

- Assessment Criteria for controlled waters. This is unacceptable.
- 3.54 The study area for ground conditions is defined as being 500m from the site boundary as defined in the EIA Scoping Report (see paragraph 12.23). As the boundary of the site has increased significantly since the Scoping Report was prepared, the study area should be similarly increased.
- 3.55 As discussed previously, the fact that it is proposed to excavate up to 50,000m<sup>3</sup> of material to accommodate the bunker, should have been made clear in the proposals chapter and the impact of this assessed. Notwithstanding this, further explanation is required as to how this area will be used, at what point in the process excavated material will be deposited on site and the extent to which this will preclude use of the site as a construction compound. No information is provided on final site levels and therefore it is not clear how the impact of these earthworks has been assessed, if indeed it has been. It must be.
- 3.56 The PEIR notes that the application does not seek a maximum depth but notes that the maximum depth of excavation for the land required permanently is unlikely to exceed 6m bgl. This is not acceptable, particularly in light of the fact that groundwater has been recorded at 6.3m bgl. Given the potential for harm to groundwater resources, a maximum depth must be specified in the application and the impacts of that level of excavation properly assessed. Without specifying a maximum depth, the conclusions of any assessment cannot be relied upon and would fail to comply with the requirements of the EIA Regulations – by leaving a hole in the Rochdale envelope.
- 3.57 It is understood that the bunker will require piled foundations. The implications for the aquifer of piling need to be assessed.
- 3.58 Paragraph 12.114 of the PEIR note that a cut and fill balance will be sought to minimise the requirement for import or export of materials and associated traffic and environmental effects. Further explanation is required on the assumptions relied upon for import and export of materials. As currently drafted, it is not clear what has been taken into account in the assessment.
- 3.59 It is not sufficient to avoid assessment of the grid connection on the basis that there is no information in the public domain on which to undertake a thorough assessment. The grid connection is an essential part of the project. Without it, the proposal is simply an incinerator.
- 3.60 It is assumed that the grid connection will be underground and therefore there is potential for ground conditions to be affected. The fact that no information on this issue has been provided is a serious omission. The obligation on the applicant to carry out an assessment is entirely independent of the quantity of information in the public domain.

## Archaeology and Heritage

- 3.61 The policy tests in the National Planning Policy Framework (NPPF) on the consideration of potential impacts (paragraphs 193-197) are not properly addressed despite the PEIR noting that the policies of the NPPF are more up to date than the NPS and are likely to be 'strongly considered in the decision making process'. Reference should be made to the balancing exercise required between harm and public benefit in undertaking the

- assessment as a key determinant of significance.
- 3.62 Similarly, reference to the Planning (Listed Buildings and Conservation Areas) Act 1990 is underplayed with regard to development which affects a listed building or its setting. Section 66 makes it a statutory duty for the Secretary of State to *'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*
- 3.63 The courts have held that 'preserving means doing no harm' and have established that the desirability of preserving listed buildings and their settings should not simply be given careful consideration, but should be given *'considerable importance and weight'* when the decision-maker carries out the planning balance.
- 3.64 Paragraph 13.25 of the PIER notes that ground levelling activities are planned to result in a change to ground elevations of up to 7m. Again, as this information is not included in the proposals chapter, it is not clear on what basis the assessments have been carried out. A change to ground level of up to 7m has the potential for significant effects which need to be properly assessed.
- 3.65 Reference is made to embedded mitigation that has been taken into account in the assessment. Further information is required on precisely what this consists of and how it is to be secured in the DCO given that the design is not likely to be fixed.
- 3.66 It is noted that the assessment of the effect on the Andyke will be limited as the facility will be largely screened by vegetation. Confirmation is required as to whether this conclusion still stands in winter views.
- 3.67 A further potential concern with regard to the Andyke is that the section of the Scheduled Monument that lies to the north of the A303, and is likely to survive in the form of buried archaeological remains, could be damaged in the event of the electricity connection to the proposed waste to energy facility being made in close proximity to the A303. Should this not be the case, and an electricity connection is formed further to the north, harm could otherwise be caused to the well-preserved 'herringbone' pattern of medieval water management. Further justification is required for the assessment of the magnitude of impacts. It is not clear why the impact on the Barton Stacey Conservation Area is assessed as Low when the preceding text at paragraph 13.125 notes that it will introduce an incongruous element into the setting of the conservation area. The same is true in respect of the effects on the Church of All Saints, where the proposed development is seen as having a distracting influence in views.
- 3.68 Further explanation is also required as to why the Barton Stacey Conservation Area is only of Medium heritage value.
- 3.69 No wireframes or photomontages have been prepared at this stage. Without these, it is difficult to understand how any meaningful conclusions can be reached on heritage impacts.
- 3.70 Again, no assessment has been undertaken of the grid connection. Bearing in mind that it will likely necessitate a trench of between 7-10km, this is a serious omission.

- 3.71 Not only is the grid connection not mentioned in the section on cumulative impacts, despite the Scoping Opinion requiring consideration of the potential options for connection, the discussion of cumulative impacts at paragraph 13.177 shows a lack of understanding of what a cumulative impact is.
- 3.72 In summary, the baseline information contained in the Preliminary Environmental Information Report (PEIR) submitted as part of the Stage 2 consultation process is lacking in sufficient detail to enable a full assessment of heritage impact and will require augmentation. Specifically, it is considered that the assessment of the settings of a number of key heritage assets is insufficiently robust. This includes, in particular, the conservation areas of Longparish and Barton Stacey, listed buildings within them, but also applies to other designated heritage assets likely to be affected in close proximity to the proposed facility.
- 3.73 Further technical comment on the archaeology and heritage assessment is included as an appendix to this report.

### **Landscape and Visual Impact Assessment**

- 3.74 With the exception of a single 'indicative image' from the south in the Consultation Leaflet (which has been generated from Google Streetview rather than using Viewpoint 4 from the LVIA and therefore the accuracy of the image is questioned) there are no other visually verified montages or statements on mitigation measures in the PEIR chapters or Non-Technical Summary (NTS) to assist the reader to understand what the proposed development would look like from the north, east and west. With regard to this single indicative image, no information is provided to inform the indicative image on the leaflet. Indeed, there are a number of discrepancies in the information provided. It is therefore misleading to show the illustrative scheme over that for which consent is sought.
- 3.75 Para 14.56 of the PEIR states that: "*Photomontages and wirelines (visualisations) of the Proposed Development have not been undertaken for the PEIR but will be undertaken for the ES.*" The process of assessing visual effects is therefore unreliable. There is no explanation as to how the assessor has determined whether the proposed development (and if so how much of it) will be visible from each receptor. Consultees cannot, therefore, rely on the assessment of effects in this chapter of the PEIR.
- 3.76 The inadequacies of this chapter are another significant example of the inadequacies of the consultation.
- 3.77 There has been absolutely no regard to the characteristics, guidelines and strategies set out in the tiers of landscape character assessments. Therefore, not surprisingly, due to the combination of site location, shape and surrounding landscape characteristics, moderate and major adverse landscape and visual effects remain. No beneficial landscape and visual effects have been identified.
- 3.78 Given that, to provide flexibility over the final design, the DCO will be based on parameters, it is unclear why the consultation was based on a specific illustrative design. Either the proposals need to be refined to fix the design to show a curved roof, or the images that are produced need to show the maximum extents of the proposed buildings (i.e. a building without a curved roof). What has been produced for the consultation is