

10/06/2025

Joan Isus
Senior Environmental Planner
RSK Environment
Suite 115, Creative Quarter
8a Morgan Arcade
Cardiff
CF10 1AF

Dear Ms Isus

Town and Country Planning (Environmental Impact Assessment) Regulations
2017 (as amended)

Scoping Opinion with regard to Solar PV array at
New House Farm Cotton Lane, Cotton, Staffordshire ST10 3DT

1. Thank you for your letter dated 18th March 2025 requesting a Scoping Opinion from the Council pursuant to Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regs).
2. The Council notes the following documentation submitted with the request:
 - Information to support a Scoping opinion request dated 18th March 2025 prepared by RSK
 - Appendix A figures 1 to 13
 - Appendix B Planning Layout
 - Appendix C zone of theoretical visibility
 - Site location plan (red edge boundary)
3. Your Scoping request follows the Screening Opinion issued by the Council on 16th August 2023 which stated that an EIA would be required. In preparing the Screening Opinion, the Council considered the selection criteria in Schedule 3 of the 2017 Regulations and the indicative thresholds and criteria set out in the Planning Practice Guidance. The Screening Opinion concluded that the Proposed Development would likely have significant effects on the landscape, visual amenity, and ecology.

The proposed development and scoping as submitted

4. At the time of the EIA determination the proposal was stated in the application submissions to be c.34.2 ha in area with a total export capacity of up to 35 MWp. The now submitted accompanying general notes / RSK Information Report (18th March 2025 /95pp) refers to the proposal as being for a solar farm with an installed capacity of 20 MWp on a site of approximately 42.79 hectares (ha). Paragraphs 2.4.1 – 2.4.3 refer.
5. Your submitted RSK Information report goes on to provide further background to the development (section 2) and sets out your approach to the EIA (section 3). At section 4 the report sets out some 14 issues which you are proposing need not be subject to full EIA and that can be 'scoped out'. The Council can agree with the majority of these but will discuss below those issues where a more in-depth assessment may be required.

6. At section 5 you identify three broad issues which you propose should be 'scoped in'. In addition to the matters of landscape, visual amenity and ecology previously cited by the Council in its Screening Opinion you have added 'noise and vibration' as a result of consultation you have had with the Council's Environmental Health section. These inclusions are welcomed and can be agreed by the Council. We respond briefly in further detail below and address your 'scoping questions' as put at 5.1.14; 5.2.14 and 5.3.14.

7. The Council for its part would wish to add an important archaeological factor relating to the application land. Your attention is drawn to the Staffordshire Heritage Environment Record and specifically MST4403 – earthwork dated 1777, probable first route of tramway / plateway between Caldon Canal and the Cauldon Low limestone quarries; MST4404 – earthwork 1780, probable 2nd route of tramway / plateway between Caldon Canal and Cauldon Low quarries; MST4405 earthwork 1802-04, third of four successive tramways between Caldon Canal and the Cauldon Low Quarry; MST3253 final of four successive railway lines built to connect the Cauldon Canal at Froghall to Caldon Low 1849. It is recommended that you consult directly with the Staffordshire County Council Archaeology service on these and any other non-designated heritage assets. The recorded positions of the tramway routes relative to the application site are marked approximately in dark green on fig. 1 below.

8. Notwithstanding the remarks at 4.5.1 and 4.5.2 of the RSK information report the Council is concerned that on this moderately steep and laterally undulating site the degree of land disturbance to establish the development together with all tracks and drainage management etc. may not readily be mitigated to safeguard the extant archaeology which has been identified. From the information available the Council now considers that Cultural Heritage in order to give due consideration to archaeology impacts needs to be elevated in significance and '**scoped in**' to the ES. This stance is given additional weight in the Council's view by the response from Historic England who inform us that the tramways are being considered for Scheduled Monument status and therefore:

"...there are potential remains of national importance, and should be considered as part of any forthcoming EIA Scoping application, due to potential for significant environmental effects due to proximity, size, impact on setting and landscape change. This should therefore be considered, along with the listed building and Scheduled Monuments as identified above, in order to fully assess likely significant environmental effects."

Consultation responses received by the Council in response to the Scoping Request

9. To date the following have provided substantive comments in response to consultation about this Scoping Request.

- Churnet Valley Conservation Society (CVCS)
- Milner Commercial on behalf of Save Churnet Valley Group
- Environment Agency (EA)
- SMDC Environmental Health
- Historic England
- Natural England
- Peak and Northern Footpath Society
- Ramblers Association
- SCC Highways Authority

10. It is recommended that you view and consider the comments in full and these can be found on the Council's website at:

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=181041>.

