

**Application by Lime Down Solar Park Limited for an Order granting Development  
Consent for the 'Lime Down Solar Project'**

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**Relevant Representation of Stop Lime Down**

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**Stop Lime Down Relevant Representation Website Submission Reference Number**

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## TABLE OF CONTENTS

1	Introduction.....	3
2	Principal Submissions.....	5
2.1	Site Selection and Design .....	5
2.2	Landscape and Visual Impact .....	7
2.3	Historic Environment.....	13
2.4	Traffic and Transport .....	17
2.5	Ecology, Biodiversity, and Arboriculture.....	20
2.6	Hydrology, Flood Risk and Drainage .....	25
2.7	Agriculture, Soil, and BMV Land .....	28
2.8	Noise and Vibration .....	31
2.9	Glint and Glare.....	35
2.10	Recreational and Residential Amenity .....	37
2.11	Air Quality.....	38
2.12	Ground Conditions and Contamination .....	39
2.13	Major Accidents and Disasters.....	41
2.14	Power Generation and Infrastructure.....	42
2.15	Socioeconomics, Tourism and Recreation .....	43
2.16	Climate Change and Carbon Benefits .....	44
3	Cross-cutting Issues .....	46
3.1	Cumulative effects.....	46
3.2	Lifetime of the Scheme and Temporary Development.....	47
3.3	Policy .....	47
3.4	Human Health .....	48
3.5	Draft DCO.....	48
3.6	Consultation.....	48
4	Conclusion.....	50

## **1 Introduction**

- 1.1.1 This representation sets out the case of Stop Lime Down (“**SLD**”) against the application by Lime Down Solar Park Ltd (“**the Applicant**”) for a development consent order (“**DCO**”) for the Lime Down Solar Project (“**the Application**”). It is made in accordance with s.102(4) of the Planning Act 2008 (“**PA 2008**”) and reg.4 of the Infrastructure Planning (Interested Parties) Regulations 2010, and confirms SLD’s wish to register as an Interested Party for the purposes of the forthcoming examination. It outlines SLD’s principal objections to the Application at the start of the examination.
- 1.1.2 The Application comprises 5 solar photovoltaic (“**PV**”) sites known as Lime Down A, B, C, D, and E, a battery energy storage system (“**BESS**”), and associated development including a 22km 400kV cable connection to the substation at Melksham (“**the Scheme**”). The Order Limits comprise a total area of 1,237 ha, which includes all land required to deliver the Scheme. The area of the Solar PV sites, minus the cable connection, is 749.3ha.
- 1.1.3 SLD are a non-profit community campaign group made up of local residents of Wiltshire and South Gloucestershire who oppose the Scheme. SLD operates through SLD Wiltshire Limited, a company limited by guarantee (company number 16326693). SLD supports renewable energy in principle, but consider that this Scheme in this location causes too much harm to local communities and the environment. Throughout the forthcoming DCO examination, SLD will work to ensure that community concerns are clearly heard and properly considered, so that local voices and knowledge carry real weight in decisions affecting their future. SLD are grateful for the opportunity to be involved in the examination and to take on this role.
- 1.1.4 Within this relevant representation (“**RR**”), SLD has outlined its principal objections at this initial stage. SLD hope this will assist the Examining Authority (“**ExA**”) in making an informed judgment on the principal issues for consideration during the examination stage of the NSIP consenting process. However, these submissions are not a complete picture of SLD’s case, and SLD will make further

written representation(s) (“**WR**”) to the ExA as the examination unfolds, in line with s.90 PA 2008. This will include a number of reports from experts instructed by SLD. SLD will make other submissions as appropriate, including assisting with any answers it can provide to the ExA’s questions.

- 1.1.5 SLD object to the Application, and ask that the ExA recommend to the Secretary of State for Energy Security and Net Zero (“**SoS**”) that development consent should not be granted for the Scheme.

## **2 Principal Submissions**

### **2.1 Site Selection and Design**

- 2.1.1 SLD consider that the significant harms of this Scheme in large part stem from the inappropriate location chosen for the proposal. For that reason, SLD consider the process of site selection to be important, and view the Applicant's approach as defective.
- 2.1.2 Regulation 14 and Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017/572 require that the Applicant include in its Environmental Statement ("**ES**") "a description of the reasonable alternatives (for example, in terms of development design, technology, location, size and scale) studied by the developer which are relevant to the proposed project and its specific characteristics", which should include "the main reasons for the option chosen, taking into account the effects of the development on the environment" and "a comparison of the environmental effects". Along with the position at common law, and noting what is said at NPS EN-1 para 4.3.9, this is the source of the obligation to consider alternatives for NSIP development.
- 2.1.3 Thus, the Applicant is expected to demonstrate how adverse effects have been properly considered through its choices in design, technology, location, size and scale. In relation to site selection, the Applicant is expected to demonstrate that the Scheme has been appropriately refined to take into account environmental, socio-economic, and community effects in light of the main alternatives, providing an explanation for the option it chose.
- 2.1.4 Chapter 4 of the ES [**APP-056**] and the Site Selection Assessment Report ("**SSAR**") [**APP-185**] describe the consideration of alternatives and the design evolution in relation to the Scheme. The SSAR is methodologically flawed in a number of ways which SLD will set out in its WR. Among other things it: (1) adopts an illogical approach to the selection and order of application of environmental constraints; (2) is inconsistent in applying those constraints; and (3) is inappropriately narrow in considering the Potential Development Areas ("**PDA(s)**") that it did identify. Providing an example of each:

- 2.1.4.1 Of (1), the site selection process adopted an initial set of constraints which led to the identification of four PDAs ([APP-185], section 3.2). These were rejected by the Applicant and then more permissive constraints were used ([APP-185], section 3.3). The original PDAs were not redrawn against these more permissive constraints at stage 5, nor were they or the additional six PDAs identified in stage 5 redrawn against the even more permissive constraints at stage 6 ([APP-185] section 3.4). Functionally, this has resulted in a comparison of PDAs which were not identified against the same constraints.
- 2.1.4.2 Of (2), a comparison of the constraint maps for PDA 9 ([APP-185], fig.19) and the Scheme in PDA 10 (the Scheme) ([APP-185], fig.20) shows both with significant perimeter pressed up against National Landscapes. Notwithstanding this, in [APP-185] Annex D Table 2, PDA 9 attracts a red rating for landscape and visual whereas PDA 10 attracts a yellow rating. Given the harm to setting of the National Landscape that the Scheme would cause, the perfunctory reasoning in Table 2 to (apparently) try and differentiate PDA 9 fails properly to explain away this inconsistency. It is notable, anyway, that only sites within National Landscapes and National Parks were excluded from the SSAR, with no attempt made to exclude sites within their settings (notwithstanding Appendix B of [APP-185] which identified landscape and visual as concerned with “impact”, which would include setting impact).
- 2.1.4.3 Of (3), while the Applicant references the combination of PDAs at various points in the SSAR, it does not actually describe how this might be done and (importantly) how parts of PDAs might be carved out so that only the least harmful areas of each are combined. Looking at [APP-185] fig.25, this flaw becomes especially apparent. While PDA 4, PDA 5, and PDA 11 have constraints which individually led them to be disregarded by the Applicant, it simply did not consider whether portions of each could be combined to make a new PDA which was a reasonable alternative. This is a critical logical flaw in the analysis: locations such as this would have

been closer to the National Grid connection at Melksham, have better road access, and cause less damage to the environment and local communities.

2.1.5 While Chapter 4 of the ES suggests that there were no obviously more suitable locations within the search area than the proposed location of the Scheme, SLD disagrees. Such a statement cannot be supported because the SSAR does not provide a “description of the reasonable alternatives” given the logical flaws included in that document.

2.1.6 Indeed, while the SSAR presents a process undertaken by reference to environmental constraints, it is clear the process was driven to a large degree by commercial concerns. The Applicant essentially recognises this at para 2.6.2 of **[APP-185]**, where it notes that it used land agents to identify “potentially willing landowners with large scale land holdings within the 20km search area”. Similarly, the shape of the PDAs at stage 5 was driven by such considerations: “entire land parcels suggested by land agents and therefore contain pockets of land with a steeper gradient meaning that the land parcel would not have been identified using the Stage 3 methodology” (**[APP-185]**, para 2.7.1.). Land agents are not environmental constraints; indeed, there is an incentive for land agents to ignore such constraints (so as to maximise financial considerations).

2.1.7 Ultimately, the SSAR includes post-hoc justification of the conclusions already reached by the Applicant for commercial convenience, as opposed to an assessment focused on planning and environmental constraints. Since the inception of the Scheme, an unduly constrained approach was taken to site selection, whereby the Applicant prioritised land availability by negotiating with a very small number of large landowners. As a consequence, a plainly unsuitable location has been selected, within a landscape that is highly sensitive to this form of development.

## **2.2 Landscape and Visual Impact**

2.2.1 The sites and their surrounds are notable for their rurality and their role in the setting of the Cotswolds National Landscape (“**CNL**”). SLD consider that the

industrialising effect of a solar development with accompanying BESS and associated infrastructure (up to 13m high) would have significant harmful landscape, noise and vibration and visual effects. SLD's landscape expert considers this case an unusual one, given not only the harms to the landscape generally, but also to the setting of the CNL. SLD's expert considers that the Applicant, through defective methodology and unduly benevolent assessment, has underassessed the landscape and associated visual harms of the Scheme.

2.2.2 SLD's expert will produce technical submissions at the WR stage that detail those flaws and explain why SLD consider this is a Scheme where the landscape and visual effects weigh substantially against permission. A summary of the main points is set out below.

