



TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE ORDER

BBC APPLICATION NO: 23/02405/LPA

To: The Planning Inspectorate

Bedford Borough Council has the following COMMENTS to make with regard to the request about the development as set out on your website for application reference no **EN010141**.

APPLICANT : The Planning Inspectorate

LOCATION : Land At And Between Keysoe Pertenhall And Little Staughton Staughton Road Little Staughton Bedfordshire

PARTICULARS OF DEVELOPMENT :

(This application is not being determined by Bedford Borough Council. Please contact the Applicant for details or to make comments)

Ref EN010141 - Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11, Application by RNA Energy Ltd (the Applicant) for an Order granting Development Consent for East Park Energy (the Proposed Development) Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested. To view online go to <http://infrastructure.planninginspectorate.gov.uk/document/EN010141-000010>

COMMENT

In terms of your letter, 31 October 2023, notifying Bedford Borough Council (BBC) as a statutory consultee to the above Application regarding the Scoping Opinion, we have reviewed the Applicant's Environmental Impact Assessment Scoping Report, dated October 2023/ Version 01 and, as requested, comment accordingly/ inform the Planning Inspectorate of information that we consider should be provided in the Environmental Statement.

(For ease of reading, we structure our response to accord with the Applicant's chapter and paragraph headings)

Further, we refer to PINs Advice Note regarding use of terms, namely:

(PINs Advice Note 7; §3.14) Aspects: The Planning Inspectorate refers to 'aspects' as meaning the relevant descriptions of the environment identified in accordance with the EIA Regulations; and,

(PINs Advice Note 7; §5.7) Matters: The Planning Inspectorate uses the term 'matters' referring to those parts that are a subdivision of the aspect, for example an assessment of a particular species is a 'matter' to the aspect of biodiversity.

LOCAL PLANNING AUTHORITY' STATUTORY CONSULTATION RESPONSE

Description (the 'Development'):

In terms of absolute clarity, Bedford Borough Council (BBC) suggests that the Application be described as follows:

'The Application comprises the construction of a new ground-mounted solar photovoltaic energy generating station (upto 400MW), an on-site Battery Energy Storage System (BESS)(storage upto 100MW) and East Park substation, infrastructure for connection to the national grid at the Eaton Socon National Grid Substation, a storage and maintenance building and associated parking, site accesses, internal access tracks, and associated landscaping and biodiversity enhancements on (circa 768 hectares) land to the north-west of St Neots between Keysoe Pertenhall and Little Staughton, Bedfordshire'.

Chp1 to 6

(§1.1.2) Capacity: 'The precise generating capacity and storage capacity will be subject to detailed design'. This flexibility would accord with PINs Advice Note 9 and is therefore in principle acceptable.

[BBC note: EN-3 stresses the need to ensure the significant effects of a Proposed Development have been properly assessed - Applicants need to ensure that the criteria in paragraph 1.4 of Advice Note 9 are achieved - this seems to have been acknowledged by the Applicant in §3.2.5 and §3.2.6 of the Scoping Report].

(§1.2.12) Planning policy: in light of the advanced stage of the preparation of the Bedford Borough Council Local Plan 2040 (Examination stage Reg 19), we would suggest that the Reg19 Plan and supporting evidence should be viewed as a material consideration.

(§3.1.6) Site boundary: we are in broad agreement with the single Red Line boundary, noting that the Applicant has requested some flexibility (Ref. PINs Meeting Note July 2022). This flexibility would accord with PINs Advice Note 9 and is therefore in principle acceptable, on the basis that any change in the Red Line boundary would similarly need to be addressed in the LVIA assessment, the zone of influence, and the zone of theoretical visibility.

It is however noted that the Red Line boundary is INCLUSIVE of several Public Highways (roads). BBC question if this is the correct approach as the single Red Line boundary does not reflect the complexity of more detailed site boundary screening conditions to individual parcels that will need to be addressed.

