
[image009.png](#)
[image010.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image002.png](#)
[Letter to stat cons_Scoping Reg 11 Notification.doc.pdf](#)

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ST Classification: UNMARKED

Good afternoon Todd

I refer to the attached consultation and would confirm that we have no comment in respect of the Environmental Statement.

Kind regards

Anna Cheung
Asset Protection
Asset Strategy & Planning
Chief Engineer

image001



From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 3:51 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

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Dear Sir/Madam

Please see attached correspondence on the proposed Lime Down Solar Park

Please note the deadline for consultation responses is **14 August 2024** and is a statutory requirement that cannot be extended.

Kind regards,

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



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The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



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From: [Tanya Burgess](#)
To: [Lime Down Solar](#); [Sherston Parish Council Share](#); [George Clarke](#)
Subject: PRIVATE AND CONFIDENTIAL - Sherston Parish Council/Easton Grey Parish Response to FWEN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation
Date: 07 August 2024 09:30:53
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image006.png](#)
[image007.png](#)
[Letter to stat cons_Scoping & Req 11.Notification.doc.pdf](#)
[1 Sherston Parish Council and Easton Grey Parish - Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref- EN010168\) dated 6th August 2024-3.pdf](#)
[EIA Scoping Study Councils Brieff21.docx](#)
[Chairman of Sherston and Surrounding Parish Councils\[63\].docx](#)
[Impact on house prices_LD_060824\[1\]f89\].pdf](#)
Importance: High

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Dear Mr Brumwell,

Please find attached the following in response to your EIA Scoping Notification and Consultation communication on behalf of Sherston Parish Council and Easton Grey Parish:-

- **Sherston Parish Council and Easton Grey Parish - Formal Response to Lime Down Solar Park EIA document**
- **Lime Down EIA Scoping Study - Brief for Wiltshire Parish Councils: Air, Water and Soil Issues**
- **Property Price Impact evidence – James Pyle & Co**
- **Property Price Impact evidence – Stacks Property Search**

I would be grateful if you could confirm receipt by return.

Kind regards
Tanya

Tanya Burgess

Chair, Sherston Parish Council

From: Lime Down Solar <limedown@planninginspectorate.gov.uk>
Sent: Wednesday, July 17, 2024 4:05 PM
Subject: EN010168 - Lime Down Solar Park - EIA Scoping Notification and Consultation

Dear Sir/Madam,

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To meet the requirements of the Infrastructure Planning Environmental Impact

Assessment (EIA) Regulations (2017) (“the EIA Regulations”), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

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Before adopting a Scoping Opinion, the Inspectorate must consult the relevant ‘consultation bodies’ defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant’s approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant’s own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is **14 August 2024** and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate.

For further information about the NSIP planning process, please click on the links below:

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)
- [Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,

Todd Brumwell



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The Planning Inspectorate
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The Planning Inspectorate



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Sherston Parish Council and Easton Grey Parish - Formal Response to Lime Down Solar Park EIA document – Planning Inspectorate Ref: EN010168) dated 6th August 2024

Please see below the response from Sherston Parish Council and Easton Grey Parish in relation to your consultation communication issued on the 16th July 2024.

This is a formal response from Sherston Parish Council and Easton Grey Parish to the proposed Lime Down Solar Park development. It has been prepared specifically to respond to the developer's submission of a scoping EIA (Environmental Impact Assessment) document to the Planning Inspectorate (Ref: EN010168) on the 16th July 2024. The Parish Council has resolved to object to this development on a specific range of issues, and it is expected that the Parish Council will continue to advance its objections, at the appropriate junctures, as the application process progresses.

At this time, Sherston Parish Council and Easton Grey Parish recognise that the developer's application in respect of the proposed Lime Down Solar Park is at the Pre-Application stage, so the comments made by the Parish Council relate solely to the submission of the developer's scoping EIA.

"Please note that we have been in contact with the Chair of the Easton Grey Parish meeting and there is some uncertainty as to whether they are or are not a consultee. In those circumstances, and to ensure that their views are known, the comments below included input from Easton Grey and the approval of chair of the Easton Grey Parish meeting".

Having undertaken a review of the documentation provided we believe there are a number of material considerations which have been omitted or scoped out which we would like to see included.

Consultation

Whilst responding we would like to raise our concerns about the timing of the issuing of the documentation, notwithstanding the fact that the document itself constitutes some 1000 pages. Councils are typically on holiday during the month of August, as a result we have only been effectively afforded 2 weeks to respond.

Section 1.5 of the scoping EIA deals with the 'Consultation and Engagement' phase of the LDSP proposals. Whilst the developers have undertaken some consultation within the local communities during the initial 'non-statutory' phase of the Lime Down Solar Park, these have not gone well and have failed to include many residents in the process. We understand that LDSP have received over 1400 submissions from the community, despite failing to engage with significant sections of the community who will be directly affected by their proposals. Our concerns are:-

- Inadequate notice and publicity were given of the 'consultation events', only held in the large villages. The initial event in Sherston was only advised to Parish Councils 48 hours in advance, and virtually no local publicity was given to the event by the

Prepared by Councillor T. Burgess (Chair Sherston Parish Council) - approved and adopted by Sherston Parish Council and Easton Grey Parish on 6th August 2024.

developers, nor did they make any use of social media to publicise it. Consequently, most of the community were unaware of it taking place, and had no opportunity to attend.

- There is very limited public transport in the rural area impacted by the LDSP during weekday office hours, and there is none during evenings or weekends, when most of the 'publicity events' were staged. This meant that only residents with their own transport could attend the promotional events.
- Many of the residents in the area affected by LDSP's proposals are older, some do not have their own transport, and are less able or willing to use the internet or to engage with LDSP 'online', many simply do not have the skills to do so. When advised by the developer that they could 'go to the website', they were being offered an option that they simply cannot utilise.
- The developer was directly advised, at the outset of the non-statutory consultation process, of these challenges for the residents, and the inappropriateness of being overly reliant on internet solutions to conduct the consultation.
- The developer ignored the consultation concerns raised from within the community, several parish areas did not have any locally held, accessible consultation events, and no arrangements were put in place to assist the travel challenged residents and no viable alternative was offered. This has severely undermined community confidence in the developer's ability and commitment to community consultation as part of the development process.
- When the developer submitted the EIA to the Planning Inspectorate on the 16th July 2024, they chose not to inform local statutory consultees until the following day (17th July 2024), even though the developer's representatives were attending a formal LAPC council meeting later that same day (17th July). The EIA was, obviously, the main topic of discussion at this Parish Council meeting, members of the public were in attendance. The late notice made it difficult for Councillors to be properly prepared and challenge the developers
- Wessex Water has been omitted from the list of Statutory Consultees. This is misguided as they operate sewage treatment plants on the Sherston Avon and the Gauzebrook, both are historically 'High Risk' in terms of surface and groundwater flooding. Wessex Water also extract significant volumes of drinking water from the important Greater and Inferior Oolite 'vulnerable' aquifers which underly the large areas beneath the proposed development sites and the extensive hinterland areas beyond the proposed site boundaries. Not including Wessex Water as a Statutory Consultee is both disingenuous and increases the risk of unmitigated sewage contamination and the compromising of the drinking water supply of much of North Wiltshire.

Prepared by Councillor T. Burgess (Chair Sherston Parish Council) - approved and adopted by Sherston Parish Council and Easton Grey Parish on 6th August 2024.

Recommendations:

- that the EIA be amended to include specific consultation commitments
- during the future consultation phases of this project to include:
- 'In-person' consultation events to be held in every parish council area directly affected by the proposals, or situated within 5 miles of the proposed development sites or cable corridors to Melksham.
- These events, and any other 'consultation' processes should be actively and widely publicised (at least 2 weeks in advance) by means of local papers, radio and social media, in addition to the expected letters to the statutory consultees.
- LDSP should make specific arrangements to enable improved engagement and consultation accessibility for the older, mobility challenged and digitally disadvantaged within the communities affected by the LDSP proposals.

Chapter 7. Landscape and Visual Assessment

Request – everything within a 5km to be scoped in.

Why – we believe given the size and scale of the overall planned construction that this would be more appropriate.

Chapter 8. Ecology and Biodiversity

Request – we would ask that survey of dormice is undertaken to understand what species are in the suggested construction locations, specifically to ensure that protected species are considered.

Why – there are dormice in the suggested locations which are a protected and/or threatened species as such, we need to be sure we understand the impact and any mitigating actions you would suggest undertaking

Chapter 9. Arboriculture

Request – scope in the loss of trees within the construction area.

Why – The 'embedded mitigation' is not clear. We believe the impact to, and removal of trees (particularly mature trees) undermines historic efforts and planning legislation to protect and conserve, equally in recent years farmers have been paid to plant trees which may now be removed?

Chapter 10. Hydrology, Flood Risk and Drainage

Please see appended report drafted by Prof. Richard Skeffington providing further detail

Request – please extend the study area in Fig. 10.1 to include the River Avon, the Gauzebrook, and the small streams which drain the scheme near Alderton, Luckington and Foxley. The applicant to provide a flood risk assessment for the communities of Luckington, Sherston, Pinkney, Easton Grey, Malmesbury, Malmesbury St Paul Without (including Corston), Great Somerford and possibly other communities on the river down to Bradford on Avon'.

Why – the area is currently highly susceptible to flooding. Several times a year, roads from Norton/Foxley to Malmesbury, Easton Grey and Chippenham become impassible for cars, with the interior of properties in our local area having flooded from time to time.

Prepared by Councillor T. Burgess (Chair Sherston Parish Council) - approved and adopted by Sherston Parish Council and Easton Grey Parish on 6th August 2024.

Chapter 11. Ground Conditions and Contamination

Please see appended report drafted by Prof. Richard Skeffington providing further detail

Request 1 – include all aspects of groundwater within the EIA.

Why – some of the local drinking water comes from the ground water.

Request 2 – include all matters related to ground conditions and contamination within the EIA.

Request 3 - include all the effects of silt, sediment, nutrients and chemical spills during construction to be in the EIA.

Request 4 – include the impacts on water quality in the EIA.

Chapter 12 – Cultural Heritage

Request – scope in impact during operation and decommissioning on cultural heritage sites specifically the Fosseyway

Why – previous planning applications in the area have required archaeologist reports to support them.

Chapter 13 Transport and Access

Study area only includes immediate area of sites. Though there is mention of individual roads it is not clear exactly which sections will be considered.

Request 1 – all roads in and around the village of Sherston and Easton Grey to be included

Why – there is no clear understanding of which roads will be used for what and when, or conversely which roads will not be used. There are a number of weight restricted roads and bridges around Sherston which require consideration.

Request 2 – scope in all aspects of operational and decommissioning phases

Why – both the infrastructure and people in the area would be exposed to transport impact for a period of up to 60 years. The evaluation of this aspect should form a necessary part of the EIA.

Chapter 14 Noise and Vibration

Request 1 – include an assessment of noise and vibration during the construction, operation and decommissioning phases

Why – to have full confidence in the EIA, the report should cover noise and vibration under all circumstances.

Chapter 15. Glint and Glare

Glint is a flash of light from the panels. Glare is a continuous reflection of light. Is only being considered for aviation, the railway and houses within 1 km of the scheme.

Request – that road users (cars, cyclists, horses etc) and wildlife (birds, deer etc) are scoped in.

Why – we are specifically concerned about safety of road users given the positioning of the panels in relation to some of the road infrastructure. The proposed panels are 4.5m high and track the sun, the effects are not fully understood as there are no comparables yet?

Chapter 17. Air Quality

Request 1 – scope in dust emissions during construction, operation and decommissioning

Prepared by Councillor T. Burgess (Chair Sherston Parish Council) - approved and adopted by Sherston Parish Council and Easton Grey Parish on 6th August 2024.

Request 2 – that the risk and impact of BESS fires is referred to the Health and Safety Executive to be assessed under the Control of Major Accident Regulations 2015 COMAH regulations

Request 3 – include assessment of the likely toxic gas emissions from a BESS fire

Chapter 18. Socio-Economic Effects

Socio-economic effects include positive and negative effects on employment, tourism and recreation during construction and operation. Scoped out are effects on property prices which they say will be insignificant.

Request – scope in the impact on property prices

Why – evidence that the awareness of the construction intent has already had impact on local property prices – please see detail attached (letters from Stacks Property Search and James Pyle & Co)

Chapter 19. Human health and Well-being

Request – include all scoped-out items in a properly-designed study.

Why – any decisions taken should be taken in relation to this specific construction and not we believe based on other ‘findings’. It would be better to have an open-minded assessment of impacts, for instance by asking the existing population what the effects might be. The village has already experienced impact to mental health and wellbeing with disputes occurring as a result of this proposal.

Hours of Work

There seems to be some discrepancy between the hours noted in the report, which one could interpret as almost 24x7 working:-

- P54 - 4.3.4. Construction and Phasing – construction hours
Mon-Fri 07:00 – 18:00 and Sat 08:00 – 13:30
- P234 14.4.9 Likely Environmental Effects shows construction during daytime
07:00 – 23:00 (no mention of weekday / weekend)
- P235 14.5.3 Construction and Decommissioning shows the highest noise levels at
Mon-Fri 07:00 – 19:00 and Sat 07:00 – 12:00 but evenings till 23:00 and all weekends seem to have higher noise levels than 23:00-07:00 which must indicate some activity till 23:00

Request - Ideally we would like to see definitive hours of work so that these are understood by all parties and can therefore be monitored during all phases.

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Overall

Cumulative impact

Lastly, one of the key considerations is the importance of cumulative impact which is recognised in the governments National Planning Policy framework (NPPF) and in planning case law (Lancashire CC v Secretary of State 2007).

It is a material consideration spanning all aspects of an EIA and Environmental Statement. The vast scale of Lime Down means cumulative impact is a major consideration. The project's footprint of solar panels and other infrastructure is 10 kms from east to west and 5 kms from north to south. Whilst submitted as a single Nationally Significant Infrastructure Project (NSIP) application, in fact Lime Down amounts to six NSIPs comprising Areas A, B, C, D, E and the underground cable connection to Melksham.

Each of these parts of Lime Down would qualify as an NSIP in its own right. Taken as a combination the various impacts are multiplied. Arguably, Lime Down is one of the most environmentally damaging of all solar NSIPs being handled by the Planning Inspectorate. The Scoping Report makes limited reference to Cumulative Impact, yet there is a world of difference between one NSIP and six. If Lime Down were approved residents would feel lost in a massive industrial development. Walkers, cyclists and visitors would experience complex after complex as they travel through the area. The recognised cycle routes and footpath networks would be diminished in value.

Cumulative Impact must therefore be a major aspect of the evaluation of Lime Down and the environmental damage it would cause.

*******END*******

Lime Down EIA Scoping Study

Brief for Wiltshire Parish Councils: Air, Water and Soil Issues

Prof Richard Skeffington

@gmail.com

What this exercise is about

Lime Down is a Nationally Significant Infrastructure Project, assessed by the Planning Inspectorate (PI) rather than the local authority, and as such requires an Environmental Impact Assessment (EIA). The procedure is complex, but involves eventually the production of an Environmental Statement (ES) covering the environmental effects of the Scheme. This will be used by the Planning Inspectorate and ultimately the Secretary of State to determine whether the scheme should go ahead. The Scoping EIA is an early part of this process.

The scoping EIA outlines the issues that are going to be discussed in the actual ES, and the methodology used to address them. What Councils and other statutory consultees are being asked to do at this stage is to check that all the issues they would like to be addressed are actually included. Issues can be missing because either: 1) the developer has considered them but argues that they should be out of scope; or 2) they have not been considered at all. Out of scope issues are shown in the tables at the end of each chapter of the Scoping Report, and in the Summary Table 21.1. Totally missing issues are of course harder to identify and verify.

This is important because, if the Planning Inspectorate agrees that an issue should be out of scope, or it does not appear in the Scoping EIA at all, it will be difficult for it to consider it subsequently. Therefore the document needs to be read closely to ensure all relevant issues are included. This is a formidable task for a set of documents totalling 785 pages, but we have been through the document and are providing this brief to flag up the issues the Developer (IGP) wants to miss out, and help Councils decide which are important to them.

