SCOPING OPINION
Proposed Meaford Energy Centre

April 2014
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EXECUTIVE SUMMARY

This is the Scoping Opinion (the Opinion) provided by the Secretary of State in respect of the content of the Environmental Statement for the proposed Meaford Energy Centre (MEC) at Meaford Business Park in Staffordshire.

This report sets out the Secretary of State’s opinion on the basis of the information provided in the report from Meaford Energy Limited (‘the applicant’) entitled Meaford Energy Centre EIA Scoping Report (February 2014) (‘the Scoping Report’). The Opinion can only reflect the proposals as currently described by the applicant.

The Secretary of State has consulted on the Scoping Report and the responses received have been taken into account in adopting this Opinion. The Secretary of State is satisfied that the topic areas identified in the Scoping Report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

The Secretary of State draws attention both to the general points and those made in respect of each of the specialist topic areas in this Opinion. The main potential issues identified are:

- Transport and accessibility;
- Landscape and visual;
- Emissions to air and water;
- Ecology;
- Cultural heritage;
- Water environment; and
- Ground contamination.

Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the Secretary of State.
1.0 INTRODUCTION

Background

1.1 On 25 February 2014, the Secretary of State (SoS) received the Scoping Report submitted by Meaford Energy Limited ('the applicant') under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) in order to request a scoping opinion for the proposed Meaford Energy Centre ('the Project'). This Opinion is made in response to this request and should be read in conjunction with the applicant’s Scoping Report.

1.2 The applicant is deemed to have notified the Secretary of State under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an environmental statement in respect of the Project.

1.3 The EIA Regulations enable an applicant, before making an application for an order granting development consent, to ask the SoS to state in writing their formal opinion (a ‘scoping opinion’) on the information to be provided in the environmental statement (ES).

1.4 Before adopting a scoping opinion the SoS must take into account:

(a) the specific characteristics of the particular development;
(b) the specific characteristics of the development of the type concerned; and
(c) environmental features likely to be affected by the development’.

(EIA Regulation 8 (9))

1.5 This Opinion sets out what information the SoS considers should be included in the ES for the proposed development. The Opinion has taken account of:

i the EIA Regulations
ii the nature and scale of the proposed development
iii the nature of the receiving environment, and
iv current best practice in the preparation of environmental statements.

1.6 The SoS has also taken account of the responses received from the statutory consultees (see Appendix 2 of this Opinion). The matters addressed by the applicant have been carefully considered and use has been made of professional judgement.
and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the SoS will take account of relevant legislation and guidelines (as appropriate). The SoS will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with that application when considering the application for a development consent order (DCO).

1.7 This Opinion should not be construed as implying that the SoS agrees with the information or comments provided by the applicant in their request for an opinion from the SoS. In particular, comments from the SoS in this Opinion are without prejudice to any decision taken by the SoS (on submission of the application) that any development identified by the applicant is necessarily to be treated as part of a nationally significant infrastructure project (NSIP), or associated development, or development that does not require development consent.

1.8 Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include:

(a) ‘a plan sufficient to identify the land;

(b) a brief description of the nature and purpose of the development and of its possible effects on the environment;

and

(c) such other information or representations as the person making the request may wish to provide or make’.

(EIA Regulation 8 (3))

1.9 The SoS considers that this has been provided in the applicant’s Scoping Report.

The Secretary of State’s Consultation

1.10 The SoS has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 1. The list has been compiled by the SoS under their duty to notify the consultees in accordance with Regulation 9(1)(a). The applicant should note that whilst the SoS’s list can inform their consultation, it should not be relied upon for that purpose.

1.11 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2 along with copies of their comments, to which the applicant should refer in undertaking the EIA.

1.12 The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is
recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

1.13 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the applicant and will be made available on the Planning Inspectorate’s website. The applicant should also give due consideration to those comments in carrying out the EIA.

Structure of the Document

1.14 This Opinion is structured as follows:

Section 1 Introduction
Section 2 The proposed development
Section 3 EIA approach and topic areas
Section 4 Other information.

This Opinion is accompanied by the following Appendices:

Appendix 1 List of consultees
Appendix 2 Respondents to consultation and copies of replies
Appendix 3 Presentation of the environmental statement.
2.0 THE PROPOSED DEVELOPMENT

Introduction

2.1 The following is a summary of the information on the proposed development and its site and surroundings prepared by the applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.

The Applicant’s Information

Overview of the proposed development

2.2 The proposed Meaford Energy Centre (MEC) comprises a new combined cycle gas turbine (CCGT) power station with an electrical capacity of up to 299 megawatts (MWe). The configuration of the power station and its location on Meaford Business Park is not yet finalised. At present the project development is described in terms of a minimum configuration:

- 1 gas turbine
- 1 steam turbine with its own electrical generator; and
- 1 stack.

2.3 The maximum configuration would be:

- 3 gas turbines
- 1 steam turbine with its own electrical generator
- 2 stacks

2.4 Three potential locations within the site are under consideration as illustrated by Figure 4 of the Scoping Report.

2.5 The location and configuration of the power station will be finalised prior to submission of the DCO application.

2.6 The development will also comprise an integral gas pipe between the MEC and the existing gas network. The indicative gas connection corridor is shown on Figure 6 of the Scoping Report. The route will be confirmed once the location of the power station has been decided on and further studies have been undertaken as part of the environmental impact assessment.

2.7 The options for the electrical connection to the national grid include:
• Connecting directly into the 132 kV lines, cables or substations located within the Meaford Business Park;

• Connection directly to a remotely located substation via new 132 kV lines; or

• Connection to the network requiring the upgrade of existing network lines.

2.8 The Distribution Network Operator has confirmed that the existing infrastructure within Meaford Business Park will be able to accommodate the connection of the proposed power station. The Scoping Report states that the ES will be based on the assumption that the electrical connection can be delivered within Meaford Business Park.

2.9 Also proposed is an on-site electricity sub-station to export electricity to the distribution network and a gas pipeline (approximately 900m in length) for the import of fuel to the site. The proposals may include other associated development such as temporary and/or permanent highways access improvements from Meaford Road.

Description of the site and surrounding area

The Application Site

2.10 The application site (as illustrated in Figure 3 of the Scoping Report) is located to the north of Stone in Staffordshire. The boundary includes Meaford Business Park but also extends beyond this to include woodland, farmland and parts of Meaford Road. Paragraph 3.2 of the Scoping Report states that it is intended that the boundary will change in advance of the DCO application being submitted, subject to the refinement of the various development options (e.g. for the cooling water and gas connection).

2.11 Meaford Business Park comprises approximately 34 hectares of largely brownfield land with outline planning permission for warehousing, industrial, offices and business support activities. It was formerly the site of two coal-fired power stations (Meaford A and Meaford B) which were demolished by 1982 and 1996 respectively. Two electricity substations remain on the site. The central northern area of the site is currently occupied by a vehicle storage business. Access is from Meaford Road, which joins with the A34 dual carriageway approximately 0.5km to the south of the site.

2.12 The Business Park is in a low-lying position between the River Trent and the Trent and Mersey Canal, with an undulating surface due to excavations and stockpiles of soil and rubble associated with the demolition of the former power stations. Parts of the site
are well vegetated with mature trees, with the remainder of the site sparsely vegetated with scrub and grass. Table 20 of the Scoping Report refers to the presence of eight waterbodies within the site.

2.13 The Trent and Mersey Canal comprises most of the eastern boundary of the site, with the West Coast Main Railway Line adjacent to the east of this (although the Line also runs through the northern part of the site). Meaford Road provides the western boundary to the site.

2.14 The route corridor for the gas connection has a rising topography from the Business Park to the east and comprises farmland, hedgerows and woodland. It is also likely that the pipeline would need to cross the canal and railway to the east of the site.

The Surrounding Area

2.15 The land surrounding the site is predominantly in agricultural use, although there are localised woodland blocks and Barlaston Golf Course is adjacent to the northwest of the site. The closest residential properties are approximately 30 – 50 metres from the site boundary. The existing built up area of Stone is adjacent to the south of the site and Barlaston is a short distance to the north of the site.

2.16 The surrounding area is also characterised by the following:

- The River Trent, approximately 250m to the west, (two tributaries of which flow through the site from east to west).
- Seventeen other waterbodies within 500 m (including lakes, ponds, drains and springs)
- Public Rights of Way to the east and south of the site.
- One Site of Special Scientific Interest (SSSI) and three Local Nature Reserves within 5km.
- Midlands Meres and Mosses Phase 2 Ramsar site and Pasturefields Salt Marsh Special Area of Conservation (SAC) within 15km.
- Six non-statutory Local Wildlife Sites (LWS) within 1km.
- Scheduled Monuments, Listed Buildings, a Conservation Area and a Registered Park and Garden within 2km.

Alternatives

2.17 Section 4 of the Scoping Report describes the strategic options for the site that have been considered by the applicant and those that will be investigated further prior to submission. These relate to the following:

- Site location.
• The location of the power station within the Business Park.
• The configuration/layout of the power station.
• The routes for the electricity and gas connections.

Description of the proposed development

2.18 As described above, there is still considerable uncertainty over the nature of the final proposal. The Scoping Report states that the DCO application will be more tightly defined, and will depend on the outcome of technical studies, consultation and the environmental impact assessment.

2.19 Paragraph 3.13 of the Scoping Report identifies the following maximum dimensions for the key building elements for the power station complex:

- Turbine building – 45 m wide, 60 m long, 20 to 25 m high.
- Heat recovery steam generator buildings – 15 m wide, 30 m long, 30 to 40 m high.
- Cooling system – 50 m square, 25 to 30 m high.
- Chimney stacks – 6 m in diameter and up to 40 to 50 m high (assuming a 1, 2 or 3 turbine/ 1 or 2 stack design).

2.20 The power station would also include a station control room, offices, stores, water treatment plant, gas receiving station and a switchyard. It would have an approximate area of up to 3 – 4 hectares.

2.21 Three options are being considered for the cooling system to condense the exhaust steam from the proposed steam turbine. These are:

- Once-through cooling – cooling water is abstracted continuously from a water source such as a river, passed through the steam condenser and discharged back to the water source at a higher temperature via an outfall pipe.
- Hybrid evaporative cooling – cooling water is abstracted continuously from a water source as for once-through cooling, but is cooled and re-circulated rather than being continuously discharged.
- Air-cooling – air cooled condensers are widely used for new-build CCGT plant. They avoid the need for large water abstraction and discharge.

2.22 Paragraphs 3.40 – 3.45 of the Scoping Report describe how the EIA would respond to Government policy in respect of Combined Heat and Power (CHP), in terms of the opportunity to provide
heat to future businesses at Meaford Business Park. The EIA will assume the power station will be CHP ready and that the required infrastructure for the future off-take of waste heat will be incorporated into the power station design. It states that as it is unlikely that district wide infrastructure would be developed at the same time as the MEC, the ES will only assess the power station that is CHP ready up to the boundary of the power station complex. The Applicant is reminded of the requirements of National Policy Statement EN-1 to consider the opportunities for CHP at the earliest point.

Access

2.23 Two options are being considered for access to the site:

- The existing access on Meaford Road; or
- A new access from the A34 south of the site via a new roundabout.

2.24 Paragraph 3.38 of the Scoping Report states that should highway improvements be included within the DCO application then these will be compatible with improvements associated with an extant planning permission. The works will also be compatible with those being promoted by Staffordshire County Council to improve the A34 access to Meaford and the site.

Construction

Power Plant

2.25 The proposed development would have a programme of approximately 3 to 4 years. The site programme would typically comprise preliminary works, civil works, and erection, commissioning and handover phases. The following indicative timescale for the stages of works in the programme is provided:

- Preliminary works (approx. 6 months): including site remediation, removal of redundant below ground structures, clearing and preparation of contractor's areas, installation of site infrastructure and early ecological mitigation measures.
- Piling and main foundation construction (approx. 12 months).
- Erection of above ground structures and installation of power plant (30 – 36 months, although this would depend on the CCGT technology chosen).

2.26 The following are the types of construction works/plant that could be involved:

- Excavation and earth moving;
- New road construction, involving bulldozers, scrapers and pavers;
- Cranes to erect structures; and
- Piled foundations (possible). The piles could be ‘cast-in place’, or sheet/’driven’ piles.

2.27 The Scoping Report states that the technical design of the power station layout and the architectural design of the buildings will take account of various environmental factors. These include minimising potential effects on ecological receptors on site, the need for noise insulation within the main plant buildings and using the layout, form and colour of buildings to address potential landscape and visual effects.

2.28 As the plant will not be fully specified and designed until the DCO has been applied for, the quantities of construction materials required will be estimated for the purposes of the transport assessment and assessing resource consumption.

