

Appendix B3

Scoping Correspondence



Directorate for Planning, Growth & Sustainability

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Zenab Hearn
Buckinghamshire Council
Planning Service
The Gateway
Gatehouse Road
Aylesbury HP19 8FF

Date: 22 October 2024
Ref: CBC17485

Dear Zenab

24/02556/SO | The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion | Land North Of East Claydon Substation East Claydon Road East Claydon Buckinghamshire

Thank you for consulting the Buckinghamshire Council Archaeological Service on the scoping request. We maintain the local Historic Environment Record and provide expert advice on archaeology and related matters. We welcome the inclusion of the Archaeology (Below Ground Heritage) section within the 'Information accompanying a request for Buckinghamshire Council to form a Scoping Opinion'.

Paragraph 10.1 includes that Headland Archaeology have produced an archaeological Desk-Based Assessment (DBA) for the site. This does not appear to have been included with the documents available on-line. It would be useful for this to be supplied. We welcome the following paragraphs and that Archaeology (below ground heritage) is proposed to be scoped into the EIA.

10.2 The DBA identified that seven non-designated assets are recorded within the PDA and that there is a medium to high potential for archaeological remains ranging in date from the Romano-British to Post-Medieval periods to be present. Due to the potential for archaeological remains to be present and unknown preservation of non-designated heritage assets within the developable area of the Site it is considered that Archaeology (below ground heritage) should be scoped into the EIA.

10.10 Further consultation with the archaeological advisor for BCC will be carried out to discuss any evaluation that maybe required and confirm the scale, scope of and timing of any nonintrusive and/or intrusive evaluation. The results of which will be presented within the ES chapter. An archaeological geophysical survey has been instructed and the results will inform any further mitigation and will be presented with the ES chapter. A Written Scheme of Investigation (WSI) will be produced that agrees the scale and scope of archaeological geophysical

10.22 Where archaeological remains within the Site do not require preservation in situ and cannot be avoided through embedded mitigation (changes to the Proposed Development layout and/or construction methods), it is anticipated that additional mitigation to offset adverse impacts will take the form of a programme of archaeological investigation and recording. The need for and scope of such mitigation would be agreed with BCC's archaeological advisor. The scope and methodology of the mitigation will be set out in an outline written scheme of investigation WSI.

10.24 Archaeology (below ground heritage) is proposed to be scoped into the EIA. A strategy of archaeological evaluation comprising geophysical survey in the first instance is proposed to assess the archaeological potential and preservation/survival of heritage assets within the PDA.

Further to paragraph 10.10 we welcome that:

An archaeological geophysical survey has been instructed and the results will inform any further mitigation and will be presented with the ES chapter. A Written Scheme of Investigation (WSI) will be produced ...

Geophysical surveys can have variable results within Buckinghamshire and the proposed geophysical survey will need to be 'ground truthed' through an agreed level of archaeological trial trenching. The results of these investigations should be included in the ES chapter.

If you have any queries regarding this advice, please do not hesitate to contact me.

Yours sincerely

Phil

Phil Markham BA MA MCIfA

Senior Archaeology Officer
Planning Growth and Sustainability
Buckinghamshire Council

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Council Offices, Walton Street, Aylesbury, Bucks, HP20 1UA



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Ecology Planning Application Response

Date: 27 September 2024

From: Paul Holton, Ecology Officer

Application reference:	24/02556/SO
Site:	Land North of East Claydon Substation East Claydon Road East Claydon Buckinghamshire
Proposal:	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion

Discussion

The applicant has provided an Environment Statement (ES) from the consultant Lichfield's dated August 2024. The Biodiversity and Ecology section within the ES sets out the applicant's approach to address the impacts this proposal will have on the ecology on site. The methodology set out is compliant with current guidelines and is considered acceptable. The following aspects will require further detail within the Ecological Impact Assessment (EclA) that is being prepared for full submission of this application.

Amphibians & Reptiles

Species specific surveys have been carried out for a number identified animals across the site. Further to the species identified, no mention of reptile's surveys was included within the ES. These would be expected on a development of this scale as individual species within this group are considered to be present in the wider countryside surrounding the site.

Measures to fully understand the impact this proposal would have on reptiles are typically submitted alongside the amphibian data. The applicant has indicated that amphibians would most likely not be impacted and as such have been scoped out of the project. Reference is made to a block of woodland that may need to be removed to accommodate the storage facility. Scrutiny of this element of the project will be required to fully justify the applicants claim that no further information on amphibian impacts will be submitted.