More Information on the Scheme

Chapter 4 provides a little more information on the scheme than was given in the original "consultation", which would be relevant to know. The scheme is divided into 5 areas, spread out between Alderton and Rodbourne. The scheme is so large that each of these would be a National Infrastructure project on its own. The solar panels will mostly be "tracking panels" which track the movement of the sun from east to west, and also the height of the sun above the horizon. They will therefore move sporadically during the day. They are larger than the normal panels, with a maximum height of 4.5 m (15 ft) – about the height of a double decker bus. Where these cannot be used, smaller stationary panels with a height of 3.5m (11 ft) will be used. The panel areas will be surrounded by 2.5 m (8 ft) post and wire deer fences and have CCTV cameras.

As well as the panels, each of the 5 areas will have a number of inverter units, roughly the size of a shipping container, to convert the DC voltage from the panels to AC. All the areas except Area D will also have 4 electricity substations at either 33 kV or 132 kV (unspecified) connected by underground cables to the inverters. At least one will have to be a 132 kV substation which will supply the 400 kV substation in Area D near Hullavington by means of a 132 kV underground cable. Each of the areas will have at least one of these cables, the

location and type of which is completely unspecified at present. The 400kV substation near Hullavington will connect to the National Grid near Melksham by means of a 400 kV underground cable, the exact location of which is under discussion.

A typical 33kV substation is about 4m (13ft) high. The 132 kV substations are 0.5 ha (1.2 acres) in area and have structures 7m (23 ft) high. The 400 kV substation will be 3.5 ha (8.6 acres) and have structures 13 m (43 ft) high. All substations will be surrounded by 3 m (10 ft) metal security fencing and have CCTV cameras.

Each of the 5 areas will also have a connection to the local electricity grid (location, size and type unknown at present).

In addition, there will be a battery energy storage system (BESS) to store electricity from the scheme, but also to import and export to the Grid independently of the scheme. This will be near Hullavington and occupy 10.5 ha (26 acres). It will consist of a large number of separate units 16m x 3m with maximum height 3.2 m (52 ft x 10 ft x10.5 ft). This also will be surrounded by 3m metal security fencing with CCTV cameras. Alternatively, the BESS will be located near Melksham – still to be decided.

During construction (c. 2.5 years) there would be temporary roads and buildings and security lighting. The scheme life is 60 years. The panels would have to be changed once or twice and the batteries twice in this time.

More detail in Chapter 4.

Responding to the Planning Inspectorate

There is no need to give an opinion on the scheme as a whole. The opportunity for that will come later. At this stage, Councils are just being asked which issues should be considered in the Environmental Statement. In replying to the PI, the Council should say which issues currently “out of scope” it would like to be included, and supply a justification. In the following, we list issues which IGP are saying should be out of scope and which Councils might think should be included. We also give the technical arguments as to why we think they should be included. Councils are free to copy the text and add explanations of their own if they like. It will be better if not all Councils use exactly the same text.

The Issues

1. Flood Risk (Chapter 10)

Background

IGP want to restrict flood risk considerations to the area of the panels themselves, plus the Hullavington substation / BESS as shown as the “study area” in Fig. 10.1. This would probably exclude runoff into the main river Avon, and the lower parts of the Gauzebrook and the two un-named streams which will take runoff from Areas A to C (10.2.1; Fig 10.1). IGP say “...[just including the panel area] is considered sufficient to include all water environment receptors with the potential to be affected by the Scheme”. There would thus be no flood assessment for Luckington, Sherston, Malmesbury, or Corston to name the communities most likely to be affected, let alone downstream on the Avon to Great Somerford, Chippenham and beyond. There would also therefore likely be no assessment of Sustainable Drainage Systems (SuDS) which might alleviate these effects, except those protecting the sites themselves. The Councils should ask the PI to extend the study area and make it clear that they expect an assessment of the effects of Lime Down on the risk of

flooding to the communities on the River Avon and the Gauzebrook, and what could be done to alleviate the risks.

Suggested Council Response

The Council is very concerned that the Study Area for hydrology and flood risk defined in Fig. 10.1 does not include the main rivers which will drain the Lime Down scheme where they pass through local communities, including [insert parish here]. This appears to contradict the requirements of the Overarching National Policy Statement for Energy (EN-1) which requires that projects “consider the risk of flooding arising *from* the project in addition to the risk of flooding *to* the project” (para 5.8.15). IGP’s only justification for this is to say “[Restricting consideration to the sites themselves] is considered sufficient to include all water environment receptors with the potential to be affected by the Scheme, considering the nature of the associated construction activities and operational infrastructure, and based on precedent set by assessment of similar projects” (10.2.1). This is highly questionable. The area is very susceptible to flooding. The rivers which receive runoff from the Scheme are surely “water environment receptors with the potential to be affected”. It is hard to see how “precedents set by assessment of similar projects” can be relevant when every project is different with different soils, different geology, different watercourses, different rainfall regimes and different panel configurations. Of the watercourses which will receive runoff from the scheme, the headwaters of the Gauzebrook are included, but not down to Corston where flooding effects will affect most people. The upper parts of the two small streams which will drain Areas A, B, and C are included but not the lower parts. And the mainstream Avon passing through Luckington, Sherston, Malmesbury and Great Somerford is not included at all. These waters have high flood risk status according to the Environment Agency.

Councils should therefore ask the Planning Inspectorate to extend the study area in Fig. 10.1 to include the River Avon, the Gauzebrook, and the small streams which drain the scheme near Foxley, and for the applicant to provide a flood risk assessment for the communities of Luckington, Sherston, Malmesbury, Malmesbury St Paul Without (including Corston), Great Somerford and possibly other communities on the river down to Bradford on Avon’.

2. Groundwater (Chapters 10 and 11)

Background

Groundwater is water contained in pores in the underlying rocks. It plays a very important role in regulating streamflow, keeping streams flowing in dry weather and damping down flood peaks. In our area, groundwater supplies us with drinking water which is also exported to Chippenham and Bath, and sometimes even into the London area. Once groundwater is polluted it is very difficult or impossible to remediate. Pollution would mean that drinking water would have to be obtained from elsewhere, and the polluted water would leak out into the rivers over a period of years or even decades. Any development in the area needs to be considered very carefully, which is reflected in the Environment Agency designating it as a “Source Protection Zone”. We would expect that IGP would include proposals for a careful analysis of the effects of the scheme on groundwater in the scoping EIA. Instead there is a very superficial and misleading description in Sections 10.4.11 to 10.4.13, and groundwater has been scoped out of the assessment (Table 10.7). We must ask for groundwater to be scoped in to protect our drinking water supplies and rivers.

Suggested Council Response

Councils should suggest that they are very concerned that effects on groundwater have been scoped out of the EIA (Table 10.7 and Table labelled 10.4, though it is in fact in Chapter 11). Groundwater supplies drinking water not only for the local area but also outside areas. It supplies baseflow to the local rivers. Any activities which might result in pollution of groundwater need to be carefully monitored and controlled. This is recognised by the Environment Agency, who have designated most of the Lime Down Area as a Source Protection Zone. IGP claim that “any potential impact pathway would be removed by adoption of good practices pollution prevention techniques that will be secured by the Construction Environment Management Plan (CEMP).” The Planning Inspectorate guidance on EIA for NSIPs Advice Note 7, Section 5.11, gives 9 tests before an environmental matter can be scoped out:

1. Is there an impact pathway from the Proposed Development to the aspect/matter?
2. Is the aspect/matter sensitive to the impact concerned?
3. Is the impact likely to be on a scale that may result in significant effects to the aspect/matter?
4. Could the impact contribute cumulatively with other impacts to result in significant effects to the aspect/ matter?
5. Is there a method of avoidance or mitigation that would reduce the impact on the aspect/matter to a level where significant effects would not occur?
6. Is there sufficient confidence in the avoidance or mitigation method in terms of deliverability and efficacy to support the request?
7. Is there empirical evidence available to support the request?
8. Do relevant statutory consultees agree with the request?
9. Have you had regard to (a) relevant National Policy Statement(s) (NPS) and specifically any requirement stated in the NPS(s) in respect of the assessment of this aspect/matter?

IGP’s single sentence hardly meets these criteria. The CEMP is a vital tool for managing the environmental aspects of the scheme. It can be used when there are routine solutions to routine problems. But it is not an environmental assessment tool. The local groundwater is a regional and even national resource and warrants a full EIA. The risks need to be assessed, presented and discussed, and any mitigation measures proposed should also be subject to discussion and challenge. The EA’s maps classify all Lime Down Areas except Area E as “highly vulnerable” to groundwater pollution.

Councils should ask the Planning Inspectorate to bring all aspects of groundwater within scope of the EIA.

3. Soil and Ground Contamination (Chapter 11)

Background

Related to Chapter 10, Chapter 11 discusses contamination of soil and groundwater (again). As well as the text in the report, a consultant’s “Preliminary Geo-Environmental Risk assessment” is included as Appendix 11.3. IGP want to scope out all consideration of ground contamination and groundwater contamination. They say “No significant effects are expected for ground conditions during construction, operation and decommissioning subject to the implementation of a detailed Outline CEMP”. their grounds for making this statement

are very dubious and open to challenge. The consultants who produced Appendix 11.3 make it clear that they have been given little information about the technical components of the scheme. Though they mention battery storage (BESS) they hardly consider it further. But the BESS is the most likely source of contaminants, both in normal operation and in the event of a fire. Likewise there is no consideration of contamination from substations (often kept clear of vegetation by pesticides) or the effects of leakage from the high voltage cables which will be used to transfer power from the individual areas to the main substation at Hullavington. There is again a very superficial analysis of the groundwater system, which neglects the possibility of fissure flow into the underlying Great Oolite, which is a Principal Aquifer used for water supply.

Suggested Council Response

Councils should say they are very concerned that IGP want to scope out all consideration of ground and groundwater contamination (Table 10.4, though in Chapter 11, p.189). IGP claim “No significant effects are expected for ground conditions during construction, operation and decommissioning subject to the implementation of a detailed Outline CEMP”. Note once again matters which should be in the EIA are relegated to the CEMP. Their grounds for making this statement are very dubious and open to challenge. The consultants who produced Appendix 11.3 make it clear that they have been given little information about the technical components of the scheme. Though they mention battery storage (BESS) they do not consider it further. But the BESS is the most likely source of contaminants, both in normal operation and in the event of a fire. Likewise there is no consideration of contamination from substations (often kept clear of vegetation by pesticides for instance) or the effects of leakage of cooling fluid from the high voltage cables which will be used to transfer power from the individual areas to the main substation at Hullavington. The values used to populate the significance matrix table (11.3) are all unsubstantiated judgements without any evidential basis being shown. Even they are not consistent. For instance, considering controlled waters (11.14.18) the sensitivity should be “high” (a public drinking water supply Table 11.1). IGP give it as moderate to high (11.4.11) without any justification. By the time impact matrix is being calculated (11.4.18) this has declined to “medium” (even the terminology is not consistent). The *impact* should arguably be “high” as well for some of the substances (Table 11.2). IGP give it as “low to medium” (11.4.11) without justification. By the time the impact matrix is calculated (11.4.18) the impact has somehow morphed into “negligible”. Thus what should be High- High and major significance has become medium – negligible and thus minor significance and scoped out. Similar critiques could be made of other arguments in the whole chapter.

Councils should say that no justification has been provided for taking ground and groundwater effects out of scope and request that they should remain in scope.

4. Increased Silt, Sediment and Nutrients and Accidental Chemical Spills due to Construction (Chapter 11)

Background

Construction will involve 2+ years of heavy vehicle movements on site. Due to the delicate nature of the soils, there is the obvious risk that silt and sediment will be washed into the rivers, with devastating effects on ecology and flooding too. IGP recognise this, but want the issue dealt with through the CEMP rather than the ES. This issue needs the scrutiny of the EIA, rather than leaving the Developer to come up with an unsupervised “plan”.

Suggested Council Response

Suggested text for Councils: "Construction will involve more than two years heavy vehicle movements on site. We know the soils are delicate and prone to waterlogging and erosion. There is the obvious risk that silt and sediment will be washed into the rivers, with devastating effects on ecology and flooding too. Though IGP recognise this, they want the issue dealt with through the CEMP rather than the ES (Table 10.4, though in Chapter 11, p.189). We feel this is inappropriate. A major environmental effect should be dealt with through the environmental assessment process. The Planning Inspectorate guidance on EIA for NSIPs Advice Note 7, Section 5.11, gives 9 tests before an environmental matter can be scoped out. IGP have not attempted to address any of these tests, and vague references to a "plan" do not allow us to assess whether any of them have been met, except that the response to Test 8 "Do statutory consultees agree with the request" is clearly "no" in this case. We would like an assessment of these issues and the methods proposed to counter them within the EIA process."

5. Impacts on water quality during operation (Chapter 11)

Background

IGP want to scope out any effects of operation on water quality, and deal with them with a CEMP. Exactly the same considerations apply as in (3) and (4). These are potentially serious environmental impacts and should be dealt with in the EIA. Likely sources of contamination are accidental spills, chemicals used in the substations, leakage of cable cooling fluids, leakage of battery chemicals, and particularly the contamination that could result from a fire at the BESS.

Suggested Council Response

IGP want to scope out any effects of operation on water quality, and deal with them with a CEMP (Table 10.4, though in Chapter 11, p.189). As for (4), we feel that a major environmental effect should be dealt with through the environmental assessment process. The Planning Inspectorate guidance on EIA for NSIPs Advice Note 7, Section 5.11, gives 9 tests before an environmental matter can be scoped out. IGP have not attempted to address any of these tests, and vague references to a "plan" do not allow us to assess whether any of them have been met, except that the response to Test 8 "Do statutory consultees agree with the request" is clearly "no" in this case. Likely sources of contamination are accidental spills, chemicals used in the substations, leakage of cable cooling fluids from the cables connecting the sites as well as the 400 kV cable to Melksham, leakage of battery chemicals, and particularly the contamination that could result from a fire at the BESS. These are hardly mentioned in Chapter 11. IGP says (Table 10.4, though in Chapter 11, p.189). "Surface water runoff from the BESS will be subject to treatment using suitable SuDS prior to release into the receiving water environment..." But SuDS is concerned with water volume, not water treatment. This very basic mistake indicates that a full and transparent EIA is essential and IGP cannot be safely left to produce a viable plan without any scrutiny.

We therefore ask the Planning Inspectorate to bring all impacts on water quality during construction into the scope of the EIA.

6. Air Quality (Chapter 17)

Background

Air quality effects will be largely due to traffic and unlikely to be significant. There is one exception, which is toxic gas emissions in the event of a fire at the BESS. This is actually scoped in, but in 17.5.12 it is restricted to NO_x and particulates, whereas in 17.6.3 “other relevant pollutant concentrations” is added. The “other relevant pollutant concentrations” should clearly include emissions of toxic gases which are known to come from BESS fires, notably hydrogen fluoride (HF). Literature suggests that for the BESS the size proposed for Hullavington, HF emissions would be between 20 and 200 tonnes in a fire. Even 20 tonnes of gas is a lot – about 22,400 cubic metres. So Councils should ask consultees to make sure they ask for HF and maybe other pollutant gases if the BESS is an issue for them.

This is an alternative to what should really be happening – that the Health and Safety Executive does an assessment under the Control of Major Accident Regulations (COMAH) 2015 of this BESS or of BESSs in general. The HSE refused to do this for Sunnica, probably under political pressure. But it may be worth trying again.

Suggested Council Response

We welcome the recognition that: “In the event of an accidental fire incident of the BESS, there is potential for a significant short-term increase in toxic gas emissions and particulate matter concentrations at nearby sensitive receptors. Therefore, an air quality assessment in the event of a BESS fire will be scoped in to predict NO_x, particulate matter, and other relevant pollutant concentrations at nearby sensitive receptors and, if necessary, determine mitigation measures.” (17.6.3). We think that the “other relevant pollution concentrations” should explicitly include hydrogen fluoride (HF), a very toxic gas known to be a principal product of BESS fires.

It would be better, however, if the Health and Safety Executive performs an assessment of the BESS under the Control of Major Accident Regulations 2015 (COMAH). We are advised that the Scheme easily meets the criteria for inclusion. This would provide residents with the reassurance that the issue would be looked at thoroughly and professionally

There is also some ambiguity in the description of what the assessment will contain. 17.6.4 says “It is proposed for construction vehicle emissions to remain scoped in for further assessment until traffic data becomes available at the PEIR or EIS stage”. However, the Scoping Table 21.1 at the end of the report has these emissions scoped out. This needs to be clarified. There seems no justification for dust emissions to be scoped out.