*Landscape and Visual Amenity Generally*

2.2.3 The Applicant's Landscape and Visual Impact Assessment ("LVIA") [APP-060] predicts that during construction and the first 15 years of operation, the Scheme would give rise to significant adverse effects on landscape character and visual amenity. SLD's expert agrees with this judgement, but has concluded that levels of adverse landscape and visual effects would be higher than assumed in the LVIA.

2.2.4 However, SLD's expert does not agree with the LVIA's conclusion that after 15 years of operation, apart from at ten of the assessed viewpoints, not only would effects on character and views no longer be significant adverse, but also, effects on character would be significant beneficial.

2.2.5 SLD's expert's review and assessment concluded that a) after 15 years of operation, effects on many landscape and visual receptors would remain significant adverse, and b) there would be no landscape (nor visual) benefits.

2.2.6 The reasons for the differences in judgements are partly due to different interpretations / applications of the published guidance, mainly Guidelines for

Landscape and Visual Impact Assessment (“**GLVIA3**”), and certain shortcomings in the Applicant’s LVIA’s method and process. These include:

- 2.2.6.1 Lack of granular baseline study and analysis: the LVIA does not factor in the notable localised variations in character which occur across the study area, and omits many important value and susceptibility factors, especially strategic landscape and visual resources, functions and qualities. This has resulted in levels of landscape and visual receptor sensitivity having been underestimated, and thus levels of overall adverse landscape and visual effects having been underestimated.
- 2.2.6.2 Underestimation of visual receptor sensitivity, partly due to problems with the LVIA’s criteria, again, leading to underestimation of levels of adverse visual effects.
- 2.2.6.3 Not having factored in the cause and nature of many of the impacts and effects likely to arise from the Scheme which could adversely affect landscape and views, resulting in underestimation of levels of magnitudes of effect, and thus underestimation of levels of overall adverse landscape and visual effects.
- 2.2.6.4 Over-reliance on existing and proposed vegetation to screen views to reduce otherwise significant adverse landscape and visual effects. Note that a) not all adverse effects on landscape character can be mitigated by screening; b) not all of the identified views could or would be screened by the proposed planting; and c) the LVIA assumes that the existing on- and off-site vegetation planting would continue to screen views for the duration of the operation, which is very unlikely (for example, mature forestry plantations may be felled, mature ash trees and elm hedges are already dying). Note that where visual screening was not achieved as assumed, magnitudes of effect at Year 15 would be higher than predicted, resulting in underestimations of levels of overall adverse landscape and visual effects. The worst-case vegetation-free scenario should be adopted from the outset, and the Scheme sited and designed

accordingly; or at least, the likely degree of permanence of the off-site screening vegetation upon which the LVIA relies should be assessed and factored into the studies.

2.2.6.5 Not factoring in that in itself, the proposed screen planting would give rise to adverse visual effects, in terms of a) being uncharacteristic, and / or b) resulting in the total loss of a view.

2.2.6.6 Direct effects on the sites' overall character not having been reported, only effects on what the LVIA calls the sites' 'fabric'. This is a relevant and important matter because it is central to the Applicant's claim that the proposed development would result in significant beneficial effects on the character of the sites. Firstly, this approach is not in accordance with the relevant guidance (GLVIA3). Secondly, the LVIA predicts that by Year 15 of operation, "there is likely to be a moderate beneficial effect on existing landscape fabric, which is considered to be significant". However, this conclusion erroneously assumes that mitigation measures can be double-counted as enhancements. Thirdly, the direct effects on the overall character of the sites would be significant adverse, and could not be mitigated.

2.2.7 In SLD's landscape expert's opinion, the LVIA's assessment of cumulative landscape and visual effects (both inter- and intra-project) is unsatisfactory. It does not provide an accurate indication of the extent and levels of adverse cumulative effects, which would be greater and higher than the LVIA predicts.

2.2.7.1 This will be explained further in WRs, but for example, [APP-187] ES Volume 3, Appendix 8-1 LVIA Methodology para 2.33 states that the LVIA assessed effects in-combination with "similar developments, these being solar projects in the local area". However, Table 21-4 of [APP-073] ES Volume 1, Chapter 21 Cumulative and In-combination Effects sets out the shortlist of developments to be considered in the cumulative assessments. As well as solar, the list includes BESS, residential, commercial, road infrastructure, and other types of development of

relevance to cumulative effects on landscape and views. It is not clear whether the LVIA did include these developments, and this requires clarification.

2.2.7.2 Most importantly, the LVIA's assessment of cumulative landscape and visual effects relies on conclusions about the Scheme's landscape and visual effects, which, as explained above, are flawed, and therefore cannot be relied upon.

2.2.7.3 It must also be borne in mind that – as GLVIA3 makes clear (e.g. at para. 7.17, 3rd bullet point) – taken individually / separately, effects may not be categorised as “significant”; however, when combined / experienced as a whole, they may become “significant”.

2.2.8 SLD also notes that the adverse effects of the Scheme are amplified by the design parameters providing for the general use of tracker solar panels with a maximum height of 4.5m AGL ([APP-055] at p.7). While not unique, the SLD believes use of such panels in the UK is unusual and would result in higher levels of adverse effects (particularly on landscape and views, but also on several other subject areas) than smaller non-tracking panels.

2.2.9 In SLD's opinion, the Applicant's LVIA will need to be revised to factor in the above, and other matters that will be raised in SLD's WRs.

2.2.10 SLD's landscape expert's preliminary review also raises concerns about the Applicant's photomontages.

2.2.10.1 Firstly, they do not show the worst-case scenario of winter Year 15.

2.2.10.2 Secondly, none of the photomontages illustrate the changes that would be experienced by people travelling along PRowS crossing the solar sites. This does not represent the worst-case scenario, and additional photomontages from viewpoints along PRowS crossing the sites should be produced, at locations to be agreed through consultation, especially with local residents.

2.2.10.3 Thirdly, the effects of light conditions on the PV arrays are not factored into the photomontages.

*The Cotswolds National Landscape*

2.2.11 SLD's landscape and other experts consider that the proposal has the potential to give rise to significant adverse effects upon the Cotswolds National Landscape designation and its setting. Two of the five sites, Lime Down A and Lime Down C, are located directly adjacent to the CNL boundary. That the solar panels may have been stepped back from the sites' boundaries in places is of only limited benefit in circumstances where the Scheme is so present and visible in that setting. National Landscapes have "the highest status of protection" in relation to natural environment issues (NPPF, para 189). SLD's experts consider that the Applicant has failed to reflect and respect the height of that protection.

2.2.12 The effects upon the Cotswolds National Landscape have been assessed in the ES at **[APP-197]**. The LVIA downplays the extent of visibility of the Scheme in views from within the CNL, and looking towards it from within and outside of the sites. Furthermore, over-reliance is placed upon existing and proposed vegetation to screen views from and towards the CNL, and mitigate the impact upon the CNL's setting: non-visual aesthetic and perceptual effects on character are not properly accounted for.

2.2.13 Overall, the sensitivity of the landscape setting of the Cotswold National Landscape has been underestimated, especially the value of its contribution to the CNL. As a result, the supposed benefits to the CNL summarised at table 18 of **[APP-197]**, which SLD considers to be improperly inflated in any event, are outweighed by the harms to the designated landscape.

2.2.14 The existing landscape is characterised by low hedges (c. 2.5m maximum), allowing for distant views; hence, the proposed mitigation by screening would in itself result in adverse effects on character and views.

2.2.15 An important feature of the CNL setting is that it hosts routes used by the public to travel to and from the CNL itself. One such key route is the iconic Fosse Way, which traverses the study area, much of the route locally being within the CNL. The Fosse Way runs through the Scheme for a distance of c. 4.5km. As explained below, this is a key route, yet SLD consider that the harms to the Fosse Way have been substantially underestimated. This provides one example where the supposed contribution of the Scheme to the special qualities of the CNL unravels (e.g. Special Quality 13, [APP-197] para 3.4.98).

2.2.16 The methodological concerns set out above in respect of landscape and visual impact generally apply equally to the Applicant's assessment of the CNL. Importantly, National Landscapes must be afforded "extra protection due to their statutory purpose" (NPS EN-3, para 2.10.157). SLD considers that the Applicant has not given that "extra protection".

2.2.17 Finally, SLD has significant concerns about the compliance of the Scheme with s.85 of the Countryside and Rights of Way Act 2000 duty to "further the purpose of conserving and enhancing the natural beauty" of the CNL. Given the harms identified above, and which SLD consider need to be explored through the examination, it is hard to see how the Scheme gives proper regard to this issue.

## **2.3 Historic Environment**

2.3.1 SLD considers that the heritage sensitivities associated with the Scheme are complex and often overlap with numerous assets as well as other environmental considerations. In untangling these to understand the effects of the Scheme on the historic environment, SLD's expert considers that there is a consistent failure properly to assess the impacts on the heritage assets.

2.3.2 The relevant NPSs include a number of requirements in respect of the historic environment. In addition to the need to identify potentially affected heritage assets and assess their significance and any contribution to this from their setting, emphasis is placed on mitigation with the need to give consideration to

steps that can 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 (NPS EN-3 para 2.10.117). The importance of applicants taking account of the results of historic environment assessments in their design proposals is also required (NPS EN-3 para 2.10.116). Additionally, the need to take into account possible impacts, including cumulative, on the wider historic environment is a further consideration (NPS EN-1 para 5.9.9).

2.3.3 It is the view of SLD's expert that the approach to the Scheme is not adequately heritage-led as it fails to address, understand, and therefore consequently appropriately mitigate setting impacts on numerous heritage assets. As heritage assets of up to the highest significance would be affected, it follows that mitigation measures should be comparatively sensitive and respectful.