(§3.3.30) Public Rights of Way: 'to be set within wide green corridors'. BBC is concerned that this is not imperially defined and would like to see the proviso of a minimum PRoW width set at 8m for footpaths and 9m for bridleways; and, an assessment of how these are to be retained, managed, and enhanced within any Outline CEMP and Outline LEMP. BBC's concern is that these are important public routes which need to be assessed as 'sequential visual effects' (§7.6.3iv) corridors, rather than as a single viewpoint within a LVIA study; and, PRoWs form important habitat and landscape corridors, rather than as narrow pathways, hence the matter of width. This aspect should be recognised at the onset of the Application.

In this regard we draw you attention to the Borough of Bedford Local Access Forum's response (dated 14 November 2023) and the British Horse Society's response (dated 14 November 2023), which addresses the issue of Public Rights of Way used as footpaths and bridleways and proposed corridor widths. Their responses have been submitted by independent cover.

(§3.3.31) Design Code: 'The layout and design of the green infrastructure will be advanced prior to the preparation of the ES, with key elements either fixed on the proposal drawings, or commitments made within a design code document'. While BBC notes that the Design Code will be submitted as part of the Application, a provisional Design Code that sets out the matters to be addressed (e.g. design, materiality, etc) would be an important consideration to inform reading of the Environmental Statement and how each document has influenced/

informed the other. We would therefore suggest that a provisional Design Code is prepared alongside the Environmental Statement to enable discussions.

(§3.4.12); (§3.5.1) 40-year landscape management: 'operational lifespan of up to 40-years'; and, (§7.5.29) 'LEMP...landscape mitigation and ecological mitigation...and would also set out how this would be managed by the Applicant over the lifespan of the Scheme': BBC would like to understand how the Applicant assesses and address the management and maintenance of the existing mature and a new maturing landscape habitat over the operational lifespan of the project (circa 40-years). This represents a significant financial and staffing commitment which is currently not evidenced.

(§4.1.3) Site selection/ alternatives: BBC would like to see the sequential approach used to test for a range of sites sizes (to demonstrate address of LP Policy 46S). This would evidence if a series of smaller sites, not necessarily located in the same geographical area (adjacencies), could come forward; and, BBC would also like to understand the extent of the Applicant's sub-regional search area, assessment, and outcomes (acknowledging that the NPPF does not ask of this). This would be useful in understanding the effect of cumulative impact of major development at a sub-regional scale.

(Chp6.8) (§6.8.3) §6.8.5) (§6.8.7) Zone of Influence: BBC would like to see the Applicant state what the minimum ZOI would be (miles) to assess cumulative effect. Currently individual effect is referenced, but cumulative ZOI is not defined.

[BBC note: §3.1.1 of Advice Note 17 states that the ZOI for each aspect considered within the ES should be determined by the Applicant]. We would like to expand this statement to include 'in discussion with and to the approval of the local planning authority and/or statutory consultees'.

(§6.8.4) (§6.8.5) 'other developments': in principle, BBC will assist in identifying both significant and/or major development within the Borough, however, as some of these applications are/ may be at the pre-application stage and/or are confidential, we reserve the right to screen the list accordingly.

(§6.9.4) (§6.9.7) (Table 20.1) Scoping out (with reference to PINs Advice Note 7; §5.10 and §5.12): BBC has responded in detail to each scoping aspect/matter and inclusion/ exclusion in the chapter headings below. BBC reserves the right to review the scoping exclusion list as the Applicant undertakes more detailed surveys and assessments should these identify matters of significant effect and/or concern.

In terms of policy, we draw the Applicant's attention to Thurleigh Airfield Safeguarding Zone and mitigation measures. This aspect has not been addressed in the Scoping.

Chp7. Landscape and Visual

(§7.4.53) Zone of Theoretical Visibility: 'The ZTV is based on the 'Indicative Solar and Associated Infrastructure' zoning shown on Figures 3-2a to 3-2c. The initial ZTV has been modelled based on a height of 3m to reflect the maximum height above ground of the solar arrays across the Site'. BBC notes that as part of this Application, the Applicant has stated associated buildings and infrastructure heights as follows - storage buildings at 4.5m (§3.3.23), switchgear 8m (§3.3.16), and transformers 12m; also ref. Fig. 7-5 & 7-6. These associated buildings and infrastructure heights would need to be assessed in the LVIA.