2.29 The Scoping Report states that the land required within the site for construction is to be determined prior to submission of the DCO application, following consideration of relevant environmental issues such as noise nuisance, sensitive ecological aspects, visual effects, traffic etc. Where practicable, the land for construction of the MEC would be entirely within the Business Park. The applicant is reminded of the need to ensure that all the land required for the construction of the project, including any laydown land, must be included within the environmental impact assessment.

**Gas Pipeline**

2.30 The land for construction of the gas route will be identified following a detailed route assessment. The route will be determined by topography and other physical or environmental constraints. It is likely that it will need to cross both canal and railway infrastructure using overground structures.

2.31 The pipeline for the gas connection will have sections both above and below ground. The working width for below ground construction is typically 30 – 40 metres, although this can increase according to physical constraints. The following works/plant could be involved:

- Excavation and backfill;
- Various pipeline installation plant;
- Horizontal directional drilling under roads, rail and waterways;
- Reinstatement of land drainage and land at open cuts;
• Import of sand and other backfill materials;
• Construction of offtake and pressure reduction station;
• Hydrostatic testing;
• Commissioning; and
• Telemetry control system.

**Electrical Connection**

2.32 The method of connecting the power station to the electricity distribution network is not yet finalised. At present the connection is proposed within the site and no new offsite overhead structures are required. An existing on-site substation may need to be extended and it is also likely that a further small substation will be required on the site. Paragraph 3.27 of the Scoping Report explains that more detailed investigations to be undertaken may mean that replacement or new lines (either above or below ground) could be required. The potential characteristics of any such lines are not described.

**Operation and maintenance**

*Power Plant*

2.33 The operation and maintenance of the power station is not described in the Scoping Report (e.g. hours of operation, number of workers, frequency/type of maintenance works).

*Gas Pipeline*

2.34 Paragraph 3.56 of the Scoping Report explains that operation/maintenance of the gas pipeline will accord with certain legal requirements and published guidance. This would entail a combination of visual and internal inspection together with cathodic protection monitoring.

*Electrical Connection*

2.35 Maintenance of the electrical connection would normally be limited to one or two visits per week. Should a major component fail, larger plant would be required to deliver and handle a replacement.

**Decommissioning**

2.36 A CCGT power station typically has a design life of 35 years. Elements of the plant and its gas and electricity grid connection infrastructure may need to be replaced as a part of ongoing maintenance and this can also serve to extend the lifetime of the plant. At the end of its life, the MEC will be decommissioned with all structures on the site demolished and the slab foundations removed to a depth of 2m.
2.37 The Environmental Permit will require the condition of the power station land to be of no worse quality than at commencement operation, meaning it would be suitable for a future commercial/industrial land use.

2.38 The decommissioning and demolition of the Project will generally be the reverse of the construction sequence described above.

The Secretary of State’s Comments

Description of the application site and surrounding area

2.39 In addition to detailed baseline information to be provided within topic specific chapters of the ES, the SoS would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.

2.40 The SoS notes the presence of the existing railway line which runs adjacent to the east and through the northern part of the site. It is also noted that works under or over this line and/or under the Canal, local roads or waterways may be required. The SoS welcomes the proposed investigations to determine the baseline conditions in respect of highways and utilities (Paragraphs 3.60 – 3.61 of the Scoping Report), however there is no reference to the characteristics of the railway/canal which could be affected by the development. The Environmental Statement should describe the physical characteristics of the railway/canal as well as their present and forecast use (e.g. frequency/type of trains/boats), to help determine the characteristics of potential impacts and the need/characteristics/adequacy of mitigation measures. To this end, the applicant is encouraged to engage with the relevant statutory undertakers (e.g. Network Rail/Canal and River Trust), and append any relevant correspondence to the ES.

Description of the proposed development

2.41 The applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as this will form the basis of the environmental impact assessment. It is understood that at this stage in the evolution of the scheme the description of the proposals and even the location of various scheme components may not be confirmed. The applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA
Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.

2.42 If a draft DCO is to be submitted, the applicant should clearly define what elements of the proposed development are integral to the NSIP and which is ‘associated development’ under the Planning Act 2008 (PA 2008) or is an ancillary matter.

2.43 Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be considered as part of an integrated approach to environmental assessment.

2.44 The SoS recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:

- Land use requirements, including in respect of the electricity and gas connections and other associated development;
- Site preparation;
- Construction processes and methods;
- Transport routes for construction vehicles and any necessary works to roads to accommodate these (e.g. in respect of abnormal loads);
- Operational requirements including the main characteristics of the production processes and the nature and quantity of materials used, as well as waste arisings and their disposal;
- Maintenance activities; and
- Emissions – to water, air and soil and resulting from noise, vibration, light, heat and radiation.

2.45 The environmental effects of all wastes to be processed and removed from the site should be addressed. The ES will need to identify and describe the control processes and mitigation procedures for storing and transporting waste off site. All waste types should be quantified and classified.

2.46 Paragraph 3.54 of the Scoping report states that it is likely that the gas connection will need to cross both canal and railway infrastructure using existing overground structures. The characteristics of these structures are not described however, so it is not clear whether they are adequate to accommodate the gas connection and therefore whether additional infrastructure may be required. The ES should describe all proposed works that could affect the operation of the railway line and/or the ground which supports the line. The applicant is encouraged to consult with the relevant statutory undertakers in this regard, both to
determine the potential for any significant effects and the scope of the assessment required.

2.47 The Scoping Report does not state when an application for an Environmental Permit (required for the power station to operate) is likely to be submitted to the Environment Agency. The SoS encourages the applicant to consult with the Environment Agency at an early stage. This means the Environment Agency is likely to be better able to indicate whether the Permit would be granted before the Examination closes. Accordingly this has implications for whether works permitted by the DCO are able to satisfy any permitting requirements. This is important as there is a risk for example that permitting requirements could conflict with the works authorised by the DCO (e.g. a stack of greater height than that authorised by the DCO could be required) and render the DCO impossible to implement.

2.48 The SoS draws attention to Planning Inspectorate Advice Note 11 (April 2012) and its associated annexes, which provide more detailed advice regarding working with other consenting bodies (including the Environment Agency) and the implications for the environmental impact assessment for NSIPs.

Flexibility

2.49 The SoS notes the comments in Section 3 of the Scoping Report that the detailed design of the power station and its associated development is still being developed and that the draft description of development contains a number of variables (e.g. building layout, pipeline route). The SoS welcomes that the proposals are to be firmed up during the pre-application stages but encourages the description to be as accurate and firm as possible so that its environmental impact can be more accurately assessed.

2.50 The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. At the time of application, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes. The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES. It is a matter for the applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

2.51 The SoS notes the intention where the details of the scheme cannot be defined precisely for the EIA to assess the likely worst case scenario. The SoS directs the attention to Planning
Inspectorate Advice Note 9 (Using the Rochdale Envelope) and to the ‘Flexibility’ section in Appendix 3 of this Opinion, which provide additional details on the recommended approach. It is important that where the environmental impact assessment relies on worst-case scenarios that these are properly described and justified.

2.52 Paragraph 3.2 of the Scoping Report explains the intention to amend the site boundary shown in Figure 3 in advance of the DCO application being submitted, subject to the refinement of the various development options (e.g. for the cooling water and gas connection). It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the applicant may wish to consider the need to request a new scoping opinion.

Electricity / Gas Connection

2.53 The connection of the proposed power plant into the relevant electricity and gas network is an important consideration. The SoS therefore welcomes the intention to include these elements within the proposed DCO application so that all potential impacts can be assessed within the accompanying ES. The SoS considers that potential impacts resulting from alternative connection points/routes should also be considered.

2.54 The SoS notes that a broad indicative corridor for the gas connection route has been identified. A similar corridor for the electricity connection has not been identified in the event that the more detailed investigations (referenced in Paragraph 3.27 of the Scoping Report) determine the need for new/replacement lines. Such uncertainty over the physical extent of the proposed development, combined with the other uncertainties about the definition of the project, makes an assessment of the scope of the environmental impact assessment difficult to undertake.

2.55 The SoS suggests that careful consideration should be given as to how the applicant meaningfully consults on, and properly assesses, the likely impacts arising from the proposed pipeline/cable routes. It is hoped that the adoption of an iterative approach will result in more specific route corridors for a robust EIA to be carried out.

Proposed access

2.56 The SoS notes that a number of options for site access are being considered, including the possible construction of a new access from the A34. The red line boundary provided in the Scoping Report includes all the land that would be required for any of the highway improvements under consideration. The SoS suggests that careful consideration should be given as to how the applicant meaningfully consults on, and properly assesses, the likely
impacts arising from the proposed development. If highway improvements are not included in the DCO then they should be considered as part of the cumulative impact assessment within the Environmental Statement (ES).

2.57 The SoS agrees and considers it appropriate to include the highway improvements associated with an extant planning permission within the cumulative effects assessment. The Scoping Report also states that separate highways improvements proposed by Staffordshire County Council (referenced in Paragraph 3.39 of the Scoping Report) will be included in the assessment should they be approved. However this does not accord with the approach recommended by the SoS, (as set out in Appendix 3 of this Opinion). The advice in Appendix 3 is that projects should be included in cumulative impact assessment if they fall into any of the categories below:

- Projects under construction;
- Permitted application(s) not yet implemented;
- Submitted application(s) not yet determined;
- All refusals subject to appeal procedures not yet determined;
- Projects on the National Infrastructure’s programme of projects; and
- Projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Construction

2.58 The SoS notes that the size and location of construction compounds is not yet finalised. Nor is it clear whether they will be within the red line boundary included in the Scoping Report; if they are not then they will not be included in the Scoping Opinion. There is also no reference to the types of works/plant required to remove redundant below ground structures/services associated with the former power stations and the implementation of any necessary contaminated land remediation strategy. Whilst is it appreciated that this information may not be available at this stage in the evolution of the project, applicants are reminded that this information will be required and should be included in the DCO boundary.

2.59 The SoS considers that information on construction including: phasing of programme; construction methods and activities associated with each phase; siting of construction compounds (including on and off site); lighting equipment/requirements; and number, movements and parking of construction vehicles (both HGVs and staff) should be clearly indicated in the ES.
**Operation and maintenance**

2.60 Information on the operation and maintenance of the proposed development should be included in the ES and should cover but not be limited to such matters as: the number of full/part-time jobs; the operational hours and if appropriate, shift patterns; the number and types of vehicle movements generated during the operational stage.

**Decommissioning**

2.61 The Scoping Report (Paragraph 3.62) states that the design life of a CCGT power station is typically 35 years. The SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The process and methods of decommissioning should be considered and options presented and assessed in the ES.
3.0 EIA APPROACH AND TOPIC AREAS

Introduction

3.1 This section contains the SoS’s specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 3 of this Opinion and should be read in conjunction with this Section.

3.2 Applicants are advised that the scope of the DCO application should be clearly addressed and assessed consistently within the ES.

Environmental Statement (ES) - approach

3.3 The information provided in the Scoping Report sets out the proposed approach to the preparation of the ES. As noted in Section 2 of this report, there are still a number of uncertainties in the definition of the project. Whilst early engagement on the scope of the ES is to be welcomed, the SoS notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the SoS or the consultees.

3.4 The SoS would suggest that the applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used. The SoS notes and welcomes the intention to finalise the scope of investigations in conjunction with ongoing stakeholder liaison and consultation with the relevant regulatory authorities and their advisors.

3.5 The SoS notes that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. However, it is not always clear what reasoning has been used to define these study areas. The extent of the study areas should be defined on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given for the choice taken. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.
Matters to be scoped out

3.6 The applicant has identified in the relevant sections of the Scoping Report the matters proposed to be ‘scoped out’. These include:

- Noise effects from operational traffic;
- Physical effects on ground conditions and the topography of the project site;
- Loss of sites of geological interest;
- The effects on soils as a natural resource.

3.7 Matters are not scoped out unless specifically addressed and justified by the applicant, and confirmed as being scoped out by the SoS.

3.8 The Scoping Report states that it is not intended to include noise generated by traffic during the operational phase of the project in the ES. This is on the basis that the anticipated staffing levels are not expected to generate more than 50-100 additional light vehicle trips per day. The SoS recognises that typical onshore gas powered energy installations do not generate significant operational traffic volumes. However, the SoS notes that many elements of the project are yet to be decided not least the relationship and potential cumulative effects with the Meaford Business Park. Given that there is currently only very limited evidence within the Scoping Report relating to predicted traffic volumes alone and cumulatively with other proposed developments, the SoS considers there is insufficient evidence at this stage in order to agree that this matter can be scoped out of the ES.

3.9 The Scoping Report states that there are no recorded statutory or non-statutory geological sites within 2km of the site. The SoS agrees that at this stage effects on sites of geological interest can be scoped out. Decisions relating to the scope of the assessment should be clearly explained and justified within the ES.