Running parallel to this will be a statement on the site's potential to harbour reptile species. It is acknowledged that the majority of the site is currently arable fields but there are ponds within 500m, and it is unclear what the connectivity is to the site from those features. Further justification on the applicant's interpretation of the site's potential to harbour both amphibians and reptiles will be required. The Amphibian aspects of this application will be scrutinised by the councils' newt officer to ensure compliance with legislation surrounding Great Crested Newts.

Invertebrates

No mention of invertebrate surveys has been provided within the ES. The site lies within known populations of priority invertebrate species the Black Hairstreak Butterfly. Natural England have expanded the Bernwood SSSI description to include the Black Hairstreak. Evidence that the applicant has fully considered this species in their survey effort will need to be provided within the EclA being prepared for the full application.

Farmland Bird & Brown Hare

The site is likely to harbour a number of farmland bird species. Survey effort for bird species will need to adhere to recent changes to bird survey guidelines. Six surveys will be expected to comply with this guidance. Measures to fully understand the sites potential to harbour ground nesting birds such as Skylark will be required as it is anticipated this species not being able to nest on the proposed development site post works. Suitable measures to address this matter will be required with the applicant providing compensations sites if required.

Over wintering bird assessments would be expected or robust justification as to the reasons for not providing such detail. The sites current land use and proximity to water bodies in the wider countryside will need to be considered.

Brown Hare would be expected to be present on site. An assessment on the developments impact on this species and measures to mitigate and enhance features for this species will be required.

Biodiversity Net Gain

This proposal will require a full BNG assessment with gains of 10% expected for all features identified. A measurable account will need to be provided with gains identified within the red line boundary of the site.

It is anticipated that if the measures set out above are included with the EclA being prepared for this application site a complete understanding of the site's current potential for habitats and species can be achieved. From this the applicant can then submit appropriate mitigation compensation and enhancement measures, including the need for a 30-year management prescription of the site through BNG requirements, to be presented for full scrutiny.



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Ecology Planning Application Response

Date: 21 October 2024

From: Paul Holton, Ecology Officer

Application reference:	24/02556/SO
Site:	Land North of East Claydon Substation East Claydon Road East Claydon Buckinghamshire
Proposal:	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion

Discussion

The applicant has provided an Environment Statement (ES) from the consultant Lichfield's dated August 2024. The Biodiversity and Ecology section within the ES sets out the applicant's approach to address the impacts this proposal will have on the ecology on site. The methodology set out is compliant with current guidelines and is considered acceptable.

The submission of a full Ecological Impact Assessment (EcIA) will be required on full submission. On review and acceptance of this document conditions and or obligations will be required to protect the features identified. In doing so the applicant will be compliant with current national and local policy in this area.

The applicant has provided response to comments made in September by the council's ecologist.

Amphibians & Reptiles

The Amphibian aspects of this application will be scrutinised by the councils' newt officer to ensure compliance with legislation surrounding Great Crested Newts.

A statement on why no reptile assessments were carried out on site has been provided. While these are considered acceptable measures to mitigate will be required in those areas the EcIA identifies as having limited but potential suitability for these species.

Invertebrates

The applicant has acknowledged that the larval food plant (Blackthorn *Prunus spinosa*) of Black Hairstreak is present on site within the hedge. Sections of hedge on site will need to be removed to accommodate the development. Suitable mitigation measures including survey for eggs prior to these sections being removed will need to be detailed in the EclA. Enhancement measures for this species will be required and will likely fall into the Biodiversity Net Gain requirements this application will need to deliver.

Farmland Bird & Brown Hare

Justification on survey effort for farmland and wintering birds has been provided. These are accepted. Mitigation measures will need to be established for breeding birds with the identified impact on ground nesting skylark identified on site adequately compensated. Alternative ground nesting plots will need to be identified that are not compromised by the proposals with compensation plots established at a 2:1 ratio.

Four territories were identified within the operation area of the proposal, two of which are almost entirely within that zone. The remaining two marginally fall within this zone. Appropriate mitigation within the red line boundary will need to be established to compensate for the loss of ground nesting opportunities for these birds. The proposed development cannot accommodate this phase of the bird's ecology as ground nesting areas will be developed upon. The mitigation and compensation measures for Skylark will need to be detailed in the EclA recommendations section and secured by a condition if located within the red line boundary.

