

NORTH LINCOLNSHIRE COUNCIL

LOCAL IMPACT REPORT

Planning Act 2008 (as amended)

Infrastructure Planning (Examination Procedure) Rules 2010

**SUBJECT: APPLICATION FOR AN ORDER GRANTING DEVELOPMENT
CONSENT FOR THE LITTLE CROW SOLAR PARK PROJECT**

APPLICANT: INGR (LITTLE CROW) LIMITED

**SITE: AGRICULTURAL LAND EAST OF THE BRITISH STEEL SITE,
SCUNTHORPE, NORTH LINCOLNSHIRE**

Planning Inspectorate's Reference: EN010101

24 May 2021

1. INTRODUCTION

- 1.1 This report has been prepared by North Lincolnshire Council in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One: Local Impact Reports (Version 2) issued by the Infrastructure Planning Commission in April 2012.
- 1.2 The Advice Note states that a Local Impact Report (LIR) is a 'Report in writing giving detail of the likely impact of the proposed development on the authority's area'.
- 1.3 The Advice Note states that when the Commission decides to accept an application it will ask the relevant local authorities to prepare a LIR. Its preparation should be prioritised and indicate where the local authority considers the development would have a positive, negative or neutral effect on the area. The Report may include any topics that they consider to be relevant to the impact of the development on their area as a means by which their existing body of knowledge and evidence on local issues can be fully and robustly reported to the Commission.
- 1.4 The Advice Note indicates that topics addressed in the Local Impact Report may include:
- site description and surroundings/location;
 - details of the proposal;
 - relevant planning history and any issues arising;
 - relevant development plan policies, supplementary planning guidance or documents, development briefs or approved master plans and an appraisal of their relationship and relevance to the proposals;

- relevant development proposals under consideration or granted permission but not commenced or completed;
- local area characteristics such as urban and landscape qualities and nature conservation sites;
- local transport patterns and issues;
- site and area constraints;
- designated sites;
- socio-economic and community matters;
- consideration of the impact of the proposed provisions and requirements within the draft Order in respect of all of the above;
- development consent obligations and their impact on the local authority's area.

1.5 The Local Impact Report may also comment on the development consent obligations and the requirements and also any relevant representations.

1.6 In producing the LIR the council has not sought the views of local parish councils and local interest groups because the parish councils and other local groups have the opportunity, through the consultation process, to make their observations direct to the Planning Inspectorate.

1.7 The LIR is intended to be used by the local authority as a means by which the existing body of local knowledge and evidence on local issues is fully and robustly reported to the appointed Examining Authority.

1.8 Set out below is the LIR of North Lincolnshire Council. It identifies the most relevant policies and the main issues that concern this Council.

2. POLICY FRAMEWORK

2.1 NATIONAL POLICY STATEMENTS

2.1.1 In accordance with Section 104 of the Planning Act 2008, in determining applications for development consent decision makers must have regard to:

- (a) any national policy statement which has effect in relation to development of the description to which the application relates;
- (aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;
- (b) any local impact report submitted to the Secretary of State before the deadline specified in a notice under section 60(2);
- (c) any matters prescribed in relation to development of the description to which the application relates; and
- (d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

2.2.2 Section 105 of The Planning Act 2008 applies where there is no specific NPS in relation to the development proposed and directs that in these instances that, in determining the application, the Secretary of State must have regard to:

- (a) any local impact report submitted before the deadline specified in a notice under Section 60(2);
- (b) any matters prescribed in relation to development of the description to which the application relates; and

(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

There is no NPS for solar energy or battery storage projects and the only relevant NPS's are more general in nature, including the Overarching National Policy Statement for Energy (EN-1), the National Policy Statement on Renewable Energy (EN-3), and the National Policy Statement for Electricity Networks (EN-5). Furthermore, even NPS EN-3 does not provide any guidance on solar energy or battery storage installations; whilst EN-5 principally relates to new overhead electricity lines and associated infrastructure, which are not proposed here.

2.2.3 NPS EN-1 sets out the Government's energy policy, and explains the need for new energy infrastructure and instructs the Planning Inspectorate on how to assess the impacts of energy infrastructure development in general. It sets out the urgency for new energy infrastructure and provides that the Secretary of State should start with a presumption in favour of granting a Development Consent Order (DCO) for energy Nationally Significant Infrastructure Projects unless any more specific and relevant policies set out within the NPS's clearly indicate that consent should be refused.

2.2.4 As an overarching NPS, EN-1 is a very general document, which delegates most specific advice to 5 technology specific NPS's (not including solar or battery storage). However EN-1 does set the stage for the promotion of low carbon energy production and a reduction in greenhouse gas emissions. To that extent EN-1 does have relevance and is supportive of the principle behind this application.

2.2.5 EN-1 identifies the need for the Infrastructure Planning Commission (IPC) to have regard to habitats and to consider whether the project may have a significant effect on a European site, consider alternatives, seek good design and minimise flood risk by not consenting development in flood zones 2 or 3 unless the sequential and exception test is applied. It also refers to the potential impact on tourism and rights of way.

2.2.6 EN-1 also directs that, in considering proposals, and particularly when weighing up adverse impacts and benefits, the Secretary of State should take in to account the proposals:

- potential benefits, including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and
- potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts.

2.2.7 NPS EN-3 contains policies relating to specific renewable energy technologies and is designed to be read alongside NPS EN-1. This NPS does not provide any guidance with regards to solar or battery storage infrastructure as it was published prior to the emergence of large-scale ground mounted solar projects. EN-3 therefore has little relevance to the determination of this application.