3.10 The loss of agricultural land and soils has been excluded from further consideration in the EIA on the grounds that the site is largely a brownfield site. Areas in the north east and south of the site are not brownfield land; however the area in the north east of the site the loss would only be temporary and the land would be reinstated following the completion of the gas connection. The loss of agricultural land in the south of the site for creation of a new access point from the A34 would be permanent. Insufficient evidence has been presented to allow the SoS to agree that this topic should be scoped out.
3.11 Whilst the SoS has not agreed to scope out certain topics or matters within the Opinion on the basis of the information available at the time, this does not prevent the applicant from subsequently agreeing with the relevant consultees to scope matters out or further refining the scope of the ES in consultation with relevant consultees, where further evidence has been provided to justify this approach. This approach should be explained fully in the ES. As stated above, in order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should explain the reasoning and justify the approach taken.

National Policy Statements (NPSs)

3.12 Sector specific NPSs are produced by the relevant Government Departments and set out national policy for nationally significant infrastructure projects (NSIPs). They provide the framework within which the Examining Authority will make their recommendations to the Secretary of State and include the Government’s objectives for the development of NSIPs.

3.13 The relevant NPSs, EN-1, EN-2, EN-4 and EN-5 for the proposed development set out both the generic and technology-specific impacts that should be considered in the EIA for the proposed development. When undertaking the EIA, the applicant must have regard to both the generic and technology-specific impacts and identify how these impacts have been assessed in the ES. OR

3.14 The Secretary of State must have regard to any matter that the Secretary of State thinks is important and relevant to the Secretary of State’s decision. This could include the draft NPS if the relevant NPS has not been formally designated.

Environmental Statement - Structure

3.15 Section 5.5 of the Scoping Report sets out the proposed structure of the ES on which the applicant seeks the opinion of the SoS.

3.16 The SoS notes that from the ES contents list (Scoping Report Section 5.7) that the EIA would cover a number of assessments under the broad headings of:

- Socio-economic effects;
- Transport and traffic;
- Air quality;
- Noise and vibration;
- Landscape and visual effects;
- Ecology;
3.17 The SoS notes that the ES will also include a chapter on the proposed development. This chapter should include a description of the proposed construction programme and the anticipate method of construction.

**Topic Areas**

**Socio-economic effects (see Scoping Report Section 6)**

3.18 The proposed study area for this topic is defined as being the electoral wards that cover the Core Consultation Area for the project. It is not clear however what the justification is for this definition of the study area and whether it adequately captures the area which will experience socio-economic effects.

3.19 The SoS recommends that the types of jobs generated should be considered in the context of the available workforce in the area, this applies equally to the construction and operational stages. The relationship between the project and the development of Meaford Business Park should be clearly explained.

3.20 The SoS recommends that the assessment criteria should be location specific and consider the potential significance of the impacts of the proposal within the local and regional context.

3.21 The Scoping Report includes potential mitigation measures and the SoS notes that reference is made to potential impacts on noise, dust and congestion. These are issues that are to be covered in other sections of the ES. Where appropriate the ES should identify and explain the inter-relationships between various topics assessed in the EIA.

**Traffic and transportation (see Scoping Report Section 6)**

3.22 The SoS welcomes the intention to agree the scope of the transportation assessment with Staffordshire County Council as the relevant highways authority. The SoS expects on-going discussions and agreement, where possible, with such bodies.

3.23 It is not entirely clear how the baseline traffic data has been derived; this should be made clear in the ES including any assumptions made. The SoS notes the intention to collect additional data to inform the assessment of construction traffic effects if discussion with Staffordshire County Council identifies
this as necessary. The applicant is reminded that the assessment of construction traffic should be robust and that they should ensure that they have adequate baseline data on which to base their assessment. The applicant’s attention is drawn to the comments from Staffordshire County Council (see Appendix 2) on the need to ensure that the baseline traffic data is up-to-date.

3.24 It should be clearly stated within the ES how changes in traffic levels and flow resulting from traffic generated during the construction and operation of Meaford Energy Centre have been calculated. Where these have been based on estimates, such as the number of trips generated by staff working on the site, these estimates should be clearly explained and justified including any assumptions made.

3.25 The Scoping Report states that Meaford Road is part of National Cycle Network Route Number 5, but that following recent improvements to the canal towpath, this route has been diverted from Meaford Road onto the towpath. The SoS recommends that the ES should take account of the location of footpaths, including the canal towpath and any public rights of way (PRoW) including bridleways and byways. The ES should clearly set out impacts on them including within the wider area. It is important to minimise hindrance to these routes where possible. A clear indication should be given as to how the proposed development will affect the existing and future facilities along the estuary and what mitigation would be appropriate in the short, medium and longer term. The applicant’s attention is drawn to the comments from Natural England and Staffordshire County Council in Appendix 2 of this report.

3.26 The ES states that the significance of effects will be assessed using the guidelines in the Design Manual for Roads and Bridges. The applicant is reminded that the criteria used to define sensitivity of receptor and magnitude of impact should also be clearly explained.

3.27 The SoS welcomes the statement in the Scoping Report that local consented highway schemes as well as the proposed development of Meaford Business Park will be included in the assessment of cumulative effects. The Scoping Report also states that the access improvements to Meaford on the A34 proposed by Staffordshire County Council will also be included in the cumulative impact assessment if they have been submitted and approved. The applicant’s attention is drawn to the advice on cumulative effects in Appendix 3 and Section 2 of this report on the range of projects that should be considered in cumulative impact assessment. The SoS recommends that the scope of the cumulative impacts assessment should be enlarged beyond consented highway schemes to include any proposals within those categories.
3.28 The SoS advises that consideration should also be given to the need for easy access to the site by the emergency services. The applicant’s attention is drawn to the comments from Staffordshire Fire and Rescue Service in Appendix 2.

**Air Quality (see Scoping Report Section 6)**

3.29 The Scoping Report states that the study area will be determined from initial dispersion modelling of Meaford Energy Centre emissions to the atmosphere. The SoS welcomes the intention to confirm that the study area is appropriate through consultation with the relevant environmental health officers. The applicant should also consider discussing this issue with the Environment Agency. This study area appears to relate to operational air quality effects. The study areas for construction air quality effects have not been clearly explained although reference is made within the Scoping Report to the distance over which dust and traffic effects may occur. The SoS recommends that the ES should clearly identify and justify the study areas used for all aspects of the air quality assessment.

3.30 The SoS also advises that the pollutants to be considered in the assessment, the baseline data and the methodology for modelling effects on air quality should be agreed with the relevant environmental health officers and the Environment Agency. The applicant’s attention is also drawn to the comments from Public Health England in Appendix 2 of this report.

3.31 Air quality and dust levels should be considered not only on site but also towards off site receptors, including access roads, the canal towpath, local footpaths and other PRoW.

3.32 The Scoping Report states that a detailed construction programme or information on construction routes, traffic levels and the construction workforce are not available yet. The SoS advises that it must be clearly explained in the ES what assumptions have been made in conducting the assessment of construction air quality effects. The rationale behind these assumptions must be clearly explained and justified.

3.33 The SoS notes that the mitigation for dust effects from construction will be set out in a Construction and Environment Management Plan (CEMP). The SoS expects that at least an outline/draft CEMP should be provided as an annex to the ES; it should be clear exactly which mitigation measures will be delivered in the CEMP. In addition the applicant should consider including appropriate requirements within the DCO.

3.34 The SoS notes that detailed dispersion modelling will be undertaken using the AERMOD model. The SoS recommends that dispersion modelling considers a range of possibilities and seeks to ensure that the ‘worst case’ scenario is assessed, for
example the ‘worst case’ may occur as a short term impact. The intention to use a realistic ‘worst case scenario’ in terms of the power station is welcomed; the applicant is reminded that this should be clearly defined and should explain how, if the assessment is based on an indicative power station configuration, this represents the worst case scenario.

3.35 The implications of stack height and dispersion of the discharge needs to be clearly explained.

3.36 The applicant is reminded that paragraph 4.10.7 of NPS EN-1 advises that before a Development Consent Order is granted the SoS must be satisfied that:

- The relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and

- The effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to environmental quality limits.

3.37 As stated in Section 2 of this report the applicant’s attention is drawn to the Planning Inspectorate’s Advice Note 11 ‘Working with public bodies in the infrastructure planning process’ Annex D – Environment Agency. This explains that applicants should ideally work towards submitting the permit application at least 6 months prior to the submission of the application for a Development Consent Order so that the Environment Agency is more likely to be in a position to be able to indicate whether a permit is likely to be granted before the examination closes.

3.38 The intention to consider statutory wildlife sites within certain distances, based on Environment Agency guidance, is welcomed. The applicant’s attention is also drawn to the comments from Natural England in Appendix 2 of this report. The SoS notes that the effects on non-statutory wildlife sites will not be considered within the ES. The applicant is reminded that the ES must provide the SoS with sufficient information to assess the effects of the scheme and to pay due regard to the effects on local wildlife sites.

3.39 The applicant’s attention is also drawn to the comments from Stone Town Council in Appendix 2 of this report.

Noise and vibration (see Scoping Report Section 6)

3.40 The SoS welcomes the intention to discuss the baseline noise measurements survey methodology with Staffordshire Borough
Council and also to agree the noise assessment methodology with the council.

3.41 It is not entirely clear how the study area to be used in this assessment has been defined. The Scoping Report states that the study area has been set at 1km from the current red line boundary for the project but no explanation has been provided for the choice of this distance. The ES should clearly explain how the study area was defined and its appropriateness in assessing the anticipated impacts.

3.42 The SoS notes that the assessment of construction noise will be based on the guidance in BS5228. Vehicles and plant to be used during the construction phase should be identified as far as possible. The Scoping Report states that adverse vibration impacts would not be expected beyond circa 50m from the highest vibration inducing construction activities. It is not clear what evidence this statement is based on; the ES should clearly explain over what distance vibration impacts are likely to occur and any assumptions made.

3.43 Noise impacts affecting human receptors should be specifically addressed, and in particular noise disturbance at night and during other unsocial hours such as weekends and public holidays. The SoS would expect the ES to including a visual representation of the outcome of the noise assessment using appropriate noise contour maps.

3.44 The noise and vibration assessment should take account of the traffic movements along access routes, especially during the construction phase. The Scoping Report states that an initial screening study will be undertaken to assess the impacts on the local road network and that if changes greater than 1dB(A) are anticipated a sensitive receptor study will be undertaken. However it then goes on to state that given the anticipated staffing levels and the number of light vehicle trips per day, noise effects are not considered to result in significant environmental effects and will not be assessed further. These statements appear to contradict each other. The applicant is reminded that topics are not scoped out unless agreed by the SoS. In this instance there does not appear to be enough evidence to scope out this effect. The applicant may find it useful to refer to the guidance in the Design Manual for Roads and Bridges on assessing noise and vibration.

3.45 Consideration should be given to monitoring noise complaints during construction and when the development is operational.
Landscape and visual effects (see Scoping Report Section 6)

3.46 The landscape and visual assessment in the Scoping Report refers to the Zone of Theoretical Visibility (ZTV). The SoS advises that the ES should describe the model used.

3.47 The SoS welcomes the evidence of initial engagement with the Staffordshire County Council Landscape Officer and the on-going commitment to consult Staffordshire County Council. The SoS recommends that the location of viewpoints and sensitive receptors should be agreed with Stafford Borough Council and the County Council.

3.48 As the energy centre is likely to be operating 24 hours a day an assessment of night time effects on visual receptors should also be undertaken. The applicant should also consider whether aviation obstruction lighting will be required for the stacks. The Civil Aviation Authority has provided comments on this matter (see Appendix 2).

3.49 The proposals will be for large structures. The SoS requests that careful consideration should be given to the form, siting, and use of materials and colours in terms of minimising the adverse visual impact of these structures.

3.50 The SoS notes that the 3 possible locations for the energy centre will have different visual impacts. The effects of each location should be clearly assessed in the ES; if the outcome of the assessment has helped to narrow down the choice of locations for the energy centre within the site then it would be helpful to refer to this in the discussion of alternatives within the ES. If the locations for the energy centre have not been determined then the applicant is reminded of the advice in Section 2 of this report on flexibility and the need to ensure that any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.

3.51 The applicant’s attention is drawn to the comments from Natural England and Staffordshire County Council in Appendix 2 of this report on the approach on the assessment of landscape and visual impacts.

Ecology (see Scoping Report Section 6)

3.52 It is not clear how the study area for ecology was defined. The SoS advises that, the study area should be established in accordance with industry best practice and based on the ecological zone of influence of the project. It should be agreed with Natural England, Staffordshire County Council and Stafford Borough Council. The applicant’s attention is drawn to the comments from Natural England in Appendix 2 of this report.
3.53 The SoS recommends that surveys should be thorough, up to date and undertaken at the appropriate time of year. The SoS notes that the Phase 1 habitat survey was undertaken in December 2013 (which is sub optimal); the ES should explain how much confidence can be attached to the conclusions of the survey and identify how any shortcomings in the reliability of the survey have been addressed. The applicant’s attention is also drawn to the comments from Staffordshire County Council in Appendix 2 of this report.