Biodiversity Net Gain

This proposal will require a full BNG assessment with gains of 10% expected for all features identified. A measurable account will need to be provided with gains identified within the red line boundary of the site.

It is anticipated that if the measures set out above are included with the EclA, being prepared for this application site, a complete understanding of the site's current potential for habitats and species can be achieved. From this the applicant can then submit appropriate mitigation compensation and enhancement measures, including the need for a 30-year management prescription of the site through BNG requirements, to be presented for full scrutiny.



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Economic Development Planning Application Response

Date: 10/09/2024

From: Steve Adkins

Application reference:	24/02556/APP
To DM Officer:	Zenab Hearn
Site:	Land North of East Claydon Substation East Claydon Road East Claydon
Proposal:	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
Comments on application:	
ED (Economic Development) does not have any comments for this consultation regarding scoping opinion for Environmental Impact Assessment. This is the view of the ED Team and does not comprise of any assessment on the overall merits of the scheme, or technical aspects and is made on the basis that the planning officer will need to balance the other elements of the scheme in coming to a recommendation on the scheme. Steve Adkins Economic Development Officer	

Summary and Recommendations
ED (Economic Development) does not have any comments for this consultation



**Directorate for Planning, Growth & Sustainability
Planning and Environment**

Buckinghamshire Council
The Gateway
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30th September 2024

Dear Case Officer,

Application Reference: 24/02556/SO
Location: Land North Of East Claydon Substation East Claydon Road East Claydon
Buckinghamshire
Proposal: The Town and Country Planning (Environmental Impact Assessment)
Regulations 2017 - Request for a Scoping Opinion

Thank you for consulting the Lead Local Flood Authority on the above proposal, which we received on 9th September 2024. Having reviewed the Water Resources and Flood Risk (12.2-12.11) in the Information accompanying a request for Buckinghamshire Council to form a Scoping Opinion (Statkraft UK Limited, 23rd August 2024), I am of the opinion that Flood Risk can be scoped out of the EIA as a Flood Risk Assessment and Surface Water Drainage Strategy will be submitted as standalone documents within the planning application submission.

Please note that I was unable to view the Preliminary Flood Risk Assessment and Drainage Strategy technical note referred to in Section 12.2 to 12.11 as it does not appear to have been included as an appendix. However, the conclusions made within the Water Resources and Flood Risk Section in relation to surface water management appear reasonable for the nature of development.

Yours sincerely,

Vikki Keeble

Sustainable Drainage Team Leader

Email: suds@buckinghamshire.gov.uk

For any upcoming planning applications the SuDS team offer a charged pre-application advice service, for more information and how to apply please see our [website](#).

Zenab Hearn
Buckinghamshire County Council
County Hall Walton Street
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HP20 1UA

Our ref: NE/2024/137427/01
Your ref: 24/02556/SO
Date: 15 October 2024

Dear . Hearn

**Land North of East Claydon Substation, East Claydon Road, East Claydon,
Buckinghamshire.**

**The Town and Country Planning (Environmental Impact Assessment)
Regulations 2017 - Request for a Scoping Opinion.**

Thank you for consulting us on the above Scoping Opinion application on 9 September 2024.

Following a review of the above, we have provided details below concerning flood risk, and groundwater contamination that will need to be investigated further prior to submission of a planning application.

1. Flood Risk

We're pleased to see that the development will be taking place in Flood Zone 1. However, please note that the flood zones in this area are based on broadscale modelling, which should only be considered indicative. If any built development is proposed in proximity to Flood Zones 2 and 3, detailed modelling of Claydon Brook should be undertaken as part of the Flood Risk Assessment (FRA) to more accurately define the extent of Flood Zones 2 and 3, including an appropriate allowance for climate change. This will ensure that a sequential approach is taken to the site layout, with all built development located in Flood Zone 1.

2. Groundwater Contamination

There is currently insufficient information concerning the surface drainage on the site other than to ground or through gravity to the nearby watercourse. In addition, there is insufficient information concerning the potential of a lithium-ion battery fire at this site, the containment of the firewater and the protection of groundwater. We advise the applicant investigates this as part of future applications.