2.2.8 National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) outline the principles on which the Secretary of State will apply to the consideration of applications for new electricity transmission lines as well as associated infrastructure, such as substations. Considerations to be taken into account include biodiversity and geological conservation, landscape and visual, noise and vibration and the impacts of electric and magnetic fields.

2.3 *NATIONAL PLANNING POLICY FRAMEWORK*

2.3.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are to be applied. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies

for NSIP's and that NSIP applications should be determined in accordance with the decision making framework set out in the Planning Act 2008 and relevant NPS's, as well as other matters that are considered both important and relevant. Paragraph 5 clarifies that matters considered both important and relevant to NSIP's may include the NPPF.

2.3.2 Paragraph 7 of the NPPF recognises the purpose of the planning system as contributing to the achievement of sustainable development. Paragraph 8 goes on to identify three dimensions of sustainable development: economic, social and environmental. Paragraph 9 goes on to stress that these three roles are mutually dependent and should not be undertaken in isolation. The NPPF also introduces a presumption in favour of sustainable development.

2.3.3 The following sections of the NPPF are considered to be relevant to the consideration of this application:

- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Achieving well-designed places;
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment; and
- Conserving and enhancing the historic environment.

2.3.4 The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance (PPG). The sections of the PPG most relevant to the consideration of this application are:

- Air Quality;
- Climate Change;
- Design;

- Environmental Impact Assessment;
- Flood Risk and Coastal Change;
- Historic Environment;
- Land affected by contamination;
- Natural Environment;
- Noise;
- Renewable and low carbon energy; and
- Travel plans, Transport Assessments and Statements.

2.4 *DEVELOPMENT PLAN*

2.4.1 The current Development Plan for North Lincolnshire comprises the saved policies of the North Lincolnshire Local Plan (2003); the North Lincolnshire Core Strategy (2011); and the North Lincolnshire Housing and Employment Land Allocations Development Plan Document (2016). There are no adopted neighbourhood plans relating to the application site.

2.4.2 NLC is in the process of producing a new Local Plan, which will supersede the policies contained within the current Local Plan, Core Strategy and HELA DPD. However the new local plan is still subject to consultation and examination and is not currently given any weight in decision making.

2.4.3 The Development Plan policies relevant to the consideration of this application are set out below.

2.4.4 **North Lincolnshire Local Plan (2003):**

- DS1 – General Requirements;
- DS7 – Contaminated Land;
- DS12 – Light Pollution;

- DS13 – Groundwater Protection and Land Drainage;
- DS14 – Foul Sewage and Surface Water Drainage;
- DS21 – Renewable Energy;
- HE9 – Archaeological Excavation;
- IG9 – Ironstone Extraction;
- LC4 – Development Affecting Sites of Nature Conservation Importance;
- LC5 – Species Protection;
- LC7 – Landscape Protection;
- LC12 – Protection of Trees, Woodland and Hedgerows;
- RD2 – Development in the Open Countryside;
- RD7 – Agriculture, Forestry and Farm Diversification;
- R5 – Recreational Paths Network;
- T1 – Location of Development;
- T2 – Access to Development; and
- T18 – Traffic Management.

2.4.5 North Lincolnshire Core Strategy (2011):

- CS1 – Spatial Strategy for North Lincolnshire;
- CS2 – Delivering More Sustainable Development;
- CS5 – Delivering Quality Design in North Lincolnshire;
- CS6 – Historic Environment;
- CS16 – North Lincolnshire’s Landscape, Greenspace and Waterscape;
- CS17 – Biodiversity;
- CS18 – Sustainable Resource Use and Climate Change;

2.4.6 North Lincolnshire Housing and Employment Land Allocations Development Plan Document:

2.4.7 The site is not allocated for development as part of the HELA DPD.

2.5 PLANNING POLICY OVERVIEW

2.5.1 The whole site lies in the open countryside and is greenfield land. Policies CS3 of the Core Strategy and Policies RD2 and RD7 apply. Whilst a brownfield site would be preferred it is considered that by the very nature of solar farms open countryside sites can be suitable and still allow agricultural uses such as grazing to take place during the operational period of the farms. Due to the size of the Order Limits there is no known previously developed site that could accommodate the Proposed Development and which is available for development.

2.5.2 The eastern half of the site is safeguarded land under Policy IG9 (Ironstone Extraction) of the Local Plan. The aim of this policy is to safeguard remaining ironstone deposits in the area from development that would sterilise them. As the proposed use of the land would be for a temporary period of 35 years and would be returned to agricultural use after this time it is considered that the iron ore reserves would still be protected for future use if required. It is considered therefore that the use does not conflict with this policy.

2.5.3 Policy DS21 (Renewable Energy) supports proposals for renewable energy provided that any detrimental effect is outweighed by environmental benefits. Policy CS18 (Sustainable Resource Use and Climate Change) also confirms that NLC will actively promote development that utilises natural resources as efficiently and sustainably as possible, in particular it supports renewable sources of energy in appropriate locations. Therefore there is support for renewable energy through the Development Plan in principle.