3.54 The SoS welcomes the intention and commitment to carry out the surveys listed in paragraph 6.287 of the Scoping Report. The SoS notes that the current Phase 1 survey does not cover all the land within the red line boundary and advises the applicant to ensure that this apparent gap in baseline information is filled prior to completion of the ES.

3.55 The SoS recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The assessment should cover habitats, species and processes associated with the site and its surroundings. The SoS draws particular attention to the assessment of impacts from abstracting and discharging water from the River Trent and the Trent and Mersey Canal and impacts to protected species such as bats and great crested newts.

3.56 The potential impacts on international and nationally designated sites should be addressed as well as more local designations. The SoS notes that Natural England will be consulted as to whether a Habitats Regulations Assessment screening will be required (see Section 4 of this Opinion).

3.57 The assessment should take account of impacts on noise, vibration, lighting, water quality and air quality (including dust), and cross reference should be made to these specialist reports.

3.58 The operational and decommissioning phases of the works should be addressed. The SoS recommends the need to consider cumulative and combined impacts and advises this is particularly relevant in terms of assessing the impacts on ecology.

3.59 The applicant’s attention is drawn to the comments from Natural England, Staffordshire County Council, the Forestry Commission and the Environment Agency in Appendix 2 of this report.

Cultural heritage (see Scoping Report Section 6)

3.60 The reasoning behind the definition of the study area is unclear; the ES should clearly explain and justify the choice of study area. The applicant’s attention is also drawn to the comments from Staffordshire County Council and English Heritage (see in Appendix 2) on the need to ensure that the study area is large
enough to identify all the likely impacts on the historic environment.

3.61 Table 25 of the Scoping Report defines the value of cultural heritage resources. The ES should also explain how the different categories of magnitude of change have been defined. The applicant’s attention is drawn to the comments from English Heritage on the need to include Registered Historic Parks and Gardens and unregistered historic parks in the list of valued cultural heritage resources.

3.62 The SoS welcomes the statement that Staffordshire County Council’s Historic Environment Service and Conservation Officer will be consulted on any cultural heritage issues that arise. The SoS advises that the applicant should also consult English Heritage; the methodology used for the assessment and the mitigation strategy should be agreed with both bodies. If the applicant seeks to rely on information contained in correspondence from other bodies such as the County Council then the SoS advises that this correspondence should be provided as an annex to the ES.

3.63 The setting of cultural heritage resources could be affected; this includes Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas. The SoS considers that these should be addressed in the ES. Appropriate cross reference should be made to the Landscape and Visual section of the ES. The applicant’s attention is drawn to the comments from Staffordshire County and English Heritage in Appendix 2.

**Ground conditions (see Scoping Report Section 6)**

3.64 The baseline for the ES should explain in detail the extent of the study area and justify the reasons for this. The SoS notes that existing information gathered from a series of previous reports. If the conclusions of the ES depend wholly or in part on the contents of these reports then they should be included as an annex to the ES.

3.65 The Scoping Report summarises the baseline conditions within 500m of the site boundary but then states that the presence of receptors that could be affected will be considered within a 2km study area. It is not clear however why these distances have been chosen. The ES should clearly explain and justify the extent of the area considered in the environmental impact assessment.

3.66 The Scoping Report states that the site has undergone three phases of ground investigation and summarises the findings of the three phases (paragraph 6.349). It is not clear what is meant by the reference to the three phases of investigation or how this relates to the reports quoted in paragraphs 6.329-6.338.
of the Scoping Report. The SoS recommends that this is made clear in the ES.

3.67 The applicant’s attention is drawn to the comments from the Coal Authority and the Environment Agency in Appendix 2.

3.68 In the light of the works proposed, cross reference should also be made to the section in the ES on the water environment.

**Water environment (see Scoping Report Section 6)**

3.69 The Scoping Report states that the study area used for the assessment will be the site plus a 1km buffer zone. No explanation is provided on why this study area was used. The ES should provide a clear justification for the choice of study area and any assumptions made.

3.70 The SoS notes that a number of existing reports have been used to inform the Scoping Report. If the conclusions of the ES depend wholly or in part on the contents of these reports then they should be included as an annex to the ES. The applicant should also consider whether the data gathered for these reports is too old to rely on in the environmental impact assessment for Meaford Energy Centre. The SoS recommends seeking advice from the Environment Agency on this point.

3.71 The SoS notes the presence of a Principal and Secondary A Aquifer on the site. The Scoping Report states that a Conceptual Site Model has been derived and that this will be expanded further in the full assessment. A clear explanation of the methodology used to develop the model should be provided in the ES.

3.72 The SoS recommends that if abstraction from or discharge to local water bodies is required full consideration will need to be given to the potential effects. This applies to the construction, testing and operational phases. Particular consideration should be given to the availability of water and the requirements of the Water Framework Directive.

3.73 The SoS welcomes the provision of a Flood Risk Assessment (FRA) and the commitment to develop a Level 2 Flood Risk Assessment. The FRA should be included as an annex to the ES. The FRA should be developed in consultation with the Environment Agency and Stafford Borough Council.

3.74 The applicant’s attention is drawn to the comments from the Environment Agency in Appendix 2 of this report.

3.75 Mitigation measures should be addressed and the SoS advises that reference should be made to other regimes (such as pollution prevention from the Environment Agency). Where
mitigation will be delivered through a Construction and Environmental Management Plan or similar, an outline CEMP (at least) should be provided as an annex to the ES; it should be clear exactly which mitigation measures will be delivered in the CEMP. On-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.

**Waste (see Scoping Report Section 6)**

3.76 The SoS advises that the ES should clarify the types of all wastes to be processed and that the effect of the proposal, in terms of waste, should be included in the ES.

3.77 The applicant’s attention is drawn to paragraph 5.14.6 of National Policy Statement EN-1 which outlines the requirement for a Site Waste Management Plan.
4.0 OTHER INFORMATION

4.1 This section does not form part of the SoS’s Opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the SoS has identified which may help to inform the preparation of the application for the DCO.

Habitats Regulations Assessment (HRA)

4.2 Paragraph 6.272 of the Scoping Report states that two European designated sites (Pasturefield Salt Marsh SAC and Midlands Meres & Mosses Phase 2 Ramsar site) are located within 15 km of the site. It is the applicant’s responsibility to provide sufficient information to the Competent Authority (CA) to enable them to carry out a HRA if required, or to provide sufficient information to satisfy the Secretary of State (as the CA) that an HRA is not required (ie that the proposed development is not likely to affect a European site and/or a European marine site).

4.3 It is noted that Paragraph 6.273 of the Scoping Report states that given their distance from the application site it is highly unlikely that the proposed development would directly impact upon European sites identified. The Secretary of State recommends that early agreement on this approach, with the relevant Statutory Nature Conservation Bodies (SNCBs) is sought, and that there is evidence of this agreement as part of the DCO application.

4.4 Further information with regard to the HRA process is contained within Planning Inspectorate’s Advice Note 10 available on the National Infrastructure pages on the Planning Portal website.

Evidence Plans

4.5 An evidence plan is a formal mechanism to agree upfront what information the applicant needs to supply to the Planning Inspectorate as part of a DCO application. An evidence plan will help to ensure compliance with the Habitats Regulations. It will be particularly relevant to NSIPs where impacts may be complex, large amounts of evidence may be needed or there are a number of uncertainties. It will also help applicants meet the requirement to provide sufficient information (as explained in Advice Note 10) in their application, so the Examining Authority can recommend to the Secretary of State whether or not to accept the application for examination and whether an appropriate assessment is required.

4.6 Any applicant of a proposed NSIP in England, or England and Wales, can request an evidence plan. A request for an evidence plan should be made at the start of pre-application (eg after
notifying the Planning Inspectorate on an informal basis) by contacting the Major Infrastructure and Environment Unit (MIEU) in Defra (MIEU@defra.gsi.gov.uk).

**Sites of Special Scientific Interest (SSSIs)**

4.7 The Secretary of State notes that a number of SSSIs are located close to or within the proposed development. Where there may be potential impacts on the SSSIs, the SoS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.

4.8 Under s28(G), the SoS has a general duty ‘... to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest’.

4.9 Under s28(I), the SoS must notify the relevant nature conservation body (NCB), Natural England (NE) in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the SoS must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.

4.10 If applicants consider it likely that notification may be necessary under s28(I), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SoS. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(l) could also provide this information. Applicants should seek to agree with the NCB the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.

**European Protected Species (EPS)**

4.11 Applicants should be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive. Where a potential risk to an EPS is identified, and before making a decision to grant development consent, the CA must, amongst other things, address the derogation tests\(^1\) in Regulation 53 of the Habitats Regulations.

\(^1\) Key case law re need to consider Article 16 of the Habitats Directive: Woolley vs East Cheshire County Council 2009 and Morge v Hampshire County Council 2010.
Therefore the applicant may wish to provide information which will assist the decision maker to meet this duty.

4.12 If an applicant has concluded that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. The decision to apply for a licence or not will rest with the applicant as the person responsible for commissioning the proposed activity by taking into account the advice of their consultant ecologist.

4.13 Applicants are encouraged to consult with NE and, where required, to agree appropriate requirements to secure necessary mitigation. It would assist the examination if applicants could provide, with the application documents, confirmation from NE whether any issues have been identified which would prevent the EPS licence being granted.

4.14 Generally, NE are unable to grant an EPS licence in respect of any development until all the necessary consents required have been secured in order to proceed. For NSIPs, NE will assess a draft licence application in order to ensure that all the relevant issues have been addressed. Within 30 working days of receipt, NE will either issue ‘a letter of no impediment’ stating that it is satisfied, insofar as it can make a judgement, that the proposals presented comply with the regulations or will issue a letter outlining why NE consider the proposals do not meet licensing requirements and what further information is required before a ‘letter of no impediment’ can be issued. The applicant is responsible for ensuring draft licence applications are satisfactory for the purposes of informing formal pre-application assessment by NE.

4.15 Ecological conditions on the site may change over time. It will be the applicant’s responsibility to ensure information is satisfactory for the purposes of informing the assessment of no detriment to the maintenance of favourable conservation status (FCS) of the population of EPS affected by the proposals\(^2\). Applicants are advised that current conservation status of populations may or may not be favourable. Demonstration of no detriment to favourable populations may require further survey and/or submission of revised short or long term mitigation or compensation proposals. In England the focus concerns the provision of up to date survey information which is then made available to NE (along with any resulting amendments to the draft licence application). This approach will help to ensure no delay in issuing the licence should the DCO application be successful. Applicants with projects in England or English waters

\(^2\) Key case law in respect of the application of the FCS test at a site level: Hafod Quarry Land Tribunal (Mersey Waste (Holdings) Limited v Wrexham County Borough Council) 2012, and Court of Appeal 2012.
can find further information on Natural England’s protected species licensing procedures in relation to NSIP’s by clicking on the following link:

http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf

4.16 In England or English Waters, assistance may be obtained from the Consents Service Unit. The Unit works with applicants to coordinate key non-planning consents associated with nationally significant infrastructure projects. The Unit’s remit includes EPS licences. The service is free of charge and entirely voluntary. Further information is available from the following link:


Health Impact Assessment

4.17 The SoS considers that it is a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health and Safety Executive and Public Health England in relation to electrical safety issues (see Appendix 2).

4.18 The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Other regulatory regimes

4.19 The SoS recommends that the applicant should state clearly what regulatory areas are addressed in the ES and that the applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.

4.20 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the SoS will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The applicant is encouraged to make early contact with other regulators. Information from the applicant about progress in obtaining other permits, licences or consents, including any
confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the SoS.

**Transboundary Impacts**

4.21 The SoS has noted that the applicant *has not* indicated whether the proposed development is likely to have significant impacts on another European Economic Area (EEA) State.

4.22 Regulation 24 of the EIA Regulations, which *inter alia* require the SoS to publicise a DCO application if the SoS is of the view that the proposal is likely to have significant effects on the environment of another EEA state and where relevant to consult with the EEA state affected. The SoS considers that where Regulation 24 applies, this is likely to have implications for the examination of a DCO application.