We therefore ask the Planning Inspectorate to specify that the effects of a BESS fire be examined by the Health and Safety Executive under the Control of Major Accident Regulations 2015. If this is not done then the concentrations of HF and other relevant pollutants in the event of a BESS fire should be modelled. We also ask that construction vehicle emissions during construction, operation and decommissioning should remain scoped in.

7. Agriculture and Soils (Chapter 20)

Though there are important issues here, in terms of scoping this a very professional and thorough chapter, in contrast to some others, and nothing is scoped out. Representations can therefore be left for later.

Action – none recommended.

Chairman of Sherston and Surrounding Parish Councils

Via Email

Wednesday 31 July 2024

Dear Sirs

Re: Impact on Housing Market, Values and Demand– Lime Down Solar Proposal

I write following the publication on July 16th of the Environmental Impact Assessment provided by Lime Down Solar and in particular, referencing their statement that there is no evidence to suggest there is an impact on house values or demand in the area. The report specifically states:

18.5.2 Impacts on property value are proposed to be scoped out of any stage of the assessment due to these matters being very unlikely to be significantly affected by the Scheme. This is as there is little conclusive evidence that property value is significantly affected by the development of utility scale solar farms or that any negative effect is felt over a large area.

As a leading Estate Agent, owning and running James Pyle & Co, we are located in the midst of the proposed development area, we mainly let and sell village and country homes within the Sherston adjoining parishes. I can categorically confirm and provide significant written evidence to counter this statement, confirming that this proposal is significantly affecting our market, both in terms of the prices being achieved and deterring buyers from considering this area as a suitable place to live.

- Since the announcement was made earlier this year, we immediately had buyers withdraw from the purchases of the last two remaining new build barn conversions, named **Grain Store Barns located at Pig Lane, Farleaze**. We initially salvaged these sales as it was rumoured the adjoining land was being withdrawn from the scheme. Eventually both sales concluded but we our developer client had to renegotiate the prices down to compensate by 10%. (Prices were originally £750,000 plus and the net prices were below £700,000)
- We had introduced a buyer to purchase a **significant country house** in the same vicinity for over £4m. Upon the announcement of Lime Down, they immediately withdrew their interest.
- We are aware that **Fosse Lodge, Grittleton** should have been marketed for around £2m. It was subsequently discounted due to Lime Down and sold around £1.5m
- **Manor Barn Foxley**. Marketed at £1.5m – now sold and completing at a discount due to Lime Down at £1.35m

jamespyle.co.uk interested@jamespyle.co.uk

COTSWOLD & COUNTY (HEAD OFFICE)

The Barn, Swan Barton, Sherston SN16 0LJ

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121 Park Lane, Mayfair W1k 7AG

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- Viewings and sales in Sherston village parish **down 80%** by comparison with last 5 years despite market improvements in 2024.
- On a daily basis, we have buyers telling us they no longer wish to search in the Lime Down affected area, choosing to search in the Tetbury, Malmesbury and Gloucestershire area. We have countless evidence of these conversations on record.
- Similarly, we have substantial evidence of viewing cancellations and viewing feedback citing Lime Down as the reason they are no longer interested in pursuing properties in our area.
- We would conclude that all values in Sherston and its surrounding parishes have been affected by the impact of the Lime Down Solar proposal in all price ranges. We would consider that the 'premium' (at least 10% over Malmesbury and Tetbury prices that has always been obtained previously), has now been lost and in order to overcome the issues the LD Proposal (where possible), house prices will need to be below their true market value in order to be attractive to the buying public.

The impact on the Lime Down Area proposal has had significant effect on the market place, witnessed by a downturn in sales, lower prices being realised and an impact on not only our business, but upon the lives of those trying to sell their homes who have needs to move, whether that be downsizing, ill health or upsizing.

We therefore would like to make a strong objection to the Lime Down Proposal in its current form and scale, in order to safeguard the desirability of our area and countryside and reduce the impact on owners needing to sell their homes and move, downsize or upsize in the community.

Yours sincerely

James Pyle MNAEA MARLA

Director

James Pyle & Co

Private and Confidential.

4th August 2024

Chairman of Sherston Parish Council



Dear Sirs,

Re: Effect of the proposed industrial solar complex “Lime Down” on the local housing market – and the further long-term implications of this

I am writing to directly challenge the statement outlined in the Environmental Impact Assessment scoping document provided by IGP in July which states that there is no evidence to suggest there is an impact on demand for property or on residential house values in the surrounding area.

The statement contained in section 18.5.2 indicates that housing prices and demand will not be “scoped in” as there is likely to be very little or no impact by the proposed industrial development.

In my capacity as a property buying agent located within the heart of the proposed development, I have been acting for buyers for the past eight years.

Established 40 years ago, since when it has focused on the Cirencester area, Stacks is the oldest buying agency in the UK, I am retained by several local, national and international clients to find and secure property; many of these clients have focused on areas in and around Sherston, which is one of the most sought-after villages in Wiltshire. It is recognized for offering all the critical elements that buyers are looking for, including a good school, an excellent shop, and a highly regarded doctors’ surgery all operating within a thriving community.

The villages in and around Sherston also offer excellent access via the M4 to both Bath and Bristol as well as frequent train links via Kemble and Chippenham to London. It has been well documented via articles in national Newspapers that this area is considered a “prime” spot.

Since the initial suggestion of a solar development, I have had buyers withdraw from transactions directly as a result of the proposed plan. This includes the purchase of a house near Arlington, from which my buyers withdrew on the basis that one of the

**Stacks Property Search for
Bath | Cheltenham | Wiltshire
South Gloucestershire &
South Oxfordshire**

Fosse Farm | Norton
Malmesbury | SN16 0JY
t: [REDACTED] | m: [REDACTED]
e: [REDACTED]@stacks-fuller.co.uk



proposed cable connections to Melksham was very close to the house. They withdrew at exchange having completed legal work and having completed a survey.

Other buyers have withdrawn from a purchase in Willesley on the basis that the impact on access from junction 17 of the M4 could be affected for many years, and they felt that resale value would be compromised.

I also have a buyer that was considering the purchase of a house in Alderton, which again they have decided against due to the proximity of the solar development, likewise a house near the centre of Sherston, was also rejected on the basis of the threat of the solar industrial scale development.

I have a client in Foxley that has lost buyers as a direct result of the development and has had to reduce the value significantly in order to secure a sale.

The effect overall is that numerous clients have redefined their search areas to take out purchasing anywhere between Malmesbury and Melksham. This has also impacted purchases as far afield as Lacock and is a consideration for buyers towards Tetbury.

In the case of a listed house near Alderton, I initially viewed the property with clients when the off market price, this has since had to be discounted by some 40% from the off market guide.

Other international buyers have been considering the purchase of a highly valuable home within the proposed development and have immediately stated that they would not consider this at all due to the proposed plans. This is also the case with another very valuable house that is located within the midst of the proposed Lime Down development

The scale of the development means that when buyers arrive at Junction 17 they will have to drive through endless fields of solar panels. It is this industrialisation of the landscape that will have a long-term impact and a negative effect on housing demand and prices for many years to come. It will also mean that the community that people strive for will be destroyed forever.

The direct result to me is a significant loss of income which has a significant impact on my turnover and my ability to maintain the two people who work with me.

I am strongly opposed to the Lime Down development for both the personal impact it has on my house price which I believe will be reduced by some 35%, together with the effect it is having on prices locally, and hence on my business.

I urge you to insist that the effect on house values and moreover on demand both locally and further afield along the cable route and surrounding area is brought into the scope of investigation for submission.

Many thanks

Yours sincerely,

Craig Fuller
Director

Great Somerford (incorporating Startley) Parish Council.

Response to consultation on Limedown EIA.

Planning Inspectorate Ref: EN010168.

Prepared by T.R.Sturgis, vice-chairman with responsibility for planning. 14th August 2024.

These comments are made solely in response to the developer's scoping EIA. sent to PI on 16th July 2024.

Issues

Communications, when part of the site is within the boundary of Great Somerford.

Extension of study areas for Flood Risk and Groundwater.

Communications

The Parish Council were concerned there appeared to be poor communication with the Parish Council and the community. Inadequate publicity for the pre-application consultation for a major development, with part within their parish boundary, and the likely increase for flood risk in the village and more frequent flooding of access roads.

The Parish Council requests;

- Great Somerford (Incorporating Startley) Parish Council is registered as a consultee with information sent to. Helen Wallace. clerk.gspc@gmail.com.
- Wessex Water, who have treatment plant on the disused railway line serving Great and Little Somerford should be included as Statutory Consultee. Infiltration to the main pipes serving Little Somerford have infiltration from flood water.

Hydrology, Flood Risk and Drainage.

The author, landowner and farmer within the parish, raised his concerns on the potential increase of flooding on farmland and on roads within the Parish and the immediate surrounds as many access roads are regularly flooded being in Flood Zone 3, at the meeting at Seagry on 10th. April 2024.

The response received on 17th April, stated,

“ there will be a concept strategy for managing site run off during the operational lifetime of the development, inclusive of resilience to climate change. The strategy will describe the measures that will be put in place to manage run off to ensure no contribution is made to flood risk on neighbouring lands.

However we appreciate that every site is different and will be looking at additional drainage and flood risk mitigation, we could include as part of the proposals. An example of this would

be the inclusion of boundary drainage features, such as swales, to capture site run off in response to heavy rainfall events, providing for storage and encouraging infiltration of this water. Promotion of wetland habitats is also being considered as part of our approach to delivering biodiversity net gain, which would be another means of reducing flood risk, while supporting local aquatic and avian life."

Mitigation measures above give little comfort to residents of Great Somerford. There is no certainty in the statements "inclusion of swales to provide storage and encourage infiltration.inclusion of wetland habitats another means of reducing flood risk." Without scrutiny of full details these may only provide flood risk reduction within the site, not downstream of the site.

Unlike other large scale sites, the drainage/ runoff from these individual sites in different catchment areas, with large variation in soil complexes from free draining Sacrewell/Badsey to poorly drained clays Fladbury/Thames, which can be seasonally affected by groundwater and flooding, is extremely complex.

In addition to the data on the complex soils on each individual site and around the catchment areas of the three main tributaries it will be necessary to have data on;

Victorian underdrainage, modern tile and perforated plastic pipe systems with or without permeable fill, as these increase the infiltration rates and can lower groundwater levels. Any damage to these systems particularly on main pipes, leading to outlets, by panel fixings, cable laying and other works disturbing ground could increase waterlogging and subsequent surface run off.

The current capacity of the tributaries in the catchment areas and their reduction due to cut backs in maintenance by landowners and the similar cut backs on the River Avon by the Environment Agency.

Recent drainage improvements carried out on other infrastructures, railways. motorways and local highways, discharging into the River Avon in this area.

The Parish Council has concerns any increase in flow from the Rodbourne Brook will result in the C82 south of the railway line and of increased flow from the Gausebrook Brook will make this road impassable, north of the railway line. For a number of years this road has been the only exit from the village as other roads have been flooded with no routes clear to Dauntsey, Little Somerford or Seagry. (Appendix A.)

The Parish Council recommends the scope for the Flood Risk assessment includes the cumulative effect, of two tributaries from the site to the River Avon, which defines the depth of water on the C82 access road to Great Somerford.

In considering downstream effects the recent increases in speed of run-off following mitigation measures to protect M4, Network rail embankment and main roads should be included.

The Parish Council requests the Planning Inspectorate to extend the study area for Flood Risk to include the river Avon Catchment area down to the Bridge over the River Avon close to the Dauntsey Great Somerford boundary. There could be significant risks to increased flooding on the access roads serving the village of Great Somerford from the Rodbourne Brook, Gauzebrook and the River Avon.

Groundwater.

Great Somerford Parish Council also have concerns leaving Groundwater in the Construction Management Plan scoped out of the EIA considering the large amount of below ground engineering works, which could change stream flow in dry weather and the damping down of flood peaks. The risks need to be assessed, presented, and discussed with any mitigation measures should also be subject to discussion and challenge. Groundwater should be scoped in to protect our water supplies and the rivers.

Conclusion.

The EIA should **include**;

Great Somerford Parish Council and Wessex Water as consultees.

The catchment areas of the Rodbourne Brook and the Gauzebrook from the site to the River Avon in the FRA. Extending the study area in Fig.10.1 to include the River Avon, Gauzebrook and Rodbourne Brook.

Groundwater in Table10.7

Appendix A. Access Roads around Great Somerford including Startley.

C66. Running due north from the village to Little Somerford and then connection to B4042.

Has regularly flooded with flood water from River Avon flowing from underpass in disused railway line to the west across the road under the raised footway. The depth of water from this source has been mitigated now the underpass has been restricted with an earth bund.

The flooding now comes from the River Avon downstream of the crump measuring weir backing up the watercourse, which crosses the road in culvert with white rails. This water course carries a large amount of runoff from C66 and developments along the west side of the road.

Flood water under the railway bridge can be impassable for cars after heavy rain and recently there has also been flooding close to the church.

C66 South from the centre of the village

Has regularly been flooded in different locations mainly between Seagry and Sutton Benger. The flooding by the tributary close to Sutton Benger appears to have been mitigated by a relief pipe to the south of the bridge.

C45

This has regularly flooded from the Mile Stone back to the boundary of Home Idover Demesne Farm with the Business Park formerly part of Little Smithcot Farm and has been flooded for a number of days each time.

February 2024 the Brinkworth Brook flooded over the road both sides of Somerford Bridge with fast flowing water. On these occasions the flood waters receded in a number of hours and the road was passable at this point for all vehicles.

There has been further flooding immediately south of the railway bridge, which clears slowly due to reduction in pipe size between network rail pipe work and highway pipes.

(The author lives close to this area and it is noticeable the Brinkworth Brook rises and falls much quicker even after small amounts of rain once the surrounding land is at capacity. The flood meadows upstream of Somerford Bridge do not take the volume of water they did 50 years ago.)

C77 To Dauntsey

This regularly floods from the Great Somerford Parish Boundary to the River Avon. There has been one noticeable change this year that water to the north of the road from parish boundary to the level crossing on the disused railway line now backs up in both roadside ditches, This may be as a result of restricted flow in culvert on parish boundary.

There is deeper flood water beyond the Old Rectory, this clears as the river level drops.

Both of these sections on C77 are impassable to most cars.

C77 To Startley

This has flooded for many years within the village from Manor Stables to Shiptons Lane. Works done in the last two years have reduced the length of time this section is impassable and it is hoped planned further works will mitigate the depth of flood water.

Localised flooding has also occurred in the last two years in Shiptons Lane and Hollow Street. This occurs when flood water from the Rodbourne Brook backs up the ditch in the lane to the river meadows.

C 82 Startley to Malmesbury.

This has flooded south of the railway bridge when the Rodbourne Brook flows over land and north of the railway by Rodbourne Rail Farm when Gauzebrook floods over land. In February this year the roadside ditch on the west side of the road running north was spilling out into the road with field run

off containing some silt/sediment, which appeared to originate close to the boundary of the solar area, whether from surface field runoff or through permeable soils.

The author has been collecting information for the Great Somerford Flood Plan and it is clear all the tributaries in the Parish flowing into the River Avon do cause more flooding on these roads now they appear to peak more often and faster than in the past when the land is at field capacity or at times following drought conditions leaving baked surface soils.

South Wraxall Parish Council

Mrs. M.S. Carey
Clerk to the Council

Tel: [REDACTED]



Our ref: BW/MC

8th August 2024

Todd Brumwell
Planning Inspectorate

Dear Sir,

Lime Down Solar EIA scoping document

The South Wraxall Parish Council would like to raise the following points

Whilst not opposed to the principle of the development of solar farms in line with the National Planning Policy Framework, this Council is increasingly concerned at the concentration of solar farms, battery storage and associated infrastructure in Wiltshire. Some villages are now completely surrounded by solar farms and their continued concentration represents a significant cumulative impact and industrialisation of the countryside. Wiltshire Council therefore calls on the Secretary of State for the Department of Levelling Up, Housing and Communities to define more closely what is meant by “cumulative impact” regarding solar farms and to take clear steps to ensure that solar developments are more evenly spread across the UK and not concentrated in specific areas effectively industrialising the countryside.