2.5.4 In addition to the Local Plan and Core Strategy policies listed above NLC also has an adopted supplementary Landscape Character Assessment &

Guidelines, which was adopted on 13 September 1999. The application site falls within the Wooded Scarp Slope – Manton, Raventhorpe and Santon local landscape type to the east of Scunthorpe and forms part of the larger Lincoln Edge Scarp Slope regional landscape character area. The key characteristics of this landscape are identified as follows:

- i) Sinuous scarp slope overlain by cover sands and designated as an area of high landscape value (the associated Local Plan policy was not saved);
- ii) West facing slopes are extensively wooded with small areas of arable farmland, pasture, scrub and rough grass;
- iii) Where vegetation is limited, views towards Scunthorpe are extensive, otherwise the landscape is well enclosed and of intimate scale;
- iv) Significant areas have been left to nature, resulting in mainly deciduous woodland with birch, pine, larch, oak, gorse and rhododendron;
- v) Ecologically important area, with three sites of Nature Conservation Interest.

3. PRE-APPLICATION CONSULTATION

- 3.1 North Lincolnshire Council has previously expressed the opinion that it has no objection to the degree of community consultation undertaken and that this consultation has been undertaken as required by Sections 42, 47 & 48 of the Planning Act 2008 (as amended).

4. LANDSCAPE AND VISUAL IMPACT

- 4.1 The Council has assessed the submitted information concerning the assessment of the landscape and visual impacts and the potential cumulative impact of this proposed development. This is included in ES Chapter 6 (APP-063). The approach to the assessment of landscape and visual impacts, as

well as the study area in respect of visual effects (5km) has been discussed with and agreed by North Lincolnshire Council and the Council is satisfied that the submitted assessment can be relied upon as a reasoned explanation of the potential impacts of the proposed development.

- 4.2 The proposed Solar Park will affect a significant area of land and will represent a significant change in the landscape, particularly for users of Footpath 214. For other receptors, the development will largely be screened by existing vegetation, including the Broughton Woods Complex.
- 4.3 Significant landscape enhancements are proposed, as set out in the outline Landscape and Ecological Management Plan (APP-097). This incorporates advice given by North Lincolnshire Council and will be secured by the draft text of requirement 10. Assuming the proposed approach to mitigation and enhancement is followed through the requirements of the Order, then the Council considers the overall effect to be neutral or minor positive.
- 4.4 It should be noted that for the hedgerows and wildflowers along the Public Right of Way to be of lasting benefit, they will require ongoing management. The council's responsibilities in this respect are limited to way-clearance and maintenance of the route only. The landowner or solar farm operator will therefore need to make provision for ongoing management of the hedgerows and wildflowers for the 35-year lifetime of the project.
- 4.4 In conclusion the Council is of the opinion that it is unlikely that there will be any significant adverse or positive impacts arising from the proposal in respect of landscape character and visual amenity.

5. TRAFFIC AND TRANSPORT

- 5.1 The Council has assessed the submitted information concerning the assessment of potential traffic and transport effects of the proposed development. This is set out in ES Chapter 9 (APP-066) and includes a Transport Statement and Outline Construction Traffic Management Plan.

- 5.2 The applicant has undertaken pre-application discussions with the local highway authority and the relevant advice issued has been incorporated into the submitted information. The council are satisfied that the Transport Statement demonstrates that the proposed development will not have an adverse impact on the highway network.
- 5.3 The majority of the movements generated by the proposed development will be during the construction phase and therefore the impact will be of a temporary nature. Whilst there will be an increase in traffic during this phase, it will not be excessive and can be accommodated on the existing highway network. The designated route to the site has been identified and agreed with the council and avoids any settlements, thereby minimising disruption to residents. An Outline Construction Phase Traffic Management Plan has been produced, which sets out how the effect of construction traffic on the highway network will be minimised.
- 5.4 Given the nature of the work and the fact that workers may not be local, it is anticipated that car will be the main mode of travel for the majority of staff. The council expect to see sufficient on-site parking provided for workers and would not want to see ad-hoc parking on the adjacent highway network. Whilst walking and cycling may be an option for a small number of workers, the lack of safe facilities, coupled with the volume and type of traffic on the adjacent highway network, should be considered if promoting this as a feasible means of travel.
- 5.5 It is anticipated that the operational phase will only generate a small number of movements, which will have a negligible impact on the highway network.
- 5.6 It is not anticipated that the proposed development will exacerbate an existing, or create a new accident problem and therefore the council has no road safety concerns relating to the proposal.

5.7 The submitted Outline Construction Phase Traffic Management Plan has been reviewed and is considered to be acceptable.

6. BIODIVERSITY AND ECOLOGY

6.1 The Council has assessed the submitted information concerning the assessment of potential ecological effects of the proposed development. This is set out in ES Chapter 7 (APP-064).

6.2 North Lincolnshire Council has commented in detail at the pre-application stage, on the Scoping Report and the PEIR. Most of the comments made previously appear to have been considered by the applicant and incorporated into the project design, mitigation proposals and the draft requirements in the Development Consent Order.

6.3 NLC has considered the application in accordance with Natural England's standing advice for protected species.

"The land with the Order Limits consists of 17 predominantly arable fields bordered by a network of hedgerows and extensive woodland plantations. The land gradually slopes to the western edge of the site. Grassland, scrub and ruderal habitat are also present in discrete areas around the site." (ES para 7.4.2).