2.3.4 With regard to archaeological remains, SLD's expert has concerns that setting impacts are insufficiently considered on buried remains. They also note that further information is required to fully understand the extent of below ground archaeological remains which would be impacted by the Scheme. It is considered that until this information (such as the full geophysics result) is provided a full evaluation cannot be given.

2.3.5 From an initial review of the ES, SLD anticipates the following issues will be taken in relation to the historic environment, and SLD's expert will produce an expert submission at the relevant time:

- The Applicant's scoping exercise and the under-inclusive approach to assessment;
- Inconsistency and underestimation of the sensitivity and significance of heritage assets;
- Insufficient detail and assessment of the relationship of the areas of the Site with the setting of assets. Setting relationships have been consistently understated (with insufficient detail to support conclusions) so impacts made by the Applicant are not a fair assessment. Focus is on

inter-visibility rather than other aspects of setting which are equally as relevant; and

- The suitability and effectiveness of the proposed mitigation measures.

2.3.6 The heritage statement and scoping tables fail to provide a reasoned justification for the Applicant's approach or the scoping out of many heritage assets. The heritage scoping exercise should not be considered reliable:

2.3.6.1 The scoping of assets relied predominantly on the distance of assets from the site boundary. This is not considered to be sufficiently robust or thorough given the scale of the development proposed. Instead, a suitably robust and detailed Zone of Theoretical Visibility ("**ZTV**") should have been used to set the entire scope of heritage assets for further assessment (as would have been expected). Importantly, visibility is only one aspect of the scoping exercised: assets should only be scoped out where it can be demonstrated that the site does not contribute to the setting and significance of the assets. This can only be determined following an initial assessment of each asset and understanding of the contribution of the site to the setting of each asset, remembering that setting encompasses far more than physical visibility. Such an approach risks under-inclusion with little justification. It is also noted that the distances involved were not provided for the relevant listed assets.

2.3.6.2 There is little evidence that wider assets were considered, for example the ZTV indicates visibility from Malmesbury Abbey and the Conservation Area there. A site visit conducted by SLD's heritage expert in December 2025 also indicated potential visibility from the Malmesbury Conservation Area, but the ES provides no evidence this was considered in scoping.

2.3.6.3 The Applicant's site visits were undertaken during periods of time when vegetation was in leaf and the proposed solar park would have been the most screened (in October 2023, April 2024 and July 2024, **[APP-219]**, para 3.4.1 and as referred to in **[APP-064]**, para 12.5.1). The scoping

exercise should have been based upon a reasonable worst-case scenario – i.e. with the site visit being carried out during winter months when trees and other vegetation were not in leaf and there was maximum visibility.

2.3.6.4 The information provided in the Heritage Scoping Tables is incomplete and does not provide a sufficient basis for scoping out several of the assets. The reasons for scoping out a significant number of the heritage assets are insubstantial or not properly reasoned (**[APP-219]**, Appendix 1). For example, Parish Church Grade II\* (listing entry 1023199) is scoped out of further assessment even though the notes state that further assessment may be required.

2.3.6.5 The basis for determining whether further detailed assessment is considered necessary is limited to the direct intervisibility between the heritage assets listed and the proposed solar park. The scoping exercise has not taken into account wider setting contributions, nor views across or including both the heritage asset and the proposed solar park from other locations in the area, despite such being clearly recommended by guidance.

2.3.7 SLD's expert considers that further non-intrusive surveys are needed to properly assess the heritage significance of the development areas. The Cultural Heritage Report fails to justify why a further evaluation of the Development Area was not undertaken. Given the PEIR established that surface finds of a prehistoric, Roman and medieval date have been recorded within the site boundaries, an additional archaeological evaluation by means of systematic fieldwalking was warranted, or should have at least been considered.

2.3.8 In a number of instances, the Applicant has materially undervalued the significance and sensitivity of below ground heritage assets which raises concerns over the impact assessment.

2.3.9 SLD's expert is also particularly concerned about the lack of detailed and thorough consideration of the impact on a number of especially valuable assets

for which the Scheme is the setting. Throughout, the Applicant focuses wholly on the intervisibility of the Scheme and fails to consider fully the wider setting contribution the site may have for the asset in question. This includes Bradfield Manor, which in consultations has been the subject of significant concern. Such assets are associated both with their rural and agrarian setting but, also (in the case of Bradfield Manor) Bradfield Wood (the connection to which would be interceded by PV panels). Similarly, as was noted in the landscape and visual amenity section above, the relationship of the Fosse Way Roman Road with both the CNL and also the Scheduled Roman Settlement to its northeast would face a complete change in local character.

2.3.10 SLD's expert is very concerned with the incomplete assessment of Badminton RPG (Grade I) and Rodbourne Conservation Area, and raises concerns over the lack of winter views considered in the assessment of the Alderton Conservation Area and St Giles Church (Grade I). Further, Corsham Court (Grade II\*) has been scoped out of assessment despite the cable corridor running within 250m of this highly designated asset; the impact to this asset must be considered in more depth given the likely contribution of the land included in the cabling route to its setting. These omissions throw uncertainty onto the robustness of the ES Chapter and assessment carried out.

## **2.4 Traffic and Transport**

2.4.1 The area in which the Scheme is situated is notable for its narrow rural lanes, which are well-used by pedestrians, cyclists and equestrians not only from the local communities, but also visitors from further afield. Many people are extremely concerned about the traffic implications of the Scheme, which poses a risk of significant disruption, and potential injury / fatality. As a result, SLD has instructed a traffic expert who will be considering the Application. The points set out below will be elaborated upon and evidenced in SLD's WR. The principal issues relevant to traffic and transport matters are the following:

- Effects on traffic and transport during construction (including installation of the cable), operation and decommissioning, including whether the proposed development would enhance active, public and shared transport provision and accessibility.
- Adequacy of assessments and suitability and effectiveness of proposed mitigation measures.

2.4.2 The Scheme is reliant on only three primary routes for all traffic during construction and maintenance of the proposal; there is no allowance for any “alternative” access should one or more of these routes be compromised, as there are no other possible access routes to the site of the development.

2.4.3 SLD recognises the relevant policy in para. 5.14.21 of NPS EN-1, which directs that highways grounds for refusing development will arise where there is an “unacceptable impact on highway safety” or where “residual cumulative impacts on the road network would be severe”. SLD’s expert considers that, given the nature of the local roads and their use by vulnerable highway users, that the test is met in the context of the information that is currently available.

2.4.4 The following issues with the Application have been identified by SLD’s expert from an initial review of the transport information submitted by the Applicant:

2.4.4.1 Failure to survey vulnerable highway users: The impact of the proposed development on vulnerable highway users (pedestrians, cyclists, and equestrians) has not been properly assessed, since no surveys have been carried out of the local lanes and public right of way (“**PRoW**”) networks which are used by residents and others for recreational purposes, to access facilities or to reach PRoWs, and the country lanes used by cyclists and equestrians (among other issues).

2.4.4.2 Unacceptable impacts on cyclists: Construction traffic would have a particularly detrimental impact on cyclists using the sections of the Wiltshire Cycleway (Fosse Way and road between Grittleton and Yatton Keynell), accessing parts of the National Landscape and the existing surrounding quiet lanes.

- 2.4.4.3 Failure to properly assess impact on country lanes: No assessment has been undertaken of the ability of the proposed construction routes to allow large vehicles to pass other large vehicles such as other construction vehicles, other large agricultural, delivery or public service vehicles.
- 2.4.4.4 Lack of information regarding highway improvement areas: The supporting transport information fails to provide details of mitigation along narrow country lanes at proposed access points and at other junctions used by construction vehicles where safe visibility cannot be achieved. It appears that widening of highways or the provision of passing places would be required in many areas not currently identified as highway improvement areas. The transport supporting information is particularly deficient in this respect.
- 2.4.4.5 Impact on trees, hedgerows and roadside walls: Construction access would require the removal of roadside vegetation and walls to accommodate new accesses, to provide safe visibility splays, to accommodate road widening and passing places and to accommodate the swept paths of abnormal indivisible load (“**AIL**”) vehicles. Further removal of hedgerows and vegetation would be associated with the provision of internal access routes. No assessment has been undertaken of the landscape and ecological impacts of construction access.
- 2.4.4.6 Under-estimations of construction HGV trip generation: An initial review of HGV trip generation of the construction of solar array areas suggests that the number of HGVs could be significantly higher than suggested by the Applicant. It appears that the Applicant has failed to allow for the transport associated with key elements of construction such as the solar panel footings, the removal of topsoil, the import of acoustic fencing, and the construction of drainage infrastructure.
- 2.4.4.7 Under-estimations of impact on National Landscape: The impact of construction traffic on the National Landscape, based on the Applicant’s

own figures, has been downplayed and, as a consequence, no mitigation is proposed. This finding is not consistent with the National Landscape Board's view that no construction traffic should be routed through the National Landscape due to the likely significant adverse impacts on tranquillity and landscape and scenic beauty. The magnitude of impact is increased if the HGV trip generation is higher than stated by the Applicant (see above).

2.4.4.8 Cumulative impact of cable route construction: The Applicant fails to assess the cumulative impact of solar array and cable route construction activities despite the cable route generating around an additional 77% (Applicant's figures) of the HGVs generated by the solar array areas.

2.4.4.9 Unacceptable adverse transport environmental impacts on residents: The construction phase would have a particularly significant impact on a number of settlements, including Hullavington, Norton, Acton Turville, Burton, Grittleton, Sherston, Malmesbury, Stanton St Quinton, Corston, and Gastard.

2.4.5 The aforementioned points focus on the construction phase of the development. Generally, SLD considers that the information submitted in support of the Application does not provide any confidence that the proposal would not have a significant adverse impact on the local highway network, nor that there would not be an unacceptable risk to highway safety.