Since the motion was passed there has been a ministerial statement which goes some way to ensuring that the “cumulative impact” of greenfield solar facilities is a valid factor to take into account when considering such applications whether that is by Wiltshire Council in the case of Red Barn and Great Chalfield or the Secretary of State in the case of Lime Down.

Yours faithfully

[REDACTED]

Margaret Carey
Clerk to South Wraxall Parish Council

St Paul Malmesbury Without Parish Council formal response to Lime Down Solar Park EIA, document Ref:EN010168

This is the formal response of the St Paul Malmesbury Without Parish Council (SPMWPC) to the proposed Lime Down Solar Park development. It has been prepared specifically to respond to the applicant's submission of a scoping EIA (Environmental Impact Assessment) document to the Planning Inspectorate dated the 16th of July 2024.

1. The Applicant should Scope In the effects of run off rainfall and its potential to cause flooding beyond the Application site as a result of a substantial part of the 2,000+ acre site being covered by impermeable solar panels. The Applicant should Scope In run off into the main River Avon, and the parts of the Gauzebrook that affect Corston because of local concerns that flooding already occurs which with additional run off could overwhelm the Gauzebrook in this area. Given the proximity of the Hullavington Sewage Works any substantial increase in the water level could carry sewage into Corston. The Applicant should scope In assessments of Sustainable Drainage Systems (SuDS) to identify whether SuDS could assist those communities that could be affected by increased flooding outside of the boundaries of the Application site.
2. The Applicant should specifically Scope In within Chapters 10 and 11 the impact of run off on the important water aquifers that sit beneath the site and contain large and regionally important sources of drinking water for the locality and well beyond. This should include the major aquifer by Rodbourne Rail farm. This Scoping In should cover both the construction and operational phases of the whole Lime Down scheme. SPMWPC contend that it is insufficient for the Applicant to rely on good practices solely referenced within the Construction Environment Management Plan (CEMP) as the CEMP is not an environment assessment tool.
3. The Applicant has not made it clear which local roads are Scoped In therefore SPMWPC request that all local roads around the villages of Rodbourne and Corston are included, not only in the construction phase but also during on-going maintenance and decommissioning. The proposed route through Rodbourne is a single track road not designed for large vehicles and is frequently used by pedestrians, cyclists and horse riders.
4. The Applicant has only considered glare in relation to humans, however this problem will also affect livestock, particularly the very adjacent facilities focussed on high value horse rearing in site E and parts of site D. Furthermore the fact that the panels rotate to follow the sun exacerbates the problem to livestock because the noise from the motors is likely to produce additional agitation to these high value animals and hence negatively impact the businesses involved. This factor needs to be Scoped In.
5. The Applicant should Scope In within the LVIA (Landscape and Visual Impact Assessment) the impacts on the "settings" of Historic Assets as well as the impact on the Assets themselves.
6. The Applicant should re-examine the selection of LVIA viewpoints to ensure they are representative of the true visual impact of the scheme. From limited sampling it would appear to SPMWPC that some viewpoints minimise the visual effects of the development.
7. The Applicant should Scope In the effects of the development on all Protected Species, such as slow worm, dormouse, grass snake, and not just those species currently identified.
8. SPMWPC request that the Applicant Scopes In the suitability and ability of the local emergency services to respond to damage or fire to the Battery Energy Storage System (BESS). Given the vast size of the BESS any fire related incident is likely to spread very rapidly and could quickly develop into a major incident. The station at Malmesbury is part-time and is likely to require additional manpower and training in these types of emergencies, as would the full-time station at Chippenham. Furthermore, the impact upon air and soil quality and ground water contamination in the event of an incident at the Hullavington BESS should be Scoped In.

7 August 2024

The Planning Inspectorate

By Email: limedown@planninginspectorate.gov.uk

Dear Sir/Madam

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Sutton Benger Parish Council is not antisolar but we do support solar in proportion around the country and in the right places – we do not feel that this development meets these criteria, for example: Wiltshire has already met its 2030 carbon neutral of 500mWh by currently producing 827mWh.

We recognise that this is a very complex overly long, technical, scientific and policy led document. However, as a team of Councillors with engineering, scientific, farming, commerce and civil service experience we have commented to the best of our combined experience on the scoping consultation, especially with regard to significant omissions, as follows:

1. Cumulative Effect of the scale of the development.

This is of considerable significance in the case of Lime Down. Whilst presented as a single NSIP by IGP it is, in effect, six projects (the underground powerline joining Lime Down to Melksham, plus areas A, B, C, D and E). Each of these six projects would qualify as NSIPs in their own right. It is the massive cumulative impact of IGP's proposals that singles it out from other Solar Park applications and justifies scoping into the EIA.

Government policy and legal precedent support our position on this. The Government's NPPF states that planning authorities should take into account the cumulative impacts from individual sites and/or from a number of sites in a locality.

2. Habitat Loss and Fragmentation

Large-scale solar farms require extensive land areas, which can lead to the clearing of trees and vegetation and the displacement of wildlife. This habitat disruption can have significant consequences for local biodiversity, potentially threatening species that rely on the affected areas. The document identifies impact on 138 conservation areas.

3. Soil and Water Resources

Construction and maintenance activities can lead to soil erosion and compaction, affecting soil health and lead to an increased risk of flooding and water contamination.

4. Microclimate Changes

The installation of extensive solar panels can alter local microclimates by changing surface albedo (reflectivity) and temperature.

5. Chemical Use and Pollution

Solar panel manufacturing and maintenance may involve the use of chemicals that could contaminate soil and water if not managed properly. This includes potential leaks or spills of coolant fluids, cleaning agents, or other chemicals used in panel upkeep.

The projected lifespan of the site indicates that both solar panels and batteries will have to be replaced at least once during the life. There are still many unknown factors regarding the disposal and recycling of these components.

6. Impact on Wildlife

The development will have an impact on dormice, which are a protected species. Birds and insects may be affected by the presence of solar panels. Birds can sometimes mistake reflective panels for water and collide with them. Insects attracted to the heat or light emitted by the panels can also be impacted, potentially disrupting local ecosystems.

7. Land Use Change

Converting agricultural or natural land to solar farms can alter the landscape significantly, potentially reducing land available for farming or conservation. This change can affect food production and natural land reserves.

8. Noise and Light Pollution

During construction and maintenance, solar farms will generate noise and light pollution, which will disturb local wildlife and human populations. Nighttime lighting for security will disrupt nocturnal animals and contribute to light pollution.

9. Public Rights of Way

The proposal impacts multiple footpaths, byways and long distance paths (Cotswold Way, McMillan Way), which will deter walkers from using this area and impacting the local economy.

10. Landscape

The Cotswolds and Avon Vale are described in the document as areas of “open and expansive landscape”. Clearly 2000 acres of 4.5m high solar panels is a complete anathema to this description. There is no assessment of the impact to archaeological remains during the operation and decommissioning phases.

11. Property Prices

There will be a detrimental impact on property prices, despite the report’s claims that they are “*very unlikely to be significantly affected by the Scheme*”.

SUTTON BENDER PARISH COUNCIL

www.suttonbenderparishcouncil.gov.uk

Mitigating these effects requires careful planning and implementation of best practices, such as choosing less ecologically sensitive sites, employing wildlife corridors, using less water-intensive cleaning methods, mitigating the impact on the local economy through reduced tourism and implementing effective waste management and recycling programs for old panels. Additionally, integrating solar development with agricultural activities (agrivoltaics) can help balance energy production with environmental conservation and local land use needs.

Sutton Bender Parish Council would further we want to ensure that we can achieve the absolute best environmental solution and outcome for our community, especially with regard to:

- a) **No Traffic Impact** within our parish - all construction and commuter traffic is to avoid our roads,
- b) **Financial Compensation** should be available to the local community, through grants or infrastructure improvement which recognise the loss of environment that we will suffer,
- c) A Publicly accessible nature reserve, benefitting both locals and nature,

Yours sincerely

[REDACTED]

Linda Roslyn
Clerk to Sutton Bender Parish Council

✉ parishclerk@suttonbenderparishcouncil.gov.uk | ☎ [REDACTED]

(I am in the office Monday and Wednesday mornings only)



UK Health
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Your Ref: EN010168
Our Ref: 67416 CIRIS

Ms D Glassop
EIA Advisor on behalf of the Secretary of State
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

8th August 2024

Dear Ms Glassop,

**Nationally Significant Infrastructure Project
Lime Down Solar Park EN010168
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.

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.

Human Health and Wellbeing - OHID

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

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>

Having considered the submitted Scoping Report, OHID wish to make the following specific comments and recommendations.

Baseline health data

The scoping of mental health into the assessment is welcome given the potential for community anxiety from such a scheme and initial data regarding suicides within Table 19.1 Health Profile of Local Authority Areas and England. Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life. A scheme of this scale and nature has impacts on the over-arching protective factors, which are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion

The ES should provide additional local data on wider public mental health, to that which is currently contained within Table 19.1. It is noted that the local public health team will be contacted (para 19.4.17) to supplement desk-based findings.

Health baseline data should be sufficiently granular to represent local communities' health baseline and sensitivities, currently only local authority level data is provided. Data at least at ward level should be provided where available.

Effective and meaningful community engagement will be important in understanding community anxiety and also as a potential mitigation action. Community responses can be a useful source of information.

Recommendation

Advice should also be sought from the local public health team on additional local data.

The baseline data should include mental health and wellbeing data. When estimating community anxiety and stress in particular, a qualitative assessment may be most appropriate. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises. Robust and meaningful consultation with the local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures.

Health baseline data should be reported at appropriate geographic scale to represent local communities, e.g., at least ward level data where available.

Yours sincerely,

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

From: [Ann-Marie Wood](#)
To: [Lime Down Solar](#)
Subject: EN010168 - Lime Down Solar Park EIA Scoping Report - REVISED Wessex Water Consultation Response (WW REF ST88SE/ 70)
Date: 24 July 2024 09:52:47
Attachments: [image001.jpg](#)
[image002.jpg](#)

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Dear Sirs

RE: Lime Down Solar Park EIA Scoping Report – Wessex Water Consultation Response

This response supersedes previous Wessex Water Consultation Response.

Please disregard my previous response sent (Tuesday 23 July 2024), I have now amended the response to include figure 1 and 2 referred to in our comments, omitted error from our previous response, and Wessex Water's current position statement with regards to Solar Farm Developments.

Proposal

The developer Island Green Power, is proposing a new utility-scale solar (large, feeds directly into the grid) and battery energy storage project at Lime Down, North Wiltshire. It will provide 500 megawatts (MW) of renewable solar power and will be built across 5 sites – 857 ha agricultural land (sixth site at Melksham – Battery Energy Storage System). As the proposals exceed 50 MW they are classified as a Nationally Significant Infrastructure Project (NSIP).

The development consenting regime for a NSIP comes under the Planning Act 2008. To gain permission to build and operate the solar park they need to apply to the Planning Inspectorate (rather than the local planning authority) for a Development Consent Order (DCO).

In the case of energy related NSIPs, the Planning Inspectorate acts on behalf of the Secretary of State for Energy and Net Zero. The Planning Inspectorate examine the application and make a final recommendation to the Secretary of State on granting consent. The Secretary of State makes the final decision.

Wessex Water interest

The Proposed Lime Down Solar Park (Figure 1) lies within the Environment Agency (EA) designated Source Protection Zones (SPZs) 2 and 3 of several strategic Great Oolite groundwater sources owned and operated by Wessex Water (Figure 2). The most pertinent source in terms of this proposal is Rodbourne. This source (licence no 17/53/01/G/410) is licensed for abstraction at up to 13 Ml/d (million litres per day) and 5200 Ml/year. There are also a number of private groundwater supplies in this area.

The boreholes abstract water from the Great Oolite aquifer which lies beneath the Forest Marble in this area.

The precise recharge mechanisms for the Great Oolite aquifer are not well understood. However, we are cautious of any assumption that activity on the landsurface of the Forest

Marble would not impact the underlying Great Oolite aquifer.

We have had pesticide (in particular metaldehyde) detections in Wessex Water's Rodbourne abstraction which we presume come from contaminated water in the Gauze Brook. It is possible that under certain hydrogeological circumstances, pathways from the surface into the Great Oolite aquifer can be created. This appears to be when groundwater levels in the Great Oolite aquifer are low (such as at the end of dry summer/autumn) and surface water flows are high (eg from autumnal storms). Our own investigations into Great Oolite source at Chippenham have highlighted the presence, and the importance of geological faulting in this area in providing preferential flow pathways from the surface to the groundwater.

With that in mind we have some concerns that any polluting substances derived from the development and operation of the Lime Down Solar Park may, under the right hydrogeological circumstances, and the passage of time, reach the Great Oolite aquifer.

We note that the cable corridor search passes through other Wessex Water SPZs and areas of existing Wessex Water Assets. In these areas we would expect the developer to provide the risk assessments outlined below.

Hydrogeological Risk Assessment requirement

In order to come to a view on this development we would require the development of a thorough hydrogeological risk assessment (HRA) of the potential pollution sources arising from this development, and the potential pathways through to the aquifer. The HRA should take into account the latest conceptual understanding of the hydrogeology and the source operation.

The 'source' element should include the risks from all of the infrastructure associated with the Solar Park including panels, cables and supporting structures.

The risks should include the use of buried fluid filled cables if that is part of the proposal.

The HRA should consider the potential use of perfluoroalkyl substances (PFAS) in the cabling, and in the manufacture of solar panels, or at least certain elements within them, and the potential for PFAS to wash off the panels and contribute to surface water flow (Gauze Brook) and groundwater infiltration (to recharge the Great Oolite aquifer). These PFAS substances (of which 48 are currently being monitored for by the Water Industry under guidance from the Drinking Water Inspectorate (DWI)) are very persistent (hence being referred to as 'forever chemicals'). As such, it is important that an HRA should consider the long-term implications of this development on groundwater quality.

The presence of low levels of PFAS in the Rodbourne source (at the lower end of DWI's Tier 1 – 'Low' category) indicates that there is connection with the surface.

Wessex Water response

At present the potential impacts of this proposal are not clear. This is because neither the 'source' issues (what exactly are the potential contaminants), nor the pathways are well understood. In conclusion, **Wessex Water feels obliged to register a holding 'objection'** to this proposed development pending appropriate risk assessments, including a detailed Hydrogeological Risk Assessment (HRA) that considers the above concerns as a minimum.

Figure 1 – Location of Lime Park Solar Park

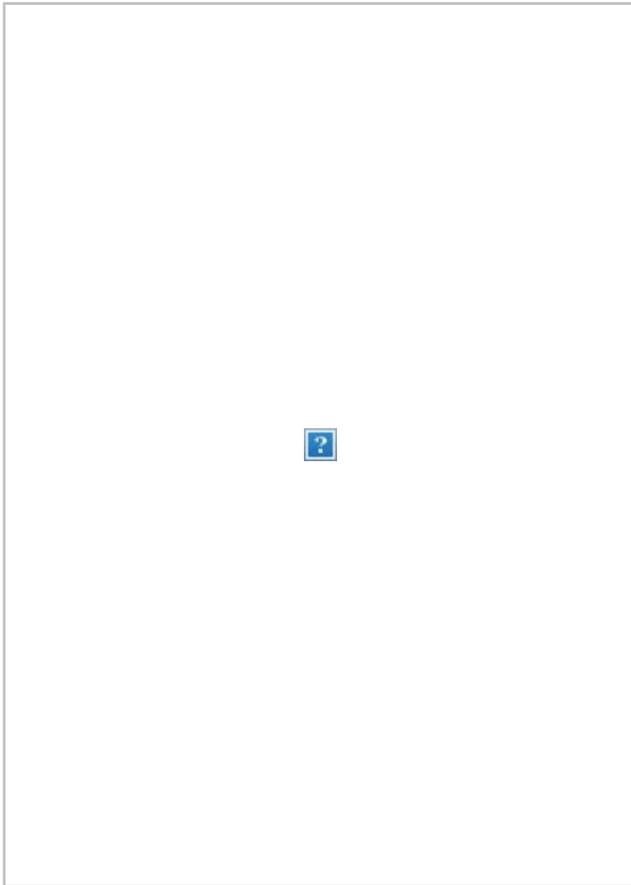
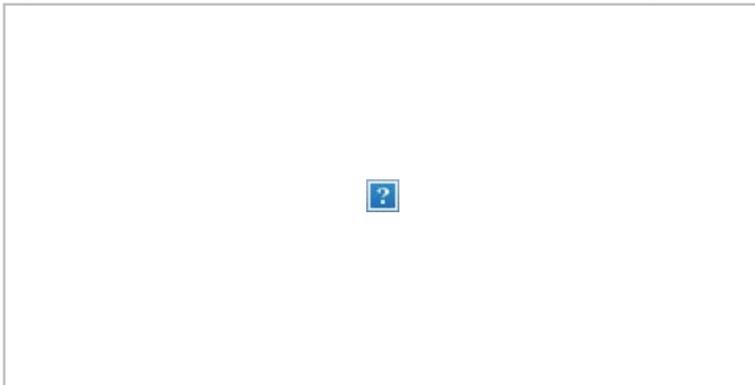


Figure 2 – Source Protection Zones from published Environment Agency data



Wessex Water Position Statement – Solar Farm Development

PFAS (per and polyfluoroalkyl substances) are a large group of highly fluorinated substances with a carbon backbone, produced since the 1940s and known for their beneficial water/oil-repellent and stain/heat-resistant properties. PFAS are used in a wide-ranging set of applications, including solar panel and battery manufacturing and installation. PFAS are found in the coatings on electrical wires, backing panels, tapes and adhesives, and the main concern is the use in anti-reflective coatings (ARC) and anti-soil coatings (ASC) to increase solar panel productivity.