With these habitats, the standing advice guides us to consider the following protected species or groups:

Habitat, building or land	Species to look for
Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)	Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants
Ponds or slow-flowing water bodies (like ditches) on the site, or within 500m and linked by semi-	Breeding birds, fish, great crested newts, water voles,

Habitat, building or land	Species to look for
natural habitat such as parks or heaths	invertebrates and crayfish
Rough grassland and previously developed land (brownfield sites), on or next to the site	Breeding bird, reptiles, invertebrate and protected plants
Woodland, scrub and hedgerows on, or next to the site	Bats, breeding birds, badgers, dormice, invertebrates, great crested newts, smooth snakes (see reptiles) and protected plants

Dormice, smooth snakes and white clawed crayfish do not occur in North Lincolnshire and do not need to be considered further.

6.4 NLC consider the survey methods used and the survey effort deployed to be appropriate for the site in question. The site is largely comprised of arable land, but supports the following important features:

- Arable margins, supporting the vulnerable plant henbane;
- Semi-improved grassland with a variety of orchid species;
- Mixed broadleaved woodland;
- Hedgerows;
- Ponds;
- Badger setts;
- Bats - five species foraging;
- Priority species of farmland bird (breeding) - Skylark, Yellow wagtail, Lapwing, Reed Bunting, Bulfinch, Linnet, Song thrush and Dunnock;
- An assemblage of wintering farmland birds. On one occasion, 107 lapwing were recorded - equivalent to over 1% of the Humber Estuary population for this species. There is no evidence to indicate whether or not this flock was linked to the Humber Estuary.

In addition, the site lies next to ancient woodland and near to the important open mosaic habitats of the steelworks, which support priority species of butterfly, including wall, small heath and grayling.

6.5 Paragraph 7.5.2 of the Environmental Statement lists some ecological mitigation and enhancement measures that are broadly welcomed. However, it is worth noting that this section states that the grassland will be grazed by sheep. For other local solar farms where grazing has been proposed at the application stage, no grazing is actually taking place on the site once operational. Paragraph 7.10.6 of the Environmental Statement provides further reassurance that the large scale of the scheme means that sheep grazing can be deployed in a manner that is both ecologically desirable and economically viable.

6.6 The mitigation and enhancement measures set out in Section 6 of the ES have been reviewed and are considered to be acceptable. In particular:

- Paragraphs 7.6.16-7.6.21 detail appropriate mitigation measures to protect woodland, and ancient woodland;
- Paragraphs 7.6.36-7.6.37 detail appropriate mitigation measures to conserve arable plants;
- Paragraphs 7.6.91-7.6.96 detail appropriate mitigation measures to conserve badgers;
- Paragraphs 7.6.132-7.6.138 detail appropriate mitigation measures to conserve farmland birds;
- Paragraphs 7.6.173-7.6.175 detail appropriate mitigation and enhancement measures to conserve invertebrates, including priority species of butterfly. Where possible, the deployment of sandy and stony substrates would also benefit these species. In particular the grayling butterfly, in Lincolnshire/East Midlands terms, only exists on the eastern edge of Scunthorpe and could benefit greatly from such habitat.

- 6.7 The submitted Landscape and Ecological Management Plan (LEMP) adequately addresses all of the above measures. The LEMP will need to be fully implemented for the lifetime of the project to ensure that the proposed mitigation and enhancement measures achieve the desired outcomes. This will be secured by the draft text of requirement 10. Assuming the above approach to mitigation and enhancement is followed through the requirements of the Order, then the Council considers the overall effect to be neutral or minor positive when compared to other solar farm schemes that have been put forward in the area.
- 6.8 In order to make sure that biodiversity net gain is quantified and deliverable, the applicant is advised to make use of Defra's Biodiversity Metric Version 2.0.
- 6.9 Requirement 14 sets out appropriate measures to secure surveys and mitigation measures for protected species for each phase of the development. Clause (4) of the requirement secures the implementation of the mitigations schemes.

7. CULTURAL HERITAGE

- 7.1 The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development on heritage assets. This is set out in ES Chapter 8 (APP-065). The approach to the assessment and methodology of cultural heritage impacts as set out in this chapter is appropriate and proportionate in relation to the proposed solar farm.
- 7.2 NLC agrees with the assessment that there will be no adverse effects on (designated) heritage assets located beyond the Order Limits.
- 7.3 The applicant has undertaken a suite of assessment and field evaluation works to inform the Environmental Statement. NLC's Historic Environment Record (HER) was consulted on the scope and methodology for each stage of

archaeological fieldwork, as well as given the opportunity to monitor archaeological site works and comment on draft reports of the results. It is considered that the submitted reports listed at paragraph 8.1.4 are adequate and provide sufficient information to characterise the archaeological heritage assets and assess their significance.

7.4 There are no designated heritage assets within the Order Limits. Those non-designated heritage assets identified within the Order Limits that may be affected include the following:

- Site of Gokewell Priory, a medieval nunnery of the Cistercian Order, and the ruins of the later Gokewell Priory Farm;
- Ring ditch that may be interpreted as a ploughed down Bronze Age burial mound or barrow;
- Cropmark of a ring ditch recorded on the HER (unproven during evaluation);
- Middle to Late Iron Age ditch indicative of proximity to an area of settlement, potentially within the Priory site to the northeast;
- Ermine Street, a major Roman Road connecting Lincoln to the Humber, on the edge of Order Limits at the site access; evidence of the Roman road construction is anticipated beneath and alongside the modern carriageway;
- Undated curvilinear linear ditch likely to represent a large enclosure also containing internal features potentially of prehistoric date;
- Post-medieval limestone quarrying and evidence of burning most probably for producing agricultural lime, located in Lime Kiln Close named on the 1842 Tithe Map.