## **2.5 Ecology, Biodiversity, and Arboriculture**

2.5.1 The Scheme is proposed in an area with various important ecological features. Within the Scheme boundary are a number of local designated sites, priority habitats and ancient woodlands. Close to the sites' boundaries are a number of nationally- and internationally-protected sites which are threatened by the Scheme. As a result, SLD has instructed expert ecologists to assess the Application, and a detailed report will be submitted at the WR stage. Noting the

strong policy protections for key flora and fauna in the NPSs and NPPF, SLD considers the ecological assessment and mitigations are woefully inadequate.

2.5.2 SLD's ecologist has identified the following issues in respect of ecology and biodiversity:

- Inadequacy of assessments;
- Adverse effects on protected species and locally-present species;
- Adverse effects on statutorily- and locally-designated sites, including those subject to European site designations;
- Adverse effects on woodland, trees and hedgerows;
- Poorly-designed environmental and biodiversity enhancements; and
- The ineffectiveness of proposed mitigation measures.

2.5.3 The Applicant's assessment of the ecological baseline indicates that the Scheme is located in an area which is ecologically rich and adjacent to a variety of ecological features of national and international importance. It is noted that:

2.5.3.1 The Solar PV Sites are located within 30 km of at least five internationally-designated sites: the Bath and Bradford-on-Avon Bats Special Area of Conservation ("**SAC**"), Severn Estuary SAC, Severn Estuary Special Protection Area ("**SPA**"), Severn Estuary Ramsar Site, and the Salisbury Plain SPA.

2.5.3.2 There are at least four nationally-designated sites identified within 5 kilometres of the Sites, including the Harries Ground Rodbourne SSSI, Corston Quarry and Pond LNR, Sutton Lane Meadows SSSI, and Conygre Mead LNR.

2.5.3.3 There are a variety of non-statutory designated sites immediately adjacent to the Solar PV Sites, or within 2 km, which are of significant County importance.

2.5.3.4 The Solar PV Sites are located immediately adjacent to or within 2km of a variety of Priority Habitats and Ancient Woodland.

2.5.4 Taking into account the broad ecological features of the local landscape, general layout of the proposal, and the nature of the works, major ecological impacts on habitats and species are likely, both in the long-term and the short-term. However, the Applicant's assessment of potential harm to protected species, ecology, and sites of biodiversity value, is inadequate. Generally, impacts have been under-estimated, and the effectiveness of avoidance and mitigation strategies over-estimated.

2.5.4.1 The Applicant has failed to provide baseline survey data for brown hare, hedgehog, polecat, dormice, harvest mice, reptiles, invertebrates, otters, water voles, and white-clawed crayfish. In the context of a development of this scale that affects and crosses such a wide section of the local landscape, it is not possible for planning to make an adequately-informed and secure decision purely based on broad habitat types without actual species-specific survey data.

2.5.4.2 The Applicant's proposed mitigation is to assume that, when in doubt, species are present, and to carry out pre-clearance searches and halt works where animals are discovered until they have been successfully translocated. This function is supposed to be discharged by an Ecological Clerk of Works who would not in fact be on site most of the time (**[APP-284]** para 1.4.2) and would have to possess a very wide range of expertise. This does not appear to be a credible strategy. In practice it is often not feasible to effectively detect and thus avoid/mitigate ecological impacts ad-hoc without a baseline to inform decisions and monitor against in the long term. Additionally, pre-clearance searches should not and cannot safely be the only measure in place to detect, avoid, and mitigate impacts to species for such a large-scale development.

2.5.4.3 The cable route is even more poorly surveyed, with 17 ha completely unsurveyed due to access issues, no breeding bird or wintering bird surveys, no bat surveys in spite of the proximity of bat SACs, and so on. This reliance on guesswork makes it impossible to know whether

protected species are being impacted, or what the impacts on non-protected species would be. The attempt to transpose surveys from the solar panel fields is inappropriate and will not accurately reflect the actual degree of impacts of such large-scale cable-laying.

- 2.5.4.4 The ES admits that about 71% of the skylark and yellow wagtail nesting habitat would be destroyed in the panel areas. Even this figure assumes that some of the destruction can be mitigated by creation of optimal foraging habitat under the panels for skylarks nesting elsewhere. This relies on highly optimistic assumptions about the possibility of species-rich grassland being created on former arable land. Such optimistic assumptions and plans which lack ecological credibility pervade the whole document and will be detailed in the SLD WRs.
- 2.5.4.5 The aquatic environment is almost completely neglected, in spite of some of the rivers being designated priority habitats. There is no consideration of the quantity and quality of the groundwater, and its effects on rivers and ponds; the considerable potential for diffuse pollution from silt, soil or chemicals, for altered hydrology due to soil compaction during construction leading to changes in flow regimes; and for adverse impacts on water resources in an already over-abstracted catchment.
- 2.5.4.6 A number of significant local opportunities to provide biodiversity net gain and benefits to local communities have been missed (such as restoration of the old meandering course of the Gauze Brook and its floodplain as a cost-effective nature-based solution to flood risk in Corston; the creation of species-rich grassland adjacent and connecting to Harries Ground SSSI near Rodbourne; and the pro-active control of invasive non-native species).
- 2.5.4.7 The ES fails to propose or sufficiently detail any mitigation measures in relation to potential commute route disruption and the exclusion of fauna from the solar panel fields due to newly-installed boundary fencing. The

ES does not properly address the impact of such route disruption on various species, including otter, hare, and hedgehog. This includes a lack of detail about the wire mesh to be used.

2.5.4.8 The information presented in respect of cable-laying indicates that, at a minimum, there would be both temporary and permanent loss of habitat and features directly above trench lines. This carries a significant potential for impacts to woodland, hedgerow and other high-quality off-site habitats within the landscape. Even where temporary, large-scale trenching such as this carries an inherently high potential risk of affecting protected fauna, irreplaceable habitats, and features, above and below ground.

2.5.4.9 While precautions have been specifically included to avoid impacts from cable-laying on sensitive habitats, ecological data along the Cable Corridor for several protected species are lacking, even when these impacts have been flagged and appropriately mitigated within the solar panel fields. This raises concerns regarding whether impacts could be realistically detected in time to actually make alterations to the cable route and avoid/mitigate them. At present, there is a significant risk that impacts from this phase of the works are being overlooked due to the temporary nature of the trenches.

2.5.4.10 The ancient woodland at North Bincombe Wood near Rodbourne is likely to be impacted by the construction of an access track within the 15m Ancient Woodland Buffer zone over a considerable distance. A temporary construction compound is to be built adjacent to Surrendell Wood, an ancient woodland near Hullavington. No details of the arrangement of facilities within these compounds are available but both these developments pose a threat to these irreplaceable habitats.

2.5.5 There are a variety of errors in the Applicant's BNG calculation. The BNG calculations were not submitted in the correct format (i.e. an unlocked Excel file) making them impossible to check in detail. For example, the BNG calculation

submitted notes that the trading rules for BNG have not been satisfied. The trading rules set minimum habitat creation and enhancement requirements to compensate for specific habitat losses. As a consequence, the Applicant may have overstated biodiversity gain. Also, a habitat created as compensatory mitigation for a destroyed habitat elsewhere cannot be counted as part of the BNG. This double counting exists throughout the ES.

- 2.5.6 Overall, the Applicant lacks material evidence for their assertions because of insufficient survey work and insecure extrapolation into unsurveyed areas. Effects on sites with statutory and non-statutory protection are inadequately assessed. The Landscape and Ecological Management Plan [APP-283] while only an outline lacks ecological credibility, including in its plans for mitigation.

## **2.6 Hydrology, Flood Risk and Drainage**

- 2.6.1 Flood is a serious issue in the area around the Scheme, and is a matter of great concern to local people. Surface water flooding on local roads, sufficient to cause diversions, occurs every year. Fluvial flooding from the River Avon affects Malmesbury regularly, and a local flood relief scheme is being designed. The Gauze Brook is a tributary of the Avon which often floods Corston and the surrounding area. Large storms, such as Storm Bert in November 2024 and Storm Claudia in November 2025, not only flood the local area but the towns downstream. Storm Bert flooded the centre of Chippenham and substantial parts of Melksham and Bradford-on-Avon, and Storm Claudia flooded Malmesbury for a second time in a year, putting the financial viability of various sports clubs and other outfits at risk. The Environment Agency recognises that flood risk in Malmesbury and Bradford-on-Avon is hard to mitigate.
- 2.6.2 NPS EN-1 “steer[s] new development to areas with the lowest risk of flooding” (para 5.8.6) and, where such infrastructure is “exceptionally, necessary in flood risk areas... policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall” (para 5.8.7). The requirement that a development not precipitate “increasing flood risk elsewhere” is also part of the Exception Test to the Sequential Test (para 5.8.11).