4.23 The SoS recommends that the ES should identify whether the proposed development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.
APPENDIX 1
List of Consultees
APPENDIX 1

LIST OF BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

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<tr>
<th>CONSULTEE</th>
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<td><strong>SCHEDULE 1</strong></td>
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<td>The Health and Safety Executive</td>
<td>Health and Safety Executive</td>
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<td>The National Health Service Commissioning Board and the relevant CGT</td>
<td>NHS England</td>
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<td>Stafford and Surrounds Clinical Commissioning Group</td>
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<td>Natural England</td>
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<td>The Historic Buildings and Monuments Commission for England</td>
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<td>Staffordshire Fire and Rescue Service</td>
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<td>Office of the Police and Crime Commissioner for Stafford</td>
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<td>The Canal and River Trust</td>
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<td>Public Health England, an executive agency of the Department of Health</td>
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<td>The Crown Estate Commissioners</td>
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<td>The Forestry Commission</td>
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<td>The relevant local health board</td>
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<td>The National Health Service Trusts</td>
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<tr>
<td>The Secretary of State for Defence (the Ministry of Defence)</td>
<td>Ministry of Defence</td>
</tr>
</tbody>
</table>

Appendix 1
# RELEVANT STATUTORY UNDERTAKERS

## Health Bodies (s.16 of the Acquisition of Land Act (ALA) 1981)

<table>
<thead>
<tr>
<th>The relevant Clinical Commissioning Group</th>
<th>Stafford and Surrounds Clinical Commissioning Group</th>
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<tbody>
<tr>
<td>The relevant Local Area Team</td>
<td>NHS England (Shropshire and Staffordshire Area Team)</td>
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<tr>
<td>The relevant NHS Foundation Trusts</td>
<td>South Staffordshire and Shropshire Healthcare NHS Foundation Trust</td>
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<tr>
<td>The relevant Ambulance Trust</td>
<td>West Midlands Ambulance Service NHS Foundation Trust</td>
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<tr>
<td>The relevant Care Trust</td>
<td>Staffordshire and Stoke on Trent Partnership NHS Trust</td>
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<tr>
<td>The relevant Acute Trust</td>
<td>University Hospital of North Staffordshire NHS Trust</td>
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<tr>
<td>The relevant Mental Health Trust</td>
<td>South Staffordshire and Shropshire Healthcare NHS Foundation Trust</td>
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</tbody>
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## Relevant Statutory Undertakers (s.8 ALA 1981)

<table>
<thead>
<tr>
<th>Railway</th>
<th>Highways Agency Historical Railways Estate</th>
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<tr>
<td></td>
<td>Network Rail</td>
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<td>Water Transport</td>
<td>The Canal and River Trust</td>
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<td>Civil Aviation Authority</td>
<td>Civil Aviation Authority</td>
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<tr>
<td>Licence Holder (Chapter 1 of Part 1 of Transport Act 2000)</td>
<td>NATS En-Route (NERL) Safeguarding</td>
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<tr>
<td>Universal Service Provider</td>
<td>Royal Mail Group</td>
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<tr>
<td>The relevant water and sewage undertakers</td>
<td>Severn Trent</td>
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<td>The relevant public gas transporters</td>
<td>British Gas Pipelines Ltd</td>
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<td>Energetics Gas Ltd</td>
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<td>ES Pipelines Ltd</td>
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<td>ESP Connections Ltd</td>
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<td>Fulcrum Pipelines Ltd</td>
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<td>GTC Pipelines Ltd</td>
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<td>Independent Pipelines Ltd</td>
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<td>LNT Portable Pipeline Services Ltd</td>
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<td>Quadrant Pipelines Ltd</td>
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<td>The Gas Transportation Company Ltd</td>
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<td>Utility Grid Installations Ltd</td>
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</table>
| The relevant electricity licence holder with CPO Powers  
(electricity distributors) | Energetics Electricity Ltd  
ESP Electricity Ltd  
Independent Power Networks Ltd  
The Electricity Network Company Ltd  
Western Power Distribution (West Midlands) plc |
| The relevant electricity licence holder with CPO Powers  
(electricity transmitters) | National Grid Electricity Transmission plc  
National Grid plc |

**LOCAL AUTHORITIES (SECTION 43)**

| A county council, or district council, in England | Stafford Borough Council  
Staffordshire Moorlands Borough Council  
East Staffordshire Borough Council  
Lichfield District Council  
Cannock Chase Council  
South Staffordshire Council  
Shropshire Council  
Telford and Wrekin Council  
Newcastle under Lyme Borough Council  
Stoke-on-Trent City Council  
Staffordshire County Council  
Derbyshire County Council  
Leicestershire County Council  
Warwickshire County Council  
Worcestershire County Council  
Birmingham City Council  
Walsall Council  
Dudley Metropolitan Borough Council  
Wolverhampton City Council  
Cheshire East Council |
| A National Park authority | Peak District National Park Authority |
APPENDIX 2

Respondents to Consultation and Copies of Replies
APPENDIX 2

LIST OF BODIES WHO REPLIED BY THE STATUTORY DEADLINE

<table>
<thead>
<tr>
<th>Civil Aviation Authority</th>
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<tbody>
<tr>
<td>Derbyshire County Council</td>
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<tr>
<td>East Staffordshire Borough Council</td>
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<td>Energetics</td>
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<tr>
<td>English Heritage</td>
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<td>Environment Agency</td>
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<td>Forestry Commission</td>
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<td>Health and Safety Executive</td>
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<td>NATS</td>
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<td>Natural England</td>
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<td>Public Health England</td>
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<td>South Staffordshire Council</td>
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<tr>
<td>South Staffordshire Fire and Rescue Service</td>
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<tr>
<td>Stafford Borough Council</td>
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<td>Staffordshire County Council</td>
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<tr>
<td>Stoke on Trent City Council</td>
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<td>Stone Town Council</td>
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<tr>
<td>The Coal Authority</td>
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</tbody>
</table>
Ms Helen Lancaster (via e-mail)
The Planning Inspectorate

3 March 2014

Reference: ERM/DAP/Planning/MeafordEnergyCentre

Dear Mr Ridley,

**Proposed Meaford Energy Centre (Combined Cycle Gas Turbine (CCGT)) – Scoping Comment**

Thank you for The Planning Inspectorate’s recent correspondence relating to the subject development. The Inspectorate sought related Civil Aviation Authority (CAA) scoping comment; I trust the following is useful.

I note from the Scoping Report (SR) that the tallest associated structures are expected to be 1 or 2 chimney stacks that would each have a height of up to 40-50 metres (m). On that basis I believe the following (potential) issues are worthy of consideration:

- **Aerodromes.** In respect of any potential aerodrome related issue, I should highlight the need to check any safeguarding maps lodged with relevant planning authorities to identify any aerodrome specific safeguarding issues. Noting that aerodrome safeguarding responsibility rests in all cases with the relevant aerodrome operator / licensee, not the CAA, it is important that the related viewpoints of any relevant aerodrome license holders / operators is established and any concerns expressed appropriately mitigated.

- **Aviation Warning Lighting:**
  - In the UK, the need for aviation obstruction lighting on 'tall' structures depends in the first instance upon any particular structure's location in relationship to an aerodrome. If the structure constitutes an 'aerodrome obstruction' it is the aerodrome operator that with review the lighting requirement. For civil aerodromes, they will, in general terms, follow the requirements of CAP 168 - Licensing of Aerodromes. This document can be downloaded from the Civil Aviation CAA website at [www.caa.co.uk/docs/33/CAP168.PDF](http://www.caa.co.uk/docs/33/CAP168.PDF) - Chapter 4 (12.8) refers to obstacle lighting.
  - Away from aerodromes Article 219 of the UK Air Navigation Order applies. This Article requires that for en-route obstructions (ie away from aerodromes) lighting only becomes legally mandated for structures of a height of 150m or more. However, structures of lesser high might need aviation obstruction lighting if, by virtue of their location and nature, they are considered a significant navigational hazard.
  - Cranes, whether in situ temporarily or long term are captured by the points heighted above. Note that if a crane is located on top of another structure, it is the overall height (structure + crane) than is relevant.
  - In this case, given the assumed maximum height of 50m, Article 219 would not apply. In likely event that there is no aerodrome issue I can advise that the CAA would not in isolation make any case for lighting.

- **Gas Venting and/or Flaring.** It is assumed that the CCGT facility is not intended to vent or flare gas either routinely or as an emergency procedure such as to cause a danger to overlying aircraft. If that is not the case parties are invited to use myself as an appropriate point of...
contact for any further related discussion.

- Aviation Promulgation. There is a civil aviation requirement in the UK for all structures over 300 feet high to be charted on aviation maps. It follows that, at 50m (164ft) high, there is no en-route (ie non-aerodrome specific) civil aviation charting requirement. However, if crane usage in the construction phase involves heights of 300ft or more, the temporary structure will need to be appropriately notified. For temporary structures this notification can be achieved through the publication of a Notice to Airmen (NOTAM). If needed by virtue of temporary use of cranes such that the 300ft threshold is breached a NOTAM can be arranged through the developer providing related details to the CAA’s Airspace Utilisation Section (ausops@caa.co.uk / 0207 453 6599).

- Military Aviation. For completeness, the Ministry of Defence position in regards to the proposed development and military aviation activity should be established.

- I should also add that that due to the unique nature of associated operations in respect of operating altitudes and potentially unusual landing sites, it would also be sensible to establish the related viewpoint of local emergency services air support units.

I believe that any associated Environmental Statement / Development Consent Order (or equivalent / similar) would be expected to acknowledge and where applicable address the issues highlighted above and accordingly the scoping opinion should make related comment.

Whilst none of the above negates any aforementioned need to consult in line with Government requirements associated with the safeguarding of aerodromes and other technical sites (Government Circular 1/2003 refers), I hope this information matches your requirements. Please do not hesitate to get in touch if you require any further comment or needs clarification of any point.

Yours sincerely,

{original signed}

Mark Smailes
Airspace Regulator
Dear Sir/ Madam,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9**

**Application by Meaford Energy Limited for an Order Granting Development Consent for the Meaford Energy Centre, Stone, Staffordshire**

**Scoping Consultation and Notification of the Applicant’s Contact details and Duty to Make Available Information to the Applicant if Requested**

Thank you for your consultation dated 27 February 2014 in respect of the above. Please be informed that Derbyshire County Council has no comments to make.

Please note that the site of the proposed Meaford Energy Centre is approximately 20 km (12.4 miles) from the County Boundary of Derbyshire and as such further consultation with Derbyshire County Council on this project is not considered necessary.

Yours faithfully,

**Nigel Calver | Senior Planner**

**Policy and Monitoring**

Economy, Transport and Environment | Derbyshire County Council
Shand House, Dale Road South, Matlock, Derbyshire, DE4 3RY
Tel. 01629 539806

Email: nigel.calver@derbyshire.gov.uk

Think before you print! Save energy and paper. Do you really need to print this email?
Dear Helen,

I refer to your letter of 27th February regarding the above.

I confirm that East Staffordshire Borough Council has no comments in this instance.

Regards

Jon Imber
Planner
East Staffordshire Borough Council
The Maltsters
Wetmore Road
Burton upon Trent
DE14 1LS

Tel: 01283 508695
Fax: 01283 508388
www.eaststaffsbc.gov.uk

“If you are visiting The Maltsters please note that we have limited car parking spaces available. Bays marked ES5, 6, 7 are allocated for our Visitors ONLY. Other ES spaces are strictly for PERMIT HOLDERS ONLY.

Civil Enforcement Officers patrol this area. If there are no visitor spaces available please park at the Meadowside Leisure Centre Car Park (P&D)"
Ms Helen Lancaster  
The Planning Inspectorate  
3/18 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

13 March 2014

Dear Ms Lancaster

Meaford Energy Centre - Scoping Consultation

Thank you for your letter of 27 February 2014 consulting English Heritage about the above EIA Scoping Report.

We are very concerned to note that the report does not include at table 25 on page 133 any reference to Registered Historic Parks and Gardens (or indeed to unregistered historic parks) among the potential heritage assets to be taken into account in undertaking the EIA. This is a serious omission and should be rectified in undertaking future phases of work.

The proposed development could, potentially, have an impact upon a number of designated heritage assets\(^1\) and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Our initial assessment shows designated heritage assets within 3km of the proposed development. We would draw your attention, in particular, to the following:

- Trentham Gardens – Registered Park and Garden: grade II* (List entry: 1001168)
- Multivallate hillfort at Bury Bank – Scheduled Monument (List entry: 1008548)
- Meaford Hall – Listed Building: grade II* (List entry: 1374198)

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1 A Designated Heritage Asset is defined in the National Planning Policy Framework as ‘A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation’.
• Trent and Mersey Canal Conservation Area
• Meaford Conservation Area

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.

We would strongly recommend that you involve the Conservation Officer of Stafford Borough Council and the archaeological staff at Staffordshire County Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

Given the heights of some of the structures likely to be associated with the proposed development and the surrounding landscape character, this development is likely to be visible across a very large area and could, as a result, affect the significance of heritage assets outside the 1.5km zone of study proposed. We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

We would welcome early discussions with you in order to agree the key sites and any setting issues which will need to be addressed within the EIA.

If you have any queries about any of the above, or would like to discuss anything further, please contact either Alan Taylor (for built heritage matters - alan.taylor@english-heritage.org.uk) or Ian George (for archaeological issues - ian.george@english-heritage.org.uk).
Yours sincerely

Alan Taylor
Historic Buildings Inspector
E-mail: alan.taylor@english-heritage.org.uk
Dear Sir/Madam,

Thank you for submitting your recent plant enquiry.