In addition, the site may contain further heritage assets of archaeological interest as yet unidentified or unproven in the sampled evaluation area. Further details of the known archaeology within the site are provided in paragraphs 8.3.4 – 8.3.20 of ES chapter 8.

- 7.5 The site of Gokewell Priory is the key heritage asset within the Order Limits (paragraphs 8.3.39 - 42). The location of the nunnery buildings is not confirmed but is assumed to be on the site of the later farmhouse, now demolished. The site of the nunnery is relatively poorly understood; an earthwork survey undertaken in the 1970s and the recent field evaluation indicate the extent of the precinct and the evaluation did not identify any definitive outlying features. No evaluation was undertaken within the presumed precinct and the building layout of the priory remains unknown.
- 7.6 Paragraph 8.3.40 of the ES refers to the heritage significance of the Priory as deriving from the evidential and historic values of the archaeological remains contributing towards our understanding of ecclesiastical land use during the early medieval and medieval periods. This is agreed and NLC's HER believes that Gokewell Priory is of particular significance for its research potential. Cistercian nunneries represent a very small percentage (less than 5%) of all the monastic houses founded by the end of the 12th century, their rarity contributing to their significance, and Lincolnshire nunneries are considered to be in the top category for research (pers comm Glyn Coppack).
- 7.7 Sheffield University Archaeology Department has approached the NLC's HER in recent years to express their interest in investigating Gokewell Priory as part of their ongoing research project on the monastic houses of northern Lincolnshire. The department remains keen (as of January 2020) to take up any opportunity to access the site for survey and evaluation. It is important that the potential for future research and archaeological investigation at Gokewell Priory should not be compromised during the 35-year lifetime and operation of the solar farm.
- 7.8 With regard to the setting of the Priory, it is agreed that the present agricultural setting makes a contribution of the significance (paragraph 8.3.42). The HER notes that the medieval strip fields around the nunnery were privately enclosed following the dissolution; the surrounding fields being enclosed by Parliamentary Act in the mid-19th century (Lincolnshire Historic Landscape Characterisation data). The ancient enclosure to the southwest of

the Priory remains legible in the long gently curving field boundaries following the S-curvature of the former strips, compared to the straighter, square field pattern of the later enclosures, within the overlying modern field pattern.

- 7.9 The assessment of significance of the other known non-designated heritage assets within the Order Limits (paragraphs 8.3.28 – 50) is agreed.
- 7.10 The potential impacts of the construction phase are itemised in paragraph 8.4.1. To this, the Council would add the removal of hedgerow alongside the B1207, Roman Ermine Street (Work No.5) that could, unless sensitive methods are specified, damage evidence of the Roman road construction including any roadside ditch. The Roman road construction (agger) and paved surface has been exposed at a number of locations to the north of the site and in places is slightly off-set from the modern carriageway. Otherwise, NLC welcomes the measures referred to in section 8.4 to avoid and mitigate damage to the identified heritage assets. Notwithstanding that the layout of the Priory is imperfectly understood, it is agreed that there should be no impact on any in situ remains associated with the medieval priory from the installation of modules as no modules are proposed within the archaeological exclusion zone around the site of the priory (para 8.4.2). In addition, there are to be no movements within the exclusion zone avoiding any damage or compaction to the remains (8.4.7) though it is noted that the existing access track runs through the exclusion zone and may require some upgrading including the provision of passing places.
- 7.11 It will also be important to ensure that the archaeological exclusion zone is adequately referred to and described in the LEMP and that the proposed landscaping and maintenance of the zone does not involve or introduce over time any damaging proposals or techniques.
- 7.12 Paragraph 8.4.3 states that within the 'no-dig' zone designed to protect the ring ditch (potential Bronze Age barrow), concrete pads resting on the ground surface will be used instead of metal piles driven into the ground, and that cable trenches are repositioned to outside the zone. This will avoid any

intrusion below the ground and secure in situ preservation of the archaeological remains. The location of the other (unproven) ring ditch will be avoided through the agreed repositioning of an internal access track although any associated archaeological remains would be affected by the construction impacts.

- 7.13 Paragraph 8.4.4 identifies those areas of other known and potential archaeological features within the site that may be directly affected during construction. This includes areas within and around the Priory precinct not included in the exclusion zone such as around the pylon to the east. A programme of archaeological recording will be required in these areas to ensure any archaeological remains encountered are preserved by record (8.4.5).
- 7.14 With regard to the effects of the De-commissioning phase, paragraph 8.4.12 describes that the piled panel mounts will be removed by vibrating the post and lifting it at the same time using a post removal tool attached to a small tracked excavator. Also that sensitive removal of the cabling should not cause any additional impacts to other archaeological remains. NLC's HER is of the opinion that the removal of the piled posts has the potential to do greater harm to any in situ buried archaeological remains than the insertion of piles during construction. This would result from the disruption of the soil layers in particular at the archaeological horizon a short depth below ground level as the pile is released from the ground. It is by no means certain that vibrating the post would ensure that piles can be cleanly lifted from the ground. To the best of our knowledge, the effects of de-commissioning multiple small piles on archaeological remains across a large landscape has not yet been demonstrated, nor has any archaeological research into the de-commissioning of solar farms been undertaken.
- 7.15 Further details of other decommissioning activities within archaeologically sensitive areas is provided in the Outline Decommissioning Strategy (ES Appendix 4.2), however in Table 8.4, Summary of Effects, Mitigation and Residual Effects, the Decommissioning section is stated to be Not Applicable.