(§14.5.5) It is noted that no reference is made in the LVIA to any security fencing, which may impact on landscape setting and views. Further, §14.5.5 raises the issues of a) gates and perimeter fencing; b) site access tracks and hard standing areas; and, c) control and

switchgear buildings. BBC note that all infrastructure works should be addressed in the Environmental Statement.

(§7.4.63) (Table 7.3) Viewpoints LVIA: 'Rather it is the people that would be experiencing the view from it. Receptor groups within the study area that are likely to experience views of the Scheme include: ...ii) Users of public rights of way, and other routes/ land with public access...': It is unclear how the 'sequential visual effects' (§7.6.3iv) along Public Right of Ways (Fig. 14-2) has been provisionally assessed in Fig. 7-7 Viewpoint Locations. BBC would, apart from what is already presented, require a more localised LVIA with regards to both PRowS and heritage assets.

(§7.5.13 & 15) Glint & glare: BBC accept the Applicant's reasoning that solar panels absorb light and that this may not be an issue. However, the Applicant would need to address the matter raised in Policy 57(ix) regarding possible impact on aviation in this regard.

Table 7.4 (Landscape and Visual) Summary of matters proposed to be scoped in/out. BBC review:

1. Night-time effects (Lighting) - all stages scoped out: the Applicant has not referenced how during the operational stage the scheme will be maintained during the darker winter months; and, emergency works and security aspects when lighting may be required. Suggest that this is defined as 'lighting' and scoped in for the operational stage.
2. Table: refer to concluding statement.

Chp8. Ecology and Nature Conservation

(§8.4.37) Field boundary hedgerows: 'Given the embedded retention of higher suitability field boundary habitats'; (§8.5.9) 'The Scheme's design evolution will seek to avoid areas of significant biodiversity value, such as field boundary hedgerows and ditch networks. Habitat enhancement measures and ongoing management practices will be proposed in line with guidance published by the Building Research Establishment (Biodiversity Guidance for Solar Developments) (2014) that will enhance and safeguard key habitats for the benefit of wildlife...': BBC would like to see a) specific address and evaluation of the cumulative value of habitat corridors (i.e. field boundary hedgerows) with the proviso of a minimum width corridor as set above; and, b) how these are to be retained, mitigated, and enhanced within any (§8.5.13) Outline CEMP and Outline LEMP. BBC's concern is that as these important habitat and landscape corridors mature in height, they have the potential to throw direct and long shadows onto the solar panels. The impact of such should be recognised at the onset of the Application.

Further, the Application will need to address adjacencies of existing and proposed solar farms and how maturing screen landscapes and habitat corridors to their site may impact shadow patterns on these adjacent solar farms; and visa versa.

Further, the Applicant does not appear to give consideration to (treed) hedgerows that potentially form an integral part of a field system pre-dating the Inclosure Acts. The same matter arises regarding Country Wildlife Sites and Ancient Woodlands (i.e. which require 15m buffers). BBC note that this matter requires more detailed considerations in all stages of the Development.

(§8.4.58) 10% BNG: while BBC's Local Plan 2030 does not set the % of BNG to be attained, Policy 43 does require a 'net increase in biodiversity'. This matter is addressed by the Applicant. However, we refer the Applicant to the DRAFT BBC Local Plan 2040, Policy DM7 which requires 'securing a minimum of 10% BNG'; and, further §6.62 'the environmental agenda has moved on and it is now suggested we should go further than biodiversity net gain and adopt an environmental net gain approach in planning and development. The Local

Plan 2040 provides an opportunity to update our policy. Environmental net gain is defined as: Environmental net gain = biodiversity net gain + natural capital gain'. We suggest that the Applicant is minded of this approach.