- 2.6.3 The Applicant asserts that there are “limited areas” in Flood Zones 2 and 3 ([APP-054] para 2.4.11. However significant areas in Lime Down D (fields D9-14, D16-17, D19-22, [APP-63] para 11.7.40) and Lime Down E (fields E4, E20-27, [APP-63] para 11.7.49 and 11.7.56) are in Flood Zones 2 and 3. Given this, and the existing problematic flooding situation locally, SLD doubts the correctness of the suggestion that the current flood risk without mitigation is “negligible to low” ([APP-210], para 3.1.4). This does not align with the current reality on site.
- 2.6.4 Indeed, the approach to flooding (particularly off-site which is made worse by the Scheme) is unduly optimistic. To take one example: while the Applicant accepts that PV panels “have the potential to concentrate rainfall under the leeward edge” of panels, it asserts “this increase would not be significant” ([APP-059], para 11.9.2, bp 20). In doing so, it relies on outdated 2013 research and does not engage in much more recent research which identifies significant increases in peak discharge as a result of PV panels (both generally, but also as a result of soils such as those on the site).
- 2.6.5 SLD is not aware of any experience of the use at scale of the large tracking panels in the UK or other wet countries. The larger panel size would mean that the rainfall concentration factor is greater than for conventional panels, making it even less likely that vegetated soils have adequate infiltration capacity to absorb the water. This would increase both peak discharge and the risk of soil erosion. Moreover, the height from which the rainfall runs off the panels, typically 30-40 cm, would be much greater for the tracking panels especially as they are intended to be kept horizontally 2.5 m above the ground surface outside generating hours. The kinetic energy of a water stream falling from 2.5 m is more than six times the same stream falling from 40 cm. This energy would be manifested as increased runoff and soil erosion. SLD will provide more detail in the WRs.
- 2.6.6 Studies on solar panels and hydrology show that panels tend to increase the amount of water in the surrounding environment. The major reason for this is a reduction in evaporation from the ground surface. The amount of evaporation is determined by the energy flux to the ground and the availability of water to evaporate. Since the whole purpose of a solar array is to capture energy and

transport it out of the system for use elsewhere, there would be less energy available to evaporate water from the area of the panels, and evaporation would be reduced, leading to increased water availability in the system. While in drier climates this can be used for agrivoltaics, in the UK the additional water is likely to increase flood risk. This would be particularly so at Lime Down where a relatively large proportion of the area of small headwater catchments would be covered by panels. The requirement in NPS EN-1 that there should be no increase in flooding off site would inevitably be breached as the extra water would have to go somewhere, and this matter should be properly addressed.

2.6.7 The developers admit that the increase in hardstanding in the catchment from substations, inverter cabins, the BESS, new surfaced roads, and sundry smaller pieces of infrastructure, would increase runoff rates ([APP-063], para 11.10.33). They propose to mitigate this by standard engineering and Sustainable Drainage System (“**SuDS**”) techniques. Except for around the BESS there is no detail on where the structures concerned would go, and there is limited room in many places. There is no explanation of how the SuDS schemes would be integrated into the site, as required by NPS EN-1 Paragraph 5.8.15, and indeed many of the other requirements of this paragraph have not been followed. The mitigation methods outlined in the outline Construction Environment Management Plan (“**CEMP**”) [APP-277] are largely a list of possible techniques rather than an actual plan. While SLD understand that not all detail can be secured now, the Applicant’s position on SuDS is mere speculation rather than even an outline plan.

2.6.8 There is also no assessment of the dynamic effects of flooding, contrary to NPS EN-1 Paragraph 5.8.15, which states that applicants should “Consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration”. Though there is some modelling of the Gauze Brook catchment where this is an issue, the ES presents only flood depths, and there is no assessment of these hydrological parameters.

2.6.9 The ES considers the expected effects of climate change in increasing runoff from the Scheme, and in designing flood mitigation structures. The detailed calculations are not presented, and it is not clear what baseline has been used. In Chapter 7 of the ES covering climate change, a similar assessment has been made using rainfall data from Yeovilton, 68 km away, claiming that this is the closest Met Office station to Lime Down. In fact, there are 11 measurement stations closer to Lime Down which the Met Office recognises as suitable for climate assessments, all of which have a higher rainfall than Yeovilton, which is a lowland site in the rain shadow of the Devon moors. This results in a 14% underestimation of the climate change effects of rainfall at Lime Down, but it is unclear whether this has been applied in the hydrological assessments.

2.6.10 The assessment and proposed management of flood for the Scheme is poor, and reflects a site selection process which failed properly to have regard to Flood Zone 2 and Flood Zone 3 and the knock-on effects. The ExA can have no confidence that this Scheme would not increase the risk of flood in an area already blighted by flood events.

## **2.7 Agriculture, Soil, and BMV Land**

2.7.1 SLD has concerns about the effects of the Scheme on agricultural land. While best and most versatile (“**BMV**”) land is the beneficiary of significant policy protections, including a preference in para 2.10.29 of NPS EN-3 that development not be on BMV land and “poorer quality land should be preferred to higher quality land avoiding the use of [BMV] agricultural land where possible”, the Scheme itself (on the Applicant’s figures) uses 240ha of BMV land (33% of the Scheme land take total) which the Applicant itself accepts is “significant” ([APP-069, para 17.12.2). SLD agrees it is significant, and notes this is not only an impact locally, but also nationally on food security issues which are increasingly pressing. While the Applicant goes on to assert that such impact is only temporary, SLD considers this an oversimplification of the true position:

2.7.1.1 Some losses would be permanent (even after decommissioning) due to soil removal and thick foundations, including 7.85ha of electrical

substations, 5.5ha for the BESS, 1.59ha for conversion units totalling 14.94ha. Other areas which would have substantial difficulties in remediation (or would not be removed at all) include tarmac roads and access tracks.

2.7.1.2 A number of other mitigations require permanent works which would cause a permanent loss (such as joint compounding on the cable route, which would never be decommissioned).

2.7.1.3 Importantly, infrastructure which currently makes the land BMV would be lost, such as irrigation and field drains. It would be left to degrade in the soil and/or permanently be damaged by piling which would never be remedied (such piles for the solar mounting structures being up to 4m deep: **[APP-055]**, para 3.3.5).

2.7.1.4 The same is true of the effects of deep compaction or damage to the soil when it is worked in wet weather. This again poses a significant risk of permanent damage and degradation of the soil which would not be remedied after decommissioning.

2.7.2 Similar considerations apply to the cable route, where 75% of the land is BMV. While land loss should be for a time-limited period, there would be some permanent loss for infrastructure and access which is unlikely ever be remediated. Portions of the restored land are unlikely to return to the same standard; drainage may have been disturbed (e.g. the severing of land drains), and heat from the cables can dry drought-prone soils in dry summers, leading to crop failure. The cable route has not been surveyed in the same detail as the panel areas, and it is possible that some problematic soils have been missed.

2.7.3 There are remaining concerns in relation to the risks to soils during the construction phase and the mitigation measures proposed. Chapter 17 notes that soils on all sites are saturated with water for a much higher proportion of the time than the English lowland average, amounting to half the year on Areas A, B, and C.

This is of concern, given these are the times when construction risks damaging soils. The mitigation measures proposed are insufficiently specific.

2.7.4 SLD also notes that the soil characteristics have been almost totally ignored in the development of the Scheme. As noted above, the report states that the soils stay saturated (at field capacity) for an unusually high proportion of the time, and that permeability is low in 3 of 4 commonest soil associations. Both these facts correlate with the flood-proneness of the area, and make the soils susceptible to erosion by surface runoff. They also make the soils vulnerable to compaction, which would further reduce infiltration and permanently degrade the land quality. The problem of compaction is recognised in the ES ([APP-069], para 17.8.1) but the mitigation measures proposed are inadequate, and the long-term effects disregarded. Indeed, there is a strong argument for not allowing any construction on site between November and April, but this has not been considered as a mitigation strategy.

2.7.5 It is suggested in several places that taking land out of arable production would lead to an improvement in soil quality in the long term. There is no proper evidence that this occurs where solar farms have replaced arable agriculture in a 60-year timescale, as the technology has not existed for that long. The small amount of evidence for the UK suggests that for the first 10 years, soil under the panels is degraded while in the gaps between the panels it is not significantly different from outside. Compaction is evident and still dominates the soil responses, outweighing the theoretical expectation that deep rooting grasses and permanent grassland will increase organic matter and improve soil structure relative to arable. It should also be noted that many of the panel fields at Lime Down are grassland already, in which case there may be little difference expected. Any soil improvement due to replacement of arable by solar panels must be regarded as highly uncertain. This is further emphasised by the fact that, from para 17.10.21 of [APP-069], it is unclear whether there has been any assessment of the disturbance effects of removal of the solar panels and mounting framework themselves.

- 2.7.6 Specifically considering drainage, there is no assessment of the current status of field drainage, or any commitment to restore drainage after construction. The Outline Soil Resources Management Plan does not mention field drainage at all, nor is there assessment of how many existing land drains would be damaged by piling [APP-280]. Given the wet condition of large parts of the site, the neglect of this issue is likely to lead to increased runoff and soil erosion.
- 2.7.7 Finally, and viewed from a local perspective, the loss of agricultural land would have significant effects on some individuals: a number of tenant farmers are likely to be severely affected, to the extent of making their farms economically unviable and thus losing their livelihoods. This has apparently not been considered in the choice of areas. Whilst statutory compensation is a legal requirement, it will not replace lost land or cover the long-term disruption to farm holdings.

## **2.8 Noise and Vibration**

- 2.8.1 Chapter 14 of the ES presents the findings of an assessment of the likely significant effects on noise and vibration as a result of the Scheme. SLD has appointed experts to undertake a review of the noise impact information presented in Chapter 14 [APP 066], as well as the supporting appendices.
- 2.8.2 The development, in its current form, would change the context of the existing soundscape from a very (at times extremely) quiet rural environment to one containing constant sounds of a more industrial nature. Noise emissions during the operation of the solar development would be from the fixed plant items associated with electricity transformers and inverters, BESS, and potentially from solar PV panel tracker motors. Operation of plant would be continuous, with the exception of the conversion units and smaller 132kV Substations which would operate only during daylight hours.
- 2.8.3 The potential change in ambient noise climate is not properly recognised or considered in the ES.
- 2.8.3.1 In simplistic terms, the Applicant's noise assessment methodology predicts the anticipated level of noise from the plant at noise sensitive

receptors and compares this with the existing underlying background noise level, taking any characteristics of the noise into account. This provides an indication of how noticeable a specific sound may be. Relying on this information, the Applicant has defined a “Significant Adverse Effect Level” (“**SOAEL**”) on the basis of noise which exceeds the background by 10dB. The Lowest Adverse Effect Level is defined to be 5dB below the background level.