Advice to Local Planning Authority

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that

the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

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

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

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

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Connection to mains foul drainage (no foul drainage assessment submitted)

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we

will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24-hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: [Septic tanks and treatment plants: permits and general binding rules.](#)

Advice to applicant

Water Resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Commercial/Industrial developments

We recommend that all new non-residential developments of 1000sqm gross floor area or more (i.e. 'major' developments) should achieve the [BREEAM 'excellent'](#)

standard for water consumption (category 'WAT 01'), or equivalent. This standard may already be a requirement of the local planning authority.

We also recommend you contact your local planning authority for more information.

Pre-Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at; <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

Elizabeth Clements
Sustainable Places Planning Advisor

E-mail: HNLsustainablePlaces@environment-agency.gov.uk | Tel: 02077644285



Directorate for Planning, Growth & Sustainability

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Conservation Application consultation response

Date: 21/09/2024

From: Fiona Webb, IHBC, MRTPI

Application reference:	24/02556/SO
Site:	Land North Of East Claydon Substation East Claydon Road East Claydon Buckinghamshire
Proposal:	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion
Action required prior to determination:	No (see below)

Summary

I consider that no significant adverse visual effects will be likely on the setting or significance of Tuckey Farmhouse as mature trees screen all views towards the storage system. Similarly, due to mature vegetation, local topography and intervening distance no significant adverse effects are envisaged on the setting and significance of listed buildings within East Claydon village.

There may however be scope for significant effects on built heritage assets from the cumulative scenario, of the proposed development alongside the other cumulative schemes committed in the surrounding area.

Heritage Assets

Tuckey Farmhouse – Grade II listed building

11 Listed Building in East Claydon including Grade II* listed Church of St Mary

The above are designated heritage assets

Relevant planning history

Discussion/Issues

This application seeks a formal opinion on the scope of an Environmental Impact Assessment ('EIA') in conjunction with an application for a new Greener Grid Park comprising a Battery Energy Storage System.

The nearest designated heritage asset to the proposed development is the Grade II listed Tuckey Farmhouse, c. 420m to the east of the site boundary. A further 11 listed buildings are present in the

wider 1km area. These relate to listed buildings nucleated, c. 690m southwest of the site boundary, within East Claydon.

Considering the likely impact on the heritage assets, I consider that no significant adverse visual effects will be likely on the setting or significance of Tuckey Farmhouse as mature trees screen all views towards the storage system.

Similarly, due to mature vegetation, local topography and intervening distance no significant adverse effects are envisaged on the setting and significance of listed buildings within East Claydon village.

There may however be scope for significant effects on built heritage assets from the cumulative scenario, of the proposed development alongside the other cumulative schemes committed in the surrounding area.

However, it is likely that impacts will occur on the setting of the heritage assets during the construction and operation of the proposed development as a result of visual and noise impacts. However I would expect that setting impacts are unlikely to be significant.

Historic England will need to be consulted on their opinion on the potential impacts to the Grade II* listed Church of St Mary.

Notwithstanding the analysis above, for any application to be properly assessed, the applicant should provide both a Historic Impact Assessment and a Visual Impact Assessment. These documents are essential in order to assess objectively and in detail, the full effect of the proposed development on the historic environment and its setting and are necessary for officers to adequately determine any application.



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Development Management
(North and Central Area)
Planning, Growth & Sustainability
Buckinghamshire Council

3rd October 2024

F.A.O. Zenab Hearn

Dear Zenab

Application Number: 24/02556/SO
Proposal: The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – Request for a Scoping Opinion
Location: Land North of East Claydon Substation, East Claydon Road, East Claydon

Thank you for your consultation dated the 9th September 2024 with regard to an EIA Scoping Opinion for a proposed 'Greener Grid Park' including a Battery Energy Storage System at the above location.

The applicant has submitted an EIA Scoping Report and it is noted that when the proposed development is operational, it will generate minimal traffic flows and there will be minimal impact on the surrounding highway network. The applicant does **not** therefore intend to include an operational phase assessment within the EIA and I agree that this is not required.

There is the potential for the proposed development to generate highway impacts during the construction phase (and the future decommissioning phase) and the applicant intends to provide an assessment of these highway impacts. A Transport Statement, Construction Traffic Management Plan and an Abnormal Indivisible Load Assessment Report are to be submitted, which will provide further assessment of the proposed construction access strategy, the likely impacts on the surrounding highway network, and any proposed mitigation. The applicant proposes that the scope of these documents will be agreed with Buckinghamshire Council as a separate exercise to the EIA scoping request, and I am satisfied with this approach.