The HER would accept that within the archaeological exclusion zone around the Priory and the 'no-dig' zone around the putative Bronze Age barrow, the effects of the decommissioning should be minimal.

- 7.16 The assessment of the likely significant effects of the construction and operation phases is agreed, as is the evaluation of the identified effects that would result in complete or partial loss of heritage significance of the known and potential archaeological remains within the site without appropriate mitigation (8.4.15 – 17).
- 7.17 The proposed mitigation measures are set out in detail in section 8.5 and are as agreed with the NLC's HER at the pre-application stage.
- 7.18 These include the Gokewell Priory Archaeological Exclusion Zone the extent of which is shown on the Works plans referred to in paragraph 8.5.7. The exclusion zone will be fenced in prior to development commencing (Work No.3) and is to ensure the Proposed Development does not lead to any harm to the remains associated with the Priory within its boundary. Ecological and biodiversity works are detailed to take place within the archaeological exclusion zone; however it is noted there is no mention of the archaeological exclusion zone in the Outline LEMP (ES Appendix 7.8) or on the accompanying LEMP plan (Appendix A).
- 7.19 The Outline LEMP indicates that these works will include the creation of a hibernacular which may cause localised archaeological impacts and should be monitored by the archaeologist, and ground rotavation prior to hedgerow planting which should be avoided in the exclusion zone. Control of scrub within the exclusion zone should be undertaken avoiding ground disturbance or burning on site. Other management prescriptions to avoid archaeological damage may be appropriate dependent on the details.
- 7.20 Additional works within the exclusion zone may be necessary in relation to the access track such as the creation of passing places; it is not anticipated that widening or other upgrading will be necessary. Other works are noted to take place in close proximity to the exclusion zone including the excavation of a

cable trench traversing the south-east corner of the zone although this now appears to be outside the zone; the excavation of the cable trench into the pylon on the east side of the Priory precinct; and a swale alongside the western boundary of the exclusion zone. These works will be subject to a programme of archaeological recording the nature and scope of which will be dependent on the extent and impact of the groundworks following detailed design.

- 7.21 Paragraph 8.5.6 states that the mitigation proposals will be included in the CEMP, however, there is no reference to these in the Outline CEMP (ES Appendix 4.1) including to the archaeological exclusion zone or how this area is to be respected during construction.
- 7.22 Omission of the archaeological exclusion zone and other mitigation measures from these documents (Outline CEMP and LEMP) may lead to inappropriate misuse of the area and inadvertent damage to archaeological remains. For example, it is not clear how access into and through the exclusion zone for the authorised works, and any unauthorised use of the area, will be controlled. The HER has recommended that there should be clear 'No unauthorised entry' notices attached to the fence at the access points and along the track which should also be fenced off from the rest of the exclusion zone for the duration of the construction.
- 7.23 Other avoidance measures will include a 'no-dig' zone around the ring ditch of the putative Bronze Age round barrow. Within this zone the solar panels are to be mounted on concrete pads resting on the ground surface rather than a piled frame inserted c.1 – 2m deep, and cable trenches will be positioned outside this zone. An access track has been relocated to avoid the other (unproven) ring ditch.
- 7.24 The programme of archaeological recording will also be undertaken during all groundworks within the area of the undated ditched enclosure and internal features believed to be of prehistoric date, and the area surrounding the Iron Age Ditch adjacent to the archaeological exclusion zone.

- 7.25 Potential enhancement activities to disseminate and promote the archaeology of the site are included at paragraph 8.5.14 which the HER welcomes. It is also proposed to erect an interpretation board in the vicinity of the Gokewell Priory site adjacent to the Public Right of Way which will allow for the archaeology of the solar farm to be appreciated by a wider public. As an ecology and biodiversity interpretation board is also proposed within the LEMP (shown on Appendix A) to be located nearby along the footpath, it is important that a consistent house style is used for both producing both boards.
- 7.26 It would be beneficial to all parties if the applicant produced a stand-alone Archaeological Mitigation Strategy as an Appendix to the ES comparable to the Outline LEMP, CEMP and Decommissioning Strategy. This would ensure that all written information for the archaeological exclusion zone and mitigation strategy is to be found in one place appropriately cross-referenced to the other management documents. For example, the only reference to fencing of the exclusion zone in Chapter 8 is in relation to the Decommissioning effect (paragraph 8.4.13); on the Archaeological Exclusion Zone Whole Area Plan (Document Ref 2.22) the fence surrounds the solar panels which coincides with the exclusion zone for much of its perimeter but to the west excludes a larger area, and no fencing is shown alongside the existing access track through the exclusion area. Chapter 4, paragraph 4.5.4 refers to the archaeological exclusion zone delineated with a 1.8m high fence, and at paragraph 4.7.5, Work No 3, includes fencing archaeological exclusion zone.
- 7.27 It is important that this information is provided in a detailed Archaeological Mitigation Strategy in order that the DCO requirements can be understood and discharged in a timely fashion without the need for the discharging authority (the LPA) to request further information, for which there are very tight timescales proposed. Clause 1 of Requirement 13 relates to the establishment of the exclusion zone, but unless it is clear what is being

proposed for this area, securing implementation may turn out to be problematic.