2.8.3.2 Informed by the noise monitoring surveys undertaken, the Applicant has selected and applied a single background noise level value for receptors. This has been apparently selected from a ‘median value’ of the representative datasets. However, this means that for 50% of the time, background levels would be lower than the figure used and the resultant impact from the Applicant’s noise sources would be greater than shown for a significant proportion of the time.

2.8.3.3 Connectedly, the noise assessment fails to make any observations regarding the existing soundscape within the baseline noise survey appendices or assessment chapter. It is assumed that the soundscape at the time of the survey was primarily determined by very low levels of distant road traffic, wind noise and local wildlife. No description of the noise monitoring equipment, or type and locations of weather stations used is provided.

2.8.3.4 The noise assessment methodology also disregards background levels lower than  $30\text{dB}_{\text{LA90}}$ , using this value as a fixed lower threshold background level and defining anything below this as a ‘low’ background level. The rationale provided is “*This method avoids overstatement of potential impacts at receptors when background levels are low...*” However, at the majority of sites where monitoring was undertaken, existing daytime background noise levels are shown to fall to very low levels (less than below  $20\text{dB}_{\text{LA90}}$ ) and be significantly lower than the median values used. The Applicant’s noise assessment does not make

the fact clear that for a great majority of the receptors, existing background noise levels can be very low, and commonly fall to extremely low levels during the daytime and night-time. As a consequence, the effect on the existing soundscape has been underestimated.

2.8.3.5 By setting the assessment thresholds at  $30\text{dBL}_{A90}$ , (and the plant noise assessment threshold level at 35dB), the Applicant dispenses with any comparison against background levels. It effectively renders the background noise survey, which quantifies the very quiet nature of the setting, entirely redundant. That survey shows anticipated significant changes in noise level and character and a significant potential to cause an adverse or significant adverse impact on residents.

2.8.4 There are a number of inconsistencies and uncertainties in the data obtained. By way of an example, SLD's noise experts conducted a specific review of the data obtained at monitoring location LT8.

2.8.4.1 The ranges presented in Table 14-7, Chapter 14 are not consistent with the measured data. Table 14-7 presents a daytime background range of 34-38dBLA90 and a night-time range of 25-41dBL<sub>A90</sub>. However, Plate 8 clearly shows that levels at location LT8 can fall below  $30\text{dBL}_{A90}$  during the day and down to  $20\text{dBL}_{A90}$  at night. It is therefore not clear how these ranges have been determined, or whether they are correct.

2.8.4.2 Weather records from a nearby weather station were investigated by the noise experts. It was noted that historical data shows there was a significant rainfall on Saturday 28<sup>th</sup> October 2023, likely to have resulted in the atypical spike in levels above 50dB as seen in the centre of the chart. That does not appear to have been discounted when presenting the statistical distribution of background noise levels.

2.8.4.3 The statistical distribution of background levels at location LT8 is presented as a histogram in Appendix 14-3 Plate 36. This appears to show the actual ranges of background levels. The Applicant appears to have

selected a single-figure daytime and night-time value for subsequent use in the assessment, with no rationale of justification for selection of these values provided in the ES.

2.8.4.4 In any case, it is clear that background levels appear to be below the selected daytime value for more than 50% of the time, falling to 11dB or lower. A precautionary approach ought to have been adopted, selecting a lower range of background levels commonly occurring. In this instance, a value in the range of 23-25dB<sub>L<sub>A90</sub></sub> at night, and around 30dB<sub>L<sub>A90</sub></sub> during the day. Targeting a lower fixed noise rating level threshold, commensurate with a precautionary appraisal of the range of existing background noise levels which are prevalent in the area, would be more appropriate.

2.8.4.5 Although assessed as being at the SOAEL, the Applicant's assessment defines the noise levels as "low" and concludes that no significant effects would occur after "*all reasonable measures to reduce operational noise levels at receptors*" have been taken into account.

2.8.5 The Applicant's noise modelling contains sparse detail in relation to the embedded mitigation measures proposed, stating that "*all reasonable measures to reduce operational noise levels at receptors to a minimum have been taken into account.*" A level of uncertainty remains as to whether additional mitigation measures (barrier, enclosure, equipment silencing) are available to reduce noise emissions levels. Additionally, only 7 of the 166 conversion units have been allocated silencers within the assessment.

2.8.6 The noise chapter describes an operational management plan (OEMP) that commits the Scheme to achieving to the "resulting levels" (i.e. the noise levels as calculated within the ES Noise Chapter) at properties "*to provide reassurance that the Scheme as built will not lead to significant effects from noise.*" At these committed levels, however, there is a likelihood that noise from the development would be clearly audible at times, with the associated loss of very low background

noise levels prevalent in the area. This would result in a permanent change in the soundscape of the area.

## **2.9 Glint and Glare**

2.9.1 Assessment of glint and glare is an important consideration in the development of solar projects. Studies have shown that glint and glare can pose a significant risk to air, rail and road users, and other receptors. It can also impact upon recreational uses, including equestrian (there are a number of studs and equestrian businesses in the area).

2.9.2 **[APP-261]** provides a report on the assessment of Glint and Glare from solar PV panels. The Glint and Glare Assessment (“**GGA**”) concludes that in terms of the effects of glint and glare arising from the proposed solar arrays, “[n]o significant impacts are predicted upon road safety, residential amenity and aviation activity associated with North Weald Airport, Stapleford Aerodrome, Jenkins Farm Airfield, South Weald Private Airfield and Willingale Airfield. No mitigation is recommended.”

2.9.3 In SLD’s view, the method used and approach taken in the GGA is flawed and not reliable for decision-making purposes. The following issues are taken:

2.9.3.1 SLD consider that the GGA has adopted a flawed approach and that the potential impacts of glint and glare from the Scheme have been understated.

2.9.3.2 SLD have concerns as to whether the proposed mitigation measures would be suitable and effective to reduce the risk of glint and glare. As in the case of landscape and visual impact, there appears to have been an overreliance on vegetation and planting to reduce the effects of the Scheme.

2.9.3.3 The GGA has only assessed major national, national, and regional roads. This means that there has been no assessment of the effects of glint and glare on the safety and visual / other amenity of users of local roads and

lanes. SLD consider that the omission of local roads from the GGA is significant, not least as while many are rural they are still much used.

2.9.3.4 The GGA has not assessed the impacts of glint and glare on pedestrians, cyclists, and equestrians making use of PRowS. This is clearly unsatisfactory, given the effects of glint and glare could be significant and put people off using PRowS. The potential effect of glint and glare on horses has also not been considered.

2.9.3.5 The GGA did not assess the cumulative effects of glint and glare that would arise in combination with other schemes. This is a major omission which should be rectified.

2.9.4 The effects of glint and glare have not been properly taken into account in relation to other features of the Application:

2.9.4.1 The LVIA does not appear to take into account the impacts of glint and glare on landscape character and visual amenity. SLD's landscape expert has assessed glint and glare as resulting in high levels of adverse effects on landscape character, and certain visual receptors could experience significant adverse visual effects.

2.9.4.2 It is well-documented that glint and glare can adversely affect wildlife, especially birds and bats. This should have been factored into the ecological assessment.

2.9.4.3 Glint and glare can affect the settings of heritage assets, both in terms of how the asset is perceived and experienced within the landscape, as well as specific views to and from assets. This should have been factored into the heritage assessment.

2.9.4.4 Glint and glare can have significant effects on mental health for all receptors; given the proposed scale of the proposed development, and the fact that there is no existing research or evidence of the health implications for a solar development of this scale using the proposed

tracker PV panels, and the potential mental health effects on the local community, this matter should be considered during the examination.

## **2.10 Recreational and Residential Amenity**

2.10.1 SLD considers that many of the effects of the Scheme would have a significant and negative effect on recreational, social, and residential amenity.

2.10.2 The full justifications for this conclusion will be set out in SLD's WR, but below is an example, relating to effects on PRoWs.

2.10.3 The Scheme is crossed by numerous PRoWs connecting the various villages in the area. Given its proximity to the CNL and the open rural nature of the area, the PRoWs and other routes are very popular with and well-used by residents and visitors alike (including many equestrians and cyclists). SLD will provide evidence of this in due course.

2.10.4 A key feature of many of the PRoWs is their connection to the CNL. This is already addressed in respect of the Fosse Way, but SLD will produce evidence of how other routes are used to connect into the CNL. This includes the Sherston Walks guidebook which details a number of routes which connect the sites of the Scheme and its surrounds with the CNL. By industrialising the landscape around these routes, their connection and nature as the setting of the CNL would be eroded. Such an effect on PRoWs is necessarily harmful to them and would discourage their use; as a result, the Scheme does not "protect and enhance public rights of way" (NPPF para 105).

2.10.5 The Applicant is forced to accept the harm that it would do to a large number of PRoWs. In **[APP-068]** at para 16.10.31 the Applicant accepts there are significant effects on 7 PRoWs and effects on 120. However, SLD consider that this fails to engage with the harmful effect of even the mitigations proposed by the Applicant (which essentially result in long, enclosed and inescapable corridors, with once-open views lost to mitigation such as vegetation).

2.10.6 The Applicant asserts that, overall, the effects are medium-term temporary minor adverse. However, this fails to recognise (1) the permanent effect of dissuading

tourists from the area, including those visiting the CNL; (2) the permanent effect of discouraging local people accessing the countryside, including visiting the CNL; (3) the permanent effect of any mitigation that is left in place; and, (4) the falling into disuse and disrepair of PRowS which are significantly harmed by the Scheme. Again, given the policy imperatives to “protect and enhance public rights of way” (NPPF para 105), this should weigh against the Scheme.