The cumulative impact of any identified schemes are to be considered as part of the assessment of the potential highway impacts during the construction phase, and the planning applications and developments listed in *Table 4.1 Schemes Proposed for Consideration within the Cumulative Assessment* would provide a robust highway assessment, at the current time.

At this stage, it is proposed that construction traffic would route along East Claydon Road, Granborough Road, Vicarage Road, the A413, and the A421 to the east and west, and I have no in-principle highway objection to this suggested route, as it is the most direct route to and from the site and utilises classified roads. The highway assessment will need to give careful consideration to the nature and condition of surrounding local roads being used for construction traffic and potential restrictions on larger vehicles, and appropriate mitigation will be required.

The Highway Authority has no in-principle highway objection to the suggested methodology and scope outlined within the EIA Scoping Report, subject to the detail.

Yours sincerely

Andrew Cooper

Principal Highways Development Management Officer
Highways Development Management
Planning Growth & Sustainability

Date: 20 September 2024
Our ref: 487929
Your ref: 24/02556/SO



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Dear Zenab Hearn

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Request for a Scoping Opinion

Location: Land North Of East Claydon Substation East Claydon Road East Claydon
Buckinghamshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 09 September 2024, received on the same date.

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 a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

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

Yours sincerely

Mrs Sally Ireland
Consultations Team

Annex A – Natural England Advice on EIA Scoping

General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, 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
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- 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
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

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

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

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

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.

Biodiversity and Geodiversity

General principles

The [National Planning Policy Framework](#) (paragraphs 180-181 and 185-188) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

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).

Local planning authorities have a [duty](#) to conserve and enhance biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

International and European sites

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

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 187 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other

plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment

<https://www.gov.uk/guidance/appropriate-assessment>

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

Nationally designated sites

The development site is within or may impact on the following **Site of Special Scientific Interest**:

- Sheepwood House Site of Special Scientific Interest (SSSI)
- Bernwood Forest Focus Area

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 186 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov.

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

The 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. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

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, geoconservation group or other local group and protected under the NPPF (paragraph 180 and 181). 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. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017

is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.](#)

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.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

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

Ancient Woodland, ancient and veteran trees

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

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.

Biodiversity net gain

Paragraph 180 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

Proposals for mandatory biodiversity net gain should be in line with the Environment Act 2021 and supporting regulations. Further information on biodiversity net gain, including [draft Planning Practice Guidance](#), can be found [here](#)

The statutory [biodiversity metric](#), together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape

Nationally Designated Landscapes

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of

Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

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.

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 104. 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.

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 with paragraphs 180 and 181 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 217 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

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

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on 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).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

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 or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.