7.28 NLC recommends that the following amendments are made to Requirement 13 to provide clarity of the mitigation requirements as set out in Chapter 8 of the ES:

- Clause 2 should be worded as follows ‘ Not to permit digging *or use of piled mounting frames* in the archaeological “no-dig” zone *within which concrete pads will be utilised* identified on the Works Details....’, to accord with paragraphs 8.4.3 and 8.5.10 of the ES as the terms ‘digging’ and ‘no-dig’ do not adequately encapsulate the proposed mitigation in this zone;
- Clause 4 of Requirement 13 Archaeology should read ‘ The scheme approved under sub-paragraph (3).....’:
- Clause 4 should refer to ‘any areas where a programme of archaeological investigation and recording is required’ rather than ‘any areas where a watching brief is required’; in accordance with paragraphs 8.4.5 and 8.5.9 of the ES as the nature and scope of the recording will be dependent on the extent and impact of groundworks. The extent and impact of groundworks may vary according to final details to be submitted for each phase of the development. See also clauses 5 and 6 ‘Any archaeological works or watching brief....’;
- It is also recommended that a further clause is added to Requirement 13 that would secure the preparation and installation of an interpretation board for Gokewell Priory and the archaeology of the solar farm, for example Condition 26 attached to permission PA/2014/0892 for the Raventhorpe Solar Farm, as follows:

Within two months of the completion of the development two interpretative boards shall be displayed in accordance with a scheme submitted to and approved in writing by the local planning authority which shall show the materials, position, size,

content, means of fixing and maintenance schedule. The approved boards shall be displayed in accordance with the approved details in perpetuity in relation to Gokewell Priory and for the life of the development in relation to the solar farm hereby approved.

7.29 Part 6 Article 12 (Removal of Human Remains) disapplies section 25 of the Burial Act 1857 and replaces it with an alternative procedure for managing the removal of any human remains disturbed during the course of carrying out the Authorised Development. The explanatory memorandum (paragraphs 5.23 – 26) accompanying the Draft DCO explains that this has been included as the Applicant has not been able to rule out the presence of human remains within the Order Limits given the archaeological history of the area. And that it is required by the Undertaker to ensure that archaeological remains are recovered appropriately without causing unacceptable delay to the implementation of this nationally significant infrastructure project. It is important that any such human remains are archaeologically recorded, assessed and analysed as appropriate according to the professional standards and guidelines for the excavation of human bones.

8. NOISE AND VIBRATION

8.1 The Council has reviewed the submitted Noise Impact Assessment (APP-085), which also provides comments on vibration.

8.2 The operation of solar panels is not likely to be noisy, so the potential noise impacts of the development are likely to be limited to construction activity including construction traffic movements (in an area of very low background noise levels), and to the operational noise arising from plant and equipment and the battery storage elements of the development as well as noise related to the decommissioning phase of the project. However, these will be sited some distance from the nearest sensitive properties and it would be possible to control construction and decommissioning working hours.

8.3 Exact details of the proposed plant installation are not currently known; however a preliminary assessment has been undertaken in order to establish the likelihood of mitigation being required to avoid an unacceptable noise impact. It is understood the Battery and Substation Compounds could be operational at any time, whereas the Inverter/Transformers around the site will be operational during daylight hours only. Preliminary noise modelling indicates that mitigation may be required for a small number of plant units closest to the receptors, but this should be confirmed once more specific details are known.

8.4 It is suggested that an additional Requirement is included within the dDCO to secure details of the proposed plant to be used on site, specific noise modelling for that plant and appropriate noise mitigation measures if necessary. Some suggested wording is provided:

No plant shall be installed on site until their details have been submitted to and approved in writing by the local planning authority. The details shall include an assessment of likely impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plant shall be installed and maintained in accordance with the details approved by the local planning authority.

8.5 Construction and decommissioning noise will be a temporary feature of the project and will include conventional means of transportation, essentially road vehicles. Provided hours of construction are limited to reasonable hours the effect of noise should only affect certain properties for short periods and construction noise should not be a major factor in the assessment of the project. It is noted in the draft document that construction hours are proposed as follows 07:00 – 18:00 Monday to Friday and 08:00 – 13:30 Saturday. The Environmental Protection Team recommend that construction hours for developments within the district are normally restricted to 08:00 – 18:00 Monday to Friday and 08:00 – 13:00 Saturday.

8.6 NLC has no concerns in respect of the impact of vibration from the proposed development. The main source of construction activity will be the pushing of supports for fence posts and solar panel supports. Although a large number of posts and panels require pushing, the amount of vibration anticipated for each element is small.

9. AIR QUALITY

9.1 The likely sources of emissions from the proposed development are from additional construction traffic and construction dust with consideration to the sites location within the Scunthorpe Town Air Quality Management Area (AQMA). With this in mind, a construction phase impact assessment was undertaken together with a carbon offset assessment. In relation to construction phase traffic movements, this was scoped out of requiring a detailed assessment on the basis of their low and negligible impact, the Council would agree with this view. No mitigation was identified as being necessary to address the impacts of the development on air quality.

9.2 The proposed CEMP will nonetheless mitigate the impacts of the development on local air quality by embedding good practice measures within the construction of the development and securing dust management and pollution control measures. The CEMP will be secured via Requirement 8 of the draft DCO (APP-045).