Due to their extreme persistence in the environment, PFAS have been found in water environments around the world including in the United Kingdom. In line with regulations and guidance, the water industry continues to ensure that PFAS and other similar chemicals are minimised in drinking water. As part of this, we want to work with all stakeholders to tackle PFAS at source and minimise the impact of PFAS on our customers.

Wessex Water would like any solar developers to provide documentation verifying that the solar panels and associated electrical equipment used to construct solar parks and battery energy storage facilities do not contain PFAS, including PFOA, PFOS, GenX and PTFE. This will ensure that any risk to the environment, groundwater and drinking water quality is reduced and ultimately protects public health.

Kind Regards

Ann-marie Wood
Planning Liaison Manager
Wessex Water

Claverton Down Bath BA2 7WW

wessexwater.co.uk

These comments are based upon known circumstances prevailing at the time of writing. A review of the contents of this email is required where 18 months or more have elapsed since issue or in the light of significant changes likely to impact upon the response (e.g. changes in development numbers or phasing). Please email review requests to planning.liaison@wessexwater.co.uk

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Wessex Water Services Limited, Registered in England No 2366648. Registered Office –
Wessex Water Operations Centre, Claverton Down Road, Claverton Down, Bath, BA2
7WW

From: [Matthew Shepherd](#)
To: [Lime Down Solar](#)
Subject: FW: Your Ref - EN010168 Our Ref - 24/01529/OOD - Out Of District Wiltshire Area Lime Down, Land Near Malmesbury In North Wiltshire
Date: 07 August 2024 14:59:57

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Dear Sir/madam

West Berkshire District Council has no comment on this matter.

Kind Regards

Matthew Shepherd
Senior Planning Officer
Development & Regulation West Berkshire Council
Market Street, Newbury, RG14 5LD
[REDACTED] |
[REDACTED]@westberks.gov.uk
www.westberks.gov.uk

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From: [Smith, Simon](#)
To: [Lime Down Solar](#)
Subject: Wiltshire Council - EIA scoping opinion consultation response (PINs ref: EN010168)
Date: 14 August 2024 12:29:02
Attachments: [image001.png](#)
[Highway Officer comment \(02.08.24\).pdf](#)
[Landscape officer comment \(07.08.2024\).pdf](#)
[Conservation officer comment \(25.07.24\).pdf](#)
[Drainage Engineer comment \(05-08-24\).pdf](#)
[Ecologist comment \(06.08.2024\).pdf](#)
[EIA Scoping report - schedule of specialist consultee comment - FINAL.xlsx](#)
[Lime Down EIA scoping 24.06760 Wiltshire Council.pdf](#)
Importance: High

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FAO: Deb Glassop

Good afternoon Deb.

As promised, please find attached the comments of Wiltshire Council on the EIA scoping report submitted to PINs by Lime Down Solar Park Limited. In due course, I would be very grateful if you are able to confirm receipt.

Many thanks for the opportunity to comment on this submission.

Kindest regards.

Simon T Smith BA(Hons) MTP MRTPI
Planning Manager
Development Management



[REDACTED]@wiltshire.gov.uk
<https://www.wiltshire.gov.uk/planning-building-control>

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Wiltshire Council Planning Consultation Response

25th July 2024

Helen Garside
Principal Conservation Officer
Wiltshire Council Conservation (Central)

Officer's Name: Simon Smith
Officer's Title: Planning Manager

Application No: PL/2024/06760
**Planning Inspectorate Scoping Opinion for Lime Down Solar Project
Land North of Hullavington, Wiltshire**

Please find following comments in respect of the above application(s).

Recommendations:

<input type="checkbox"/>	No comment
<input type="checkbox"/>	Support in principle subject to amendments to the scheme (as set out below)
<input type="checkbox"/>	Support subject to conditions (as set out below)
<input type="checkbox"/>	Object (for reasons set out below)
<input checked="" type="checkbox"/>	No objections

Scope of comments: the following comments relate to the built historic environment. It is assumed that related issues such as archaeology and landscape will be dealt with separately by their respective specialists.

Policy: From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 (PP) requires that special regard be given to the desirability of preserving or enhancing listed buildings, their settings or any features of special architectural or historic interest which they possess.

Paragraph 58B of the Planning Act 1990 require that in considering whether to grant planning permission or permission in principle for the development of land in England which affects a registered park and garden, the LPA must have special regard to the desirability of preserving or enhancing the asset or its setting.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The NPPF outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance." It is also required that distinctive elements of Wiltshire's historic

environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

Site and assets considered: as set out within the EIA Scoping Report

Proposal: Lime Down Solar Park Project which consists of a major electricity generating station comprising of ground mounted solar array sites and 'Associated Development' comprising of Battery Energy Storage System (BESS), grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance, and decommissioning of the Scheme. Sites affected comprise six land parcels referred to as Lime Down A, B, C, D and E, and Land at Melksham Substation. Five of the parcels are located to the north of the village of Hullavington, approximately 800m to the north of the village at the closest location. The sixth parcel, Land at Melksham Substation is located approximately 160m north of the village of Whitley, near the town of Melksham.

Opinion: I am generally content that the suggested scoping is appropriate in respect of the built historic environment. The Main Report and Appendices provide an appropriate summary of the points that will need to be considered in the Environmental Impact Assessment and should lead to a thorough coverage of the important issues.

My only suggestion would be that Para 12.2 Legislation, Policy and Guidance should also include consideration of the Historic England Advice Note 15: Commercial Renewable Energy Development and the Historic Environment (2021).

Wiltshire Council Planning Consultation Response

05 August 2024

Wiltshire Council Drainage Engineer
Technical Services Drainage Engineer
Wiltshire Council

Application No: PL/2024/06760

Scoping Opinion following a screening opinion

Land North of Hullavington, Wiltshire – Lime Down Solar

Under the Flood and Water Management Act 2010 the LLFA is the responsible 'risk management authority' for managing 'local' flood risk which refers to flood risk from surface water, groundwater and from ordinary watercourses. The LLFA is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. It is in this capacity this response scoping opinion response is compiled.

It is noted that the EA should also be consulted as part of the scoping of the EIA, such that any requirements they have on modelling the fluvial flood risk, managing water quality, and determining any permit requirements are incorporated.

Matters concerning surface water flood risk and surface water management, including water quality, are expected to be adequately addressed at the detailed planning application stage. The applicant is expected to consider how surface water will be managed during all construction stages and may wish to consider through EIA opportunities where this can be achieved and managed consistently at each site.

It is noted that concerns have been raised by Parish Councils on the susceptibility of local villages to combined surface water / groundwater and fluvial flooding, and the EIA should seek to appropriately assess the combined risk of this occurring and demonstrate that the proposals will be appropriate to not increase the risk of flooding elsewhere. In addition to the standard points, we would raise at pre-application stage (included at the bottom of our response below), we would have the following specific points for inclusion in the EIA / disagreements with the Scoping Opinion currently:

- 1) It is stated that the site is within FZ2 and FZ3, but the applicant has stated that they will be reliant on the existing EA Flood Maps (including for Surface Water, the RoFSW maps). Given these maps are not suitable for considering site-specific flood risk (by the EA's own disclaimers), and given the sensitivity of the areas in question for flooding, we would expect detailed modelling to be completed using EA Product 6 Data to more accurately define the risk of fluvial flooding in order to feed into the sequential approach.
- 2) Detailed pluvial (surface water) modelling should be completed using site-specific topographical survey to more accurately define the pluvial flood risk and contribute to the sequential test for the sites. This is important to ensure that all ordinary watercourses, as defined within the Land Drainage Act, are covered by the assessment.
- 3) Flood risk modelling should assess the combination of flooding (i.e. pluvial + fluvial flooding), in order that the sequential test can be demonstrated appropriately. Wiltshire Council datasets / records should be used as part of this assessment.
- 4) It is noted that there are historic issues with groundwater flooding and groundwater levels which will need to be assessed. Groundwater monitoring, to establish the peak seasonal groundwater levels, should be carried out at each of the identified sites for the period of 1 calendar year.

- 5) As part of modelling flood risk, the applicant should provide assessment of any impact to the surrounding catchment area as per the recommendations from Luckington and Alderton Parish Council.
- 6) For the sensitive sites as outlined in 10.4.13, water quality monitoring should be undertaken for (we would suggest) a period of 1 year in order to confirm baseline water quality. The EIA should include a strategy for monitoring water quality at these sites to ensure that there is no detriment, during both construction and the first years of operation.
- 7) The EIA should include clear plans for how pollution risk, both to receiving watercourses and to groundwater (noting the sensitive nature of aquifers which still contribute to wells in the area) will be managed throughout both the construction and operation phases, so that expert opinion can be consulted. These controls should be detailed and agreed up-front rather than through a CEMP to be provided at a later date. This must include consideration of increased silt / sediment, suspended solids, metals, hydrocarbons and chemicals ingress into both watercourses and groundwater. This should also include prevention of accidental ingress (e.g. chemical spills).
- 8) Where the applicant intends to cross watercourses, we would expect the methodology to be included in the EIA. Wherever possible we would expect to see trenchless methods used to minimise impact on watercourses.
- 9) The EIA must consider any proposed changes in ground level, as this could result in catchment transfer, increasing the risk of flooding to some watercourses.

With regard to the proposed surface water drainage strategy specifically:

- 10) A comprehensive scheme to manage surface water runoff from the development must be adopted (WC as the LLFA regards solar panels as impermeable, and managing runoff from the development by gravel tracks and grassland is not considered acceptable).
- 11) Management of runoff from the BESS must be included in the scope of the EIA.
- 12) In line with Wiltshire Council's betterment strategy, we would expect there to be a minimum 30% betterment provided when compared to existing discharge rates. Long-term storage shall be provided to ensure that there is no increase in surface water discharge volumes compared to the existing greenfield scenario.
- 13) Overland flows, including exceedance flows, must be safely managed to prevent an increase in flood risk to people and property.
- 14) The strategy must address the risk of channelised flows from the proposed solar panels creating new overland flow routes and locally increasing flood risk. This must include plans for how vegetation will be managed between the solar arrays.
- 15) Where proposing discharges to ordinary watercourses, the ordinary watercourses must be traced to ensure that there is downstream connectivity and that this is not a ditch with a dead-end for flow.
- 16) Infiltration testing in accordance with BRE365, and Wiltshire Council's Soakaway Guidance must be undertaken to confirm viability of any proposed soakaway features.
- 17) It is noted that the applicant intends to utilise unbound / "permeable" materials to form access roads etc. Due to the compaction experienced during construction and operation, these will still represent an increase in impermeability compared to the existing scenario, and as such should be accounted for within calculations of runoff and required attenuation.
- 18) Our standard requirements for surface water drainage strategies are included below. These should be factored into the EIA in addition to the above specific points.

- Evidence that SuDS have been selected, wherever possible, to provide a wide range of benefits including amenity, biodiversity and maintaining water quality.
- Evidence that SuDS source control measures to manage water quantity and maintain water quality have been implemented wherever possible and throughout the management train so the development is not reliant upon large attenuation features close to the points of discharge.
- Existing greenfield runoff rates for the site.
- Post development runoff rates in accordance with Wiltshire Council's betterment policy:
 - *With regards the control of surface water discharges from new development, Wiltshire Council requires post development discharges from greenfield sites to provide 30% betterment over pre-development discharges for all storm events between the 1 in 1year and 1 in 100year return period events.*
 - *For greenfield development, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event.*
- Evidence demonstrating how the surface water disposal hierarchy has been applied and how all other options have been exhausted. The hierarchy is set out below (as per the Sewerage Sector Guidance, paragraph C.3.12):
 - Surface water runoff is collected for use.
 - Discharge into the ground via infiltration.
 - Discharge to a watercourse or other surface water body.
 - Discharge to surface water sewer or other drainage system, discharging to a watercourse or other surface water body.
 - Discharge to a combined sewer.
- The drainage strategy does not increase flood risk, as a result of catchment transfer.
- A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented.
- If infiltration is proposed, it is implemented in manner that does not create an offsite impact, particularly if there are reports of groundwater flooding in the area.
- Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.
- Existing flood flow routes through the site have been maintained or where they will be affected, adequate measures to intercept and safely control flows through the site have been provided to ensure flood risk is not increased elsewhere.
- All proposed drainage features are outside flood zones 2 and 3 and where they are adjacent to an ordinary watercourse, they are not located within the EA surface water flood maps. Where drainage features are located adjacent to flood zones 2 and 3, they must be above the 1 in 100 year plus climate change flood level. This information can be provided by the EA.
- The strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.
- Measures to prevent pollution of the receiving groundwater and/or surface waters.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds. The plan should show any pipe node numbers referred to within the drainage calculations.

Ground Investigations

- Geotechnical factual and interpretive reports, including infiltration tests in accordance with British Research Establishment (BRE) Digest 365 – Soakaway Design.
- Groundwater level monitoring (taking into account seasonal variations).
- The applicant is referred to Wiltshire Council's [Surface Water Soakaway Guidance](#) for the standards that must be met for planning approval and adoption of infiltration drainage features.

Detailed Drainage calculations

- Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year plus climate change rainfall event.

- Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development.
- Calculations should include an allowance for increased surface water runoff, as a result of urban creep, in accordance with LASOO guidance.
- Hydraulic Models should set the MADD factor / additional storage volume factor to $0\text{m}^3 / \text{ha}$ in order to prevent an overestimation of storage capacity in the proposed drainage network.
- If the drainage model includes runoff from the full site (both permeable and impermeable areas), the default Cv values of 0.75 (summer) and 0.84 (winter) may be used. If runoff is only included from impermeable catchment areas within the drainage model, a Cv value of 1 must be used.
- If attenuation tanks are proposed that an allowance for reduced attenuation volume due to silt ingress (as per Section 21.9.9 of the SuDS Manual CIRIA C753)

Design Drawings

- A plan showing the cross sections and design of any attenuation pond and its components.
- Drawings showing conveyance routes for flows exceeding the 1 in 100 year plus climate change rainfall event that minimise the risk to people and property.

Third party consent

- Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.

Ownership and Management

- Details of how the proposed and existing drainage features on the site will be maintained and managed after completion with confirmation from the relevant authority that they will adopt any systems that are being offered for adoption.

Construction

- Adequate measures during construction to control pollution to existing watercourses and groundwater.