11. Comments have not been received from Staffordshire Wildlife Trust in response to this Scoping application. However a detailed response using the standard screening matrix was received for the Screening application SMD/2023/0336 and it is recommended that those comments should continue to be referenced. They can be viewed here:
<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=337059>.

12. CVCS refers to the historic tramways/ roads as four major linear routes with above ground features that crisscross the area and all of which would be impacted. They are the 1776-1778 plateway; the 1783 reconstruction; the 1804 Rennie tramway and the 1849 Trubshaw line, pioneering developments of their time and completely different types of historically important very early 'railways'.

13. In addition to landscape and heritage matters amongst others, CVCS also raises the matter of land drainage impacts or consequences together with water quality impacts and potential for contaminants to be released. The Council is not in a position to gainsay these concerns.

14. The Council notes that the application land rises with moderate steepness from below the 295m contour to above the 340m contour. Taking into consideration likely rainfall amounts at this altitude and the potential for relatively rapid slope run-off given the gradients involved, the Council considers that drainage factors have the potential to be significant and will be complex to evaluate.

15. The Environment Agency's comments need to be considered in full. Based on the scale of the proposed development they say that a Flood Risk Assessment (FRA) will need to be undertaken, in line with the NPPF, as part of the EIA. They note the presence of ordinary water courses within the site and advise that it should not be assumed that flood risk is necessarily low. They advise that based on an expectation of "minimal ground disturbance the risk to controlled waters is likely low" but they also advise that there may be 'private water supplies' that could be affected.

16. The EA agrees the scoping headings proposed but evidently expects hydrology matters to have a full place in the Environmental Statement. The RSK information report discusses water from 4.12.1 to 4.12.35 (pp.31 to 35). In parts this appears to be a generalised commentary and not always bespoke to this site see eg 4.12.31. The Council at this stage is concerned that the suggested mitigations may be over-optimistic taking into consideration the altitude's rainfall, site steepness north to south for the majority of its c.1.3km length and the lateral east to west undulations across the slope. Water Quality is also a factor itemised by Natural England in Annex A to their response (p.8). Issues of drainage and run-off, both from ground disturbance during the construction and the potential for accelerated and concentrated run-off from the panel surfaces (and the potential for contaminants) need to be addressed. The Council is not at this stage persuaded that 'water' should be 'scoped out' of the assessment.

17. Historic England – please see our comments as noted at (8) above.

18. Natural England. The Council would fully endorse the advice and recommendations provided by Natural England (NE) over a range of matters including nature/biodiversity and

landscape. As these are agreed matters to be 'scoped in' it is not proposed to go into further detail here save that the Council would expect the NE comments to be fully observed.

19. A significantly complex network of public footpath rights of way (PROW) pass through the site in criss-cross fashion and pass around its perimeters especially to the south. These are both significant in the assessment as points of visual receptor impacts and significant in that they are legally protected on their definitive map route lines. Responses have been provided by the Peak and Northern Footpaths Society (PNFS) and the Ramblers Association (RA) both of whom in this area are statutory consultees with regard to any development affecting a public right of way. The Council endorses the points made and expects PROW to be fully considered in the EA both for the impacts on user 'amenity' and in terms of the practicality of accommodating the definitive routes in the development. If any permanent route diversions are going to be proposed as being 'necessary in order for the development to go ahead' it must be noted that notwithstanding any planning permission (if granted), separate diversion order consent would be required prior to the development taking place. There is no certainty that a particular route diversion would be granted.

20. Staffordshire County Council as the area Highways Authority have responded by itemising areas of additional information they say will be required under the heading of a Transport Assessment as follows:

- Duration of construction works;
- Intensity of construction works – vehicles per day...;
- Types and sizes of delivery vehicles;
- Numbers of delivery vehicles;
- Approach routes for deliveries;
- Consideration of the effect of large delivery vehicles on approach routes;
- Are specialist haulage vehicles anticipated?
- Auto tracking may be required of the largest vehicles.
- Proposals for access (Construction access and permanent access) – widening, hard surfacing, strengthening.

Visibility splay must be shown;

- Details of visits required for ongoing operations and maintenance;
- construction signage.

21. At the present time the LPA considers that these Highways matters can be satisfactorily covered within any forthcoming planning application without them needing to be 'scoped in' to the EIA.

22. Glint and Glare – we note that this is proposed to be 'scoped out' as capable of being addressed separately. The Council is minded to accept this approach but in doing so would nonetheless expect the findings to be factored-in to the landscape and visual impact assessments.