Based on the information provided, I can confirm that Energetics does not have any plant within the area(s) specified in your request.

Please be advised that it may take around 10 working days to process enquiries. In the unlikely event that you have been waiting longer than 10 working days, or require further assistance with outstanding enquiries, please call 01698 404945.

Please ensure all plant enquiries are sent to plantenquiries@energetics-uk.com

Regards

Claire Ferguson
Technical Clerical Team

Energetics Design & Build
International House
Stanley Boulevard
Hamilton International Technology Park
Glasgow
G72 0BN

t: 01698 404979
f: 01698 404940

e: claire.ferguson@energetics-uk.com
w: www.energetics-uk.com

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.
Dear Madam

SCOPING OPINION: APPLICATION BY MEAFORD ENERGY LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE MEAFORD ENERGY CENTRE

MEAFORD BUSINESS PARK, STAFFORD

Thank you for consulting the Environment Agency over the Scoping Opinion for the proposed Meaford Energy Centre.

Having reviewed the information submitted we wish to make the following comments.

FLOOD RISK & DRAINAGE
The Scoping Report includes a section on the Water Environment which highlights the need for a detailed Flood Risk Assessment (FRA) to be carried out. A Level 1 FRA is included in the appendix of the Scoping Report and this highlights the primary areas of concern.

The Environment Agency supports the recommendation for Sustainable Drainage Techniques to be included within overall site drainage design. The Scoping Report also acknowledges the Flood Defence Consent requirements for abstraction or discharge into the River Trent.

GROUNDWATER & CONTAMINATION
The following comments relate solely to the protection of ‘Controlled Waters’, matters relating to Human Health should be directed to the relevant department of the Local Authority.

Reference to the 1:50,000 scale geological map Sheets 123 and 139 (Stoke-on-Trent and Stafford) indicates that the site is located on Carboniferous Barren
Measures and Triassic Sherwood Sandstone strata which are designated as ‘Secondary A’ and ‘Principal Aquifers’ respectively by the Environment Agency. Superficial Glacial Till and River Terrace deposits are indicated for the site which are designated as ‘Unproductive Strata’ and a ‘Secondary (A) Aquifer’ respectively by the Environment Agency. The site is located adjacent to the River Trent and the Trent & Mersey Canal. The southern part of the site is crossed by an un-named tributary of the River Trent and is also located within Source Protection Zone 3.

We have no objections to the proposed content of the Environmental Impact Assessment as set out in the document ‘Meaford Energy Centre – Scoping Report’ (Meaford Energy Limited, February 2014).

Particular attention should be paid to the presence and significance of any contamination in the underlying soils and groundwater as a consequence of the previous uses of the site. Government Policy as detailed in the National Planning Policy Framework (paragraph 120) states, ‘where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner’.

The Scoping Report should reference our ‘Groundwater Protection: Principles and Practice’ (GP3) document, available from our website at www.environment-agency.gov.uk. This sets out our position on a wide range of activities and developments, including:

- Storage of pollutants and hazardous substances
- Solid waste management
- Discharge of liquid effluents into the ground (including site drainage)
- Management of groundwater resources
- Land contamination
- Ground source heat pumps

**BIODIVERSITY**
The Scoping Report recognises that a Water Framework Directive (WFD) assessment will be required to ensure that there is no detrimental impact on the status of nearby waterbodies as a result of this development. In no way should these proposals prevent the River Trent and the Trent and Mersey Canal achieving their target of Good Ecological Status/Potential by 2027.

It should also be demonstrated that this development will also have no impact on the Special Areas of Conservation (SAC).

**WATER RESOURCES & PERMITTING**
We note that the gas pipeline will require hydrostatic testing and water will be required for dust suppression, the boilers and the cooling system of the proposed power station.

Our current abstraction licensing strategy for this area is set out in the Staffordshire Trent Valley Catchment Abstraction Management Strategy, published in February 2013. Water is currently available from the Trent at Meaford subject to a condition requiring abstraction to cease whenever flows fall below 208 Ml/d measured at our Darlaston flow gauging station. In an average year flows would be above this figure for 212 (non-consecutive) days, allowing abstraction to take place. The developers will therefore need to consider alternative sources of water supply for the days when low flows restrict abstraction from the Trent.
As the Trent and Mersey Canal is fed by the River Trent and its tributaries it is also likely that we would apply a flow condition to any licence authorising abstraction from the canal.

Small volumes (< 1Ml/d) of water are available from groundwater sources, provided there are no impacts on the aquatic environment or other abstractors.

During the permitting application process we will consider the risks to people and the environment and ensure they can be mitigated satisfactorily using appropriate measures to prevent or control pollution.

It should be noted that the granting of planning permission does not guarantee the granting of an Environmental Permit. Permits will only be granted where the risk to the environment is acceptable. The developer should consult the Environment Agency’s web-site for information (see: http://www.environment-agency.gov.uk/business/topics/water/32038.aspx) or contact us for further details on 08708 506506.

Due to the potentially complex issues associated with this development we recommend that the planning and permit applications are parallel tracked.

Yours faithfully

Mr John Dingley
Planning Liaison Officer

Direct dial 01543 404941
Direct e-mail john.dingley@environment-agency.gov.uk
Dear Helen

Your ref.: 140227_EN010064_2320051

Thank you for inviting our comments on the proposed development by Meaford Energy Limited.

It appears that this proposal will have some impacts on trees and woodland. However, it appears such impacts will be accounted for through the habitat and species surveys. The scoping report also identifies nearby woodlands and recognises Darlaston Wood and Trent Wood as ancient woodland sites. Ancient woodland sites are important and irreplaceable habitats but we are unable to identify an impact on these sites that would be significant and therefore require attention in the ES. Again impacts on protected and notable species on and around the site appear to be addressed through the species survey.

It appears the proposed development has the potential to result in the loss of woodland within the project area. I found no provision in the scoping report to account for the loss of long-term carbon storage removal of the woodland from the site may result in. Any such losses in carbon storage are likely to be small because the tree cover on the site is limited but the loss of carbon stored in the areas of woodland could be accounted for in the ES using look-up tables for carbon storage in the Woodland Carbon Code (http://www.forestry.gov.uk/forestry/infd-8jue9t) or following the guidance in Operations Note 32 (http://www.forestry.gov.uk/pdf/ON032EIAandCarbon.pdf/$FILE/ON032EIAandCarbon.pdf).

In conclusion we have no comments to make on the EIA scoping report other than to suggest any impact (reduction) in carbon storage in trees on the land is considered as a possible topic to cover in the ES.

I hope these comments are useful.

Kind regards,

Alec

Alec Rhodes
Regulations Manager, Forestry Commission England
620 Bristol Business Park, Coldharbour Lane, Bristol BS16 1EJ
Voip: 36075 | DDI: 0117 372 1075 | Mob: 07990 781 612
alec.rhodes@forestry.gsi.gov.uk

Protecting and expanding England’s forests and woodlands, and increasing their value to society and the environment.
Dear Ms Lancaster,

PROPOSED MEAFORD ENERGY CENTRE (the project)
PROPOSAL BY MEAFORD ENERGY LTD (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 (as amended) – Regulations 8 and 9

Thank you for your letter of 27th February 2014 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

Major Hazard Installations

The installation is not in the vicinity of any Major Hazard Installations. HSE advises you of the need to consider potential risks to the public e.g. flash fire and explosion following loss of containment of natural gas.

Explosives sites

The proposed Meaford Energy Power Station and the integral gas pipe between the MEC and the gas network (based on the nearest potential connection point) does not impinge on the separation distance of any explosive site licensed by HSE.

The HSE Explosives Inspectorate would like to be consulted when further details on the integral connection to the electricity grid are available.

Electrical Safety

The project involves connections to electrical power distribution systems and has an impact on the existing generation, transmission and distribution assets on the UK mainland. In the light of that, HSE offers the following comments:

As well as satisfying general health and safety legislation (ie the Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operations must comply with the Electricity at Work Regulations 1989 and the Electricity, Safety, Continuity and Quality Regulations 2002 as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about the particular application of these regulations in terms of either the operation or construction of generators, substations, overhead lines or underground cables please contact...
Mr J C Steed, Principle Specialist Electrical Inspector, either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London, SE1 9HS.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Miss Laura Evans
NSIP Consultations
5.S.2 Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

Yours sincerely,

Laura Evans
HID Policy - Land Use Planning
Dear Sir/Madam,

I refer to the Screening/Scoping request for Meaford Energy Centre.

I attach some general guidance from NATS regarding the potential impact upon our infrastructure and operations. Whether any potential impact might exist, can be ascertained through the use of our self-assessment maps or pre-planning service. Please note these maps are now available as easy to use Google Earth layers.

Our advice is for developers to familiarise themselves with the aviation aspects of wind farms and to include any evidence of assessments in their documentation. We would also advise developers to engage with NATS should they anticipate any issues, at the earliest opportunity.

Regards
S. Rossi
NATS Safeguarding Office

Mr Sacha Rossi
ATC Systems Safeguarding Engineer

☎: 01489 444 205
✉: sacha.rossi@nats.co.uk

NATS Safeguarding
4000 Parkway,
Whiteley, PO15 7FL

http://www.nats.co.uk/windfarms

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Information pack for wind turbine applicants
Frequently Asked Questions

1. Who are NATS?

NATS is the company that provides air traffic control (ATC) services in the UK. Our service is provided at 15 of the UK biggest airports and “en-route” i.e. in the airspace above the UK and over the north-eastern part of the Atlantic Ocean.

2. What is safeguarding?

In order to provide safe air traffic services, both NATS and aircraft rely on a number of ground based radars, navigation aids and communication stations. Radars are used by NATS and other agencies to monitor aircraft traffic, navigation aids are used by aircraft to navigate along their route and to land at airports. Communication stations are used by both ground based agencies (control towers and ATC centres) and aircraft to communicate with each other.

Safety is NATS' first and foremost priority and in order to provide a safe service and to meet the terms of the licence granted by the Civil Aviation Authority, this equipment needs to be continuously in operation and protected by any form of interference or disturbance.

3. What are the problems?

Common examples of interference that affect our infrastructure are:

- effects of wind turbines upon radar (radar shadows, false radar returns)
- degradation of radio and radar signals due to fixed obstructions or turbines

4. How is safeguarding done and how are problems prevented?

Safeguarding is ensured by legislation and processes designed to protect NATS’s infrastructure. For construction and fixed obstructions, all NATS assets are notified via maps lodged with Planning Authorities. The Planning authorities will consult NATS when a planning application that conflicts with safeguarding is received.

For wind turbines, the process is different because of the major impact a wind turbine can have on the NATS infrastructure. As such consultation with NATS is compulsory and planning authorities will consult NATS for all wind turbine planning applications over the whole of the UK territory.

NATS is a statutory consultee for all wind turbine planning applications in the UK.

Civil Aviation Publications CAP764 and CAP670 contain relevant information and are available on the Civil Aviation Authority’s website (www.caa.co.uk).

5. How can I find out if a wind turbine application is likely to be granted or objected to?

With respect to wind turbines, the safeguarded area encompasses the whole of the UK and consultation with NATS is mandatory. Planning authorities will consult NATS during the planning process, but applicants for wind turbines may wish to ascertain whether their application is likely to be objected to or not by NATS in advance of submitting for planning.

In this case the options are to carry out a self-assessment (free of charge) or undertake a pre-planning assessment (chargeable).
6. **What are the NATS self-assessment and pre-planning assessment?**

The **self-assessment** is a process whereby prospective wind turbine planning applicants can get a preliminary idea of whether their proposed application is likely to be granted or not, or whether it is advisable to request a pre-planning assessment. The service is free and relies on theoretical radar coverage maps for different obstacle heights. These are available on our website.

The **pre-planning assessment** is a chargeable service that NATS offers to prospective wind turbine applicants. This provides an opportunity for developers to gain a further insight into whether a proposed installation is likely to be objected to or not by NATS prior to submitting a planning application. In order to reach a decision, NATS carries out a range of studies and investigations to determine whether a wind turbine is likely to cause an impact on air traffic safety or not.

Where the turbine is anticipated to cause an issue, further work may be possible to determine whether any remedial action can be taken in order to grant permission subject to certain conditions being met.

7. **Why has my application been turned down when there are other turbines nearby?**

In order to consent or object to planned development, NATS has to consider a number of factors, these include but are not limited to:

- geographical position and line of sight shielding between obstruction and NATS equipment (this may vary over a few metres)
- specific equipment at the NATS site
- terrain features
- airspace class and use (distance and density of air traffic)
- signal levels and characteristics
- turbine characteristics

An additional important factor is the cumulative impact, in some cases a number of turbines are deemed to be acceptable but no more. Unfortunately in some cases this will mean that although a number of turbines are located in a specific area, a new application is turned down. This is because the effect is deemed to be tolerable, however an additional turbine would cause further degradation which would not be acceptable.

