The Planning Inspectorate
Yr Arolygiaeth Gynllunio

# SCOPING OPINION:

## Proposed Little Crow Solar Park

**Case Reference: EN010101**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State for Housing, Communities and Local Government) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**January 2019**

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# CONTENTS

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# 1. INTRODUCTION

## 1.1 Background

1.1.1 On 19 December 2018, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from INRG Solar (Little Crow) Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Little Crow Solar Park (the Proposed Development).

1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion '*as to the scope, and level of detail, of the information to be provided in the environmental statement'.*

1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled Little Crow Solar Park (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.

1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.

1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:

*(a) any information provided about the proposed development;*

*(b) the specific characteristics of the development;*

*(c) the likely significant effects of the development on the environment; and*

*(d) in the case of a subsequent application, the environmental statement submitted with the original application.*

1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.

1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).

1.1.8 The points addressed by the Applicant in the Scoping Report 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 Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with

the ES submitted with the application for a Development Consent Order (DCO).

1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg 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.

1.1.10 Regulation 10(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 description of the proposed development, including its location and technical capacity;*

*(c) an explanation of the likely significant effects of the development on the environment; and*

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

1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.

1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on '*the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)*'.

1.1.13 The Inspectorate notes Natural England's statement in Appendix 7.1 of the Scoping Report that "*on the basis of the information provided, it can be excluded that the proposed plan or project will have a significant effect on the Humber Estuary SAC/SPA/Ramsar, either individually or in combination with other plans or projects*". The Applicant should ensure that sufficient information is provided within the application for development consent to evidence this conclusion and to allow the SoS to fulfil its duties under The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations.

## 1.2 The Planning Inspectorate's Consultation

1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided

at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

1.2.2 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, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.

1.2.3 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.

1.2.4 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 Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

## 1.3 Article 50 of the Treaty on European Union

1.3.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two year period of negotiations regarding the UK's exit from the EU. On 26 June 2018 The European Union (Withdrawal) Act 2018 received Royal Assent and work to prepare the UK statute book for Brexit has begun. The European Union (Withdrawal) Act 2018 will make sure that UK laws continue to operate following the UK's exit. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

# 2. THE PROPOSED DEVELOPMENT

## 2.1 Introduction

2.1.1 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.

## 2.2 Description of the Proposed Development

2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity (where relevant) is provided in Scoping Report Chapter 3: The Development Site and Chapter 4: Development Proposal.

2.2.2 The Proposed Development consists of the construction, operation and decommissioning of a 226 ha ground mounted solar park with a maximum design capacity of up to 150 Megawatt peak (MWp) and up to 90 MW of battery storage capacity. The life expectancy of the Proposed Development is 35 years. The Proposed Development will include:

- 357,561 solar modules (Appendix 4.1 Drawing A10B0C0) comprised of 6m wide arrays set at an angle of 20° and raised approximately 0.8m above ground level with the top edge being up to 3.5m above ground level;
- Metal frameworks to house the solar modules will include double posts approximately 6m apart and driven into the ground at a depth of 1.5m;
- Electrical cabling from each array will be concealed through shallow trenches linking the modules to transformers and the main substation;
- A temporary construction compound in the north of the application site;
- 16 battery containers – 16m long x 2.4m wide x 4m high;
- 18 client containers – 12m long x 2.4m wide x 2.9m high;
- A substation compound;
- Electrical connection infrastructure;
- Sustainable drainage in the form of swales (Appendix 2.3); and
- 2m high security fencing and CCTV around the perimeter of the application site.

2.2.3 The Proposed Development is located in central North Lincolnshire, within the administrative area of North Lincolnshire Council. It is situated on a localised ridge between the towns of Scunthorpe to the west and Broughton to the east. The site is proposed to be accessed from the M180 Junction 4, via the A15,

the A18 and then the B1208 and B1207 before using an existing track that enters the north east of the applications site (Scoping Report paragraph 4.18).

2.2.4 The settlement of High Santon is located approximately 1.5km north of the site with woodland as the intervening landscape. Dense woodland separates the site from the village of Broughton located approximately 900m eastwards. Woodland also separates the site from the Raventhorpe Solar Farm located approximately 220m to the south.

2.2.5 The existing landuse comprises agricultural fields consisting primarily of undifferentiated arable land of Agricultural Land Classification (ALC) grade 3 (Appendix 10.1: Provisional ALC Around Scunthorpe) and managed grassland. Woodland is located adjacent to the northern, eastern and southern site boundary. Poultry units are located on the eastern boundary of the site. Scunthorpe Steel Works is located west of the Proposed Development. No buildings are located at the application site, but the following utilities infrastructure crosses the application site; a 21" diameter water main, 33kV overhead power lines and a double row of 132kV pylons. A former oil well, not included in the Scoping Report's site description but referenced at Appendix 2.2 of the Scoping Report, is located in the northwest of the site.

2.2.6 A Public Right of Way (PRoW) crosses the site from the northwest boundary trending east southeast.

2.2.7 The application site is located within Flood Zone 1 and contains a number of watercourses generally flowing southwards down the slope. The watercourses are presented in Appendix 1.1: Site Location Plan.

2.2.8 The Scoping Report Chapter 7: Ecology and Nature Conservation identifies one site with multiple international designations, six nationally designated sites and 11 non-designated sites within 10km of the Proposed Development. The internationally designated site is the Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI) located approximately 9km north of the application site. The five other nationally designated sites are discussed within Scoping Report paragraphs 7.12 to 7.18 and are all designated as SSSI. 11 non-designated sites are discussed in paragraph 7.19 and Appendix 7.3.

2.2.9 Above ground remnant earthworks and potential below ground remnants of the non-designated former medieval Gokewell Priory are located in the northern area of the site. There are 12 Grade II Listed Buildings, one Grade I Listed Building and one Schedule Monument within 2km of the Proposed Development (Appendix 8.1).

## 2.3 The Planning Inspectorate's Comments

### Description of the Proposed Development

2.3.1 The ES should include the following:

- a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development; and
- a description of the location of the development and description of the physical characteristics of the whole development, including any requisite demolition works and the anticipated land-use requirements during construction and operation phases

2.3.2 The description of development refers to 18 'client' containers, without any further detail. The ES should explain what a client container is.

2.3.3 Scoping Report paragraph 4.20 states that the "*Construction phase is expected to take around 11 months, if the development is constructed in its entirety*". The Scoping Report makes no reference to phased construction so it is unclear what is meant by "*in its entirety*". The ES should clarify this matter and clearly state the Proposed Development's construction timeline, whether the Proposed Development will be constructed all at once or be constructed in phases. If the construction period is longer than 11 months, the assessment should be based on the anticipated construction phasing. If the need for phased construction is uncertain and flexibility is sought, the assessment should be based on a worst case scenario, with suitable parameters considering the alternative build out scenarios or durations.

2.3.4 The description of the current site land use in Chapter 3 omits reference to the former oil well located in the north of the site, although it is described in the appendices to the Scoping Report. It is unclear why the well-site has been included within the redline boundary of the Proposed Development, since no construction or operational activities are proposed in this location.

2.3.5 The ES should describe the location of the development and should include reference to the oil well, any particular characteristics applicable and if works are required in this location, a description of the works and any associated effects should be included within the ES. If no works are required in this location, the ES should explain what purpose this parcel of land serves in relation to the Proposed Development. Where activities are proposed which could interact with or affect existing conditions relating to the conventional oil well and its surroundings, these should be appropriately described within the ES. The ES should also describe how any existing control measures relating to the oil well will be maintained.

2.3.6 Paragraph 3.7 of the Scoping Report states that forestry operations are being performed in the woodland surrounding the Proposed Development site access track. The ES should state whether these works will impact site access, or if the Proposed Development will impact the forestry works. If impacts are identified, then mitigation measures should be proposed in the ES.

2.3.7 The site is currently described as being on "*a localised ridge, raised slightly above the surrounding landscape*" although "*surrounding woodland encloses much of the site, and therefore any views remain generally well contained*." The ES should set out any assumptions regarding future plantation tree cover and its implications for visual screening of the site.

2.3.8 The temporary construction compound is described in high level within paragraphs 4.19 and 4.20 and again in Appendix B of Appendix 9.3 (The Construction Traffic Management Plan (CTMP)) paragraphs 4.1, 4.2 and 4.3. A full description including the locations and dimensions of any offices or storage units within the construction compound and the location of the car park should be included in the ES.

2.3.9 The Scoping Report omits a figure or detailed description of the proposed 132kV substation. This information should be provided in the ES.

2.3.10 The ES should provide a full description of any provisions and/or safeguards used to protect or maintain existing infrastructure within the site (eg the existing Anglian Water 21" main).

2.3.11 Limited discussion is provided regarding the vulnerability of the Proposed Development and its ability to adapt to climate change. This matter should be considered within the ES description of development (further commentary is provided in paragraph 3.3.14 of this Opinion).

**Alternatives**

2.3.12 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option, including a comparison of the environmental effects.

**Flexibility**

2.3.13 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose. Where the details of the Proposed Development cannot be defined precisely, the Applicant will apply a worst case scenario. The Inspectorate welcomes the reference to Planning Inspectorate Advice Note nine 'Using the 'Rochdale Envelope' in this regard.

# 3. ES APPROACH

## 3.1 Introduction

3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'[1] and associated appendices.

3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.

3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

3.1.4 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

## 3.2 Relevant National Policy Statements (NPSs)

3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.

3.2.2 The designated NPSs relevant to the Proposed Development are the:

- Overarching NPS For Energy (NPS EN-1);

[1] Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

- NPS on Renewable Energy Infrastructure (NPS EN-3); and
- NPS for Electricity Network Infrastructure (NPS EN–5).

## 3.3 Scope of Assessment

### General

3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:

- to demonstrate how the assessment has taken account of this Opinion;
- to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
- to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
- to describe any remedial measures that are identified as being necessary following monitoring; and
- to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

3.3.2 The Applicant should ensure that all tables and figures within the ES and its appendices are labelled in a consistent manner.

3.3.3 Paragraph 2.27 of the Scoping Report states that cumulative and in-combination assessment will be included within each ES aspect chapter. However, the Scoping Report does not explain the proposed cumulative effects assessment methodology or how other projects relevant to the assessment of cumulative effects will be identified. The ES should set out the proposed methodological approach for the assessment of cumulative effects, taking into account current national guidance and advice (eg the Inspectorate's Advice Note Seventeen: Cumulative Effects Assessment).

### Baseline Scenario

3.3.4 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

### Forecasting Methods or Evidence

3.3.5 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with

confirmation that these timescales apply to all chapters), or in each aspect chapter.

3.3.6 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.

3.3.7 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

**Residues and Emissions**

3.3.8 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.

**Mitigation**

3.3.9 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific dDCO requirements or other legally binding agreements.

3.3.10 The Scoping Report paragraph 4.22 states that the following mitigation plans will be provided with the application documents:

- Construction Environmental Management Plan (CEMP);
- CTMP;
- Archaeological Written Scheme of Investigation (WSI)/Watching Brief;
- Landscape and Ecological Management and Monitoring Plan;
- Drainage strategy; and
- Decommissioning Plan.

3.3.11 The draft mitigation plans provided with the application should be sufficiently detailed to demonstrate how significant effects will be avoided or reduced and the ES should clearly demonstrate how the implementation of these plans will be secured.

**Risks of Major Accidents and/or Disasters**

3.3.12 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate

guidance (eg that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.

3.3.13 Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

**Climate and Climate Change**

3.3.14 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

**Transboundary Effects**

3.3.15 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Scoping Report has not indicated whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.

3.3.16 Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it 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.

3.3.17 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate 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.

**A Reference List**

3.3.18 A reference list detailing the sources used for the descriptions and assessments must be included in the ES. It is noted that a number of references are highlighted but not included in the Scoping Report (eg in Chapter 9).