10. LAND CONTAMINATION

10.1 The proposed development site has been subject to both a Phase 1 desktop study and Phase 2 site investigation to assess the sites suitability in relation to land contamination. The conclusions of the assessments are that: *'any new water pipes require protection against chemical attack. Carbon dioxide could pose a risk to groundworkers if any confined space working is undertaken. No protective measures are considered necessary for inground plant. No contaminants were proven in excess of acceptance criteria adopted or human health protection. No evidence of significant leachable contamination has*

been found. A watching brief should be kept at all times while groundworks are occurring for any signs of unforeseen contamination.'

- 10.2 The Council agree with these conclusions and would expect that, if during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

11. PUBLIC RIGHTS OF WAY

- 11.1 Public Footpath 214 of course runs through the site (en-route between Broughton and Santon) and forms part of the Opencast Way. It is proposed, during construction of The Development, to temporarily divert F214 so that it runs around the perimeter of the site. This temporary diversion will be secured via Requirement 15 of the dDCO.
- 11.2 The Council has no objection to the temporary diversion of FP214 and acknowledge that this will be necessary to facilitate the efficient delivery of the proposed development. However it should be noted that the temporary diversion would be nearly 3000 metres longer than the current footpath and that this may raise concern with users of the footpath.
- 11.3 Extensive landscaping is proposed to mitigate the impact of the proposed solar farm upon the amenity of users of FP214 during operation. This primarily consists of new hedgerows along the route of the footpath. The Council agrees with this approach to mitigation; however it will be important that the proposed landscaping is well managed and maintained during operation of the development to ensure that it provides effective mitigation and also to ensure that the hedging does not encroach towards FP214 and result in a sense of claustrophobia for users.

11.4 Requirement 10 of the dDCO secures the submission and implementation of a Landscape and Ecological Management Plan (LEMP), based upon the outline LEMP submitted as part of the application. The Council is content that this Requirement will secure the necessary landscape mitigation and its long-term management in order to acceptably mitigate the impact of the proposed development on the users of FP214.

12. SOCIO-ECONOMIC IMPACT

12.1 The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development in respect of socio-economics. This is set out in ES Chapter 11 (APP-068).

12.2 North Lincolnshire Council are satisfied that the approach to the assessment of socio-economic impacts presented in Chapter 11 is robust. The methodology used to determine the impact of the project is clear and helpful, indicating levels that can be easily measured. The data and statistics are relevant and appropriate.

12.3 NLC agree that it is realistic that there will be a moderate Economic benefit through the provision of temporary jobs during the Little Crow Solar Park construction phase. This will create opportunities for local businesses as part of the solar park construction, including landscaping contractors, installation of PV, earthwork, foundations, road infrastructure, transport and logistics, electrical works cabling and connections) landscaping, waste disposal, aggregates suppliers, security and monitoring during operation and other aspects of the construction process.

12.4 North Lincolnshire Council recognises the low impact of around 233 temporary jobs, both direct onsite and indirect roles for our economy. This will have low impact on the rise of jobs created in North Lincolnshire but in turn will have a greater impact into the economy through work contracts and investment. The Gross Value Added (GVA) associated with 233 temporary

jobs supported on-site and in the wider economy during the six-month construction phase is around £6.3million.

12.5 The Clean Energy sector contributes £1.1bn to the Humber economy alone, accounting for 6.1% of total GVA. There are 140 Clean Energy businesses in the Humber, of which 30 are located in North Lincolnshire, and the business base has grown by 150% since 2010. Over 2,000 people are employed in Clean Energy in the Humber and employment has grown 14% since 2010. Key sub-sectors include extraction of natural gas, electric power generation, transmission and distribution, and waste treatment and disposal.

12.6 The energy sector has been identified as a key sector across the Humber and the Greater Lincolnshire regions. This sector is identified in the North Lincolnshire Economic Growth Plan as a dedicated growth sector for the Humber Energy cluster.

12.7 North Lincolnshire Council are aware that as the renewable energy market continues to evolve we are witnessing small to medium sized enterprises offering lucrative technical jobs co-locating alongside large scale renewable assets to provide innovative, technical grid services. Grid services are a new market that will allow the National Grid to achieve it's net zero target, developer contributions and increase in business rates.

13. CONCLUSION

15.1 National guidance on Local Impact Reports recommends that a view is given by the local planning authority of the relative importance of different social, environmental or economic issues and impacts of the scheme on them.

15.2 Short term and negative social and environmental impacts are anticipated. Such impacts include increased traffic generation, construction disturbance and increased emissions. Longer term adverse impacts include the visual intrusion caused by the solar panels and associated plant. North Lincolnshire Council are of the view that via the implementation of impact avoidance,

design and mitigation measures that will be secured through Requirements (subject to comments raised above) contained within the draft DCO and through other regulatory regimes that these negative impacts will not be significant.

- 15.3 Residual long-term negative effects relate to the potential impact on non-designated heritage assets. However it is considered that this impact could be acceptably mitigated through DCO Requirements for the reasons outlined in the Cultural Heritage section of the LIR above.
- 15.4 The development will have minor short-term and long-term beneficial economic impacts in terms of job creation and inward investment into North Lincolnshire.. These beneficial impacts are considered to be of moderate importance.
- 15.5 The Council considers that the proposed development would provide a positive impact in terms of clean green, low carbon energy production. The development could contribute to a reduction in the carbon emissions of the energy supply in the UK and provide a secure and stable energy source for 35 years. The Council recognises that the positive impact on renewable energy generation will have to be balanced against the potential environmental impacts of the proposed scheme.