Another additional factor is the distance between turbines and the way radar processing treats radar returns from turbines that are lined up. In some cases these can be interpreted as a valid aircraft track (i.e. 2 turbines may be tolerable but a third one may cause 3 reflections to appear as an aircraft moving along its route and to bypass radar filtering).

**Safeguarding Dept.**

NATS CTC
4000 Parkway
Whiteley
Fareham
Hampshire
PO15 7FL

☎: 01489 444687
☎: 01489 616274
✉: natssafeguarding@nats.co.uk
🌐: http://www.nats.co.uk
Instructions for the use of NATS self assessment maps.

To ascertain whether your development is likely to have an impact or not, you will need to use our self-assessment maps. You will also require a GIS/mapping package to plot your turbines (ARCGIS etc or GOOGLE “Forestry GIS” (fGIS™) which is freeware). All turbine heights are tip heights.

- You should be able to visualise your turbine(s) position(s) on the GIS map. For most packages you can create a text file with the NGR Eastings and Northings, to plot the turbine position.

- Download our self assessment maps free from our website.

- Add the relevant map for the turbine height to the GIS map, i.e. the height equal to the turbine height, or just below it if the exact height is not listed. e.g. 60m map for a 60m turbine, 40m map for a 50m turbine, 80m map for a 90m turbine etc.

- You should now be able to see both the radar coverage map AND the turbine position.

- You can now determine whether your turbine is visible to radar. Ideally a radar will not cover the turbine’s position at all, or coverage will be at heights greater than the turbine height.

  For example, if you have a 60m turbine, ideally the radar will not cover that area at 60m.

  i.e. although there may be cover over that position at 100m and 80m, when selecting the 60m map, the cover is reduced leaving the turbine outside radar cover. Conversely if you have a 100m turbine, and the radar can see down to 100m over the turbine location, that turbine is visible to radar.

- By using the different maps, you should then be able to look at radar cover in different areas at different heights. This can be a useful tool for assessing a specific area and in some cases can be used to determine which positions are more likely to be an issue than others. It can also be used to determine a maximum acceptable turbine height.

  e.g. a potential location is visible to radar at 120m and 100m but not 80m hence a 120m and a 100m turbine would be visible to radar (possible objection) whereas an 80m turbine would be acceptable.

Once you’ve assessed your turbine location against primary radar cover, the same must be done for secondary radar (SSR), navigation aids and radio stations by downloading and adding the SSR, AGA and NAV maps. These have 15km/15nm circles representing safeguarded areas for these assets. When you have carried out your self-assessment, you will have determined whether your proposed turbine(s) falls in an SSR/NAV/AGA safeguarded or radar cover area:

If the turbine is outside all these areas, it is unlikely that NATS would object as there should be no technical impact.

If your proposed development is within a safeguarded or radar cover area, while this does not automatically mean an objection, it is recommended that you take out our pre-planning assessment whereby NATS undertakes further studies and provides you with a formal statement on the turbine’s impact.

More generic information can be found on our website together with the details of our pre-planning assessment.
environmentalservices@infrastructure.gsi.gov.uk

BY EMAIL ONLY

Date: 24 March 2014
Our ref: 114144
Your ref: EN010064

F.A.O. Helen Lancaster

Dear Helen

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): Scoping consultation by Meaford Energy limited for an Order Granting development consent for the Meaford Energy Centre - Combined cycle gas turbine (CCGT) power station with a nominal generating capacity of 299MW and associated electricity connection, gas connection pipeline and highway access.

Location: Meaford Business Park, Staffordshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 27 February 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law\(^1\) and guidance\(^2\) has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England’s advice on the scope of the Environmental Impact Assessment (EIA) for this development.

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

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Grady McLean on 0300 060 0723. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

\(^1\) Harrison, J in R. v. Cornwall County Council ex parte Hardy (2001)
Yours sincerely

Grady McLean
Lead Adviser – Land Use Operations
Grady.mclean@naturalengland.org.uk
Annex A – Advice related to EIA Scoping Requirements

1. General Principles
Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the ‘in combination’ effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement
Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EcIA) have been developed by the Institute of Ecology and Environmental Management (IEEM) and are available on their website.

EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites
The ES should thoroughly assess the potential for the proposal to affect designated sites.
European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

We note in your scoping report that you have considered sites at a distance of up to 15km from the proposed development site. Natural England advises that instead of purely distance based criteria you consider the source – pathway – receptor model. For example, Cannock Chase SAC is outside of the 15km radius but is susceptible to damage from nitrogen deposition and may need to be considered. Additionally, while we acknowledge that the final design for the cooling process is not fixed at present, taking water from the River Trent may have implications on the river which may affect the Humber Estuary Ramsar/ SAC/ SPA. It is possible that the proposed development will not have a likely significant on these designations but should not be ruled out merely on distance criteria.

**Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)**

The development site is within 15km of the following designated nature conservation site:

- King’s and Hargreaves Wood SSSI
- Midlands Meres and Mosses Phase 2 Ramsar
- Pasturefields Salt Marsh SAC

Further information on the SSSI and its special interest features can be found at [www.natureonthemap.naturalengland.org.uk](http://www.natureonthemap.naturalengland.org.uk). The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Natura 2000 network site conservation objectives are available on our internet site [here](http://www.natureonthemap.naturalengland.org.uk).

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises
on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted **standing advice** for protected species which includes links to guidance on survey and mitigation.

**2.5 Habitats and Species of Principal Importance**

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as ‘Habitats and Species of Principal Importance’ within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication ‘**Guidance for Local Authorities on Implementing the Biodiversity Duty**’.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, ‘are capable of being a material consideration…in the making of planning decisions’. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

**2.6 Contacts for Local Records**

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).
3. Landscape Character

Landscape and visual impacts
Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication Guidelines for Landscape and Visual Impact Assessment, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes
You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm and further information can be found on Natural England's landscape pages here.

4. Access and Recreation
Natural England encourages any proposal to incorporate measures to help encourage people to
access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails
The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality
Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

As identified in the NPPF new sites or extensions to new sites for peat extraction should not be granted permission by Local Planning Authorities or proposed in development plans.

6. Air Quality
Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation
The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development’s effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects
A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

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

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

Re: Scoping Consultation

The Meaford Energy Centre

Meaford Energy Limited c/o Andrew Mann, Savills, Wessex House, Priors Walk, East Borough, Wimborne, BH21 1PB

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

In order to ensure that health is fully and comprehensively considered the ES should provide sufficient information to allow the potential impact of the development on public health to be fully assessed. PHE recommends that the ES should contain a dedicated section or appendix specifically considering Health.

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the ES. PHE however believes the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, PHE recognises that the differing nature of projects is such that their impacts will vary. PHE’s view is that any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal. PHE accepts that in some circumstances particular
assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.

The attached appendix outlines generic areas that should be addressed by all promoters when preparing Environmental Statements (ES) for inclusion with an NSIP submission. PHE is happy to assist the promoter should wish to discuss their proposals further in the light of this advice.

Yours sincerely

Allister Gittins
Public Health Scientist

crce.nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.
Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government’s Good Practice Guide for EIA\(^1\). It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

It is not PHE’s role to undertake these assessments on behalf of promoters as this would conflict with PHE’s role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES\(^2\).

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE’s advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development’s location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

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Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated
transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)

- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data

- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)

  — If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1

  — This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion

- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

PHE’s view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

**Additional points specific to emissions to air**

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)

- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
should include modelling taking into account local topography

**Additional points specific to emissions to water**

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

**Land quality**

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government’s Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

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3 Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)
**Waste**

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

**Other aspects**

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation’s potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report\(^4\), jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: “Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible.” PHE supports the inclusion of this information within EIAs as good practice.

**Electromagnetic fields (EMF)**

There is a potential health impact associated with the electric and magnetic fields around substations and the connecting cables or lines. The following information provides a framework for considering the potential health impact.

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In March 2004, the National Radiological Protection Board, NRPB (now part of PHE), published advice on limiting public exposure to electromagnetic fields. The advice was based on an extensive review of the science and a public consultation on its website, and recommended the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP):-

http://www.hpa.org.uk/Publications/Radiation/NPRB Archive/DocumentsOfTheNRPB/Absd1502/

The ICNIRP guidelines are based on the avoidance of known adverse effects of exposure to electromagnetic fields (EMF) at frequencies up to 300 GHz (gigahertz), which includes static magnetic fields and 50 Hz electric and magnetic fields associated with electricity transmission.

PHE notes the current Government policy is that the ICNIRP guidelines are implemented in line with the terms of the EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://www.dh.gov.uk/en/Publichealth/Healthprotection/DH_4089500

For static magnetic fields, the latest ICNIRP guidelines (2009) recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT as advised by the International Electrotechnical Commission.

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m$^{-1}$ (kilovolts per metre) and 100 μT (microtesla). If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects. Further clarification on advice on exposure guidelines for 50 Hz electric and magnetic fields is provided in the following note on the HPA website:

The Department of Energy and Climate Change has also published voluntary code of practices which set out key principles for complying with the ICNIRP guidelines for the industry.

http://www.decc.gov.uk/en/content/cms/what_we_do/uk_supply/consents_planning/codes/codes.aspx

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people’s concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE) was then set up to take this recommendation forward, explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government. In the First Interim Assessment of the Group, consideration was given to mitigation options such as the 'corridor option' near power lines, and optimal phasing to reduce electric and magnetic fields. A Second Interim Assessment addresses electricity distribution systems up to 66 kV. The SAGE reports can be found at the following link:

http://sagedialogue.org.uk/ (go to “Document Index” and Scroll to SAGE/Formal reports with recommendations)

The Agency has given advice to Health Ministers on the First Interim Assessment of SAGE regarding precautionary approaches to ELF EMFs and specifically regarding power lines and property, wiring and electrical equipment in homes:


The evidence to date suggests that in general there are no adverse effects on the health of the population of the UK caused by exposure to ELF EMFs below the guideline levels. The scientific evidence, as reviewed by PHE, supports the view that precautionary measures should address solely the possible association with childhood leukaemia and not other more speculative health effects. The measures should be proportionate in that overall benefits outweigh the fiscal and social costs, have a convincing evidence base to show that they will be successful in reducing exposure, and be effective in providing reassurance to the public.

The Government response to the SAGE report is given in the written Ministerial Statement by Gillian Merron, then Minister of State, Department of Health, published on 16th October 2009:
HPA and Government responses to the Second Interim Assessment of SAGE are available at the following links:


The above information provides a framework for considering the health impact associated with the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

**Liaison with other stakeholders, comments should be sought from:**

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the local authority regarding any impacts on existing or proposed Air Quality Management Areas
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters
- the Environment Agency for matters relating to waste characterisation and acceptance
- Clinical Commissioning Groups/ NHS commissioning Boards and Local Authority Directors of Public Health for matters relating to wider public health

**Environmental Permitting**

Amongst other permits and consents, the development will require an environmental permit from the Environment Agency to operate (under the Environmental Permitting
(England and Wales) Regulations 2010). Therefore the installation will need to comply with the requirements of best available techniques (BAT). PHE is a consultee for bespoke environmental permit applications and will respond separately to any such consultation.
Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES

- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used

- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account

- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the ‘Margin of Exposure’ (MOE) approach\(^5\) is used

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FAO Helen Lancaster

Re your scoping consultation:

I note that the site is located to the north of Stone, so has little impact on the landscape of South Staffordshire. However, within the EIA, the following items should be covered:

2. Ecological surveys – Phase 1 habitat surveys covering all grassland, woodlands, hedgerows and water courses within the site and at an appropriate distance from the site dependant on the presence of any protected species.

Sarah Poxon

Development Control Manager

Development Management Services
South Staffordshire Council

Tel: 696000

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http://www.sstaffs.gov.uk/images/logos_all.gif

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Dear Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Application by Meaford Energy Limited for an Order Granting Development Consent for the Meaford Energy Centre

Thank you for your letter dated 27 February 2014 which provides Stafford Borough Council, as a consultee identified by the Secretary of State, the opportunity to provide comments on the submitted Scoping Report by Meaford Energy Limited dated February 2014 before the Secretary of State adopts its scoping opinion.

Stafford Borough Council is satisfied with the breadth and depth of the issues covered in the scoping report and only suggests that within the Cultural Heritage section, at paragraph 6.319, that the Borough Council Conservation Officer is also consulted on cultural heritage issues.

Yours faithfully,

John R Holmes
Development Manager
Good Morning

Please find below comments from Staffordshire County Council regarding the scoping opinion for the ES.

Cultural Heritage

S6.307/6.308. Within this opening section the scoping opinion should also identify relevant guidelines that the organisation completing the cultural heritage section must follow. The appointed organisation should be appropriately experienced in this area of work and should conform to the Institute for Archaeologists (IFA) Code of Conduct and the IFA standard and guidance for ‘historic environment desk-based assessment’ (2012).