Aspects of the environment likely to be significantly affected (the Scoping Opinion)

23. The matters to be assessed in the Environmental Statement (the ES) as set out in section 5 of the submitted RSK report are accepted and agreed. These relate to the consideration of:

- Landscape and Visual effects
- Biodiversity, nature and wildlife impacts
- Noise and vibration

In addition the LPA formally requests the inclusion of the following as part of the ES:

- Cultural Heritage impacts – with particular regard to the 18th and early 19th century tramways / plateways and railways
- Water – with particular regard to managing run-off both in terms of volumes and in terms of any potential contaminant contents

24. The structure of the ES, as detailed in Section 5 of the Scoping Report is otherwise broadly accepted and agreed. The ES should include information set out in Schedule 4 (Information to be included in Environmental Statements) of the EIA Regs.

RSK's Scoping Questions

25. **5.1.14** – generally the LPA is in agreement at this stage. However, with regard to visual impact, given the greater elevation of the site in altitude relative to its surroundings; given that it has a tilted visual profile towards the south; given the site dimensions of 1.3km by typically 250m to 300m; and given the added potential for reflective shine, glint or glare, the LPA anticipates that the development may be found significant at distances of up to in the order of 6.0km to the south and south west. Considerations at 5.1.8 should accordingly be expanded as necessary. This view range potentially calls into play the Ancient slope and valley farmlands LCT and areas of the Dissected sandstone cloughs and valleys LCT.

26. **5.2.14** – generally the LPA is in agreement at this stage subject to the ES taking into account the consultee response in particular from Natural England and Staffordshire Wildlife Trust.

27. **5.3.14** – please see the Council's EHO response. A check will be made to see if they would wish to comment specifically on the questions as set out.

Conclusion

28. We trust the above clearly sets out the Scoping Opinion of Staffordshire Moorlands District Council. Please be advised that the scope of the EIA will need to be kept under review and modified, for example, if there is a material change in the project or baseline conditions, or if new information comes to light and/or new environmental impacts are identified that have the potential to be significant.

29. Should there be any matters arising, please do not hesitate to contact us.

Yours sincerely,

X 

Signed by: Jane Curley

On Behalf of Staffordshire Moorlands District Council

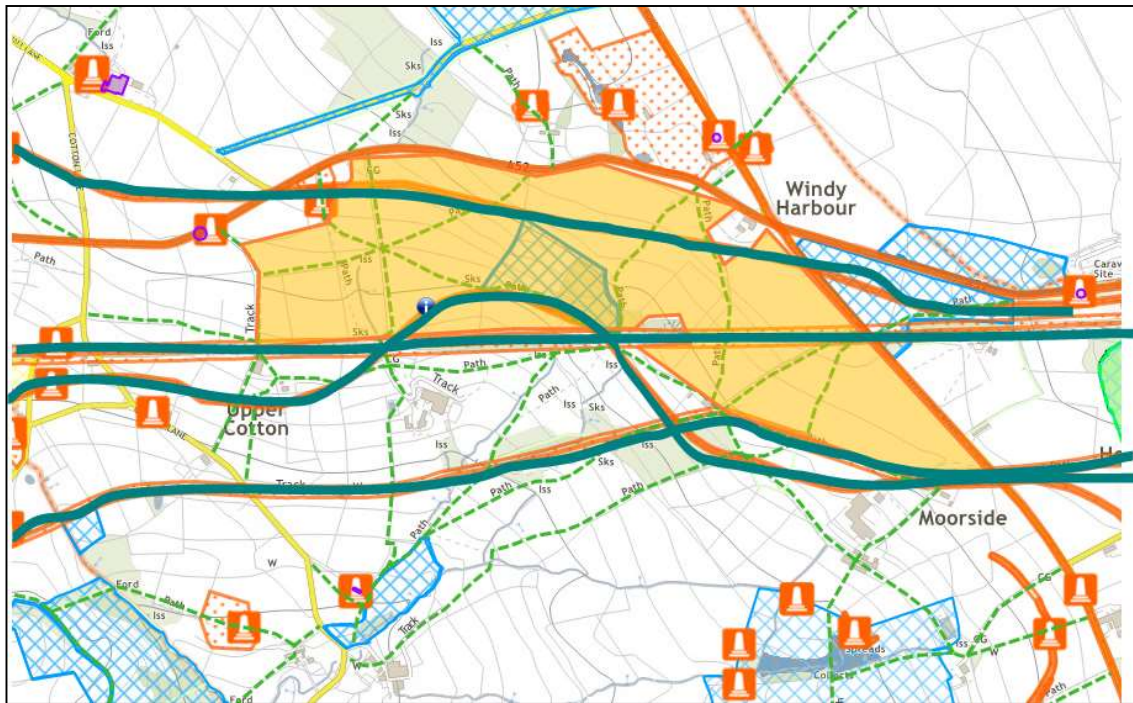


Fig. 1 – Caudon early tram and rail routes (bold green)