2.10.7 This is also before recognising the cross-cutting effects that arise in respect of PRowS. Among other things, there is the use by construction vehicles; amplification of use; glint and glare; and noise (to name but a few considerations). SLD considers that the Applicant has significantly and demonstrably underweighted the harm to PRowS in the site area.

## **2.11 Air Quality**

2.11.1 The BESS proposed for the Scheme is extremely large; proposed at 500MW and 1000MWh capacity. It is well known that BESS thermal runaway events, or “fires”, can release a wide range of toxic gases. [APP-067] includes a model assessment of the likely concentrations and effects of a BESS fire at Lime Down. This purports to show that emissions from a fire in the BESS would have negligible effects on human health even at the closest receptors. SLD consider that the methodology used in this study is seriously flawed and misleading, and that health effects are likely to be significant.

2.11.2 Among the flaws in the study are:

- Failure to use a credible worst-case scenario.
- Restriction of the study area to 1 km distance from the fire.
- Use of inappropriate environmental standards.
- Failure to model pollutant concentrations at the closest receptors, including the main line railway.
- Failure to model some of the most toxic pollutants.
- Underestimation of emission rates from the fire.

## 2.12 Ground Conditions and Contamination

2.12.1 Chapter 29 [APP-071] of the ES addresses ground conditions and contamination.

SLD consider the possibility of groundwater contamination to be a significant issue. Notwithstanding the measures set out in the ES by the Applicant, SLD remain concerned that the Scheme presents an unacceptable risk of groundwater pollution, which the Applicant's high-level assessment does not properly consider, and the proposed mitigation measures do not properly address.

2.12.2 The entire Site is within a Groundwater Source Protection Zone, as designated by the Environment Agency. This recognises the special importance of groundwater as a valuable resource to this region. There are two rock formations which supply water (aquifers) in the area – the Great Oolite (or Chalfield Oolite), and below it, separated by an impermeable layer of Fullers Earth, the Inferior Oolite. It should be noted that a significant portion of the groundwater within the Site boundaries is used as drinking water in the local towns and villages (including through boreholes) and extracted by Wessex Water for use in Chippenham and Bath. There is also capacity for some of this water to be transferred in the future to the adjacent Thames Region. As a Source Protection Zone, development at the Site Lime Down should be constrained where it puts these valuable water resources at risk. That is also true when several properties locally use bore holes for water supply.

2.12.3 The “high-level” assessment of hydrogeological risks carried out by the Applicant is inadequate. The Applicant has carried out a variety of “Desk Studies” but the assessment of hydrogeological risk is merely a small proportion of it. A conceptual model has been prepared based on a source-pathway-receptor formulation but omits many of the major contaminants identified in the ES as potentially problematic. The model erroneously focusses on minor sources, such as backfilled ponds. As a consequence, the risks are underplayed.

2.12.4 The sensitivities of the Site indicate that a detailed Hydrogeological Risk Assessment should have been carried out by the Applicant. The ES suggests no detailed assessment was necessary given “*the limited intrusive groundworks*

*proposed, the underlying geological and the mitigation and control measures set out in the Outline CEMP.”* However:

- The ground works proposed along the CRC are clearly intrusive.
- The Site is located in close proximity to a variety of sensitive groundwater receptors. For example, there are several aquifers in the district. The Great Oolite is the main one used for water supply and is classified by the EA as a “principal aquifer”, the most important type.
- The Site is located within a Source Protection Zone, which would ordinarily necessitate such a detailed assessment.
- The Environment Agency classifies the whole area as “vulnerable” to groundwater pollution, with the exception of Area E. Most of the Lime Down Site is overlain by the Forest Marble, a “secondary A” aquifer.
- The maximum depth of piling proposed is 12 meters (**[APP-055]** at pp.9-10, for substations). This has the prospect of breaking through protective layers covering the major aquifer, leading to contamination from surface pollution, whether due to the Scheme or not.
- The sites are very close to some ancient woodlands. Given the hydrological changes that panel areas would bring, this could affect growing conditions and lead to changes in species composition or even death of trees.

2.12.5 Mitigation is discussed in the CEMP and is insufficiently tailored to the Site. The plan lacks detail and consists mostly of references to standard operating procedures, showing no awareness of the unusual features of the area which may render some of the measures ineffective. Only the collection of firefighting water for the BESS has a site-specific plan.

2.12.6 Groundwater contamination is also considered in Chapter 11, Hydrology, Flood risk and Drainage **[APP-063]**. However, the assessments in Chapter 11 do not include all the major issues raised by Chapter 19 **[APP-071]** and are still based only on qualitative opinion. The requirement for a full hydrogeological risk assessment requested by the Planning Inspectorate (Scoping Report ID 3.5.11),

the Environment Agency (Scoping Report p.112-137) and Wessex Water (Scoping Report p.298-301) has been ignored.

## **2.13 Major Accidents and Disasters**

2.13.1 A significant concern for the community living around the Scheme is the proposal for a 1GWh BESS. This BESS is already in a sensitive location, proximate to the Grade 1 listed Bradfield Manor, also Hullavington, Norton, and some more isolated dwellings. Concerningly, the BESS is also situated next to major infrastructure: the railway. BESSs are a significant and well-known fire risk, and SLD considers that the siting and size of the proposed BESS has failed properly to engage with safety constraints. Given the environmental impacts of the BESS, and the uses of the BESS proposed (see in the next section below), SLD consider the justification and all effects of the BESS should be considered in detail.

2.13.2 SLD also consider that the existing Outline Battery Safety Management Plan (“**OBSMP**”) [APP-286] cannot currently give the ExA the comfort required that it would address the full scope of a BESS fire event with a development of this magnitude. That is particularly so given the lack of detail about the BESS technology itself; without such information, there can be no confidence that a reasonable worst-case situation has been assessed and (importantly) whether the OBSMP can respond to all such worst cases.

2.13.3 SLD have concerns that the Applicant has not properly assessed the consequential effects of a BESS fire in the reasonable worst-case scenario. To take one example, [APP-063] provides very limited detail on mitigating the reasonable worst-case scenario for polluted water discharge arising from attempts to extinguish a battery fire. As the report correctly notes, the area is a Source Protection Zone, and so sensitivity of groundwater receptors is high (para 11.10.49). Given the possible toxicity of such water SLD considers this is a particularly sensitive issue. Yet there is only a description of mitigation at a very high level without detail of what the reasonable worst-case is (for example, does it account for additional water brought to site, does it account for a fire with significant container to container propagation?).

2.13.4 The ES is required to assess the likely significant effects of the Scheme. If the Applicant proposes to rely on such mitigation to avoid those significant effects, SLD consider that a clear analysis demonstrating the reasonable worst-case scenario, and a quantification of how the measures in the OBSMP and associated documents (including on proposed measures for drainage), need to be put before the ExA.

## **2.14 Power Generation and Infrastructure**

2.14.1 SLD accepts that the NPSs set out an in-principle case for solar energy generation in the UK. Indeed, it supports such generation in the right locations. However, there are key features of large-scale solar, and this scheme in particular, which it considers to be critical to properly assessing the effects and benefits of this scheme.

2.14.2 First, the Applicant's Statement of Need states that the Scheme "does not propose significant overplanting" ([APP-266], para 6.6.3), but gives no indication of the reasonable worst-case of any scope for overplanting at all. Given the significant environmental effects of overplanting, the Applicant must justify on the facts of this case (rather than an abstract explanation) the reasonable worst-case approach to overplanting. If there is in fact limited or no overplanting, this should be secured in the DCO.

2.14.3 Second, the Scheme is understood to be unusual in requiring a 22km 400kV grid connection cable (para 3.1.4 of [APP-270]). SLD understands from the site selection process that this is not the Applicant's preferred distance. Such a cable and associated works is costly and increases the quantum of environmental effects for no additional benefit. This makes choosing this location surprising, and increases the difficulty of justifying the many environmental effects set out in this RR. However, this distance also causes transmission losses, but no independent assessment of that loss has been made. Rather a "Round Trip Efficiency" ("RTE") figure is given via the BESS which is addressed below.

2.14.4 Third, the Applicant quite clearly intends to benefit commercially by trading BESS capacity and importing from the National Grid. The Scheme itself is proposed to

have an import capacity of 250MW. The Applicant recognises “[n]either are BESS 100% efficient”, and suggests a RTE of power generated in the Scheme and used to charge the BESS before discharge of 88% ([APP-270], para 5.11.63) or 85% ([APP-059, para 7.10.66). That is a significant loss, any may well encourage further generation by high emission generating stations elsewhere on the grid.

2.14.5 At least currently, it is unclear whether the 22km cable would survive the 60-year lifespan of the Scheme. While the Applicant considers that replacement of the high voltage cables is “not anticipated” ([APP-059], para 7.4.19), at least one paper (produced by Scottish and Southern Electricity Networks) states that “underground cable would be expected to have an operational life of around 40 years”.

## **2.15 Socioeconomics, Tourism and Recreation**

2.15.1 Chapter 16 of the ES deals with Socio-Economics, Tourism and Recreation [APP-068]. The chapter considers impacts to the visitor economy across the construction, operation and decommissioning phases.

2.15.2 The ES appears to recognise the harmful impact of the Scheme in some respects. For example, the ES acknowledges that the Scheme’s construction is likely to impact upon the visual amenity of visitor attractions and outdoor recreational facilities where there are line-of-sight visual changes to their surroundings, particularly where their landscape and visual context is important to their desirability, such as regionally important heritage locations or recreational routes. It is accepted that those effects have the potential to be significant. It is also acknowledged that the impacts on the agricultural and tourism sectors are anticipated to be continuous through the operational lifetime of the Scheme.