--

Wiltshire Council Planning Consultation Response

ECOLOGY

Officer name:	Naomi Harvey
Date:	06/08/2024
Application number:	PL/2024/06760
Proposal:	Planning Inspectorate Scoping Opinion for Lime Down Solar Project
Site address:	Land North of Hullavington, Wiltshire
Case officer:	Simon Smith

LIME DOWN SOLAR PROJECT LAND NORTH OF HULLAVINGTON ENVIRONMENTAL IMPACT ASSESSMENT SCOPING REPORT AUGUST 2024 – Lime Down Solar Park Ltd

Thank you for inviting us to review the above EIA Scoping Report in relation to the Lime Down Solar Project which we have assessed against OS maps and aerial photographs of the site and surrounding area, together with GIS layers of statutory and non-statutory designated sites for nature conservation and existing records of protected species.

The proposals comprise the development of a *series of Solar Arrays within Lime Down A to E, a number of 33kV and 132kV substations located within the Solar Array sites, a BESS (Battery Energy Storage Solution), up to two 400kV substations, and interconnecting cables. The point of connection for the Scheme to the National Grid is at the existing 400kV Melksham Substation located approximately 600m the north of the village of Melksham. The Scheme will be linked to Melksham Substation via underground cables within a Cable Route Corridor. The proposed location of the Cable Route Corridor within the Cable Route Search Corridor is under consideration and will be refined through environmental assessments, landowner negotiations and consultation input.*

The solar arrays at sites Lime Down A-E are located to the north and east of the village of Hullavington, north of the M4 corridor. The sites predominantly consist of arable land bound by hedgerows and trees. Public rights of way cross each site and Lime Down C and E are intersected by the Great Western Railway line. The Gauze Brook runs through Lime Down D and Gabriel's Well watercourse runs through Lime Down E. Although the sites consist mainly of arable fields, they support some habitats of ecological value to local wildlife, contributing to habitat connectivity with the wider landscape area, providing function for commuting and foraging by a range of species, via hedgerows, trees and grass margins.

The site is not within any areas designated for nature conservation, however Lime Down E is located immediately adjacent to Harries Ground, Rodbourne SSSI which comprises a species-rich neutral grassland which supports a population of marsh fritillary butterflies.

There are no internationally designated sites within 10km of Lime Down A-E. The Bath and Bradford on Avon Bats SAC is located within 10km of the Melksham sub-station site and the proposed cable route corridor.

There are several internationally designated sites within 30km of Lime Down A-E, the Melksham Sub Station and the proposed cable route corridor. Those with qualifying mobile species, i.e. bats and/or birds, within 30km of the sites are:

- Severn Estuary SPA and Ramsar site,
- Salisbury Plain SPA,
- Mells Valley SAC, and
- Bath and Bradford on Avon Bats SAC.

The EIA Scoping Report does not refer to the cable route potentially running through several greater horseshoe bat and Bechstein's bat consultation zones associated with the Bath and Bradford on Avon Bats SAC in the Corsham and Chippenham area, or specifically that these areas would be avoided. The Bechstein's consultation zones are associated with three core roosts that have been identified since the publication of the Bat SAC Planning Guidance for Wiltshire, 2015. Development within these areas has the potential to disturb bats and damage and disturb habitats functionally linked to the core roosts and therefore has the potential to adversely affect the integrity of the SAC. Any proposed development within these core areas must therefore be subject to an appropriate assessment which concludes no adverse effect on the SAC alone or in-combination with other plans or projects, in order to be authorised.

There are an additional four SSSI's within 5km of Lime Down A-E and the Melksham Sub Station:

- Stanton St Quinton Quarry and motorway Cutting SSSI;
- Sutton Lane Meadows SSSI;
- Corsham Railway Cutting SSSI; and
- Box Mine SSSI.

A further 11 SSSI's were identified within 5km of the cable route corridor.

Corston Quarry and Pond Local Nature Reserve (LNR) and Conygre Mead LNR are located approximately 1km and 4km respectively from Lime Down D. There are a number of local non-statutory designated sites within 2km of Lime Down A-E, the Melksham Sub-station and the proposed cable route corridor. There are several areas of priority habitat (listed under Section 41 of the NERC Act 2006) within and adjacent to Lime Down A-E and the cable route including hedgerows and areas of lowland calcareous grassland, deciduous woodland, running water and lowland meadows.

The EIA Scoping Report states that a Preliminary Ecological Appraisal has been undertaken, although this has not been appended to the EIA Scoping Report, and that species surveys have commenced. The EIA Scoping Report is proposing to scope in the following impacts and ecological receptors:

- Impacts of Electric and Magnetic Fields (EMFs) on aquatic species from the primary cable route;
- Bath and Bradford on Avon Bats SAC;
- National Statutorily Designated Sites within 5km of the Site;
- Local Statutory and Non-Statutory Designated Sites within 2km of the Site;
- Habitats of Principal Importance and Local Priority Habitats;
- Badgers;
- Bats;
- Otters and water voles;

- Dormice;
- Other mammals – brown hare, harvest mice, hedgehog and polecat;
- Amphibians including great crested newts;
- Reptiles;
- Breeding and wintering birds (further wintering bird surveys have been scoped out for the Melksham Sub Station site);
- Invertebrates;
- Plants;
- Fish; and
- Invasive and non-native species.

Due to suitable habitat on the sites for dormice, reptiles and invertebrates being limited to field margins, hedgerow bases and hedgerows which will be predominantly retained, targeted surveys for these species are not proposed. It is noted that sufficient information to assess whether the proposal will have an adverse effect on these protected species will be required.

The following impacts and ecological receptors have been scoped out of the assessment:

- Impacts of EMFs on terrestrial species, and impacts of EMFs resulting from cables within the Sites and interconnecting cables;
- Severn Estuary SAC, SPA and Ramsar;
- Salisbury Plain SAC and SPA;
- Mells Valley SAC. and
- National Statutorily Designated Sites within 5km of the Site, designated solely for geological interest.

Overall, we agree with the scope of the biodiversity assessment proposed in Chapter 8 Ecology and Biodiversity however, the EIA Scoping Report does not consider the potential for impacts on beavers. There is a beaver record approximately 3.9km to the north east of Lime Down D on the River Avon. The Gauze Brook runs through Lime Down D and Gabriel's Well runs through Lime Down E, both are tributaries of the River Avon. There are also beaver records on the River Avon within close proximity of the proposed cable route corridor with several tributaries of the river crossing the corridor. There is the potential for impacts on beavers from disturbance or damage or destruction of habitat, including resting sites, during construction operation and decommissioning and therefore it is considered that beavers should be included within the scope of the EIA.

Lime Down Solar Farm - EIA scoping consultation - Wiltshire Council specialist consultee comment

Name	Expertise	Comment
Kevin Chelada	Network Management	<p>a) It is noted that the cable route corridor has yet to be determined and that three corridors were being considered. Does the granting of a DCO usurp Wiltshire Council's powers to control the construction of Construction Vehicle Accesses? Each access point, once determined for the sites and the cable route need to be accessed on their own, individual merits. Just stating that they'd be designed to the Design Manual for Roads and Bridges (13.3.40) should not usurp our valuable input to an individual access point and agree a bespoke specification from a local knowledge and expertise point of view.</p> <p>b) 13.3.37 - The outlined CIMP will be critical once the route has been determined and each crossing point and access point will have to be looked at on an individual basis so how do we input to that?</p> <p>c) 13.4.26 - This is too vague and broad, so any possible DCO would have to be very much tied down to ensure due diligence, engagement and adherence to W/C's concerns on individual site accesses and road crossings are actioned.</p> <p>d) 13.3.30 to 13.3.40 - Construction Vehicle Access Points - we'd need to see detail designs for all new and altered access points and agree specifications and sight lines/appropriate TM depending on the speed of the road and it's usage.</p> <p>e) 13.3.30 to 13.3.40 - Will any of these accesses be decommissioned after the construction phase?</p> <p>f) Where can I find the "ES Transport and Access Chapter" to comment on?</p> <p>g) 3.3.20 to 13.3.20 - There are major works planned on the A350 to reconfigure the Bumpers Roundabout and dual from their southwards on the A350 to Laycock, so any construction near there would need to be planned and coordinated very carefully.</p> <p>h) Any contractor working on or near our network would have to comply to Wiltshire Highways Permitting Scheme</p> <p>i) It is noted that the cable width is a maximum of 50 metres wide. With this in mind, we would want any crossing point of our network to be default horizontally directionally drilled. Open cut and road closures would be the last resort and the road reconstructed to our specifications.</p>
Kate Tate and Lisa Price	Arboriculture	<p>The arboriculture plans do not show the TPO in Whitley. This should be a consideration for this application, however it is acknowledged that the document may have been prepared prior to the TPO being served.</p> <p>It is acknowledged that embedded mitigation of the design may avoid impacts on trees and hedgerows in relation to the solar arrays and associated works at locations A-C, part of D, and E.</p> <p>Presuming the contrasting level of infrastructure required for the battery storage facilities within location D and land at Melksham Substation, consideration within the ES is required due to the potential significant impact on protected and unprotected trees and hedgerows.</p>
Neil J. Adam	Archaeology	<p>Wiltshire Council Archaeology Service (WCAS) requires that a detailed Chapter on Cultural Heritage is included in the EIA submitted for this proposed development. We therefore welcome the clear statement in the Scoping Document that the developers intend that cultural heritage is included in a future Environmental Statement. It is WCAS policy for all solar farm developments to have been subjected to a full archaeological field evaluation (including remote sensing and trial trenching) prior to the determination of a planning application and for the results to be included in the Environmental Statement, and we see no reason why this proposal should not be treated any differently. WCAS are therefore pleased to note that the Scoping Document makes a commitment to include the results of geophysical surveys and trial trench evaluations of Areas A-E and the Melksham Substation Site within a future Environmental Statement (Section 12.3). We will then be in a position to offer a fully informed assessment on the likely impact of the proposals upon the archaeological resource. Some geophysical surveys have already been carried out in Areas A-E and the preliminary results suggest a number of concentrations of later prehistoric and Romano-British activity, especially along the former route of the Fosse Way Roman road that once ran between Exeter and Lincoln. Some of these sites may be of high (national) significance (although trial trenching will need to be carried out in order to confirm this) and so I would also advise that the Inspector of Monuments for Historic England is consulted on this application as soon as possible, in order to obtain their assessment on the possible impacts of the proposed development on any archaeological remains of national importance.</p>
James Taylor	Climate Change	<p>As introduction the Climate Team established a planning consultation service as recently as the end of 2023. Given the resources available then and the planning policy context, it was determined that we would focus on pre-application and planning applications for 'majors', renewable energy generation and Reg3. We have not been responding to EIA screening or scoping requests as part of our BAU. I provide these observations here as we do not have access to Arcus.</p> <p>Nonetheless, I have been asked to provide a response to this EIA scoping request on a NSIP proposal where Wiltshire Council is a consultee. I am pleased to have this opportunity to comment on the climate change section of the Scoping Report (pp49-56) over and above the existing BAU climate team's planning consultation service.</p> <p>* 6.1 and 6.2 provide reasonable context, it's pleasing to see reference to mitigation and adaptation of climate change. The Carbon Neutral Council plan (ref 207) is unlikely to be of relevance here though, rather more relevant is the outward-facing delivery plan for the whole county of Wiltshire "Climate Strategy Delivery Plan for Wiltshire". https://www.wiltshire.gov.uk/media/9878/Climate-Strategy-Delivery-Plan-for-Wiltshire-September-2022.pdf (Climate-Strategy-Delivery-Plan-County_Sep22.pdf) 1663344224697.</p> <p>* 6.3.5 I would suggest it is relevant to also compare the whole life estimated GHG emissions against a BAU scenario. The BAU might be considered a continuation of current uses at the Sites - as agreed with others, but current described as "predominantly arable land and managed trees". In order to consider climate commitments made by Wiltshire Council I suggest reference to the outward-facing delivery plan for the whole county of Wiltshire "Climate Strategy Delivery Plan for Wiltshire" (as above).</p> <p>* 6.3.7 I think it is important to note here that the science for predicting the impacts on climate change is more contentious than whether climate change is happening. The latter is arguably irrefutable, but the former is still a matter of debate. For example the UN refers to a 2.90c rise by 2100 based on Paris Agreement requirements (https://www.unep.org/resources/emissions-gap-report-2023).</p> <p>* 6.4.2 Think they mean 'embodied' rather than 'embedded'. Otherwise agreed.</p> <p>* 6.4.6 The climate team can offer policy advice and 'common-sense' checks on carbon assessment and potential sources of carbon only. That in mind, the Table 6.1 appears reasonable generally but suggest inclusion of processing/recycling/disposal of waste materials in the Decommissioning Stage as well as Water Use. But given the method of assessment is still yet to be finalised it might be prudent to respond here to say that final judgement on the detail of what is to be included should be reserved because we might need to secure expert services to review any assessment.</p> <p>* 6.4.13 Climate change is acknowledged to be a cross cutting issue in development and it is agreed that it should be addressed in technical detail within relevant sections e.g. precipitation within drainage. However, it is important that the Climate Change chapter provides non-technical summaries as indicated within Table 6.2.</p> <p>* 6.4.14 Additional factors that could be included at Table 6.2 are Air Quality and Wildfires.</p> <p>* 6.4.15 As above could include reduced Air Quality and increased risk of Wildfires.</p> <p>* 6.4.16 As above could include Reduced Air Quality and increased risk of Wildfires at Table 6.3.</p> <p>* 6.5 The Assumptions and Limitations are noted and appear reasonable.</p> <p>* 6.6 The conclusion section needs to be updated to reflect above comments, but agree with 6.6.3 regardless of these comments/suggestions.</p>
Tom Bennell	Waste	<p>It is good to see that the developer has identified and included the following points in the scoping report:</p> <ul style="list-style-type: none"> - 21.5.3 - Managing waste using the waste hierarchy (means recycling / reusing where possible and not just sending waste to landfill) - 21.5.5 - Management of waste in accordance of regulations and using licensed waste hauliers and waste sites - 21.5.6 and 21.5.8 - Included maintenance and repair / replacement work on the PV panels <p>No further comments or anything urgent jumping out. However, to reiterate, this would all be classed as commercial (business) waste, with collection / disposal routes needed to be setup outside of our Waste Service remit.</p>
Paul Millard	Rights of Way	<p>The likely impact on the rights of way network would only become clear when a draft masterplan is produced (i.e. at outline planning). Any changes or issues could be dealt with through our legislative framework further down the line, so I don't feel an EIA is necessary for us.</p> <p>We have just over 60 Public Rights of Way within the site and in close proximity to the Solar Park. I have looked through the Scoping report and look forward to seeing the Rights of Way report that they plan to submit. I will be looking to see how they propose to improve and enhance the Public Rights of Way within the site and those in the surrounding areas. I will be looking to see how they plan to improve the connectivity of the Public Rights of Way network. I will be looking for them to remove stiles from within the site and if a piece of access furniture is required to contain livestock that it is the least restrictive option (pedestrian gate, medium mobility kissing gate) I would look for any ditch crossings to be made in to culvert to provide a long term minimal maintenance crossing point, the useable width on these should be 2m.</p> <p>As we will be improving or removing access furniture within the solar park, I will also be looking for a financial contribution which would improve the access furniture on the Public Rights of Way leading to the solar park or Public Rights of Way that whilst not directly linked to the site would form part of a circular route.</p> <p>Once we receive the detailed plan for the solar park, I will carry out an inspection of the Public Rights of Way and come up with a list of works that will be required and a list of works offsite that I will be requesting a contribution for.</p> <p>I will finish with this quote from the scoping report and policy,</p> <p>"Applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths)"</p>
Brett Warren	Public Protection	<p>The information submitted related to a proposed solar farm at multiple sites and associated connective infrastructure, include grid substation and electrical cabling. I have reviewed the reports and appendices submitted as part of the request for scoping opinion as to the information to be provided in a future environmental statement. There are a number of potential environmental health impacts associated with a development of this nature, the environmental statement must include further details and assessment on these impacts. Please refer to the our website Advice for developers and planning agents - Wiltshire Council for detailed requirements on these potential environmental health impacts which are outlined below:</p> <p>Noise associated with the operation of the solar farm The main sources of noise at solar farm developments are the inverters located within the solar inverter substations and transformers located at the grid transformers and grid substations. The inverters and associated cooling fans will create noise of a distinctive character during day time periods before the sun goes down when the solar farm is generating power. The transformers are often operational all times and can also produce noise of a distinctive character. We will require a noise assessment carried out in accordance with SS 4142:2014 + A1: 2019 to assess the significance of any impacts on residential dwellings. The principals of good acoustic design should be employed to ensure the distances between noise sources and receptors are maximised as far as possible.</p> <p>Noise associated with construction impacts Consideration must be given to possible noise and vibration impacts during site preparation and construction activities. The need for controls will be based on the location, proximity of noise-sensitive receptors and the proposed works. Whilst there are powers to control construction noise under section 61 of the Control of Pollution Act 1974 through a prior consent process, and section 60 through an enforcement notice to control noise and vibration, it is likely we will require controls through the planning process, particularly for very sensitive locations or extended construction periods.</p> <p>Dust associated with construction impacts Sources of dust from roads, quarries processing material, construction activity and storage of raw material can in some cases cause significant amenity issues. Proposed developments which have the potential to adversely impact residential dwellings will be required to submit a dust management plan. The dust management plan should set out procedures to minimise the risk of dust and particulate matter emissions, identify the operations which have a potential impact upon air quality in the locality and detail the operational control measures which are implemented to minimise any impacts.</p> <p>Light including glare from photovoltaic panels Solar panels are specifically designed to absorb, not reflect, irradiation. However, solar panels may reflect the sun's rays at certain angles, causing glint and glare impacts which may affect amenity at residential dwellings. I note that a glint and glare methodology by PAGER Power is submitted within the scoping opinion documents, however no assessment of impact is included within the report. We will require the environmental statement to include further details of the glint and glare impacts on residential dwellings and whether these impacts are significant.</p> <p>Contaminated land A contaminated land assessment undertaken by Delta Simons is included within the scoping documentation. The assessment concludes that no significant contaminated land risks are associated with the development and I am satisfied with the methodology used to reach this conclusion. We will not require any further contaminated land information to be submitted, however, the applicant should remain vigilant to unexpected sources of contamination and notify the local planning authority should contamination be found during excavations and ground works.</p>
Jason Day	Minerals and Waste	<p>The Applicant proposes to include a chapter in the ES that considers several environmental issues identified during the preparation of the Scoping Report, but for which individual standalone chapters are not needed. This proposed 'Other Environmental Matters' chapter of the ES will include separately the topics of Minerals and Waste. Taking account of the baseline conditions and potential effects identified, I concur this would be a proportionate approach to assessment for these topics.</p> <p>However, the Scoping Report appears to omit the related topic of 'Materials', particularly those works defined in the relevant IEMA Guidance as "physical resources that are used across the lifecycle of a development. Examples include key construction materials such as concrete, aggregate, asphalt and steel". The ES should provide estimates of the likely types and quantity of the main construction materials that would be required by the scheme, including likely proportion of secondary and recycled aggregate use.</p> <p>The general content of the Minerals and Waste sections of the Other Environmental Matters chapter is considered appropriate. However, the following matters points should also be addressed</p> <p>In relation to the topic of Waste, the Scoping Report states, at paragraph 21.5.5, that waste will be transported by licensed waste hauliers to waste management sites which hold the necessary regulatory authorisation and/or permits for those wastes consigned to them. The ES should explain the likely locations and consider the likely impacts of transportation of waste, including effects on people and communities living along the routes to off-site facilities.</p> <p>For Minerals, the Scoping Report acknowledges the Scheme has the potential to affect areas of safeguarded mineral resource and allocated and/or permitted mineral workings. At paragraph 21.4.11 it is suggested that the Scheme is for a temporary period, but paragraph 4.1.2 says the operational life of the Scheme is anticipated to be up to 60 years (plus 2-year construction and 12-24 month decommissioning phases). The ES should include, as part of the intended Mineral Resource Assessment, consideration of the potential impact of loss of access to mineral resources during the lifetime of the Scheme.</p>
Guy Sharp	Public Health	<p>Please find comments from Public Health:</p> <ul style="list-style-type: none"> - The initial scoping document appears to include all relevant areas for consideration in relation to human health. The document provides clear reasoning for what is scoped in and scoped out in terms of health effects - Whilst access to baseline health data is demonstrated via reference to the JSNA we would encourage early and ongoing contact with Public Health to explore all available data on human health as set out in Section 19.4.17 - In Table 10.5, under the Social environment heading, sub-section 'community identity, culture, resilience and influence' reference is made to the sense of control within the community and how this can affect anxiety. In order to assess the impact on mental wellbeing the report refers to an extensive programme of community engagement but provides no detail on what this programme will include. It would be helpful to understand the approach being taken by the applicant and further details would be welcome <p>In relation to the last point I'm a little uncertain as to how the process works but perhaps the details on community engagement, and specifically mental wellbeing, will be covered in the PEIR, or perhaps elsewhere? The scoping report makes mention of community consultation already underway?</p>