(§8.7.1) Surveys: 'Field surveys commenced in 2021 and will continue through 2023/24 ...The surveys may highlight new important ecological features ...These would be discussed on a case-by-case basis with the local authorities, Natural England and other statutory and non-statutory consultees as appropriate'. BBC, in-principle acceptance, subject to a potential review of the extent of the Zone of Influence and/or Zone of Theoretical Visibility should this be required in response to new survey information noted above.

[BBC note: all parties will note that surveys are time sensitive, CIEEM guidelines state that if the age of data is between 12-18 months old the report authors should highlight whether they consider it likely to be necessary to update the surveys. If between 18-months and 3-years an updated survey and report will be required. Anything more than 3-years old the report is unlikely to still be valid and most, if not all, of the surveys will likely to need to be updated].

Table 8.1 (Ecology and Nature Conservation) Summary of matters proposed to be scoped in/out. BBC review:

1. Priority Habitats - operation and decommissioning scoped out: the Applicant will need to assess and evidence how during these two stage the scheme will manage, maintain, and restore these habitats as required by the Act; suggest stages to be scoped in.
2. Other on-site habitats - operation scoped out: suggest stages to be scoped in.
3. Amphibians - operation scoped out: suggest stages to be scoped in. Further, see attached submission by NatureSpace which concludes 'We are in agreement that great crested newt should be scoped into the Environmental Statement. In line with guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, March 2021), there is a reasonable likelihood that great crested newts would be impacted by the development proposals. It is therefore considered likely that a licence would be required to implement the proposal' (NatureSpace comment sheet; 24/11/2023).
4. Bats (roosting) - all stages scoped out. In light of the fact that 'Bats (Foraging and commuting)' for construction and operation are scoped in, to allow for a consistent assessment, Bats (roosting) should be scoped in.
5. Badgers - all stages scoped out. In light of the fact that badgers are territorial and maintain main, annex and outlying setts, collectively this will need to be surveyed, assessed, and possible mitigation proposed. Construction and operation should be scoped in.
6. Table: refer to concluding statement.

Chp9. Flood Risk, Drainage and Surface Water

(§9.5.19) Pollution: 'onsite maintenance' i.e. chemical spills/cleaning materials to PV units; and, (§9.5.26) '... the impact of chemical pollution during the operational stage is proposed to be scoped out'. BBC express concern regarding possible soil and groundwater pollution arising from the 40-year operational stage and possible effect on agriculturally arable soils; matter should be assessed (it is noted that mitigation measures to form part of a LEMP condition if consent granted).

Table 9.1 (Flood risk, drainage, and surface water) Summary of matters proposed to be scoped in/out. BBC review:

Table: refer to concluding statement.

Chp10. Ground Conditions (land contamination)

(§10.5.8) Pollution: 'pollutant-receptor-linkages and the siting of compounds and any fuels will need to be kept well away from the banks of any stream and other watercourses'. BBC

express concern regarding possible soil and groundwater pollution arising from the 40-year operational stage and possible effect on agriculturally arable soils.

Table 10.1 (Ground condition - land contamination) Summary of matters proposed to be scoped in/out. BBC review:

1. Controlled waters - operational scoped out. In light of possible chemical spills and contamination, operational should be scoped in.
2. Table: refer to concluding statement.

Chp11. Cultural Heritage and Archaeology

BBC note that due to the Applicant's extensive data base of cultural heritage, listed buildings, and archaeology information, we have not been able to respond in detail regarding their proposed assessment and mitigation methodology of heritage assets. We note that cultural heritage, listed buildings, and archaeology matters (and potential loss of important hedgerow under the Hedgerow Regulations and Inclosure Act) should be assessed within the broader landscape in which they sit; the setting (and views) plays a significant part in understanding and contributing to the cultural and physical value of the asset and should be addressed as such in the Environmental Statement.

Chapter 11 outlines the baseline cultural heritage conditions at the site and the methodology for the identification and assessment of potential effects on heritage assets in the Environmental Statement.

(§11.1.1) the Scoping Report notes 'highlights where mitigation measures may be required'. However, there appears to be no discussion in the Chapter as to how it is proposed to potentially mitigate against impacts on heritage assets during the operational stage, or where enhancements to the significance of heritage assets may be secured as per §5.9.13 of EN-1. For example, will screening, retention of important views of assets or the omission of areas of the site from development potentially be employed as mitigation measures where significant impacts are identified?

