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Dear Sirs

SMD/2025/0136 – EIA Scoping Opinion Request for Solar PV Array on land at New House Farm, Upper Cotton, ST10 3DT

I am instructed by the Save Churnet Valley Group to respond to the above application and ask you to consider the following:

In the first instance, I refer to the previous Scoping Opinion for the subject site under reference SMD/2023/0336, the decision for which confirmed the need for a full EIA.

The site for the current application is an increase of 25% over the previous application which, it can be fairly argued, will result in an exponential magnification of the environmental impact. There can be no justification for the current Opinion to vary far from that of the previous.

The information submitted by RSK on behalf of the applicant contains errors and omissions, all of which negate their arguments for avoiding a full ES.

Climate

Failure to consider the effect on climate and the impact on global warming created by the manufacturing process of the Solar panels, the mining of the rare earth source minerals involved, the materials necessary for the construction of the site and the process of on site construction including transportation of materials. (the "Finch" Ground and associated ruling).
RSK limit their justification to the contribution to reducing carbon emissions post completion of the development.

Climate should not be scoped out of the ES.

Cultural Heritage

Failure to consider the historic significance of the development of the environment within which the site is located. Almost the entire site is above the 300m contour, rising to over 330m. Historically, this land was once open moorland – sparsely farmed. With the coming of the various Enclosures Acts, holdings were forced to erect both boundary and field fencing. Where the environment allowed, fencing was usually timber and/or hedging –

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primarily thorn that could provide height and density within just a few years. However, and this is the landscape setting of the subject site, where the environment and ground type would not support hedging, the more labour-intensive solution was dry stone walling. This is the cultural heritage of the setting. The proposed screening by the artificial introduction of 3m high hedging and 3m high opaque fencing will dramatically change the visual appearance of the subject site and with it, the loss of the evolutionary transition of the land from open moorland to stone wall farmland.

There is very little in the way of hedging within and around the site. The approach routes pass almost exclusively through a dry stone wall scene.

There is nothing to suggest that, given the weather conditions prevailing at these heights coupled with thin and poor soil quality, hedging could flourish and thicken to 3m in height. Trees, such as they are, are usually stunted at around the 300m contour or higher. Large scale planting will achieve little.

The RSK report fails to make mention of the disused but historically significant former Calder Low Tramways and tunnel - a non-designated heritage asset located within the site.

NPPF December 2024:

202. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value[73]. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations[74].

216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The RSK conclusion is seriously flawed and lacking in understanding of the site and the cultural environment. Cultural Heritage cannot be Scoped out of the ES.

Population

Para 4.6.2 of the RSK report is dismissive of the long-term impact of the proposal and makes no reference or applies any consideration of that impact to local and passing receptors.

The A52 is a busy tourist route linking the Peak District National Park to the Staffordshire Moorlands. The scenery along the A52 reflects the changing natural environment through which it passes providing a “joyous experience”. Ellastone Road provides a link between the A52 and nearby Alton Towers (Grade II* Listed) and whilst the solar array may not directly

impact on the setting of Alton Towers, it will impact on those travelling (receptors) through the open stonewall countryside to reach the Towers.

RSK make reference to the number of footpaths crisscrossing the application site ignoring the impact the changed industrialised landscape may have on those receptors using the footpaths. Importantly, the proposal to enclose footpaths with 3m high fencing creating a threatening and uninviting "tunnel" raises concerns relating to safety of passage (a key element considered by the inspector in the KRONOS appeal reference APP/M1005/W/22/3299953).

The impact of the proposal on Population cannot be excluded from the ES.

Human Health

The RSK report makes light of the potential for future impact on Human Health. The Human Rights Act imposes a need to consider people's mental and physical well being when threatened by a planning proposal - a key element considered by the inspector in the KRONOS appeal reference APP/M1005/W/22/3299953. The applicant has to consider the welfare of those most likely to be impacted not just by the enclosure effect of the land but on-going nuisance and background noise.

Consideration and evaluation of the impact on Human Health cannot be removed from the ES.

Major Accidents & Disasters

There is a failure to both consider and take into account the risks that could be occasioned to those living in close proximity to the Solar Array.

There is a failure to consider the potential for life threatening contamination of ground water supplies resulting from a major fire within the battery storage system and the chemical foam that would be required to extinguish such a conflagration. The site has numerous springs and head waters, and any such contaminants would quickly find their way into the drainage and river systems. Within the site there is a major naturally occurring aquafer that directly provides drinking water to nearby conurbations. Any release of contamination would represent a potential human disaster. Standard mitigation measures would be woefully inadequate in the event of such a disaster.

This cannot be scoped out of the ES.

Utilities

Given the highly sensitive nature of the site and its environment, any additional utilities – particularly those that involve new structures or visible cables, could have a detrimental impact on heritage, landscape and people and therefore should not be scoped out of the ES.

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Water

Given the number of issues and headwaters existing on the site plus the underground naturally occurring aquafer (which has not been recognised by RSK), the potential impact on water supplies and the associated high risk of pollution impacting waterways and drainage pathways, this cannot be scoped out of the ES.

Land & Soils

Failure to consider the potential for pollutants inherent in the manufacture of solar panels and the coatings applied thereto, leaching, over the following 40 years into the soil, land and waterways. This should be addressed in the ES.

Further, decommissioning has the potential for high level impact on the environment, particularly the site itself but, on a wider scale, the removal and disposal of plant, equipment, infrastructure and cables. The disruption to established wildlife, flora and fauna that will have established over the time scale of the operation of the site, will inevitably be affected. It is necessary to understand the degree of that impact which must be weighed against any public benefit of the proposal.

The Group reserves the right to respond further should the applicant provide or submit any additional detail or proposals.

Yours faithfully

Peter H Milner FRICS
Director