Karen Jones

There is no Noise and Vibration Management Plan listed nor anything for drainage / water management
Melksham is a town not a village

Warmest winter day temperatures are lower than the warmest winter day of last 30 years when adding 2 and 4 degrees respectively?

MEMORANDUM

To: Development Management

From: Sustainable Transport

Ref: PL/24/06760

Ref: C/24/06760

Date: 2nd August 2024

PL/24/06760 Planning Inspectorate Scoping Opinion for Lime Down Solar Project - Land North of Hullavington, Wiltshire

Submissions Reviewed

Lime Down Scoping Main Report & Appendices
Request Letter
Location Plan

Background

LA102 Screening Projects for Environmental Impact Assessment

Response

Noting the red line boundary and descriptions within the submission the intention of the proposals will result in no new road construction. The requirement for new access points is noted.

However, the construction works do not appear to be of a scale that would trigger the requirement for an Environmental Impact Assessment on highways matters alone.

The proposals are not secured and so the overall type and level of construction vehicle movements is still to be agreed, but is not envisaged to result in any scale of works that would require an EIA directly on highways grounds. However, the approach to assessment appears sufficiently robust to address this matter further, if required.

The proposals do not initially appear to trigger Annex 1

There may be other factors the result in the proposal triggering Annex 2 or 3, based on the location and sensitivity and whilst the direct vehicle movements associated with construction do not appear sufficient, the residual impacts to other matters such as air quality and noise may need to be agreed and understood. Other matters relating to severance and delay associated with the works, particularly the cabling remain.

A project of this scale will generate significant temporary construction traffic although it is not anticipated that it will change traffic movements and patterns in its completed form. In matters whether the derivation of traffic numbers and types is important it should be that these matters are understood as an agreed baseline.

The project can be separated into two distinct traffic generators with impacts. The first is the installation of solar panels on the main site. The second is the cabling works, which are likely to result in a number of crossing of highways assets to which the impacts, including traffic management, duration, diversions etc are thus far unknown as the cable route has not been set.

Anticipated vehicle types, movements and duration of construction phase should be agreed now to support any other work, notably noise and air, that would rely on this data. It would be difficult to rule out all concerns relating to impacts until a cable route and methodology was agreed.

Once these matters are clearer it will be possible to establish and agree levels of activity that will need to be agreed for use by others. It will also assist in establishing that the impact of construction vehicles is entirely reversible as stated. At that time, it may be that the requirement for EIA is ruled out entirely.

Further understanding is required on decommissioning and whether the cable route would remain in-situ if or when the site is decommissioned.

Highways Position

The proposal does not initially appear to fall under Annex 1 in highways terms.

The proposal may fall under Annex 2 or 3 and we would recommend establishing and agreeing construction movements to assist in further screening.

The following statements are made to assist with developing the application as part of what is considered likely to be an Environmental Statement with a specific chapter on Traffic impacts (A number of these matters are already considered in Chapter 13 of the Scoping Opinion):

Commissioning and Decommissioning are to be included as part of any assessment

The operational phase will need to evidence that traffic movements associated with the proposals will be below the threshold for any further assessment.

The access routes to the grid connection and construction compounds should be depicted in the once determined.

Any assessment should confirm the final study area and key roads included in the assessment and explain how they have been identified. 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 assessment.

The baseline evidence for all proposed access points and routes will need to be presented.

An Abnormal Loads Transport Management Plan is to be submitted. The impacts on safety from the delivery of abnormal loads should be assessed within the assessment where significant effects are likely to arise. Appropriate measures to ensure safe transportation of abnormal loads should be included within the Abnormal Loads Transport Management Plan.

Cumulative assessment should include known pre-application and sites prior to determination. It is expected this information can be provided by the Local Planning Authority.

The locations of traffic count surveys should be shown, explaining how these locations were selected and confirm precise details of when the counts were undertaken. Effort should be made to agree these details with relevant local highway authorities. To provide assurance that the assessment of likely significant effects is supported by a robust dataset, the ES should include a justification to support the extent of the survey effort, including why the traffic data is considered to be representative of traffic neutral data.

Any assessment should assess impacts to Public rights of Way and on walking, cycling and horse-riding receptors from the Proposed Development such as the need for temporary closures or diversions, where significant effects are likely to occur. These should be identified in any submissions and impacts on them assessed, where significant effects are likely.

The strategy for cabling works will inform any submissions and the impacts of severance and delay to the network and any resulting Environmental Impacts. Matters relating to degradation of highway infrastructure will need to sufficiently evidence that reparations can reverse any evidenced harms.

The panel and BESS replacement strategies should be evidenced further to understand the impacts of these elements and whether or not they require further planning controls or EIA consideration.

Additional Comments

At this stage the WCC highways position would be that as much of the connection from the solar farm to the point of connection is done on private land with wayleaves. Also, when the cables cross highways, works should be to thrust bore under the existing infrastructure to maintain its integrity. This is based on an expectation of large cables, with oil surround, laid parallel with 2 or 3 metres (at least) space between them – resulting in a significant trench width. The integrity of the highway, along with the maintenance of such infrastructure would be key concerns, along with the potential severance and delay whilst any works are undertaken at potentially numerous isolated locations, depending on preferred cable routes.

We would also seek an open dialogue to input on the construction site traffic management plan as well as the traffic management plan for the cabling trench works- i.e. how it will impact the local highway network provide clear advise and address any issues that may arise from emerging proposals.

Chris Mead
Sustainable Transport
Email: [REDACTED]@wiltshire.gov.uk

Wiltshire Council Planning Consultation Response

Landscape (Chapter 7 of the submitted EIA Scoping Report and supporting appendices).

Officer name: Mark Goodwin CMLI (Senior Landscape Officer)

Date: 07.08.2024

Application No: **PL/2024/06760 (PINS Reference No: EN010168)**

Proposal: Planning Inspectorate Scoping Opinion for Lime Down Solar Park Project.

Site Address: Land North of Hullavington, Wiltshire.

Case Officer: Simon Smith.

Background:

An Environmental Impact Assessment (EIA) '*Scoping Report*' was submitted to the Planning Inspectorate (PINS) on 16th July 2024 by Lime Down Solar Park Ltd. (the Applicant) for an Order granting Development Consent for 'Lime Down Solar Park' (the Proposed Development). The proposed development is understood to comprise a '*Nationally Significant Infrastructure Project*' (NSIP).

The production of this '*Scoping Report*' represents the initial stage of the formal EIA process, which sets out the proposed scope of the EIA, and that the submission of this report to PINS forms a formal request for a 'Scoping Opinion' under Regulation 10 (1) of '*The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017*' as to the information to be provided by the applicant within an 'Environmental Statement' (ES) relating to the Proposed Development.

The Applicant has asked PINS on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES). PINS has identified Wiltshire Council as a relevant consultation body, which must be consulted before it adopts its screening opinion.

The application is accompanied by the following information:

- Lime Down Solar Park EIA Scoping Report – Main Report
- Lime Down Solar Park EIA Scoping Report – Appendices (Part 1 of 3)
- Lime Down Solar Park EIA Scoping Report – Appendices (Part 1 of 3)
- Lime Down Solar Park EIA Scoping Report – Appendices (Part 1 of 3)

The submitted '*Scoping Report- Main Report*' is structured as follows to include:

- A description of the proposed development, including its location and technical capacity.
- A description of baseline information and further data to be obtained.
- The Methodologies that will be used to assess environmental factors.
- The proposed scope of the Environmental Assessments that will be carried out
- Potential impacts of the project and associated mitigation.
- An explanation of the likely significant effects of the development on the environment.
- The approach to Cumulative Assessment.

Matters Considered:

Landscape and Visual – Chapter 7 of the submitted EIA Scoping Report and supporting appendices.

Landscape Comments and observations: (aligned to Screening Report structure and references).

7.1 Introduction

The EIA Scoping Report confirms that the Landscape & Visual Impact Assessment (LVIA) will be undertaken in accordance with the 'Guidelines for Landscape and Visual Impact Assessment – Third Edition - 2013' (GLVIA3) which is appropriate for EIA development.

7.2 Study Areas

The Scoping Report identifies preliminary study areas to be used to inform the assessment of landscape and visual effects. These are measured from the outer edge of identified development areas and include:

- 0.5km study Area for the cable route corridor (The Cable Route Study Area)
- 1km Study Area (The Local Study Area)
- 2km Study Area (The Wider Study Area)
- 5km Study Area (The Outer Study Area)

The extent of these preliminary study areas is considered to support a proportionate approach to assessment. It is noted at para 7.2.1. which states *"The preliminary Study Area will be further assessed as part of the iterative design process and through consultation with the Local Planning Authority's Landscape officers and consultants at Wiltshire Council."* This offers some additional comfort should the refinement of the scheme during the EIA process indicate that these provisional study areas should be revised for any reason.

7.3 Assessment Methodology

The described assessment methodology and the industry recognised guidance listed at 7.3.1 of the scoping report and further detail included at appendix 7.2 comprise an appropriate basis for the assessment of landscape and visual effects including potential cumulative effects.

7.4 Legislation, policy, and guidance

The scoping report identifies relevant National Policy Statements for NSIPs forming the framework for assessment and decision making by the Secretary of State.

The scoping report references paragraphs within the National Planning Policy Framework (NPPF) 2023 and also highlights National Planning Practice Guidance (NPPG), Paragraphs 13 and 36 at section 7.4.15. The following further NPPG paragraphs are highlighted to be additionally relevant to those already referenced within the Scoping Report.

NPPG – Natural Environment - Landscape

- 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes for which these areas are designated.
- This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside a National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection.

NPPG, Paragraph: 039 Reference ID: 8-039-20190721 - Revision date: 21 07 2019

NPPG - Renewable and low carbon energy:

- *'The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns*

of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.'

NPPG, Paragraph: 003 Reference ID: 5-003-20140306 - Revision date: 06 03 2014

'In shaping local criteria for inclusion in Local Plans and considering planning applications in the meantime, it is important to be clear that:

- the need for renewable or low carbon energy does not automatically override environmental protections;*
- cumulative impacts require particular attention, especially the increasing impact that wind turbines and large-scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;*
- local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;*
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;*
- proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;*
- protecting local amenity is an important consideration which should be given proper weight in planning decisions.*

NPPG, Paragraph: 007 Reference ID: 5-007-20140306 - Revision date: 06 03 2014

The NPPG offers guidance in relation to consideration of cumulative landscape and visual impacts of renewable energy development;

- Cumulative landscape impacts and cumulative visual impacts are best considered separately. The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape.*

Cumulative visual impacts concern the degree to which proposed renewable energy development will become a feature in particular views (or sequences of views), and the impact this has upon the people experiencing those views. Cumulative visual impacts may arise where two or more of the same type of renewable energy development will be visible from the same point or will be visible shortly after each other along the same journey. Hence, it should not be assumed that, just because no other sites will be visible from the proposed development site, the proposal will not create any cumulative impacts.

NPPG, Paragraph: 022 Reference ID: 5-022-20140306 - Revision date: 06 03 2014

The scoping report identifies Wiltshire Core Strategy as forming part of the Development Plan but stops short of identifying relevant Local Plan Policies. The following current Development Plan policies are identified to be relevant to the consideration of landscape and visual matters.

Wiltshire Core Strategy (2015)

Core Policy 42: Standalone renewable energy installations

“Proposals for standalone renewable energy schemes will be supported subject to satisfactory resolution of all site specific constraints. In particular, proposals will need to demonstrate how impacts on the following factors have been satisfactorily assessed, including any cumulative effects, and taken into account:

- i. The landscape, particularly in and around AONBs.*
- ii. The Western Wiltshire Green Belt.*
- iii. The New Forest National Park.*
- iv. Biodiversity*
- v. The historic environment including the Stonehenge and Avebury World Heritage Site and its setting.*
- vi. Use of the local transport network.*
- vii. Residential amenity, including noise, odour, visual amenity and safety.*
- viii. Best and most versatile agricultural land.*

Applicants will not be required to justify the overall need for renewable energy development, either in a national or local context.”