## 3.4 Confidential Information

**3.4.1** In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.

# 4. ASPECT BASED SCOPING TABLES

## 4.1 Landscape and Visual Impact

(Scoping Report Chapter 6)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.1.1 | 6.13, 6.14, and 6.15. | National Character Areas (NCA)<br>The Applicant suggests that the development would only be visible from a small proportion of the wider landscape within NCA 45 and as such, no changes to key identified landscape characteristics are anticipated and a national scale assessment is not required. | A national scale assessment that examines the effects of the Proposed Development on National Character Area (NCA) 45: Northern Lincolnshire Edge with Coversands is proposed to be scoped out.<br>The Inspectorate considers that in light of the location and setting of the Proposed Development, adjacent to the Scunthorpe Steelworks complex, well-screened by vegetation, and with limited visibility from the wider landscape, effects at the national scale are unlikely.<br>However, given the need for the Applicant to review the Zone of Theoretical Visibility (ZTV) and redefine the study area (both of which have been based upon below-maximum height parameters), the Inspectorate is of the opinion that impacts to the NCA should not be scoped out. The ES should present the findings of the final ZTV and how this influences the study area including the potential for significant effects to the NCA. Any assumptions made which are relevant to the findings of the assessment e.g. the longevity of screening plantation woodland should be taken into account. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.1.2 | 6.5 | The Site and its Landscape Features | The Inspectorate notes that Gokewell Priory Farm has not been considered within the context of landscape and visual effects.<br>Gokewell Priory Farm is located within the site boundary but is undesignated, and therefore has not been captured within the |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| | | | proposed scope of assessment. However, the Guidelines for Landscape and Visual Impact Assessment (GLVIA) 3rd edition, which the Applicant proposes to adopt, requires that the LVIA assessment considers the importance of local landmarks with a '*sense of place and history*' and that '*contributes to identity*'. As such, the Inspectorate recommends that Gokewell Priory Farm is considered as part of the landscape and visual impact assessment. |
| 4.1.3 | 6.6, 6.35, 6.83, 6.84, and 6.85. | Public Rights of Way | Upon establishing the final ZTV, the Applicant should reconsider the potential for impacts to users of public footpaths 214 and 212, as well as the several other footpaths that have been identified within the vicinity of the site. If significant effects are likely these should be assessed and presented within the ES. |
| 4.1.4 | 6.27, 6.39 and 6.79<br>Appendices 6.1, 6.2, 6.3, 6.4, | Zone of Theoretical Visibility (ZTV) and scope of study area/ visual receptors. | Scoping Report paragraph 6.27 states that a ZTV plan has been mapped on the assumption that the proposed panels would have a height of 3m. However, the panel dimensions provided in Chapter 4 of the scoping report are stated to be up to 3.5m tall. Consequently, the ZTV plan may be unrepresentative of the full extent of visibility.<br>In order to demonstrate that the full extent of the Proposed Development has been assessed, the ZTV should be based on maximum height parameters. The ES should clearly evidence and justify the final extent of the ZTV used in the assessment of landscape and visual impacts and ensure that any assessment of significance is based on this maximum extent.<br>Scoping Report paragraph 6.39 states that the study area for the LVIA will be established 5km from the site boundary. As the study area is in part defined by the ZTV, the ES should evidence and justify the final extent of the study area.<br>Viewpoint locations that have been identified through ZTV analysis should also be reviewed to confirm whether they remain appropriate. The ES should explain the reasons supporting the inclusion of each viewpoint to be assessed and details of any consultation on the |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| | | | viewpoints with relevant consultation bodies. |

## 4.2 Ecology and Nature Conservation

(Scoping Report Chapter 7)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.2.1 | 7.10 and Appendix 7.1 | Humber Estuary Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar Site and Site of Special Scientific Interest (SSSI). | The Humber Estuary SAC, SPA, Ramsar and SSSI site is located 9km north of the site. Natural England's consultation response included as Appendix 7.1 to the ES supports a conclusion that significant effects on the designated site arising from the Proposed Development may be excluded alone and in-combination with other projects. The Inspectorate is content that there is no impact pathway between the Proposed Development and the Humber Estuary SAC, SPA, Ramsar, SSSI site. The Inspectorate agrees that this can be scoped out of the ES. |
| 4.2.2 | 7.15 | Broughton Alder Wood SSSI | The Proposed Development is located 1km east of the SSSI with intervening landscape comprised of extensive plantation woodland, the B1207 road and a poultry farm. The Inspectorate agrees that significant effects on Broughton Alder Wood SSSI are unlikely to occur and this can be scoped out of the ES.. |
| 4.2.3 | 7.16 | Risby Warren SSSI | The Proposed Development is located 2.65km northwest of the SSSI with intervening landscape comprised of heavy industry, quarry works, woodland and agricultural land. The Inspectorate agrees that significant effects on Risby Warren SSSI are unlikely to occur and this can be scoped out of the ES.. |
| 4.2.4 | 7.17 | Malton and Twigmoor SSSI | The Proposed Development is located 3.1km south of the site with intervening landscape comprised of woodland, an existing solar park, a golf course and the A18 and M180 roads. The Inspectorate agrees that significant effects on Twigmoor SSSI are unlikely to occur and this can be scoped out of the ES.. |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.2.5 | 7.18 | Castlethorpe Tufas SSSI | The Proposed Development is located 3.4km from the Proposed Development and is designated for its geological interest. The Inspectorate agrees that due to the distance from the Proposed Development and on the basis of its reasons for designation, significant effects on the SSSI are unlikely and it can be scoped out from further consideration in the ES. |
| 4.2.6 | 7.23 | Gadbury and Lundimore Woods Local Wildlife Site (LWS); Far Wood Farm Meadow LWS; and Spring Wood Broughton Site of Nature Conservation Interest (SNCI). | The Inspectorate agrees that Gadbury and Lundimore Woods LWS, Far Wood Farm Meadows LWS and Spring Wood Broughton SNCI are unlikely to be significantly affected based on the proposed nature and location of the Proposed Development. Therefore, these receptors may be scoped out from further consideration in the ES. |
| 4.2.7 | 7.63 | Otters | The Inspectorate considers that further consideration of otters can be scoped out of the ES based on the absence of recent records of otters within 2km of the Proposed Development and the limited habitat suitability on site, which suggest that significant effects on otters are unlikely. |
| 4.2.8 | 7.64 | Water Voles | The Inspectorate agrees that further consideration of water voles can be scoped out of the ES based on lack of water vole presence in surveys undertaken in 2017 and 2018. |
| 4.2.9 | 7.77 | Great Crested Newts (GCN) | The Applicant proposes to scope out GCN based on the negative results of eDNA analysis of the five ponds surveyed on site. The Inspectorate agrees that further consideration of GCN can be scoped out of the ES for these ponds.<br><br>However, paragraph 7.48 of the Scoping Report states that two further ponds located 100m west and 330m south of the Proposed Development have not been surveyed, due to access restrictions. Since no evidence is presented to demonstrate that GCN are absent |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| | | | from these ponds and there is potentially suitable connecting habitat to the site (eg hedgerows), the Inspectorate considers that there is currently insufficient evidence to demonstrate that GCN will not be significantly affected by the Proposed Development and therefore, the Inspectorate cannot agree to scope out an assessment of GCN for the two un-surveyed ponds. The ES should explain the approach to determining the likely presence or absence of Great Crested Newts in these ponds. |
| 4.2.10 | 7.90 | Negligible receptors and site importance receptors | The Inspectorate agrees that receptors of negligible site importance and low site importance can be scoped out of consideration in the ES. This approach is in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) 2016 guidance paragraph 5.8. The ES should include evidence that the classification of such receptors has been agreed with relevant consultation bodies. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.2.11 | 4.1.9; and<br>Appendix 7.3 | Omission of Far Wood Farm Meadow LWS from Appendix 7.3. | It is noted that Far Wood Farm Meadows LWS, which is located 800m from the Proposed Development is not included within the map of nearby site designated for nature conservation or Table 7.6 in Appendix 7.3, although it is discussed in paragraph 4.1.9 of the Scoping Report. The ES should present a consistent description of designated nature conservation sites. |
| 4.2.12 | 7.87 | Site Importance | Arable Fields are assessed as being of negligible importance due to "*holding little intrinsic value for biodiversity*" but paragraph 7.65 states that Brown Hare – a priority species targeted for conservation nationally, has been recorded within the arable fields. The ES should explain these apparently contradictory statements and undertake an assessment of likely significant effects on this species where relevant. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.2.13 | 7.84 | Landscape and ecological management and monitoring plan and schedule. | The ES should include a draft landscape and ecological management and monitoring plan and schedule setting out how the Applicant intends to deliver the biodiversity enhancement strategy. The ES should state how these measures will be secured through the dDCO. |
| 4.2.14 | 7.88 | Site importance; and<br>Species importance | Paragraph 7.88 states that "*additional weight"* will be given to certain habitats with protected features such as hedgerows and trees, species under international or domestic law, and non-statutory designated sites will also be assessed with "*special consideration*". However, no explanation of *additional weight* or *special consideration* is included within the Scoping Report and it is not clear if *additional weight* or *special consideration* will change the site importance or species importance classifications. The ES should explain what is meant by *special consideration* and *additional weight* and state how these factors alter the site/ species importance. |
| 4.2.15 | 7.91 | Zone of Influence (ZoI) | The Scoping Report states that changes to baseline conditions will focus solely on the ZoI of the project and that the ZoI will be assessed separately for each receptor. However, no information is provided explaining how the ZoI will be determined. The ES should describe the methodology and factors used to determine ZoI(s), and state the ZoI relevant for each receptor. |
| 4.2.16 | 7.92 | Definitions of duration of effect | The Scoping Report has not provided definitions for the duration of effects within the Ecology and Nature Conservation aspect. Definitions of short term, medium term and long term effects should be included within the ES either at an aspect level or within the overarching methodology. |
| 4.2.17 | Appendix 7.1 | Higher Tier Countryside Stewardship Agreements | Appendix 7.1 states that 3ha of land within the Proposed Development is under the Higher Tier Countryside Stewardship Agreement (HTCSA) due to the presence of lowland acid grassland species. The Applicant should consult with relevant consultation bodies prior to developing |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| | | | the HTCSA area and state any specific mitigation measures that will be implemented in order to avoid degradation to the HTCSA area. |
| 4.2.18 | N/A | Matters scoped out of the assessment | To aid the reader's understanding, the Applicant should include a table within the ES that clearly states which designated sites, non-designated sites, habitats, and species are scoped in and scoped out of the assessment. |
| 4.2.19 | N/A | Sheep | The ES should explain the benefits of grazing sheep at the operational site and what if any impacts this may have when considered against the existing land use. In light of the comments from North Lincolnshire Council regarding the implementation of grazing on other solar sites, the ES should also set out how grazing at the site will be secured. |