2.15.3 Evidently, the landscape is an important part of the tourism offer in this area and, as such, any changes to the natural landscape could impact significantly on its appeal. Likewise, walking, horse-riding, and cycling are popular tourist activities in the locale and would be impacted by those landscape harms by virtue of the diminished and industrialised character of the area post-development. SLD will

present further evidence in its written representations on the potential of the Scheme to harm the local economy.

## **2.16 Climate Change and Carbon Benefits**

2.16.1 SLD has commissioned an academic review of the Applicant's Climate Change and GHG assessment **[APP-059]**. SLD has concerns that the Climate Change Chapter of the ES substantially overestimates the benefits of the Scheme and underestimates embedded carbon.

2.16.2 The embedded carbon of the Scheme is a choice of its design. While SLD accept the policy imperative in favour of solar generation, the positive weight to be ascribed to such development is necessarily tempered in the balance by the environmental effects of the Scheme. Given the apparent overestimate of the Scheme's climate change credentials, SLD consider that the benefits of the Scheme overall must weigh less heavily in the analysis overall. SLD will also comment on the significant change of GHG calculations from the PEIR, and concerns it has about the consistency of figures provided.

2.16.3 In addition, SLD consider that the ES does not assess all likely significant effects of the Scheme on the climate. As is noted above, the Applicant proposes to charge the BESS from the National Grid, with no indication of how often this would happen. Given this would be at times the solar is not itself charging the BESS (e.g. at night as considered at **[APP-266]**, fig 22, at which time there is also less wind), there is a likelihood that this would be charging when the National Grid is at a high GHG emission intensity (as other solar would not be generating as well). That the Scheme may encourage CCCT or other generating stations to operate is a likely significant upstream environmental effect which SLD considers the Applicant has not assessed for its ES.

2.16.4 It does not appear that the Applicant has considered using low emission mobile plant, which could be secured in the DCO (NPS EN1 para 5.7.9).

2.16.5 SLD also consider that the measures proposed for mitigating emissions during the construction phase are ineffective. SLD consider that a legally-binding carbon

limit for construction would be appropriate. For example, the Lower Thames Crossing Project (LTCP) contains a legally-binding carbon limit for construction, a first for any UK infrastructure project. It aims for a 70% reduction in construction emissions from the baseline, and aims to be fully zero-emission on sites by 2027 by eliminating all fossil and biofuels. The measures proposed would also reduce nitrogen oxides, particulates and other pollutants.

2.16.6 As to climate resilience, as noted above, baseline data was taken from the Met Office station at Yeovilton (68km distance from the centre of the Scheme). Contrary to **[APP-059]** para 7.7.8 there are 11 suitable measurement stations closer to the Scheme and all have higher rainfall than Yeovilton. SLD consider the rainfall figures used to thus be an underestimation, and has other concerns about the figures provided.

### **3 Cross-cutting Issues**

#### **3.1 Cumulative effects**

- 3.1.1 Many of the topic areas above address cumulative effects. However, SLD consider that the examination must address both intra-project cumulative effects (due to the islands of solar presenting as if separate schemes), and inter-project cumulative effects (with solar, BESS and other development, apparent in **[APP-178]** **[APP-179]** and **[APP-264]**).
- 3.1.2 SLD is aware of numerous existing and recently approved developments in the area, including nearby existing solar. SLD consider it essential that Lime Down's interaction with other developments is fully examined, particularly as the surrounding and industrialising effect of this scheme is immediately apparent alongside these other schemes.
- 3.1.3 The sheer scale of the Scheme is a major concern. The five solar sites present as separate schemes comprising six industrial-scale engineering projects interacting with each other, five of which would qualify as NSIPs in their own right. The development (excluding the underground 400 kV cable) creates a 50 square kilometre 'footprint', some 10km from east to west and 5km from north to south. It amplifies the perception of overdevelopment and industrialisation of the area. It also affects how people experience the landscape and setting of the area. In numerous locations recipients would feel engulfed and overwhelmed by what they can see in multiple directions. This would significantly adversely impact quality of life, health, and wellbeing.
- 3.1.4 SLD has concerns that the Applicant has not properly engaged with both the intra- and inter-project cumulative effects. To take an example of the former, it has concerns that the Applicant has failed to take into account the cumulation of effects from experiencing the Scheme on multiple sides (e.g. from overlapping noise or glint and glare envelopes, or overlapping zones of visibility). To take an example of the latter, it has concerns that the Applicant has failed to take full account of the surrounding proposals and their effects (e.g. on the highways network or amenity). This is a key issue for a scheme of this size.

### **3.2 Lifetime of the Scheme and Temporary Development**

- 3.2.1 The Scheme is unusual compared to many other NSIP solar developments in seeking 60 years of operational life, rather than 30 or 40 years ([APP-055], para 3.5.1). This is a departure from the usual “upper limit of 40 years [which] is typical” set out in NPS EN-3 (para 2.10.65). SLD consider that such a lengthy scheme, which has an expected operational lifetime the same as Sizewell C Nuclear Power Station, is functionally permanent and should be assessed as such.
- 3.2.2 Even if this primary position is not accepted, SLD consider that the decision-maker must take into account the policy landscape in favour of repowering schemes. This is found both in NPPF (para 165 and 168), and in the definition of “repowering” as CNP Infrastructure in NPS EN-1 (para 4.2.5). This sets out a policy preference for repowering which means the ExA cannot simply treat 60 years as a hard stop. Importantly, given the policies offer significant additional weight in favour of the Scheme because it is repowering (e.g. NPPF says “in the cases of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site”), the decision-maker must weigh in the analysis the fact that they are conferring that additional policy preference by granting permission now.
- 3.2.3 Whether or not the ExA consider the Scheme to be permanent, SLD consider that there must be investigation of whether (in fact) this Scheme would operate for 60 years (particularly given the asserted climate and energy benefits are measured against this 60-year figure). Among other things, SLD consider it imperative that the ExA assess whether the Applicant will or can secure an entitlement to the land for the Scheme as of right.

### **3.3 Policy**

- 3.3.1 Policy has been dealt with throughout this RR. At the WR stage, SLD’s planning experts will produce a formal report on the policy aspects of the Scheme.
- 3.3.2 Among other things, however, SLD consider the Scheme to be unusual amongst other proposals and consider it to be a case where there should be a departure from the starting points in NPS EN-1 paras 4.2.6 and 4.2.15-4.2.17.

### **3.4 Human Health**

3.4.1 As to human health, there are key policies in NPPF Part 8 which address social interaction, connectivity between people, and the promotion of healthy lives. This is a cross-cutting issue, as how individuals enjoy the landscape, enjoy recreation, enjoy socialising, and have a healthy life, is all connected to their relationship with the area in which they live. However, issues under recreation, highways and other topics above pose a real challenge to this. Across the examination, SLD will draw attention to how these cross-cutting issues impact local communities.

3.4.2 SLD will present further evidence on the health impacts of the Scheme. Preliminarily, SLD identify the following impacts as being of concern:

- The impact which the loss of visual amenity, and the non-visual effects, would have on the mental health and wellbeing of locals.
- The impact of a loss of access to green spaces by the Scheme, and reduced use of recreational routes where their settings have been impacted. This affects opportunities for physical exercise.
- The impact of noise and vibration on mental health.
- The disruption of PRowS during construction.

### **3.5 Draft DCO**

3.5.1 At the appropriate time, SLD will make submission on the terms of the draft DCO [APP-016]. This includes ensuring that there are proper constraints and requirements within its text, the requiring of appropriate mitigation and management to be provided for at the outline stage before detailed design, and management of the security of the decommissioning process (including bonds).

### **3.6 Consultation**

3.6.1 SLD has previously raised significant concerns about the approach of the Applicant to consultation. This was a matter that SLD has raised previously in correspondence with the Applicant, but also with Wiltshire Council and the Planning Inspectorate. SLD maintain concerns about the consultation conducted by the Applicant, and consider that many of the flaws of the Scheme stem from defective consultation. Were a proper and fulsome consultation on the Scheme

undertaken, at the very least this would have had the benefit of improving some aspects of it and making it less harmful. In failing properly to approach consultation and respond to local concerns, the Applicant has amplified many of the substandard aspects of the Scheme.

## **4 Conclusion**

- 4.1.1 SLD welcome the opportunity to engage in the examination of the Scheme, and will make further submissions (including at the WR stage) in the future. However, for the host of reasons outlined above, SLD cannot support the Scheme, and ask that the ExA recommend that the Secretary of State reject this application.
- 4.1.2 SLD accept that the Government has set out strong policy support for solar in the UK. However, that strong policy support does not obviate the need to consider the harms of the proposals, and the need to refuse such proposals where they are particularly harmful. That is the conclusion that SLD, supported by its experts, has come to in this case. SLD consider that the harms of the Scheme substantially outweigh the benefits, and that the policy favour for solar development is overcome.
- 4.1.3 SLD consider that the need to reject this Scheme stems from its entirely inappropriate location and scale. As a result of such a large proposal in that location, chosen with the opposition of the local community, elected officials, and statutory bodies, the Scheme produces far more planning harms than the typical NSIP solar scheme. Further, while Government policy establishes the in-principle benefit of solar schemes, there are features of the design of this Scheme which mean that the Applicant has overstated its benefits, and made it more harmful than the typical scheme.
- 4.1.4 Overall, the Scheme is a very substantial proposal which is poorly devised, damaging, and inadequately justified. It would cause substantial and functionally permanent harmful effects to the land and landscape, the environment, the heritage and ecology of the area, rural businesses, and local communities. The harms of this scheme substantially outweigh its benefits, and SLD invite the ExA to recommend to the Secretary of State that consent not be granted.