Supporting policy guidance at section 6.39 states that *“The development of most standalone renewable energy installations within Wiltshire will require careful consideration due to their potential visual and landscape impacts, especially in designated or sensitive landscapes, including AONB’s and the Stonehenge and Avebury World Heritage Site, and their setting. Core Policies 51 and 59, which relate to landscape and the World Heritage site, should be considered alongside this policy. The size, location and design of renewable energy schemes should be informed by a landscape character assessment, alongside other key environmental issues as set out in Core Policy 42. This should help reduce the potential for conflict and delay when determining planning applications. Cumulative effects should be addressed as appropriate.”*

Core Policy 51: Landscape

The purpose of Core Policy 51 is to ensure that new development proposals protect, conserve and where possible enhance landscape character. New development must not have a harmful impact upon landscape character. The policy is clear that any negative effects arising from new development must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. The policy identifies nine specific aspects of landscape character, which in particular, new development will need to demonstrate have been conserved and where possible enhanced.

- i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies.*
- ii. The locally distinctive character of settlements and their landscape settings.*
- iii. The separate identity of settlements and the transition between manmade and natural landscapes at the urban fringe.*
- iv. Visually sensitive skylines, soils, geological and topographical features.*
- v. Landscape features of cultural, historic and heritage value.*
- vi. Important views and visual amenity.*
- vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion.*
- viii. Landscape functions including places to live, work, relax and recreate.*
- ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.*

Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas. Proposals for development outside of an AONB that is sufficiently prominent (in

terms of its siting or scale) to have an impact on the area's special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting."

Core Policy 52: Green Infrastructure

The purpose of CP52 is to ensure that any existing green/blue infrastructure present on development sites is retained and successfully integrated within any development proposal and that opportunities to enhance the value of onsite green / blue infrastructure is incorporated wherever this is achievable. The policy also requires that provision is made for the future ongoing maintenance of green/blue infrastructure directly associated with new development.

It goes on to state that if damage or loss of existing green infrastructure is unavoidable, the creation of new or replacement green infrastructure equal to or above its current value and quality, which maintains the integrity and functionality of the green infrastructure network will be required.

Core Policy 57: Ensuring high quality design and place shaping.

The purpose of CP57 is to ensure that all new development proposals deliver a high standard of design and that a strong distinctive sense of place is maintained / created and that development proposals draw on the local context and are complementary to the locality to demonstrate how the proposal makes a positive contribution to the character of Wiltshire. The policy lists 14 separate criteria which new development should demonstrate are achieved. The following criteria are considered relevant to this application;

- i. Enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced.*
- ii. the retention and enhancement of existing important landscaping natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate any losses that may occur through the development.*
- iv. being sympathetic to and conserving historic buildings and historic landscapes.*
- vi. making efficient use of land whilst taking account of the characteristics of the site and local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area.*
- ix. ensuring that the public realm, including new roads and other rights of way are designed to create places of character which are legible, safe and accessible in accordance with Core Policy 66 (Strategic transport network).*
- xii. the use of high standards of building materials, finishes and landscaping...*

Saved District Local Plan Policies

The scoping report identifies that saved policies of the former North Wiltshire District Local Plan comprise part of the Development Plan; however, no policies are identified within the scoping report. The following saved policies from the North Wiltshire District Local Plan are identified to be relevant to the landscape and visual EIA subject matter/topic area.

North Wiltshire District Local Plan (2011)

- Core Policy NE12: Woodland.
States that *'The creation, conservation enhancement and positive management of woodlands across the district [former North Wiltshire District Council – administrative area] will be supported. In particular, areas of ancient and semi-natural woodland should be protected.'* The policy recognises the value that woodlands contribute to visual amenity and nature conservation.
- Core Policy NE14: Trees, site features and the control of new development.
Requires that existing trees, hedges, ponds/lakes or other valued landscape or ecological site features, such as dry-stone walls, and watercourses etc. that are present within and adjoining

development sites are retained and appropriately integrated within development proposals, and that appropriate provision for the preservation of existing trees and new tree planting is secured.

It is anticipated that these currently saved policies will be replaced by new policies to be included within the emerging Wiltshire Local Plan Review, including:

- Policy 90: Woodland, hedgerows, and trees;
- Policy 91: Conserving and enhancing Wiltshire's landscapes; and
- Policy 93: Green and blue infrastructure.

Legislation

The following legislation is considered to be relevant for new development proposed on sites within the Cotswolds National Landscape/AONB and for sites which have potential to contribute to the setting of this National Landscape designation.

Countryside & Rights of Way Act 2000 (CRoW Act 2000) - Section 85, Duty of Regard.

This statutory instrument places a duty on relevant authorities 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes for which these areas are designated.

This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection.

(Planning Practice Guidance - Paragraph: 039 Reference ID: 8-039-20190721 - Revision date: 21 07 2019)

Levelling-up and Regeneration Act 2023 (LURA 2023) - Section 245 (Protected Landscapes)

This statutory instrument places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty (National Landscapes) in England, 'to seek to further the statutory purposes of the area'. The duty applies to local planning authorities and other decision makers in making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers.

This legislation in effect increases the duty on relevant authorities to be more pro-active in its consideration of new development proposals to conserve and enhance the statutory purpose and function of Nationally Protected Landscapes.

The new legislation also elevates the weight of these protected landscapes within any wider planning balancing exercises undertaken in preference of conserving and enhancing national landscapes if resulting conflict arises with other material planning considerations.

7.5 Preliminary landscape baseline

Published Landscape Character Assessments

At 7.5.34 the scoping report states, "*The land at Melksham Substation is not located in this [North Wiltshire Landscape Character Assessment] or any other local level landscape character assessments in Wiltshire.*" This is not correct. The Melksham Substation Study Area is divided almost centrally by the former District Council administrative areas of North Wiltshire and West Wiltshire District Councils that were present prior to the creation of the Wiltshire Council Unitary Authority.

The northern half of the study area aligns with the North Wiltshire Landscape Character Assessment and the southern half of the study area aligns with the West Wiltshire District Landscape Character Assessment.

No reference is currently included anywhere within the scoping report to the 'West Wiltshire Landscape Character Assessment.' The Melksham Substation site is identified to fall within the following landscape character type and area within the West Wiltshire Landscape Character Assessment.

- Landscape Character Type - A: Limestone Lowland.
- Landscape Character Area – A3: Broughton Gifford Limestone Lowland.

Figure 7.5 Landscape Character Areas

Figure 7.5 illustrates the applicable landscape character types and areas identified from the hierarchy of available published Landscape Character Assessments. However, the report and Figure 7.5 do not consistently, accurately or fully identify relevant landscape character types and areas at the County, District or Cotswold National Landscape/AONB level.

The '**Lime Down Site's A to E**' are covered in the hierarchy of published Landscape Character Assessments by both the 'Wiltshire Landscape Character Assessment (Scale 1:50,000) – Land Use Consultants (2005)' and by the 'North Wiltshire Landscape Character Assessment (Scale 1:25,000) – White Consultants 2005'. However, Figure 7.5 only identifies the 'Landscape Character Types' and 'Landscape Character Areas' from the North Wiltshire Landscape Character Assessment. It should also include and identify landscape character types and areas from the 'Wiltshire Landscape Character Assessment' and the 'Cotswolds AONB Landscape Character Assessment.'

The '**Land at Melksham Substation Site**' is covered in the hierarchy of published Landscape Character Assessments by the 'Wiltshire Landscape Character Assessment (Scale 1:50,000) – Land Use Consultants (2005)' and by the 'North Wiltshire Landscape Character Assessment (Scale 1:25,000, White Consultants - 2005) and also by the 'West Wiltshire District Landscape Character Assessment (Scale 1:25,000 Chris Blandford Associates (2007)'.

Figure 7.5 only identifies and includes the 'Landscape Character Types' and 'Landscape Character Areas' from the North Wiltshire Landscape Character Assessment within the northern half of the study area, and the character types and character areas from the Wiltshire Landscape Character Assessment within the southern half of the study area. The Wiltshire Landscape Character Assessment applies to the whole site and study area. The North Wiltshire Landscape Character Assessment applies to the northern half of the study area, while the West Wiltshire District Landscape Character Assessment applies to the southern half of this study area.

Appendix 7.4 – Landscape Receptor Scoping Sheets

In light of the above observations, it is anticipated that an additional entry should be included within the Landscape Receptor Scoping Sheets, identifying which landscape Character Types and Character Areas for 'West Wiltshire Landscape Character Assessment' will be scoped in and out for assessment i.e.

Scope in:

- Landscape Character Type A: Limestone Lowland
- Landscape Character Area A3: Broughton Gifford Limestone Lowland

Scope out:

- Landscape Character Type B: Clay River Floodplain
- Landscape Character Area B1: Avon Clay River Floodplain
- Landscape Character Type C: Open Clay Vale
- Landscape Character Area C2: Semington Open Clay Vale.

7.6 Preliminary visual baseline

It is not possible to provide meaningful feedback or detailed comments on the suggested viewpoint locations proposed for inclusion within the visual assessment at this time, other than to acknowledge the identified viewpoint locations as illustrated by Figures 7.7 & 7.7.1 to 7.7.6 appear to be representative of different types of visual receptors and appear to be proportionate in number. It is considered that there would be opportunity to further feedback to the applicant's project team in relation to agreeing final

locations of the proposed representative viewpoint locations during further consultation through the iterative LVIA process and it would likely be necessary for the reviewer to ground truth some of these proposed locations before providing any further detailed comment or agreement.

One general observation is that in terms of incorporating representative views, the majority of currently proposed viewpoints appear to be largely short distance views experienced from the perimeter edges of the sites or from public rights of way passing through the site areas. Further consideration should be given to potentially including more representative middle distance and possibly some longer distance representative viewpoints from the wider landscape, especially in the context of views towards and from the Cotswolds National Landscape / AONB where development may occupy exposed land considered to contribute to the contextual character and visual setting of this national landscape designation.

7.7 Potential effects and mitigation

The LVIA will obviously be used as an iterative assessment and design tool and will identify appropriate measures to mitigate identified harmful landscape and visual effects wherever possible, but it could also be used to help identify appropriate environmental opportunities to deliver environmental enhancement e.g. to the landscape fabric of the site / site features, landscape character, improved public access.

End.

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

Development Services
Wiltshire Council
Tel: 0300 456 0114
Email: developmentmanagement@wiltshire.gov.uk
www.wiltshire.gov.uk

14th August 2024

Dear Sir/Madam,

Application No:	PL/2024/06760
Application Type:	Scoping Opinion following a screening opinion
Proposal:	Planning Inspectorate Scoping Opinion for Lime Down Solar Project - Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11
Site Address:	Land North of Hullavington, Wiltshire
On Behalf of:	Lime Down Solar Park Limited

Further to your letter of 17th July 2024 inviting comment from the Council in respect of a request for a scoping opinion submitted by Lime Down Solar Park Ltd under Regulations 10 and 11 to The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, please accept this covering letter and the appended specialist comment as the Council's views on the submitted EIA scoping report.

Although the majority of the specialist comment is provided via the aforementioned separate appendices, please also accept the following as broad observations about some of the topic areas.

Cumulative and in-combination effects

The Council agrees with the need to undertake an assessment of the cumulative effects of the proposed development in conjunction with other local developments. It is assumed that these in-combination impacts will also be cross-referenced with the also proposed chapter on alternatives, as set out in section 2.4 to the scoping report.

The importance of cumulative impact is recognised in the government's National Planning Policy Framework (NPPF) and in planning case law (Lancashire CC v Secretary of State 2007).

Given the scale of the development, it is evident that the constituent parts (referred to as areas A, B, C, D, E, as well as the underground cable connection) could constitute NSIPs in their own right. This attribute, along with the large number of electricity generating schemes proposed and recently granted planning permission in this part of Wiltshire, does mean that there is great potential for cumulative, in-combination impacts and environmental damage. Accordingly, the assessment should fully identify all appropriate local development and robustly consider impacts.

Landscape and visual impacts

Within the table embedded in paragraph 2.22.1, it is proposed that the landscape and visual impact chapter would “scope out” landscape receptors greater than 5.0km from all elements of the application site. Notwithstanding the more detailed commentary provided by the Council’s Landscape Officer, the 5.0km radius is perhaps too limiting and does not immediately appear to be based on any local characteristics.

Arboriculture

It is unclear why the assessment of impacts to trees within the land parcels A-E and the Melksham substation should be scoped out.

Hydrology, flood risk and drainage

As is acknowledged within the submitted scoping report and the commentary of the Council’s Drainage Engineer, the application site is location with areas of elevated flood risk. In that context, it is unclear why the assessment of adverse impacts appears to be limited to the application site only and not surrounding land and areas outside of the site.

Ground conditions and contamination

The Council’s Public Protection team confirms their satisfaction with the methodology set out within the Delta Simons prepared contaminated land assessment included within the scoping report. However, the applicant should be mindful of the potential for unexpected sources of contamination and for that reason, it is perhaps premature to scope out all matters, particularly those relating to the leaching of chemicals during faulty battery incidents (fire damage, ash deposition and extinguishing waters).

Transport and access

As referenced within the commentary of the Council’s Highway Officer, it is advised that the construction, operational and decommissioning phase of all elements of the development are scoped in. At present, the scoping report suggests that the operational and decommissioning phases are scoped out.

Noise and vibration

As is referenced within the Public Protection team comment, the Council notes that noise and vibration impacts are shown as being largely scoped in. However, it remains unclear why aspects of noise and vibration are scoped out from the operational phases, most particularly traffic related impacts.

Air Quality

As is referenced within the Public Protection team comment, dust associated with development is an important subject for its consideration, and it would seem to be inappropriate to limit its consideration to within the CEMP, as is suggested within the scoping report. Reference to the potential impacts associated with potential BESS fire is welcomed.

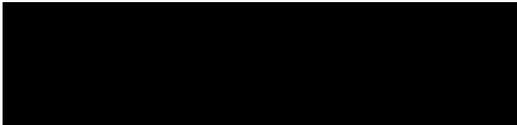
Agriculture and soils

The Council is notes that there is proposed to be a chapter of the ES considering the impact on agricultural and soils. As appears to be suggested in the scoping report, consideration of impacts should be given to the construction, operation and decommissioning phases as well as considering the land for the panels themselves, the route of the cable connection and substation.

However, whilst paragraph 20.4.5 notes that the land would not be primarily available for food production during the operational phase (other than grazing by livestock beneath the panels), in the very next paragraph it is then suggested that the effects on soil resources and agricultural land during the operation phase of the development can be “scoped out” on the basis that significant effects on agricultural land are likely to be restricted to the construction and decommissioning phases. This appears to be a contradiction and it should be expected that the ES will fully consider the quality of the agricultural land and soils being affected/lost, along with a consideration of alternatives which might result in a reduced impact.

I trust the foregoing and attached commentary will be considered by The Planning Inspectorate when formulating their scoping opinion. In the meantime, please may I once again extend my thanks for the opportunity to comment.

Yours faithfully,



Nic Thomas
Director - Planning

Encs.

APPENDICES

- Landscape Officer comment
- Highway Officer comment
- Drainage Engineer comment
- Ecologist comment
- Conservation Officer comment
- Schedule of comments, including:
 - Waste
 - Archaeology
 - Rights of Way
 - Climate Change
 - Arboricultural Officer
 - Public Protection team
 - Minerals and Waste team
 - Public Health team

Yatton Keynell Parish Council

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

12th August 2024

Your Ref: EN010168

Dear Sir

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

Application by Lime Down Solar Park Limited (the Applicant) for an Order granting Development Consent for the Lime Down Solar Park (the Proposed Development) - Scoping consultation

The proposed solar park lies outside of the Parish, whilst the proposed western cable corridor passes through the parish.

At this time the Parish Council has no comment regarding the scoping of the Environmental Impact Assessment.

Yours faithfully

Ian J Plowman
Clerk to Yatton Keynell Parish Council