## 4.3 Cultural Heritage and Archaeology

(Scoping Report Chapter 8)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.3.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.3.2 | Appendix 8.1 | The current heritage baseline report is based on incomplete data due to revisions to the site boundary. | The Inspectorate notes that the baseline data set is incomplete and requires that additional baseline data is provided, taking into account the revised 1km study area incorporating the proposed construction compound to the north of the site and any other boundary changes identified. |
| 4.3.3 | 4.3, 6.27, 8.14 Appendix 8.1, paragraphs 1.11, 4.16 | No intervisibility is assumed between the site and any heritage assets due to distance, topography and tree cover. | The Scoping Report inconsistently describes the maximum structure height ranging between 3m and 3.5m. The description of the development in the ES should confirm the maximum height of these structures. The assessment should ensure that intervisibility is considered in light of the relevant maximum design parameters. The ES should assess the maximum potential height parameter (including requested limits of deviation) as a worst case. |
| 4.3.4 | 8.29, 8.30 | The list of potential physical effects on the archaeological resource in paragraph 8.29 excludes tracking of vehicles over the site (although movement of machinery is highlighted in paragraph 8.30). | The ES should demonstrate a consideration of the potential for construction vehicles to give rise to significant temporary impacts on buried heritage assets within the site (eg due to compaction) and how this will be addressed. |
| 4.3.5 | 8.31, 8.43 | Operational phase effects | The ES should include consideration of operational phase impacts on non-designated heritage assets and on buried archaeological remains |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| | Table 8.1 | | and their settings in order to take into account any indirect impacts to assets. The significance criteria adopted in the ES should give appropriate weight to non-designated assets of equivalent significance to designated assets. |
| 4.3.6 | 8.31 | No discussion of decommissioning effects. | The Inspectorate considers that the potential for decommissioning stage effects should be assessed, in particular in relation to buried archaeological resources eg the ES should consider the potential for harm due to removal of piles and any future requirement for deep ploughing. |
| 4.3.7 | 8.32, reference 21 | The document references 2014 Chartered Institute for Archaeologists guidance. | The Chartered Institute for Archaeologists (2014) 'Standard and Guidance for Historic Environment Desk-Based Assessment' was updated in January 2017. The ES should be based on up to date and relevant guidance documents. |
| 4.3.8 | 8.32, reference 21 | No reference is made to best practice guidance for field walking surveys, geophysical survey or trial trenching excavation. | The ES should provide details of any guidance or standards relied on for field study assessments. |
| 4.3.9 | 8.45 | Duration of effect | The heritage assessment should include a definition of short, medium and long term effects or cross reference to a definition in the overarching ES methodology chapter. |
| 4.3.10 | Table 8.2 | Magnitude of effect criteria | The Inspectorate considers that drawing a distinction between designated and undesignated heritage assets in relation to the level of harm is potentially confusing. The scale of harm to all heritage assets, irrespective of any designation status, should be expressed as either substantial harm or less than substantial harm, equivalent to loss of significance in whole or part. |

## 4.4 Transport and Traffic

(Scoping Report Chapter 9)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.4.1 | 9.1 | Consideration of operational traffic effects. | The Scoping Report states that a '*more discrete assessment will be given to operational traffic as this is expected by be negligible*'. The Inspectorate considers that based on the low predicted operational traffic volumes, consideration of operational traffic effects may be scoped out from the ES, although the description of the whole project should include details of maintenance activities and predicted traffic flows. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.4.2 | Appendix 2.1, paragraph 4.1.2 Appendix B of Appendix 9.3, paragraph 5.6 and Tables 5.1-5.2 | Duration of deliveries | The Inspectorate notes that the predicted delivery durations are described as 26 weeks (Appendix 2.1 Air Quality Report and paragraph 5.21 of the CTMP) or spread over 47 weeks (paragraph 5.6 of the CTMP and Tables 5.1 and 5.2 of the CEMP).<br><br>The different construction periods give rise to different predictions of daily vehicle movements.<br><br>A shortened construction or delivery period would tend to increase daily trips and has potential to increase emissions to air and noise and vibration impacts. It also increases the potential for short term trip movements to exceed threshold criteria within the Guidelines for the Environmental Assessment of Road Traffic.<br><br>The ES should provide a consistent description of the construction delivery period used to derive daily trip movements, ensuring that where uncertainty exists, a worst case assessment is provided for traffic and associated aspects such as air quality and noise. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.4.3 | 9.10 | Ref 11.2 | The text refers to 'ref 11.2'. This reference is not provided within the text. |
| 4.4.4 | Appendix 2.1 | Inconsistent heavy goods vehicle (HGV) movement assumptions | The HGV numbers presented within the Scoping Report is inconsistent. For example:<br>• Paragraph 4.1.2 of Appendix 2.1 - estimates 4,472 two-way HGV movements<br>• Table 6.2 of Appendix 2.1 – estimates 4,310 two-way HGV movements<br>• Paragraph 5.7, Appendix 9.3 – estimates 8 HGVs (16 two-way movements) per day<br>• Paragraph 5.12 and 6.8 Appendix 9.3 – estimate 6 HGVs per day (12 two-way movements)<br>• Table 5.1 of Appendix B of Appendix 9.3 assumes 4,124 two-way movements or 4330 two-way movements if a 5% buffer is allowed for the solar panel installation<br>• Table 5.2 of Appendix B of Appendix 9.3 assumes a further 71 two-way movements for the battery storage facility<br>• Paragraph 5.21 of Appendix B of Appendix 9.3 maximum 16 large vehicles per day (?32 two way movements) accessing the site over the 26 week period.<br>The Inspectorate considers that the ES should be based on consistent estimates of HGV movements and where uncertainty exists and flexibility is sought the maximum likely vehicle movements should be used to establish a worst case assessment of vehicle movements. |
| 4.4.5 | Appendix 2.1 | HGV movements in the AM and PM peaks | In confirming the HGV movements associated with the Proposed Development, the ES should set out what HGV movements are anticipated in the AM and PM peaks. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.4.6 | Appendix 2.1 | Construction worker movements within the AM and PM peaks | The ES should set out the anticipated number of construction worker movements in the AM and PM peaks. |

## 4.5 Agriculture

(Scoping Report Chapter 10)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.5.1 | N/A | N/A | No matters have been proposed to be scoped out of the assessment |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.5.2 | 10.10; and Figure 10.1 | ALC grading | Paragraph 10.10 states that ALC grading has been undertaken and the results will form part of the ES. Within the ES, the total area of land at each ALC grade should be stated including a figure that differentiates between ALC grade 3a and 3b. |
| 4.5.3 | 10.11 | Farm Businesses | The Scoping Report states two farm businesses are located on the development site. No information is provided regarding the total area of land take or the impact on the future operations of each farm business. This information should be included within the ES. |
| 4.5.4 | Table 10.1 | Methodology for determining magnitude of effect | The Scoping Report states that professional judgement will be used to determine the magnitude of effect but it is unclear how "very *significant changes to day-to-day management*" or "*moderate to minor changes to day-to-day management"* will be determined. The ES should explain the magnitude of effect criteria will be applied to allow transparent understanding of conclusions regarding significant effects. |
| 4.5.5 | N/A | Mitigation | The Scoping Report omits reference to mitigation measures in respect of impacts to agriculture. The ES should include a description of all proposed mitigation or compensatory measures and state how these measures will be secured. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.5.6 | N/A | Soil management | The ES should include details of measures taken to mitigate effects on agricultural soils during construction, eg through the provision of a Soil Management Plan. The ES should set out how any such mitigation is secured. |

## 4.6 Socio Economics Issues

(Scoping Report Chapter 11)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 4.6.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.6.2 | 11.14 | Wages | The Inspectorate highlights the following statement from the Scoping Report which appears to be incorrect "*For residents of North Lincolnshire, the median annual gross wage for full-time workers is £27,265, as of 2017. This is around £1,500 lower than that of the UK (£28,758), but around £1,000 below the regional figure (£26,236)*".<br><br>It is assumed that the statement should read "*...above the regional figure…".* |
| 4.6.3 | 11.22 | Construction | This paragraph states that the construction period will last 10 months, and not 11 months as per other sections of the Scoping Report (eg 4.20, 4.29, and 5.1). The ES should use a consistent basis for assessment of effects, particularly in light of other inconsistencies highlighted. |

## 4.7 Other matters

(Scoping Report Chapter 2, Table 2.4 and appendices)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| **Air Quality** | | | |
| 4.7.1 | Table 2.4<br>Appendix 2.1 | Construction air quality effects are proposed to be scoped out based on the results of a qualitative assessment of construction dust using the Institute of Air Quality Management (IAQM) guidance presented in Appendix 2.1. The assessment considered that there was a low risk of impacts that could be dealt with through suitable dust mitigation measures. | The Inspectorate considers that in light of the location and nature of the Proposed Development; the limited number of nearby receptors; and the availability of standard controls set out in section 5 of Appendix 2.1; the Proposed Development is unlikely to give rise to significant construction or decommissioning air quality effects. It is agreed that construction and decommissioning air quality effects may be scoped out from the ES.<br>The ES should include a draft CEMP setting out details of the proposed measures to control construction dust, where possible agreed with relevant consultation bodies including North Lincolnshire Council.<br>The ES should demonstrate how construction, operation or decommissioning mitigation measures are secured eg through the dDCO requirements. |
| 4.7.2 | Table 2.4<br>Appendix 2.1 | Construction vehicle emissions are proposed to be scoped out based on the low predicted number of construction vehicle movements. | Appendix 2.1 states that a maximum of 25 Annual Average Daily Traffic Movements (AADT) is expected during the construction phase period and concludes that since the average number of two way vehicle movements per day is well below the 100 AADT criteria in the IAQM-Environmental Protection UK (EPUK) guidelines there is no potential for significant air quality effects. The report makes no reference to the criteria in Table 6.2 of that guidance which suggests that a change in Heavy Duty Vehicle flows of more than 25 AADT within or adjacent to an Air Quality Management Area (AQMA) may require air quality assessment. In light of the site's partial location within Scunthorpe AQMA and the potential uncertainty in traffic |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| | | | numbers highlighted in section 4.4 of this Opinion it is considered that an assessment of construction vehicle emissions should not be scoped out on the basis of the information presented at this stage. |
| 4.7.3 | Table 2.4 | Operational air quality effects are proposed to be scoped out based on the low level of predicted operational traffic. | The Inspectorate considers that due to the low number of predicted operational maintenance traffic movements coupled with the low carbon nature of the proposed energy generation significant effects from greenhouse gas emissions and to air quality receptors during operation are unlikely to occur and these matters can be scoped out from the ES.<br><br>The ES should demonstrate how operation or decommissioning mitigation measures are secured eg through the dDCO requirements. |
| 4.7.4 | Table 2.4 | Noise and vibration impacts are proposed to be scoped out and a stand-alone report covering construction, operation and decommissioning will accompany the application. | The Inspectorate considers that in light of the location and nature of the Proposed Development and the limited number of nearby receptors, the Proposed Development is unlikely to give rise to significant noise and vibration impacts during construction. The Inspectorate considers that provision of noise impact calculations and suitable construction noise mitigation measures delivered through a CEMP should be sufficient to avoid significant noise impacts. The CEMP should include the specific provisions outlined by the North Lincolnshire Council Environmental Health Officer in Appendix 1.2 of the Scoping Report. It is agreed that construction noise may otherwise be scoped out from the ES.<br><br>No information has been provided in relation to operational noise from the development, in particular battery storage containers and transformers. However, in light of the location and nature of the development and based on the proposed use of noise calculations and emissions criteria agreed with the Local Authority to avoid significant operational noise impacts, it is agreed that this matter may be scoped out from the ES. The ES should describe the operational emissions |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| | | | criteria and any resulting design noise mitigation measures as part of the description of development.<br><br>No information is provided regarding decommissioning noise impacts, however in light of the location and nature of the Proposed Development, it is considered that significant effects are unlikely to arise.<br><br>The ES should demonstrate how construction, operation or decommissioning mitigation measures are secured eg through the dDCO requirements. |
| **Ground conditions and minerals** | | | |
| 4.7.5 | 2.30; and Table 2.4 | Ground Conditions | The Scoping Report proposes to scope out an assessment of ground conditions within the ES. The Inspectorate considers that significant effects on ground conditions are unlikely based on the information provided. However, the justification for scoping out an assessment provided in Table 2.4 of the Scoping Report excludes reference to the conventional oil well. Given the historic land-use which includes historic drilling activity and oil extraction, the ES should describe in more detail the current condition of the well site; any existing surface infrastructure; and the potential for hydrocarbon contamination. If likely significant effects are identified, this should be reported in the ES. |
| 4.7.6 | Table 2.4<br><br>Appendix 2.2 | Minerals | The Intégrale report provided at Appendix 2.2 states that there is "*underground planning permission (valid and expired)*". Table 2.4 states that "*preliminary understanding is that the ironstone is deemed to be unsuitable for either safeguarding and/or extraction*" but does not substantiate this comment. In the absence such evidence, the ES should provide commentary on the potential for the project to sterilise future mineral extraction activity. |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| **Flood risk and drainage strategy** | | | |
| 4.7.7 | Table 2.4<br>Appendix 2.3 | Flood risk and drainage strategy | The Applicant proposes to scope out an assessment on flood risk and drainage within the ES. The Inspectorate is content that due to the Proposed Development being situated in Flood Zone 1, the cessation of pesticide and herbicide application on the development site leading to improved quality of infiltrated and run-off water, and the implementation of Sustainable Drainage System (SuDS); it is unlikely that significant effects will arise from the Proposed Development and this matter can be scoped out of the ES. |
| **Major accidents and/or disasters** (see also paragraph 3.3.12 of this Opinion) | | | |
| 4.7.8 | 2.5 | Schedule 4 of the EIA Regulations is reproduced in this paragraph, which includes reference to major accidents and/or disasters. | The Scoping Report provides no further consideration of major accidents and/or disasters. The ES should address the risks to human health and the vulnerability of the development to risks of major accidents and/or disasters to the extent that it is relevant to the nature of the development. This is in addition to the consideration of road traffic accidents that has already been proposed in relation to the assessment of transport and traffic effects. |
| **Electric and Magnetic Fields (EMF)** (see also paragraph 3.3.12 of this Opinion) | | | |
| 4.7.9 | Chapter 2 | No consideration is given to the potential for EMF effects to arise from the proposed development. | The Scoping Report provides no consideration of EMF. Whilst there are limited receptors within proximity to the development, the ES should address the risks to human health arising from EMF to the extent that it is relevant to the nature of the development and where significant effects are likely to occur. |