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15 October 2024

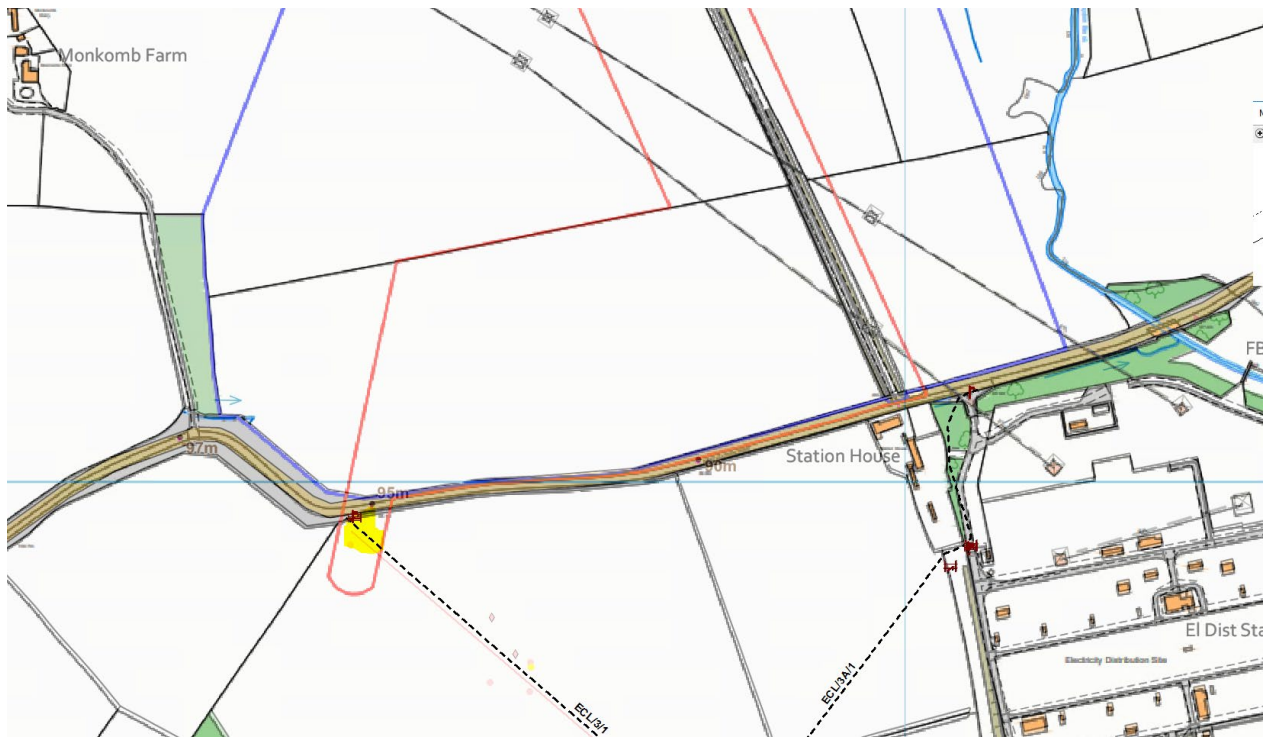
Aylesbury Vale Area Planning

Dear Sir/Madam,

24/02556/SO | The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion | Land North Of East Claydon Substation East Claydon Road East Claydon Buckinghamshire

Thank you for your letter of 9th September 2024 consulting the rights of way team and apologies for my delayed response.

East Claydon Footpath No. 3 (ECL/3/1) passes through the small section of the site location that extends south of East Claydon Road. I have included a plan below for context.



Plan 1 – OS Base Layer with *Site Location Plan* overlaid. My yellow highlight identifies ECL/3/1.

Input is needed on what impact this part of the development will have on the footpath amenity.

Yours sincerely,

James Spratley
Strategic Access Officer



Directorate for Communities, Transport and Regulatory Services

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Strategic Environmental Protection Team Planning Consultation response

To:	Zenab Hearn - Development Control
From:	Debbie Ferady - Environmental Protection Officer (Strategic)
Site:	Land North Of East Claydon Substation, East Claydon Road, East Claydon, Buckinghamshire
Proposal:	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion
Application number:	24/02556/SO
Our Reference:	RQS/24/01040/PLAVCL
Date:	30 th September 2024

Contaminated Land Comments:

I have reviewed the information submitted with the scoping opinion including the Phase I Desk Study which has been included within Appendix 9 of the Scoping Report. The report provides a review of potentially contaminative land uses and concludes the risks to future site users are classified as either very low or low risk. It also states that the likely effects on receptors are not considered to be significant, and therefore ground conditions and contamination can be scoped out of the EIA.

After reviewing the Desk Study I agree with this conclusion and that contamination can be scoped out of the EIA. I would however recommend that a discovery strategy is written and implemented if the proposed development progresses which outlines how unexpected contamination will be dealt with if encountered during development.

Air Quality Comments:

The air quality section of the Scoping Report states that the nature of the proposed development means there are no air pollution effects associated with the operation of Battery Energy Storage System (BESS). During the construction phase, any dust or transport emissions will be adequately managed through the implementation of a Construction Environmental Management Plan (CEMP). As such, there will be no significant effects arising from air quality and this topic is therefore proposed to be scoped out the EIA.

In addition, the Traffic and Transport section states that during the operational phase, the site will be unmanned, so very limited traffic will be generated by the proposed development. Operational traffic will predominantly relate to scheduled monthly maintenance visits and an annual maintenance visit which typically lasts for a week.

A Construction Traffic Management Plan (CTMP) will also be implemented to minimise impacts during construction which will include a construction vehicle routing plan. The routes will seek to avoid routing HGVs through sensitive residential areas.

After reviewing the information submitted I agree that the proposed development will have a minimal impact on air quality and that it can be scoped out of the EIA. I also recommend that a CEMP and CTMP are submitted as part of the application if progressed.

This memo only includes comments relating to contaminated land and air quality. No other environmental health matters are covered. Where requested, these comments will be provided separately.