S6.308. the scoping opinion correctly identifies the need to identify possibilities for the mitigation of impacts (bullet point 3) but should also identify the need to consider possible enhancements to the historic environment that the scheme could deliver. Key within this approach would be the consideration of historic landscape character as part of any restoration programme.

S6.309. Specific baseline data will be considered in a 500m buffer around the red line boundary from the Historic Environment Record. However, the study must also consider the broader archaeological context through developing an understanding of broad trends in order to more fully appreciate the potential to encounter for previously undiscovered archaeological remains within the red line boundary. For example, work in other river valleys has revealed considerable evidence for late prehistoric ceremonial, burial and agricultural activity; this pattern may be repeated along the valley of the River Sow.

S6.324 (bullet point 4). This element of the section on potential mitigation identifies the enhancement of heritage resources through ‘beneficial screening, replanting, improved access and interpretation.’ These consideration are to be welcomed although the cultural heritage section of the ES should also consider the potential for enhancement of the historic character of the area with historic landscape character informing any restoration works associated with the proposed scheme.

Ecology

Notwithstanding the statement in s.6.235 the extended Phase 1 Habitat Survey was not in accordance with CIEEM guidance (or BS42020 Biodiversity) as it was undertaken at an unsuitable time of year for a survey of this type. Species of several habitats on site including brownfield habitats are likely to have been missed and therefore full habitat evaluation cannot be made. Further habitat survey is required at a suitable time of year. The surveys proposed in s.6.287 are appropriate but should be supplemented by repeat habitat/botanic survey and assessment.

In regard of mitigation it is recommended that CIEEM guidance is use and reference is made to BS42020 and that the mitigation hierarchy is followed so that impacts are avoided or minimised and, in addition to mitigation and compensation, enhancements for biodiversity are included where possible.

It should be noted that Staffordshire County Council has commissioned ecological survey and assessment in relation to A34/Meaford Road improvements cited in s.3.39 including protected species surveys and discussions with would be welcomed to share information and avoid unnecessary or conflicting work.

Landscape

The scoping report identifies up to date guidance on landscape and visual impact assessment that will be followed in compiling the Environmental Topic Area: “Landscape and visual effects” and therefore the study should address all the correct issues. The proposed height of structures would have an impact on the development’s visibility in the surrounding area and it may be appropriate to extend the 2.5km study area accordingly to ensure that the assessment is completely comprehensive.

Whilst the majority of the site falls within the LCT Coalfield Farmlands in Potteries and Churnet Valley, parts of the southern and northern extremes of the site fall inside Sandstone Hills and Heaths subtype farmland LCT in Needwood Claylands. The policy objectives identified in Planning
for Landscape Change – Supplementary Planning Guidance to the Staffordshire and Stoke on Trent Structure Plan, 1996-2011 for these LCTs are landscape restoration and landscape maintenance respectively which indicates in the former case a medium quality landscape and in the latter case a high quality landscape.

The applicants attention is drawn to the need for proposals to be supported by the guidance and requirements of BS5837:2012 Trees in relation to design, demolition and construction – Recommendations, therefore a tree survey and tree protection measures in accordance with the British Standard would be required. Also there is a possibility that trees within the site have tree protection orders; this information would be available from the Borough Council.

Rights of Way

There appears to be very limited information in relation to public rights of way and, at this stage, I cannot tell if any of these routes will be directly affected by the scheme. I would suggest that if any of the public paths are affected then the ES should explain how these will be addressed.

Transport

Baseline Traffic Data: This needs to be collected within three years of the submission date; the previously obtained data has been collected outside this period; accordingly fresh daily 12hr counts are required.

An assessment of site construction/operative traffic impact (volume/times of operation) and possible mitigation measures (i.e. existing arrangement off the A34 acceptable for construction traffic or whether a new roundabout is needed) will need to be discussed along with a recommendation that will be considered at the auditing stage.

Kind Regards

James Chadwick
Spatial Planning Policy Officer
Staffordshire County Council
Economic Planning & Prosperity
Staffordshire Place 1
Wedgwood Building
Tipping Street
Stafford
ST16 2DH

T:01785 276643
M:07807137097

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Dear Helen Lancaster

On behalf of Peter Dartford, Chief Fire Officer, Staffordshire Fire & Rescue Service, Pirehill, Stone Staffordshire, ST15 0BS

Consultation reference 140227 EN010064 2320051
Meaford Energy Centre on the site of the old Meaford Power Station

Further to your consultation,
From an environmental assessment point of view, consideration should be given to protecting the environment from contaminated water “run off” in case of fire or other incident. Whilst the Fire & Rescue Service will endeavour to minimise any water run off in the event of a fire within any building on site, the proposer should consider the provision of “interceptors” or other system to contain any spillage of contaminated water or other liquid. Where possible the run off should be prevented from entering the surrounding water courses and ground especially as this site is in close proximity to the River Trent.

Also for information
FIRE MAINS, HYDRANTS AND VEHICLE ACCESS
Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in approved document B requirement B5, section 15 and 16.

I would remind you that the roads and drives upon which fire appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

If I can be of any further assistance, please contact me

Best wishes

Mick Jahn

Fire Safety Manager
Staffordshire Fire and Rescue Service
Western Service Delivery Group
Cannock Community Fire Station
Old Hednesford Road
Cannock
WS11 6LD

Tel: 01785 898518
Mob: 07967 573503
Dear Ms Lancaster,

Many thanks for consulting us in relation to the above proposal. On behalf of the planning department at Stoke-on-Trent City Council, I can confirm that we have no comments.

Kind Regards,

Katy Barry

Katy Barry | Assistant Planning Officer
Development Management | City Renewal
City of Stoke-on-Trent
Civic Centre | Glebe Street | Stoke-on-Trent | ST4 1HH
e Katy.Barry@stoke.gov.uk
t 01782 23 2105

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Dear Helen Lancaster,

The following comment is sent from Stone Town Council with regard to Meaford Energy Centre:

“We ask that the Environmental Impact Assessment covers the issue of particulate depositions from the smoke stack as this was troublesome matter during the life of the previous coal-fired station”.

Kind regards,

Miss Jackie Allen
Assistant Town Clerk & Mayor’s Secretary
Stone Town Council
01785 619743

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For the Attention of: Ms H. Lancaster – Senior EIA and Land Rights Advisor
The Planning Inspectorate

[By Email: environmentalservices@infrastructure.gsi.gov.uk]

24 March 2014

Dear Ms Lancaster

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

Meaford Energy Centre – EIA Scoping Consultation

Thank you for your consultation letter of 27 February 2014 seeking the views of The Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response:

I have reviewed the Scoping Report (February 2014) submitted and confirm that, whilst the proposed development falls within the defined coalfield, it is located outside both the Development High Risk Area and any area of surface coal resources.

Accordingly, we would not expect the Environmental Statement (ES) accompanying this proposal to accord detailed consideration to either the potential impact of coal mining legacy or the sterilisation of coal resources.

We note from the Scoping Report in the section on Ground Conditions at paragraph 6.333 that a Coal Mining Report has previously been obtained for this site and that, based on this information which identifies no particular issues of concern, no further consideration of coal mining issues appears to be highlighted in the Scoping Report as being necessary. As
noted above, we would not expect the chapter on ground conditions in the ES to afford detailed consideration to coal mining issues.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Mark Harrison

Mark E. N. Harrison  B.A.,(Hons), DipTP, LL.M, MInstLM, MRTPI
Planning Liaison Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data and records held by The Coal Authority on the date of the response. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.
APPENDIX 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.

An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement:

a) ‘that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but

b) that includes at least the information required in Part 2 of Schedule 4’.

(EIA Regulations Regulation 2)

The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.

The SoS advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The SoS recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The SoS emphasises that the ES should be a ‘stand alone’ document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.

Schedule 4 Part 1 of the EIA Regulations states this information includes:

‘17. Description of the development, including in particular—
Appendix 3

(a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases;

(b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used;

(c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.

18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects.

19. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.

20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from:
   (a) the existence of the development;
   (b) the use of natural resources;
   (c) the emission of pollutants, the creation of nuisances and the elimination of waste,
   and the description by the applicant of the forecasting methods used to assess the effects on the environment.

21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.

23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information’.

EIA Regulations Schedule 4 Part 1

The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of ‘the main alternatives studied by the applicant’ which the SoS recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:
Schedule 4 Part 2

- A description of the development comprising information on the site, design and size of the development
- A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects
- The data required to identify and assess the main effects which the development is likely to have on the environment
- An outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects, and
- A non-technical summary of the information provided [under the four paragraphs above].

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the SoS considers it is an important consideration per se, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The SoS recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The SoS considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.

Scheme Proposals

The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The SoS is not able to entertain material changes to a project once an application is submitted. The SoS draws the attention of the applicant to the DCLG and the Planning Inspectorate’s published advice on the preparation of a draft DCO and accompanying application documents.

Flexibility

The SoS acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.
It is a matter for the applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.

The Rochdale Envelope principle (see *R v Rochdale MBC ex parte Tew (1999)* and *R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty in preparing development applications. The applicant’s attention is drawn to the Planning Inspectorate’s Advice Note 9 ‘Rochdale Envelope’ which is available on the Advice Note’s page of the National Infrastructure Planning website.

The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.

The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the structures and of any buildings. Lighting proposals should also be described.

**Scope**

The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.

*Physical Scope*

In general the SoS recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered
- the relevance in terms of the specialist topic
• the breadth of the topic
• the physical extent of any surveys or the study area, and
• the potential significant impacts.

The SoS recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

**Breadth of the Topic Area**

The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.

**Temporal Scope**

The assessment should consider:

• environmental impacts during construction works
• environmental impacts on completion/operation of the proposed development
• where appropriate, environmental impacts a suitable number of years after completion of the proposed development (for example, in order to allow for traffic growth or maturing of any landscape proposals), and
• environmental impacts during decommissioning.

In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to reuse materials and to restore the site or put it to a suitable new use. The SoS encourages consideration of such matters in the ES.

The SoS recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The SoS recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, ‘short term’ always refers to the same period of time.
Baseline

The SoS recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.

The SoS recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed with the relevant statutory bodies and appropriate consultees, wherever possible.

The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.

Identification of Impacts and Method Statement

Legislation and Guidelines

In terms of the EIA methodology, the SoS recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the SoS recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regulations require the identification of the ‘likely significant effects of the development on the environment’ (Schedule 4 Part 1 paragraph 20).

As a matter of principle, the SoS applies the precautionary approach to follow the Court’s reasoning in judging ‘significant effects’. In other words

3 See Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw (Waddenzee Case No C 127/02/2004)
‘likely to affect’ will be taken as meaning that there is a probability or risk that the proposed development will have an effect, and not that a development will definitely have an effect.

The SoS considers it is imperative for the ES to define the meaning of ‘significant’ in the context of each of the specialist topics and for significant impacts to be clearly identified. The SoS recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of ‘significant’ in terms of each of the EIA topics. Quantitative criteria should be used where available. The SoS considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.

The SoS recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The SoS recommends that a common format should be applied where possible.

**Inter-relationships between environmental factors**

The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.

The SoS considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.

**Cumulative Impacts**

The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are:

- projects that are under construction
- permitted application(s) not yet implemented
- submitted application(s) not yet determined
- all refusals subject to appeal procedures not yet determined
• projects on the National Infrastructure’s programme of projects, and
• projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment.

The SoS recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.

For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).

**Related Development**

The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.

The SoS recommends that the applicant should distinguish between the proposed development for which development consent will be sought and any other development. This distinction should be clear in the ES.

**Alternatives**

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant’s choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).

Matters should be included, such as *inter alia* alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The SoS advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.
Mitigation Measures

Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

The SoS advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.

Cross References and Interactions

The SoS recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Consultation

The SoS recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 ‘Interpretation’) to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the
preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.

Transboundary Effects

The SoS recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the SoS recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.

The Applicant’s attention is also drawn to the Planning Inspectorate’s Advice Note 12 ‘Development with significant transboundary impacts consultation’ which is available on the Advice Notes Page of the National Infrastructure Planning website

Summary Tables

The SoS recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables:

Table X to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts.

Table XX to demonstrate how the assessment has taken account of this Opinion and other responses to consultation.

Table XXX to set out the mitigation measures proposed, as well as assisting the reader, the SoS considers that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order.

Table XXXX to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

Terminology and Glossary of Technical Terms

The SoS recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, ‘the site’ should be defined and used only in
terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

**Presentation**

The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate.

Appendices must be clearly referenced, again with all paragraphs numbered.

All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.

**Bibliography**

A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.

**Non Technical Summary**

The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.