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|

| ID | Ref | Other points | Inspectorate's comments |
|---|---|---|---|
| 4.7.10 | n/a | n/a | n/a |

# 5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus[2]
- Planning Inspectorate advice notes[3]:
  - Advice Note Three: EIA Notification and Consultation;
  - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
  - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
  - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
  - Advice Note Nine: Using the 'Rochdale Envelope';
  - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note Twelve: Transboundary Impacts;
  - Advice Note Seventeen: Cumulative Effects Assessment; and
  - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

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[2] The Planning Inspectorate's pre-application services for applicants. Available from: https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/

[3] The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

# APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

### TABLE A1: PRESCRIBED CONSULTATION BODIES[4]

| SCHEDULE 1 DESCRIPTION | ORGANISATION |
|---|---|
| The Health and Safety Executive | Health and Safety Executive |
| The National Health Service Commissioning Board | NHS England |
| The relevant Clinical Commissioning Group | NHS North Lincolnshire Clinical Commissioning Group |
| Natural England | Natural England |
| The Historic Buildings and Monuments Commission for England | Historic England - East Midlands |
| The relevant fire and rescue authority | Humberside Fire and Rescue Service |
| The relevant police and crime commissioner | Humberside Police and Crime Commissioner |
| The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council | Broughton Town Council |
| | Appleby Parish Council |
| The Environment Agency | The Environment Agency |
| The Relevant Highways Authority | North Lincolnshire Highways Authority |
| The relevant strategic highways company | Highways England |
| Public Health England, an executive agency of the Department of Health | Public Health England |
| The Crown Estate Commissioners | The Crown Estate |
| The Forestry Commission | Forestry Commission |

[4] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

| SCHEDULE 1 DESCRIPTION | ORGANISATION |
|---|---|
| The Secretary of State for Defence | Ministry of Defence |

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS[5]**

| STATUTORY UNDERTAKER | ORGANISATION |
|---|---|
| The relevant Clinical Commissioning Group | NHS North Lincolnshire Clinical Commissioning Group |
| The National Health Service Commissioning Board | NHS England |
| The relevant NHS Trust | Yorkshire Ambulance Service NHS Trust |
| Universal Service Provider | Royal Mail Group |
| Homes and Communities Agency | Homes England |
| The relevant Environment Agency | The Environment Agency |
| The relevant water and sewage undertaker | Anglian Water |
| The relevant public gas transporters | Cadent Gas Limited |
| | Energetics Gas Limited |
| | Energy Assets Pipelines Limited |
| | ESP Connections Ltd |
| | ES Pipelines Ltd |
| | ESP Networks Ltd |
| | ESP Pipelines Ltd |
| | Fulcrum Pipelines Limited |
| | Harlaxton Gas Networks Limited |

[5] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

| STATUTORY UNDERTAKER | ORGANISATION |
|---|---|
| | GTC Pipelines Limited |
| | Independent Pipelines Limited |
| | Indigo Pipelines Limited |
| | Murphy Gas Networks limited |
| | Quadrant Pipelines Limited |
| | National Grid Gas Plc |
| | Scotland Gas Networks Plc |
| | Southern Gas Networks Plc |
| The relevant electricity transmitter with CPO Powers | Eclipse Power Network Limited |
| | Energetics Electricity Limited |
| | Energy Assets Networks Limited |
| | Energy Assets Power Networks Limited |
| | ESP Electricity Limited |
| | Fulcrum Electricity Assets Limited |
| | Harlaxton Energy Networks Limited |
| | Independent Power Networks Limited |
| | Leep Electricity Networks Limited |
| | Murphy Power Distribution Limited |
| | The Electricity Network Company Limited |
| | UK Power Distribution Limited |
| | Utility Assets Limited |
| | Vattenfall Networks Limited |
| | Northern Powergrid (Yorkshire) plc |
| | National Grid Electricity Transmission Plc |

## TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))[6]

| LOCAL AUTHORITY[7] |
|---|
| North Lincolnshire Council |
| North East Lincolnshire Council |
| East Riding of Yorkshire Council |
| Lincolnshire County Council |
| Nottinghamshire County Council |
| West Lindsey District Council |
| Bassetlaw District Council |
| Doncaster District Council |

[6] Sections 43 and 42(B) of the PA2008

[7] As defined in Section 43(3) of the PA2008

# APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Consultation bodies who replied by the statutory deadline:

| |
|---|
| Anglian Water |
| East Riding of Yorkshire Council |
| Environment Agency |
| ESP Utilities Group |
| Harlaxton Energy Networks Ltd. |
| Harlaxton Gas Networks Ltd. |
| Health and Safety Executive |
| Highways England |
| Historic England |
| National Grid |
| North Lincolnshire Council |
| Public Health England |
| West Lindsey District Council |

**Strategic Planning Team**
**Water Resources**
**Anglian Water Services Ltd**
Thorpe Wood House,
Thorpe Wood,
Peterborough
PE3 6WT

Tel (0345) 0265 458
www.anglianwater.co.uk

Your ref EN010101 - 000005

Michael Breslaw,
National Infrastructure Planning
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

Also by email to michael.breslaw@pins.gsi.gov.uk
& LittleCrowSolarPark@pins.gsi.gov.uk

17 January 2019

Dear Ms Newman,

**Little Crow Solar Park:**
**Environmental Statement Scoping Report**

Thank you for the opportunity to comment on the scoping report for the above project submitted pursuant to Regulation 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Anglian Water is the appointed water undertaker for the above site with waster water services being provided by Severn Trent.

The following response is submitted on behalf of Anglian Water and relates to potable water and water assets.

**General comments**

Anglian Water would welcome further discussions with INRG Solar (Little Crow) Ltd prior to the submission of the Draft DCO for examination.

In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO, including protective provisions specifically for the benefit of Anglian Water.
- Requirement for potable and raw water supplies

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Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

**an AWG Company**

- Requirement for any wastewater services and connections if they extend to Anglian Water. The site lies close to the boundary between Anglian Water and Severn Trent, therefore there may be possible cross border connections.

- Impact of development on Anglian Water's assets and the need for Mitigation.

- Pre-construction surveys.

**Proposed Scheme**

Reference is made to the diversion of statutory undertaker's equipment being one of the assumptions for the EIA process. There are existing water pipes and in Anglian Water's ownership which potentially could be affected by the development. It is therefore suggested that the Environmental Statement should include reference to existing assets in Anglian Water's ownership.

In particular there is a 21 inch iron water main (asset number 7293912) which crosses the proposed site as shown on the attached map.

In the event that a diversion of this main is either not possible or is not agreed and undertaken, full protection and easement width access would have to be afforded to this main. If solar panels are to be erected near to the main, sufficient access width would need to be left to allow maintenance or emergency access to the pipe at all times.

It would not be possible to locate panels either above this main or within this easement strip.

We would welcome further discussions in relation to the implication of the above.

It is therefore suggested that the Environmental Statement should include reference to this asset and any other associated pumping stations, rising mains and outfalls.

Maps of Anglian Water's assets are available to view at the following address:

http://www.digdat.co.uk/

**Ground conditions and hydrology**

Reference is made to the site having areas of surface water within the site boundary.

Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems. At this stage it is unclear whether there is a requirement for a connection(s) to the public sewerage network for the above site or as part of the construction phase.

Discussions with Anglian Water should be undertaken relating to any potential or intended connections to the public sewerage network of surface water.

Consideration should be given to all potential sources of flooding including sewer flooding (where relevant) as part of the Environmental Statement and related Flood Risk Assessment.

We would suggest that reference is made to any relevant records in Anglian Water's sewer flooding register as well as the flood risk maps produced by the Environment Agency. This information can be obtained by contacting Anglian Water's Pre-Development Team. The e-mail address for this team is as follows: (planningliasion@anglianwater.co.uk).