(§11.2.1 (ii)) From a built heritage perspective, a 3km study area is proposed for the assessment of potential impacts on the setting of designated heritage assets, including listed buildings and conservation areas. This approach is considered reasonable and sufficient to understand the likely effects of the proposed development - given the evidence base (including the ZTV). BBC agreed with the Applicant's statement that it is unlikely that assets located outside of this area would be significantly adversely affected by the development. The Scoping Report confirms that there will be no direct impacts on above-ground heritage assets - as such it is agreed that direct impacts on heritage assets beyond the Development Boundary can be scoped out of the assessment.

(§11.3.9) BBC note that it is appropriate to refer to Historic England's "Commercial Renewable Energy Development and the Historic Environment: Historic England Advice Note 15", which includes guidance on physical and non-physical impacts on heritage assets arising from renewable energy development, as well as potential mitigation measures.

(§11.5.10) BBC notes that visualisations will be produced where necessary, which is in accordance with best practice. BBC reserves the right to request additional visualisations beyond what the Applicant has submitted, should this be required to review and assess impact(s) on assets.

(§11.5.12) The Applicant note that they intend to scope out of the assessment all non-designated heritage assets located outside the Site unless these are considered to be potentially of national importance. The reasoning is that 'these assets are generally considered less sensitive to changes in their settings and are judged to be unlikely to be subject to significant settings effects'. Whilst it is accepted that indirect impacts on non-designated heritage assets are unlikely to weigh heavily against the proposal given the 'balanced judgement' required by the decision-maker and the public benefits likely to flow from the development; §5.9.7 of EN-1 confirms that the SoS should consider the impacts on

non-designated heritage assets. Furthermore, the contribution made by the setting to the significance of a heritage asset is not usually dependent on the inherent significance of the asset, or whether it is of national or local importance (see §11.6.8 and §11.6.10 of the Scoping Report make the same point). BBC suggests that the Applicant undertake further site visits to identify non-designated heritage assets located within the 3km area - any resulting assessments should be included in the ES.

BBC refers you to concerns raised by the Archaeological Officer (Memo; 24/11/2023) namely, pre-DCO archaeological evaluation, mitigation and enhancement measures which should be addressed within the Environmental Statement.

The assessment methodology set out in Section 11 appears to be acceptable for a development of this magnitude (notwithstanding concerns that non-designated heritage assets outside the site have been scoped out). It will be important for the setting assessments detailed under §11.6.11 onwards to be carried out separately from the LVIA, as an assessment of setting impact (where the asset is the receptor) is different from an LVIA, where the viewer is the receptor. That said, there is overlap and the Applicant is encouraged to carry out the two assessments parallel with each other.

For the purposes of this response, the Applicant should be minded of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) (the Act) which states that special regard should be paid to the desirability of preserving the settings of listed buildings, where those settings would be affected by proposed development.

Table 11.7 (Cultural Heritage and Archaeology) Summary of matters proposed to be scoped in/out. BBC review:

1. We refer to matters raised in the attached Archaeological Officer's Memo (24/11/2023).
2. Table: refer to concluding statement.

Chp12. Noise and Vibration

Table 12.3 (Noise and Vibration) Summary of matters proposed to be scoped in/out. BBC review:

Table: refer to concluding statement.

Chp13. Socio-Economics, Land Use and Tourism

Table 13.1 (Socio-Economics, Land Use and Tourism) Summary of matters proposed to be scoped in/out. BBC review:

1. We note that traffic noise and plant and machinery impacts are being scoped in for construction and operational phases, and consequently should be included in the decommissioning stage.
2. Table: refer to concluding statement.

[BBC note: we raise significant concern regarding the extent of land (c. 768ha) been taken out of food production in this Application. This concern needs to be read further against the cumulative effect of consented applications and pending applications within the sub-region that have similarly taken/ propose to take productive soils out of agricultural use. The Applicant will need to assess and evidence this matter specifically in relation to the ongoing tensions between the Government's energy strategy and the Government's food strategy].