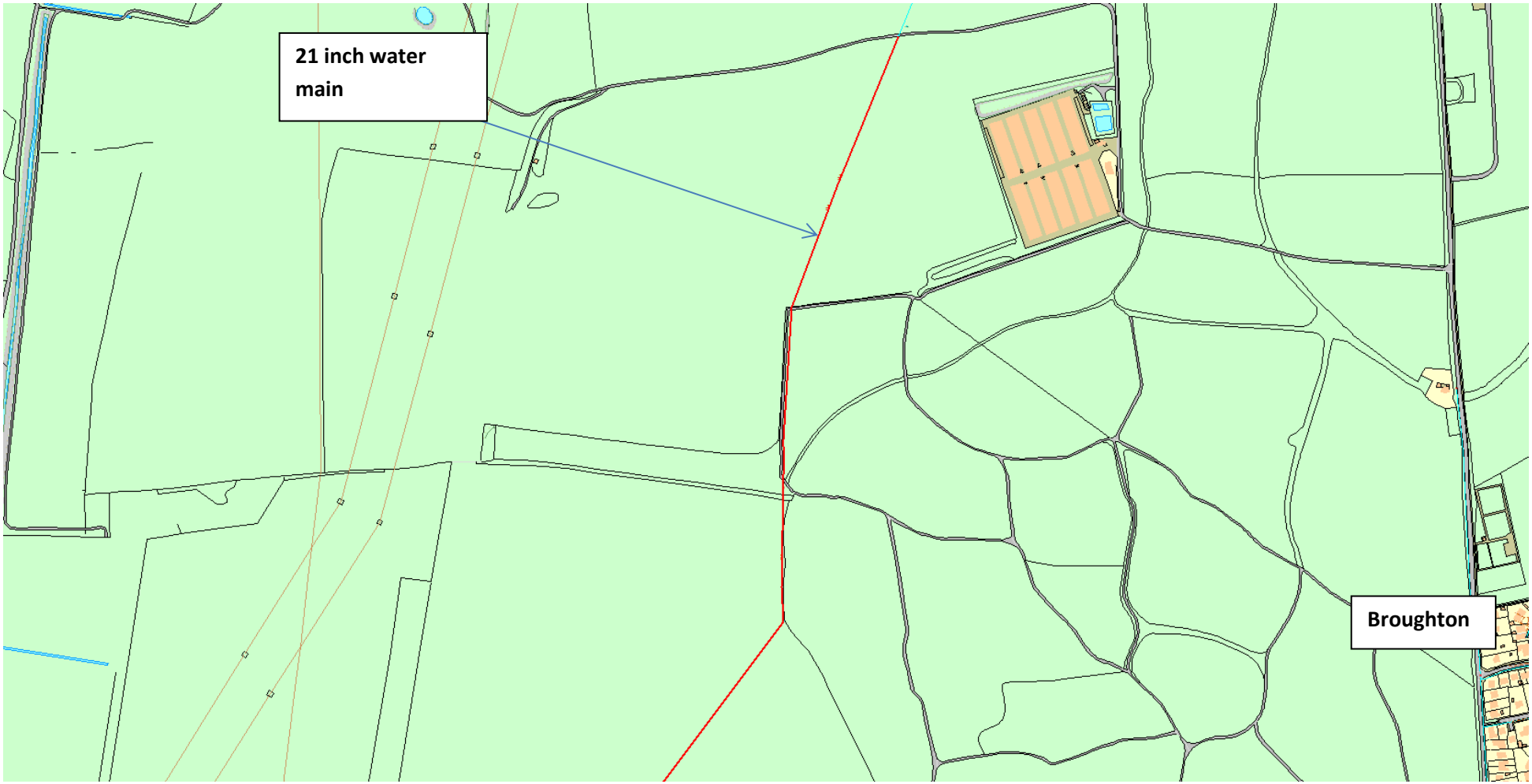
In addition, if there is a requirement for significant supplies of potable or raw water either for the construction stages, application should be made to Anglian Water, via its Wholesale services department, to determine quantities and ability to provide the same without network reinforcement.

Should you have any queries relating to this response, please let me know.

Yours sincerely,

Kathryn Taylor

**Major Infrastructure Planning Manager**
Ktaylor4@anglianwater.co.uk


21 inch water main
Broughton

**From:** Susan Hunt
**To:** Little Crow Solar Park
**Subject:** Re: EN010101 - Little Crow Solar Farm - EIA Scoping Notification and Consultation
**Date:** 24 December 2018 11:28:37

---

Thank you for the consultation on Little Crow Solar Farm received on 20th December.

The East Riding of Yorkshire Council has no comments to make on the Scoping Report.

Kind regards

Susan

**Susan Hunt MRTPI**
**Principal Development Management Officer – Strategic Planning**
**Tel**: (01482) 393840
**Web:** www.eastriding.gov.uk

EAST RIDING OF YORKSHIRE COUNCIL
**Your East Riding...** where everyone matters

From: "Little Crow Solar Park" <LittleCrowSolarPark@pins.gsi.gov.uk>
To: "beverley.dc@eastriding.gov.uk" <beverley.dc@eastriding.gov.uk>
Cc: "Susan.Hunt@eastriding.gov.uk" <Susan.Hunt@eastriding.gov.uk>
Date: 20/12/2018 10:52
Subject: EN010101 - Little Crow Solar Farm - EIA Scoping Notification and Consultation

---

FAO: Susan Hunt

Dear Sir/ Madam

Please see attached correspondence on the proposed Little Crow Solar Farm.

Please note the deadline for consultation responses is **17 January 2019**, and is a statutory requirement that cannot be extended.

Kind Regards

Michael Breslaw
National Infrastructure Planning
The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol BS1 6PN
Direct Line: 0303 444 5092
Helpline: 0303 444 5000
Email: michael.breslaw@pins.gsi.gov.uk

Web: https://infrastructure.planninginspectorate.gov.uk/ (National Infrastructure Planning)
Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: @PINSgov

This communication does not constitute legal advice.
Please view our Privacy Notice before sending information to the Planning Inspectorate.

[attachment "LCRW - Statutory consultation letter.doc" deleted by Susan Hunt/CS/ERC]

Dr Richard Hunt
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol
Avon
BS1 6PN

**Our ref:** AN/2018/128435/01-L01
**Your ref:** EN010101-000005

**Date:** 10 January 2019

Dear Dr Hunt

**Construction of a solar farm (126MW) - Development Consent Order**
**Little Crow Solar Farm, Broughton, Scunthorpe, DN16 1XP**

Thank you for consulting us on the Environmental Impact Assessment Scoping Opinion for the above project on 20 December 2018.

We have considered the project in the context of issues that fall within our remit and we are satisfied that these have been scoped in and out of the Environmental Statement appropriately. We are satisfied with the information presented and agree with the conclusions drawn so far.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

**Annette Hewitson**
**Principal Planning Adviser**

Direct dial 02030 254924
Direct e-mail annette.hewitson@environment-agency.gov.uk

| | |
|---|---|
| **From:** | ESP Utilities Group Ltd |
| **To:** | Little Crow Solar Park |
| **Subject:** | Your Reference: EN010101-000005 Our Reference: PE137689. Plant Not Affected Notice from ES Pipelines |
| **Date:** | 21 December 2018 11:53:09 |

Little Crow Solar Park
The Planning Inspectorate

21 December 2018

Reference: EN010101-000005

Dear Sir/Madam,

Thank you for your recent plant enquiry at: (EN010101-000005).

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

**Important Notice**

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espug.com

Yours faithfully,

Plant Protection Team
**ESP Utilities Group Ltd**

Bluebird House
Mole Business Park
Leatherhead
KT22 7BA
☎ 01372 587500 01372 377996

http://www.espug.com

**From:** Karen Thorpe
**To:** Little Crow Solar Park
**Subject:** Little Crow Solar Park
**Date:** 17 January 2019 11:40:48
**Attachments:** [redacted]

---

Good morning

Thank you for sending the relevant information and material regarding the Little Crow Solar Park.

Harlaxton Energy Networks Ltd. at this time has no assets in the area, and will not be implementing any in the near future, therefore Harlaxton has no comment to make on this scheme

Kind Regards

Karen Thorpe
Distribution Administrator
0844 800 1813

Visit our website harlaxtonenergynetworks.co.uk and explore at your leisure

Harlaxton Energy Networks Limited
Toll Bar Road, Marston, Grantham, Lincolnshire, NG32 2HT
Registered Company Number : 7330883

**From:** Karen Thorpe
**To:** Little Crow Solar Park
**Subject:** Little Crow Solar Park
**Date:** 17 January 2019 11:42:36
**Attachments:** [redacted]

---

Good morning

Thank you for sending the relevant information and material regarding the Little Crow Solar Park.

Harlaxton Gas Networks Ltd. at this time has no assets in the area, and will not be implementing any in the near future, therefore Harlaxton has no comment to make on this scheme

Kind Regards

Karen Thorpe
Distribution Administration Assistant

Harlaxton
Gas Networks Limited
Toll Bar Road, Marston, Grantham, Lincs, NG32 2HT

HSE

Health and Safety Executive

CEMHD Policy - Land Use Planning
NSIP Consultations
Building 1.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN010101
Our ref: 4.2.1.6546
HSE email: NSIP.applications@hse.gov.uk

Dr Richard Hunt
The Planning Inspectorate
Bristol
BS1 6PN
By e-mail

11/01/2019

Dear Richard

**PROPOSED LITTLE CROW SOLAR FARM - EIA scoping consultation (the project)**
**PROPOSAL BY INRG Solar (Little Crow) Ltd (the applicant)**
**INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) – Regulations 10 and 11**

Thank you for your letter of 20th December 2018 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.

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records there are no major accident hazard sites or major accident hazard pipelines within the proposed DCO application boundary of the proposed Little Crow Solar Farm for this nationally significant infrastructure project.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in schedule 1 of these Regulations; substances may be present in batteries.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 An Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive . This document includes consideration of risk assessments on page 3.

Explosives sites

HSE has no comment to make as there are no licensed explosive sites in the vicinity.

**Electrical Safety**

No comment from a planning perspective.

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:

Mr Dave Adams (MHPD)
NSIP Consultations
1.2 Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS

Yours sincerely,

[redacted]

Dave Adams
(CEMHD4 Policy)

Our ref: SE 940 100
Your ref: EN010101-000005

The Planning Inspectorate,
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

Simon GP Geoghegan
Asset Manager
3 SOUTH
Lateral
8 City Walk
Leeds LS11 9AT

Direct Line: 0300 470 2420
31 December 2018

**For the attention of Dr Richard Hunt**

Dear Dr Hunt

**Application by INRG Solar (Little Crow) Ltd (the Applicant) for an Order granting Development Consent for the Little Crow Solar Park (the Proposed Development)**

Further to your consultation request of December 20 2018 in respect of the above mentioned Solar Farm, Highways England has already reviewed a scoping document in detail and considered those parts which might impact on the Strategic Road Network [SRN].

I am enclosing our review of the Scoping Document which we sent to the developers back in August 2018. At that time, we only had two matters which required clarity:

- HGV movements within the AM and PM peaks; and
- Construction worker movements within the AM and PM peaks.

At this time, Highways England has no objection to this Solar Farm as described in the documents we have seen. The site is largely away from the M180 road and obscured by trees, so it is unlikely to cause any visibility problems to our road users. Before construction commences we would like to review HGV movements within the AM and PM peaks, especially during the planned construction phase, but this should be easy to supply to us.

Please contact me if I can assist further with this matter.

Yours sincerely

[redacted]

**Simon GP Geoghegan**
**Asset Development Team (North)**
**Email: simon.geoghegan@highways.gsi.gov.uk**

Our ref: SE 964 264
Your ref: 11/02990/STOUTE

Robert Roughan
Transport Planning Associates
25 King Street
Bristol
BS1 4PB

Simon GP Geoghegan
Asset Manager
3 SOUTH
Lateral
8 City Walk
Leeds LS11 9AT

Direct Line: 0300 470 2420

28 August 2018

Dear Mr Roughan

**LITTLE CROW SOLAR PARK SCUNTHORPE SCOPING**

Further to your scoping request of August 15 2018 in respect of the stated development at Little Crow, Scunthorpe, we have now reviewed the documents sent to us.

The development proposals include:

- A Solar Photovoltaic (PV) Farm comprising 359,688 modules, power inverter cabinets and sub-stations with the potential to produce up to 135.93MW of power annually; and

- A 50MW battery storage facility.

This Technical Memorandum [TM] reviews the CTMP and ES, paying due cognisance to the level of impact at the Strategic Road Network [SRN], namely the M180. This TM provides a summary and conclusions at the end, on the impact of the development proposals on the capacity, operation and safety of the SRN.

**CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

It is stated that the CTMP has been prepared to address the transport issues associated with the construction of a solar farm on land at Little Crow Farm to the west of the B1207, Scunthorpe. The site comprises 209 hectares of undeveloped land located 2.1km north of the village of Broughton. M180 Junction 4 is located 4.5km to the south of the development proposals.

In addition, it is stated that the CTMP has been produced further to a detailed site visit and sets out the proposed construction deliveries and mitigation measures for the route to the site.

This CTMP sets out the strategy for the following:

- Construction traffic routing;
- Site access;
- Site compound and internal routing;
- Vehicle size, number and frequency; and
- Proposed mitigation measures.

It is proposed that construction traffic will arrive from the M180 Junction 4, the A15, the A18, the B1208 and B1207 to the site. This route appears to be the most appropriate route; and is accepted.

The CTMP notes that the roads leading to the site already serve HGVs associated with the Steel Works, which is accessible from Dawes Lane to the north of the site, and the network is therefore subject to use by large vehicles. It is therefore concluded within the CTMP that the proposed construction traffic route is considered to be suitable for use by the relatively low number of HGVs that will be associated with the construction period. With this in mind, it is noted that no swept path analysis for M180 Junction 4 is contained within the CTMP, but given the current use of the route, this omission is not considered to be an issue.

It is noted that with CTMP states that no traffic regulation orders, temporary traffic management, footway closures or parking suspensions are required as a result of the construction phase at the site, and this is welcomed.

As part of the internal road layout of the development proposals, the following are proposed:

- The tracks will provide ground protection and enable it to support the loading of HGVs and plant and reduce the propensity of debris being taken on to the adjacent access track and highway. Internal access tracks will be constructed of graded stone on top of permeable matting;

- If ground conditions dictate, wheel washing facilities will be provided at a contractor's compound, or at the end of the access track within the proposed passing place, to ensure no mud is taken onto the local highway network and a road sweeper will be deployed by the applicant, should this become necessary; and

- Wheel wash facilities will be provided in the form of a portable automated high-pressure washer with motion sensors to conserve water. All construction vehicles will therefore have to exit through the wheel wash area and as such

will reduce the spread of mud and dirt onto the local highway network.

The above approach is welcomed and supported.

With regards to the construction phase, the following details are provided within the CTMP:

- The construction period will take approximately six months (up to 26 weeks) with construction activities being carried out Monday to Friday 0800 to 1700 and between 0800 and 1330 on Saturdays;

- The construction phase for the solar farm includes the preparation of the site, installing the access tracks, erection of security fencing, assembly and erection of the PV strings, installation of the inverters/transformers and grid connection;

- The construction of the battery storage facility will include the preparation of the site, installation of the access roads, erection of security fencing, assembly of the battery system, and installation of the switch room and grid connection;

- The construction period will include the use of HGVs to bring the equipment onto the site and it is stated that this will be strictly managed to ensure that vehicle movement is controlled and kept to a minimum;

- Deliveries to the site shall be reported to the site manager and will be made on the smallest possible vehicles for that particular item of plant or material, to ensure that vehicles can manoeuvre safely;

- The components which are required to construct the solar farm will arrive in 40ft containers by 15.4m long articulated vehicles. It is identified within the CTMP that around 140 15.4m articulated vehicles are required for every 10MWp at the site, split equally between the modules and mounting structures. The site is proposed to generate 135.93MWp and as such this will equate to around 1,903 deliveries by 15.4m articulated vehicles, equating on average to 12 deliveries (24 movements) per day by the largest vehicle;

- The CTMP states that the largest items to be transported to the site are the inverter stations, and these are 8.6m long, 3.15m high and 2.6m wide. The proposed solar farm will have a total of 48 inverters and it is stated that each would be transported by either 12m rigid lorry or 15.4m articulated lorry due to their size. The inverters will be transported individually due to their weight and as such this would equate to a total of 48 deliveries;

- In addition, it is stated that the Distribution Network Operator will install a switchgear cabinet, which connects the underground grid connection cable of the solar farm to the distribution network. It is typically no larger than 6m long, 2.55m wide and 2.6m high. The cabinet will arrive at the site by the smallest possible vehicle, which could be a 10m rigid lorry. A total of one delivery is required for this element of construction;

- The material required for the access tracks will arrive by 10m rigid vehicles. The precise number will depend on the type and the amount of material required, but for the purpose of this assessment, the CTMP has assumed that one delivery is required per five acres, resulting in a total of 104 deliveries;

- The CTMP states that a number of front end JCBs will also be required to transport equipment around the site, and to distribute stone as necessary. This is a similar size to a tractor and will either be transported to the site or be driven to the site;

- In terms of construction workers, it is stated that a maximum of between 80 and 100 construction workers are anticipated to be on site during peak times during the construction period. A temporary construction compound is to be provided and will provide storage, parking for contractors and turning for HGVs; and

- At this point in the process, the location where staff (i.e. the construction worker distribution) will travel from is unknown as it will depend on the appointed contractor. However, it is stated that a number of the non-local workforce will stay at local accommodation and be transported to the site by minibuses.

As a consequence of the above, Table 5.1 within the CTMP identifies that there will be a maximum of 2,062 deliveries (4,124 two-way movements) could be made by HGVs allied to the construction phase of the solar farm, at an average of around 16 deliveries, or 32 two-way movements per day. Further to the 32 two-way movements, it is stated that a small number of construction movements associated with smaller vehicles such as the collection of skips for waste management, the transport of construction workers and sub-contractors.

Whilst the 32 daily two-way movements are not considered to severely impact upon the capacity, operation and safety of the SRN, more clarity is required regarding the following:

- HGV movements within the AM and PM peaks; and

- Construction worker movements within the AM and PM peaks.

With regards to battery storage, it is stated that components which are required to construct the battery storage facility will arrive in 20ft containers by 16.5m long articulated vehicles, resulting in a total of 16 deliveries for the entire site.
In overall terms for the battery storage element of the site, the CTMP states that there will be less than one delivery per day during the construction phase.

When considering the operational phase of the development proposals, the following assumptions are drawn within the CTMP:

- General maintenance of the site will be carried out by the existing farm tenant; and

- Four visits to the site a year (one per quarter) for additional equipment maintenance, typically be made by light van or 4x4 type vehicles.

It is not considered that the operational phase of the development proposals will impact upon the SRN.

The CTMP identifies a number of mitigation measures, which for completeness have been replicated within this TM for consideration:

- Signs to direct construction vehicles associated with the development will be installed along the route. Delivery drivers, contractors and visitors will be provided with a route plan in advance of delivering to site to ensure that vehicles follow the identified route;

- Advisory signs informing contractors and visitors that parking is not permitted on-street on the B1207 or on the site access track;

- All signage and barriers on the agreed haulage route will be inspected twice daily by the site manager (once in the morning and once at lunchtime), to ensure they are kept in a well-maintained condition and located in safe and appropriate locations;

- A compound area for contractors will be set up on-site including appropriate parking spaces. Contractors and visitors will be advised that parking facilities will be provided on-site in advance of visiting the site and that they should not park on-street;

- A wheel wash will be provided which hoses down vehicles so that no construction vehicles exiting the site compound will take mud or debris onto the local highway network;

- A road sweeper will be provided for surrounding local roads along the construction traffic route to alleviate any residual debris generated during the

construction phase;

- The site will be secured at all times with Heras fencing;
- A requirement for engines to be switched off on-site when not in use;
- Spraying of areas with water supplied as and when conditions dictate to prevent dust;
- Vehicles carrying waste material off-site to be sheeted;
- Turning areas will be provided to ensure vehicles can exit the site in a forward gear;
- Banksmen will be provided at the site access to indicate to construction traffic when it is safe for them to enter and exit the site; and
- All residents of Brigg Road, along the construction traffic route, will be provided with contact details of the Site Manager, which will also be provided on a site-board at the entrance to the site.

Whilst it is considered that the proposed mitigation measures are not applicable in relation to the SRN, the processes of good site management are welcomed.

**DRAFT ENVIRONMENTAL STATEMENT – CHAPTER 9 TRAFFIC AND TRANSPORT**

It is stated within the ES that Chapter 9 Traffic and Transport is not intended to be read as a standalone assessment and reference should be made to the other chapters within the ES. In addition, it is stated that a Transport Statement and CTMP will be prepared as part of the formal submission. It is considered that the inclusion of a Transport Statement within the planning application is welcomed.

The following transport and access issues are investigated within Chapter 9 of the ES:

- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian Amenity (including Fear and Intimidation); and
- Accidents and Safety.

It is stated that as part of the final ES chapter, a full review of personal injury accident data will be undertaken for the links within the study area. This is welcomed as it will include M180 Junction 4.

It is stated within the ES that worst case assumptions have been assumed when considering the trip generation of the construction and operational phases. This approach is considered robust.

This is replication between the CTMP and ES, with the ES drawing the conclusion that there will not be a significant environmental effect as a result of construction vehicle traffic. We have concluded that the construction traffic will not have a severe impact on the capacity, operation and safety of the SRN, and we consider that there will not be a significant environmental impact as a result of the construction vehicle traffic.

Furthermore, it is stated in the ES that it is considered that the effects of the operational phase in terms of transportation will be negligible; and that the cumulative effect is therefore also considered to be negligible. Highways England are in agreement with this statement.

## SUMMARY AND CONCLUSIONS

A Construction Traffic Management Plan and Chapter 9 of the Draft Environmental Statement prepared by TPA in support of proposals for a Solar Park at Little Crow Farm has been reviewed by us, at a stage when this development is currently at pre-application scoping stage.

The development proposals include:

- A Solar Photovoltaic Farm comprising 359,688 modules, power inverter cabinets and sub-stations with the potential to produce up to 135.93MW of power annually; and

- A 50MW battery storage facility.

This Technical Memorandum has reviewed the CTMP and ES, paying due cognisance to the level of impact at the Strategic Road Network. Having considered the proposed trip generation during the construction and operational phases of the development proposals, it is not considered that there will be a severe impact upon the capacity, operation and safety of the SRN.

However, more clarity is required regarding the following information, which should be included within the CTMP submitted as part of the subsequent planning submission:

- HGV movements within the AM and PM peaks; and
- Construction worker movements within the AM and PM peaks.

Please contact me if I can assist further with this matter.

Yours sincerely

[redacted]

**Simon GP Geoghegan**
**Asset Development Team (North)**
**Email: simon.geoghegan@highways.gsi.gov.uk**

Historic England

EAST MIDLANDS OFFICE

Dr Richard Hunt
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The square
Bristol
BS1 6PN

Direct Dial: 01604 735460

Our ref: PL00523873

8 January 2019

Dear Dr Hunt

**Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

**LITTLE CROW SOLAR PARK, LINCOLNSHIRE**

**Request for Scoping Opinion**

Thank you for your letter of 20 December 2018 requesting Historic England's advice in relation to a Scoping Opinion at the above site. We offer the following advice, expressed in our pre-application advice letter dated 21 September 2018:

"Thank you for consulting us on this proposal for a c.200ha site at Little Crow, Santon, to the east of Scunthorpe as a solar array and battery storage facility which will be submitted as a Nationally Important Infrastructure Project. Key heritage assets in the area include the non-designated nunnery at Gokewell Farm, a site potentially of national importance depending upon the degree of below ground survival. Whilst the nuns were obedient to the rule as practiced at Cisteaux actual life in individual nunneries was complex and remains poorly understood, their physical structures can be less well funded and more irregular in form than those of comparable male religious houses. It appears from your material that the scheme as proposed avoids the site of the Nunnery and this thus appears a proportionate response provided this balance survives scheme modifications or further discoveries. On the basis of the work done to date (and in the expectation of your on-going positive dialogue with the Local Authority Archaeologist [redacted]) Historic England anticipates making no objection to the grant of a Development Consent Order for this scheme on heritage grounds. The installation will inevitably have some negative impact upon the significance of the aforementioned heritage asset in terms of its rural landscape setting, however if the scheme as a whole delivers the monument's physical preservation from ongoing cultivation damage then in this specific instance it appears proportionate, provided the case for public benefit can be made."

Please contact me if you have any queries.

Historic England

EAST MIDLANDS OFFICE

Yours sincerely,

[redacted]

Tim Allen
Inspector of Ancient Monuments
tim.allen@HistoricEngland.org.uk

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

**Land and Acquisitions**
Anne Holdsworth
DCO Liaison Officer
Network Management
anne.holdsworth@nationalgrid.com
Direct tel: +44 (0)7960175682

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
LittleCrowSolarPark@pins.gsi.gov.uk

04 January 2019

Dear Sir/Madam

**APPLICATION BY INRG SOLAR (LITTLE CROW) LTD FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE LITTLE CROW SOLAR PARK**

**SCOPING CONSULTATION ON PROPOSED DEVELOPMENT CONSENT ORDER**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG). I refer to your consultation letter dated 20th December 2018 regarding the proposed Order.