BBC note that the value of infrastructure investment and the potential for local employment opportunity that this scheme represents will be of interest to Members and will need more detailed assessment in the Applicant's report.

Chp14. Traffic and Transport

BBC notes that due to staffing resources and the relatively short period in which to respond to the Applicant's Scoping Report, we have not been able to respond in detail regarding methodology, assessment, and mitigation on this aspect.

(§14.5.9) Staff activity: 'During the operational phase it is anticipated that there will be around 10-16 staff on-site at any one time, primarily undertaking maintenance tasks'. BBC note that the effect of staffing accommodation located on site (i.e. kitchen and loo facilities and related wastewater/sewage) is not addressed within other aspects and require inclusion in all stages of the scheme. Further, no information is provided in the Scoping Report regarding the construction compounds and movement of staff between them and the location of the solar arrays, BESS, landscape maintenance, etc. during both construction and the decommissioning stages. This requires further address.

It is noted that the required access route to the indicative East Park substation and BESS facility, located in Site C (Fig. 3-2b), potentially requiring access for large, industrial vehicles, is not noted in the Scoping Report. Similarly, the location of the storage and maintenance building is not noted. The impact, and mitigation, of vehicle movement to these facilities will need to be addressed in the Environmental Statement.

Table 14.7 (Traffic and Transport) Summary of matters proposed to be scoped in/out. BBC review:

Table: refer to concluding statement.

Chp15. Climate Change

(§15.2.2) Greenhouse Gas Emissions (GHG): '...consider all emissions of GHG emissions within the Site and indirect emissions from activities outside the Site';

(§15.5.7) Stages: 'Product manufacturing stage: i) Raw material extraction, transportation and manufacturing of products required for the Scheme; and, ii) Transportation of products to the Scheme. Construction stage: i) On-site construction activities including construction compounds - emissions from plant, vehicles and generators; ii) Transportation of construction materials - where not included in the product-stage embodied GHG emissions'. Decommissioning stage: ii) Transportation and disposal of waste materials'; and,

Table 15.4 Topic: 9) Raw material extraction and manufacturing of products required for the Scheme and transportation of raw materials to the place of manufacturing; and, 10)

Transportation of product to the Scheme; to be read against,

(§18.4.2) 'Many of the infrastructure elements would be prefabricated offsite i.e. PV panels, racks, inverters and transformers, BESS units, substation components. As such, the generation of waste resulting from the construction of these elements will be minimal'.

BBC note that the Applicant's Scoping Report does not address where the infrastructure elements/ 'kit-of-parts' are to be manufactured (§13.5.2 'global suppliers') and decommissioned. We would suggest that the full life-cycle carbon footprint has to be assessed, including the manufacturing of components made internationally/ sub-regionally and shipped/ railed as freight into/ across the UK.

Table 15.4 (Climate Change) Summary of matters proposed to be scoped in/out. BBC review:

1. Our reading of Table 15.4 suggests that once all infrastructure elements have been installed/ constructed there will be no further need to replace these elements and hence Topics 9 (Raw materials) to 13 and 19 (on-site maintenance) have been scoped out. Over the intended operational period of 40-years these assumptions need to be questioned in light of continually changing technologies, etc. While the Applicant states that effects may be negligible, this is currently not known. Consequently, all topics hereby noted relating to operation (management and maintenance) should be scoped in.

2. (§14.5.9) Travel of workers: there will be '10-16 staff on-site at any one time', 'visitor trips per week', and (§14.5.10) trips associated with staff on-site movement and maintenance.

BBC would wish to see this accounted for, however negligible, as currently the full extent of this activity could be more extensive in regard to the matters above.

3. Table: refer to concluding statement.

Chp16. Air Quality

Table 16.4 (Air Quality) Summary of matters proposed to be scoped in/out. BBC review:

Table: refer to concluding statement.