**National Grid infrastructure within / in close proximity to the order boundary:**

**Electricity Transmission**
National Grid Electricity Transmission has no apparatus within or in close proximity to the proposed order limits.

**Gas Transmission**
National Grid Gas has no apparatus within or in close proximity to the proposed order limits.

If you require any further information please do not hesitate to contact me.

Yours faithfully

[redacted]

**Anne Holdsworth**
**DCO Liaison Officer, Land and Acquisitions**

# PLANNING CONSULTATIONS

**REFERENCE:** **SCO/2018/2512**

**CASE OFFICER:** **ANDREW LAW**


**TEAM:** **HISTORIC ENVIRONMENT RECORD**

**AUTHOR:** **ALISON WILLIAMS, HISTORIC ENVIRONMENT OFFICER**

**TEL:** **01724 297471**

**EMAIL:** **alison.williams@northlincs.gov.uk**


**SUBJECT:** **Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017**

**Scoping and consultation notification relating to a proposed renewable led energy scheme, Little Crow Solar Park, Land to the east of the Steel Works site, and west of Ermine Street, Broughton Parish**

**DATE ISSUED: 16/01/2019**

## SUMMARY OF ADVICE

- The proposed development has the potential to impact on non-designated heritage assets and their settings, including any as yet undiscovered heritage assets of archaeological interest of equivalent significance to scheduled monuments
- The applicant has prepared a Baseline Heritage Assessment based on current recorded information (EIA Scoping Report, Appendix 8.1) and has obtained additional HER data for a revised study area (para 1.2, App 8.1)
- The applicant has also commissioned an archaeological evaluation of the site in line with NPS EN-1 paragraph 5.8.8, NPPF paragraph 189 and Local Plan policies CS6 and HE9 and to date has completed several of the agreed surveys (EIA Scoping Report Appendices 8.2, 8.3 & 8.4)
- The proposal for the next stage of evaluation comprising trial trenching is in preparation
- The results of the completed archaeological evaluation will inform the assessment of the significance of the heritage assets and any direct and indirect impacts of the proposed development; in turn, this assessment will inform any appropriate mitigation measures to conserve relevant assets either in situ or by record
- The results should inform the EIA; where results are not available within this timescale we should expect that they will be submitted as addenda to the ES for consideration during the determination process
- Further comments on Chapter 8 of the EIA scoping report are set out below.

**HISTORIC ENVIRONMENT RECORD (HER) FUNCTION:** To hold, maintain, interpret and manage heritage information, enhancing the understanding of the area's historical development as a distinctive and attractive place. HER information provides source material for interpretation by heritage professionals and for use by community groups and individuals. The HER database is updated as new information about the historic environment is discovered.

The HER also provides advice on development proposals that affect, or may affect, the sites and settings of all heritage assets i.e. designated and non-designated historic buildings, archaeological sites and monuments, and historic places, areas and landscapes. This advice is provided against saved local plan policies and national historic environment policies. See https://www.northlincs.gov.uk/planning-and-environment/historic-environment-and-conservation/

**DETAILED ADVICE:** Thank you for consulting the HER on the EIA Scoping Report. The Cultural Heritage section of the Report comprises Chapter 8 and appendices 8.1 – 8.4 (Baseline Study, Geophysical Survey report, Watching Brief (SI) report, Fieldwalking report). . I commented on the draft Environmental Statement in October 2018, and my comments remain relevant to the EIA Scoping Report as follows:

**PRELIMINARY BASELINE CONDITIONS**

As stated in paragraph 8.3, the baseline position is evolving as the results of archaeological investigations become available. Several surveys are completed and reported on (see appendices) and the final stage of evaluation comprising archaeological trial trenching is currently in preparation. The results of the completed evaluation will inform the assessment of significance of the known and potential archaeological heritage assets within the application site.

Paragraphs 8.13-14 refer to the The Setting of Designated Heritage Assets. All heritage assets whether designated or non-designated may have a setting. The relevant Historic England guidance on methodology does not state that only designated heritage assets should be selected for assessment. The scope of the EIA should therefore include designated and non-designated heritage assets.

Paragraph 8.16 – 17 Known and Potential Archaeological Remains. Completion of the archaeological field evaluation will reduce the potential for there to be further undiscovered archaeological remains within the site.

**ASSESSMENT METHODOLOGY**

Paragraph 8.35 (& 8.27) re Settings Assessment, refers to designated heritage assets only, whereas Historic England's Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (Second Edition) is clear that all heritage assets may have a setting. Step 1 of this guidance: Identify which heritage assets and their settings are affected, does not differentiate between undesignated and designated heritage assets, nor does the NPPF (para 197) or NPPG. The EIA should include setting assessments of the undesignated assets; the Baseline Report includes a setting assessment for the site of Gokewell Priory, one of the undesignated heritage assets within the site.

Table 8.1 Criteria for Assessment of the Significance of Heritage Assets and paragraph 8.43. I welcome the methodology of moving away from the matrix-led approach to one based on a more discursive approach. However, table 8.1 appears to be missing categories that I would expect to see considered such as the inclusion of the following:

- Non-designated heritage assets of equivalent significance to scheduled monuments (NPPF 193b footnote 63);
- Non-designated heritage assets the significance of which has been ascertained through sufficient evaluation and assessment;
- The category of Uncertain is not appropriate, it is already covered by non-designated heritage assets the significance of which has not yet been ascertained through sufficient evaluation and assessment

- Negligible: remains that have been sufficiently demonstrated to have no archaeological interest as defined in the NPPF Glossary

Paragraph 8.45 refers to temporary effects on the settings of heritage assets if the development has a limited lifespan, and that these temporary effects can be short, medium or long-term, but does not quantify any of these terms.

Table 8.2 Magnitude of Effect upon Heritage Assets and paragraph 8.48. Drawing a distinction between designated and undesignated heritage assets in relation to the level of harm is potentially confusing and unhelpful. The scale of harm to all heritage assets, irrespective of any designation status, should be expressed as either substantial harm or less than substantial harm, equivalent to loss of significance in whole or part (NPPF paragraph 199).

**LIKELY ENVIRONMENTAL EFFECTS**

With regard to the Operation Phase Effects, paragraph 8.31, the EIA should scope in buried archaeological remains in order to take into account any indirect effects on their settings and significance. The results of the completed archaeological evaluation should inform this assessment.

The EIA Scoping Report does not include the effects of the decommissioning phase on heritage assets; it will need to do so. The nature and extent of the solar table array is such that many thousands of mini-piles would be driven into the ground. Pulling out and removing these mini-piles is likely to cause considerably greater harm to archaeological remains. Furthermore, the restoration to agricultural use over areas of trackway, hardstanding and solar farm infrastructure could involve deep cultivation, or ripping, to remedy any long-term compaction. The scope of the Cultural Heritage EIA should therefore include details of the decommissioning activities and an assessment of impact on heritage significance.

**MITIGATION MEASURES AND RESIDUAL EFFECTS**

All opportunities should be explored to enhance heritage assets, and how the public may experience them.

| I N T E R<br><br><br><br>O F F I C E | **MEMO** | NORTH LINCOLNSHIRE COUNCIL |
|---|---|---|

To: Andrew Law, Development Management.

From: Environmental Health (Commercial)

Our Ref: PLU 004168

Your Ref: SCR/2018/2512

Subject: Scoping and consultation notification relating to a proposed renewable led energy scheme

Location: Ermine Street, Broughton

Date: 11 January 2019

---

Thank you for your email requesting this department's comments on the above scoping opinion application in respect of an Environmental Impact Assessment (EIA) requirement.

The screening and scoping consultation relates to the development of a ground mounted solar park with a maximum design capacity of up to 150MWp (megawatts peak) and up to 90 Megawatts of battery based electricity storage facility.

**Noise**

It is proposed that the noise and vibration impacts are scoped out of the Environmental Statement and presented as a standalone report accompanying the application. This department agrees that noise and vibration impact can be screened out of the EIA and can be dealt with as part of the planning application.

The consultant is advised to contact this department to agree the scope of the noise impact assessment.

**Contaminated Land**

The applicant has submitted the following information as part of the EIA screening request.

- Integrale Phase 1 Ground Conditions Desk Study for Proposed Solar Energy Scheme, Little Crow Solar Farm, Scunthorpe. Report No 1844 Vers. 5 Dated November 2018.

Having reviewed the information this department is satisfied that land contamination can be dealt with at the planning application stage by condition and agree with the conclusion that land contamination can be screened out of the EIA.

**Air Quality**

The applicant has submitted the following information as part of the EIA screening request:

- Bureau Veritas Air Quality and Carbon Assessment for the proposed Little Crow Solar Park Job Ref 6473981

Having reviewed the information this department is satisfied that air quality can be dealt with at the planning application stage by condition and agree with the conclusion that Air Quality can be screened out of the EIA.

# Fw: PA/SCO/2018/2512 Planning Application at Little Crow Solar Park, Land to the east of the Steel Works site, and west of Emine Street, Broughton Parish

Louisa Simpson

Fri 04/01/2019 13:17

To:Andrew Law <Andrew.Law@northlincs.gov.uk>;

Cc:Darren Cowling <Darren.Cowling@northlincs.gov.uk>;

Andrew,

I've reviewed the Scoping Report submitted for the above proposal. I agree with the outline approach for assessing the traffic and transport impacts. The Transport Statement and Construction Phase Traffic Management Plan appear to cover all the issues that we would expect to see included.

Regards

Louisa Simpson

Transport Planner
Transport, Highways and the Environment
Operations
North Lincolnshire Council



---

**From:** Ian Jickells
**Sent:** 20 December 2018 15:34
**To:** Louisa Simpson
**Cc:** Darren Cowling; Steve Dyson; Diane Langton
**Subject:** Fw: PA/SCO/2018/2512 Planning Application at Little Crow Solar Park, Land to the east of the Steel Works site, and west of Emine Street, Broughton Parish

Louisa

Any comments ?

Ian Jickells
Highway Development and Traffic Team Manager
Community Services
Operations Directorate
01724 297546


North Lincolnshire is a great place to live and work;
if you want to foster, adopt or become a social worker
we would love to hear from you.
Contact: **fostering@northlincs.gov.uk / 01724 297024**


---

**From:** Clare Allcock <planningapplications@northlincs.gov.uk>
**Sent:** 20 December 2018 15:31
**To:** PlanningApplicationNotifications
**Subject:** PA/SCO/2018/2512 Planning Application at Little Crow Solar Park, Land to the east of the Steel Works site, and west of Emine Street, Broughton Parish

Dear Sir/Madam,

**Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017**

| | |
|---|---|
| **Application No:** | PA/SCO/2018/2512 |
| **Proposal:** | Scoping and consultation notification relating to a proposed renewable led energy scheme |
| **Site Location:** | Little Crow Solar Park, Land to the east of the Steel Works site, and west of Emine Street, Broughton Parish |
| **Applicant:** | Mr Gareth Roberts, INRG Solar (Little Crow) Ltd |
| **Case Officer:** | Andrew Law |

Your views are requested on the above request. You can view the associated documents directly on the web site by selecting the following link:
http://infrastructure.planninginspectorate.gov.uk/document/EN010101-000025
Any comments should reach me (paper or electronic) no later than 21 days from the date of this email. In the meantime if you have any queries about the proposal these should be directed to the case officer named above.
If you have no comments to make then early notification of this will assist me to deal with the request promptly.