Chp17. Land and Soils

(§17.5.2) Agricultural soil: 'The Scheme would predominantly result in the temporary loss of agricultural land, albeit over a long-term period. This would include a change in land use from what is currently predominantly arable cultivation, to extensive areas of solar arrays beneath which would be pasture and/or wildflower grasslands. Much of the land is likely to remain in agricultural production through sheep grazing' (bold - our emphasis);

(§17.5.8) 'The construction of the Scheme has the potential to result in soil compaction ...mixing of different soil horizons ...changes to nutrient values and soil fertility';

(§17.5.9) 'The temporary removal ...of the Site from arable cultivation (over long-term period) would 'rest' the soils and has the potential to deliver significant environmental benefits through an increase in organic matter that simultaneously delivers carbon sequestration. An increase in the organic matter in soils also has the potential for delivering other ecosystem services such as reducing surface water run-off and increasing microbial diversity' (bold - our emphasis); and,

(§17.7.1) 'It is not currently confirmed how the land will be managed under and around the solar PV modules, however it is assumed that sheep grazing will be undertaken on at least some of the fields'.

BBC is not in agreement with these statements regarding protecting the quality (productivity) of agricultural soil. Soils are living habitats that require annual soil augmentation to remain active ecosystems. Soils kept in partial shade and with no or limited cultivation or augmentation over a 40-years period has the potential to irreversibly harm the liveability and productivity of the soil. BBC would want to see considerable assessment, statement, and a long-term maintenance methodology regarding this matter to support the Applicant's approach that this is temporary and that the soils can be brought back into productive agricultural use.

Table 17.3 (Land and Soil) Summary of matters proposed to be scoped in/out. BBC review:

1. Effects on soil - operation scoped out. In light of the above, operational should be scoped in.

2. Table: refer to concluding statement.

Chp18. Other Environmental Topics

(§18.3.11) Major Accidents or Disasters: 'The battery units have the potential to generate heat and therefore there is a risk of a fire developing'. BBC notes that the BESS is a battery unit and would therefore need an assessment as to possible ground and soil contamination/potential for hazardous pollution.

(§18.4.6) Waste: 'In relation to decommissioning, waste arisings will be generated from the removal of PV panels, PV mounting structures, cabling, electrical equipment, fencing and foundations', and the BESS battery unit.

(§18.4.9) The nature of the battery units has not been stated and therefore, to err on caution, BBC would need to understand the life-cycle management of and possible long-term contamination/ waste disposal of these materials. BBC would like to see this scoped in.

Chp19. Structure of the Environmental Statement

(§19.1.2) Aspects and Matters as set-out, and the overall structure of Environmental Statement including cumulative and intra-project effect: refer to concluding statement.

Chp20. Summary and Conclusion

(§20.1.1) 'This Scoping Report represents a notification under Regulation 8(1)(b) of the EIA Regulations that the Applicant will undertake EIA for the Scheme and prepare an Environmental Statement to report the findings of the EIA for submission with the DCO application';

(§20.1.2) 'The Scoping Report is also a request under Regulation 10 of the EIA Regulations for a formal Scoping Opinion on the information to be provided with the ES'; namely,

basis on reasonable assumptions having been made by the Applicant in the submitted Environmental Impact Scoping Report, BBC have an in-principle acceptance of the Scoping Report; however, due to aspects and matters raised above and/or not evidenced by the Applicant, BBC reserve their right to comment and request further assessment in the Environmental Statement accordingly.

Due to staffing resources and the relatively short period in which to respond to the Applicant's extensive Environmental Impact Scoping Report, the Council has not been able to revert with all internal consultation from technical consultees, including highways, the Local Lead Flood Risk Officer, and Planning Policy. We note that BBC has initiated joint discussions with Cambridgeshire County Council and Huntingdonshire District Council and that BBC's response has been shared with them. However, the response above is solely that of Bedford Borough Council, submitted without prejudice.

Should you require any clarification, please contact Peter Dijkhuis (Peter.dijkhuis@bedford.gov.uk).

Signed:



C Austin Director of Environment

Decision Date: 28 November 2023