**Development Management**
North Lincolnshire Council
Civic Centre
Ashby Road
Scunthorpe
North Lincolnshire
DN16 1AB
Tel: 01724 297000
Web: www.northlincs.gov.uk
Ref:a191p00000OR73b


North Lincolnshire is a great place to live and work;
if you want to foster, adopt or become a social worker
we would love to hear from you.
Contact: **fostering@northlincs.gov.uk / 01724 297024**

Public Health England

Environmental Hazards and Emergencies Department
Centre for Radiation, Chemical and Environmental Hazards (CRCE)
Seaton House
City Link
London Road
Nottingham
NG2 4LA

nsipconsultations@phe.gov.uk

www.gov.uk/phe

Your Ref: EN010101-000005
Our Ref: 49262

Dr Richard Hunt.
The Planning Inspectorate.
Major Casework Directorate.
Temple Quay House,
2 The Square,
Bristol, BS1 6PN

17 January 2019

Dear Sir,

**National Strategic Infrastructure Project (NSIP)**
**Application for an Order Granting Development Consent for the proposed Little Crow Solar Park**
**Stage: Scoping Consultation**

Thank you for including Public Health England (PHE) in the scoping consultation phase of the above application. Advice offered by PHE is impartial and independent.

PHE exists to protect and improve the nation's health and wellbeing and reduce health inequalities; these two organisational aims are reflected in the way we review and respond to Nationally Significant Infrastructure Project (NSIP) applications.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

## Environmental Public 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 Environmental Statement (ES). We believe 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, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept 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.

We recommend that the promoter considers the following aspects:

- Our position is that pollutants associated with road traffic, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposures of non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure), maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

- It is noted that the current proposals do not appear to consider possible health impacts of Electric and Magnetic Fields (EMF). The proposer should confirm either that the proposed development does not include any potential sources of EMF that impact on public health; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES.

**Human Health and Wellbeing**

This section of our scoping response identifies the wider determinants of health and wellbeing we expect your assessment to address, to demonstrate whether they are likely to give rise to significant effects.

We expect a proportionate and evidence-based assessment of indirect effects on health and wellbeing in line with the relevant regulatory and policy requirements. To assist developers, we have focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

We have reviewed the Scoping Report and have no additional comments provided that:

- The matters scoped in by paragraph 2.30 and Table 2.4 are adequately assessed
- The final ES addresses the impact on the PRoW as proposed in paragraph 4.29 of the scoping report
- The final ES contains a sufficiently detailed Construction Environmental Management Plan, Construction Traffic Management Plan and decommissioning plan as proposed in paragraph 4.22 of the Scoping Report. Local knowledge of the area highlights the KSI (Killed and Seriously Injured) rate on the roads is disproportionately high in North Lincolnshire and as such should be given due attention in this consultation from planning, through to construction and commissioning of the solar park

Yours sincerely

On behalf of Public Health England

nsipconsultations@phe.gov.uk

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

## Appendix A: PHE environmental public health 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.

### 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.

---

[1] Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: http://webarchive.nationalarchives.gov.uk/20100410180038/http:/communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/

[2] DCLG guidance, 1999 http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf

**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[3] 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.

**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

[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)

- 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)**

This statement is intended to support planning proposals involving electrical installations such as substations and connecting underground cables or overhead lines. PHE advice on the health effects of power frequency electric and magnetic fields is available in the following link:

https://www.gov.uk/government/collections/electromagnetic-fields#low-frequency-electric-and-magnetic-fields

There is a potential health impact associated with the electric and magnetic fields around substations, and power lines and cables. The field strength tends to reduce with distance from such equipment.

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

## Policy Measures for the Electricity Industry

The Department of Energy and Climate Change has published a voluntary code of practice which sets out key principles for complying with the ICNIRP guidelines:

[4] Available from: http://www.cph.org.uk/wp-content/uploads/2012/08/health-risk-perception-and-environmental-problems--summary-report.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf

Companion codes of practice dealing with optimum phasing of high voltage power lines and aspects of the guidelines that relate to indirect effects are also available:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224766/powerlines_vcop_microshocks.pdf

## Exposure Guidelines

PHE recommends the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). Formal advice to this effect was published by one of PHE's predecessor organisations (NRPB) in 2004 based on an accompanying comprehensive review of the scientific evidence:-

http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/

Updates to the ICNIRP guidelines for static fields have been issued in 2009 and for low frequency fields in 2010. However, Government policy is that the ICNIRP guidelines are implemented in line with the terms of the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

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

### Static magnetic fields

For static magnetic fields, the ICNIRP guidelines published in 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.

### Power frequency electric and magnetic fields

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 published in 1998 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). The reference level for magnetic fields changes to 200 μT in the revised (ICNIRP 2010) guidelines because of new basic restrictions based on induced electric fields inside the body, rather than induced current density. 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.

### Long term effects

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)

SAGE was set up to explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government:

http://www.emfs.info/policy/sage/

SAGE issued its First Interim Assessment in 2007, making several recommendations concerning high voltage power lines. Government supported the implantation of low cost options such as optimal phasing to reduce exposure; however it did not support not support the option of creating corridors around power lines on health grounds, which was considered to be a disproportionate measure given the evidence base on the potential long term health risks arising from exposure. The Government response to SAGE's First Interim Assessment is available here:

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

The Government also supported calls for providing more information on power frequency electric and magnetic fields, which is available on the PHE web pages (see first link above).

### Ionising radiation

Particular considerations apply when an application involves the possibility of exposure to ionising radiation. In such cases it is important that the basic principles of radiation protection recommended by the International Commission on Radiological Protection[5] (ICRP) are followed. PHE provides advice on the application of these recommendations in the UK. The ICRP recommendations are implemented in the Euratom Basic Safety Standards[6] (BSS) and these form the basis for UK legislation, including the Ionising

[5] These recommendations are given in publications of the ICRP notably publications 90 and 103 see the website at http://www.icrp.org/
[6] Council Directive 96/29/EURATOM laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

Radiation Regulations 1999, the Radioactive Substances Act 1993, and the Environmental Permitting Regulations 2016.

PHE expects promoters to carry out the necessary radiological impact assessments to demonstrate compliance with UK legislation and the principles of radiation protection. This should be set out clearly in a separate section or report and should not require any further analysis by PHE. In particular, the important principles of justification, optimisation and radiation dose limitation should be addressed. In addition compliance with the Euratom BSS and UK legislation should be clear.

When considering the radiological impact of routine discharges of radionuclides to the environment PHE would expect to see a full radiation dose assessment considering both individual and collective (population) doses for the public and, where necessary, workers. For individual doses, consideration should be given to those members of the public who are likely to receive the highest exposures (referred to as the representative person, which is equivalent to the previous term, critical group). Different age groups should be considered as appropriate and should normally include adults, 1 year old and 10 year old children. In particular situations doses to the fetus should also be calculated[7]. The estimated doses to the representative person should be compared to the appropriate radiation dose criteria (dose constraints and dose limits), taking account of other releases of radionuclides from nearby locations as appropriate. Collective doses should also be considered for the UK, European and world populations where appropriate. The methods for assessing individual and collective radiation doses should follow the guidance given in 'Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012 [8].It is important that the methods used in any radiological dose assessment are clear and that key parameter values and assumptions are given (for example, the location of the representative persons, habit data and models used in the assessment).

Any radiological impact assessment should also consider the possibility of short-term planned releases and the potential for accidental releases of radionuclides to the environment. This can be done by referring to compliance with the Ionising Radiation Regulations and other relevant legislation and guidance.

The radiological impact of any solid waste storage and disposal should also be addressed in the assessment to ensure that this complies with UK practice and legislation; information should be provided on the category of waste involved (e.g. very low level waste, VLLW). It is also important that the radiological impact associated with the decommissioning of the site is addressed. Of relevance here is PHE advice on radiological criteria and assessments for land-based solid waste disposal facilities[9]. PHE advises that assessments of radiological impact during the operational phase should be performed in the same way as for any site authorised to discharge radioactive waste. PHE also advises that assessments of radiological impact during the post operational phase of the facility should consider long timescales (possibly in excess of 10,000 years) that are appropriate to the long-lived nature

[7] HPA (2008) Guidance on the application of dose coefficients for the embryo, fetus and breastfed infant in dose assessments for members of the public. Doc HPA, RCE-5, 1-78, available at https://www.gov.uk/government/publications/embryo-fetus-and-breastfed-infant-application-of-dose-coefficients

[8] The Environment Agency (EA), Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency, Health Protection Agency and the Food Standards Agency (FSA).
Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296390/geho1202bklh-e-e.pdf

[9] HPA RCE-8, Radiological Protection Objectives for the Land-based Disposal of Solid Radioactive Wastes, February 2009

of the radionuclides in the waste, some of which may have half-lives of millions of years. The radiological assessment should consider exposure of members of hypothetical representative groups for a number of scenarios including the expected migration of radionuclides from the facility, and inadvertent intrusion into the facility once institutional control has ceased. For scenarios where the probability of occurrence can be estimated, both doses and health risks should be presented, where the health risk is the product of the probability that the scenario occurs, the dose if the scenario occurs and the health risk corresponding to unit dose. For inadvertent intrusion, the dose if the intrusion occurs should be presented. It is recommended that the post-closure phase be considered as a series of timescales, with the approach changing from more quantitative to more qualitative as times further in the future are considered. The level of detail and sophistication in the modelling should also reflect the level of hazard presented by the waste. The uncertainty due to the long timescales means that the concept of collective dose has very limited use, although estimates of collective dose from the ‘expected’ migration scenario can be used to compare the relatively early impacts from some disposal options if required.

## 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[10] is used

[10] Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

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10th January 2019

Major Casework Directorate
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Bristol BS1 6PN

Dear Sir/Madam

**APPLICATION REFERENCE NO: 138844**

**PROPOSAL: Written enquiry for PINS scoping opinion - proposed solar farm park at Scunthorpe - ref: EN010101-000005**

Thank you for identifying West Lindsey District Council as a consultation body and advising that the Secretary of State will be preparing a Scoping Opinion on the information to be provided in an environmental statement (ES). As the case officer I have read through Pegasus Scoping Report (SR) dated December 2018 with Paragraph 4.1 of the SR describing the development as the construction, operation, management and decommissioning of a ground mounted solar park with a maximum design capacity of up to 150MWp (megawatts peak) and up to 90MW of battery storage capacity. Overall the SR is well written and has good content.

Planning Policy Context

The site is a good distance outside the West Lindsey District boundary, the statutory development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004 comprises the adopted plan within the The North Lincolnshire Local Plan which is gradually being replaced by the Local Development Framework. The development plan for West Lindsey is the Central Lincolnshire Local Plan 2012-2036.

The Environmental Statement should consider National Planning Policy and Guidance as follows:

- National Planning Policy Framework (NPPF);
- National Planning Practice Guidance (to include):
    - Climate change
    - Conserving and enhancing the historic environment
    - Environmental Impact Assessment
    - Air Quality
    - Health and wellbeing
    - Natural Environment
    - Noise
    - Renewable and low carbon energy
    - Travel plans, transport assessments and statements in decision-taking
- Overarching National Policy Statement for Energy (EN-1)

Landscape and Visual Impact:
The Landscape and Visual Impact Assessment (LVIA) should follow the guidance of the Landscape Institute "Guidelines for Landscape and Visual Impact Assessment 3rd Edition (2013), as proposed. An iterative approach, which guides the layout and scheme design should be followed.

The location of the proposed solar park will be approximately 8-10 miles from the shared North Lincolnshire and West Lindsey district boundary. The scale of the development is more concentrated on the floor area covered than its height and will not be in view from any parts of the West Lindsey District. Therefore it is not considered that any viewpoints from West Lindsey are necessary and no residential properties in West Lindsey will be affected.

Yours faithfully

Ian Elliott
Senior Development Management Officer

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