

# Heckington Fen Solar Park

EN010123

**Environmental Statement | Volume 3: Technical Appendices**

**Appendix 1.2: Scoping Opinion**

Applicant: Ecotricity (Heck Fen Solar) Limited

Document Reference: 6.3.1.2

Pursuant to: APFP Regulation 5(2)(a)

February 2023



**APPENDIX 1.2- SCOPING OPINION**

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# **SCOPING OPINION:**

## Heckington Fen Solar Park

**Case Reference: EN010123**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**17 February 2022**



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# 1. INTRODUCTION

- 1.0.1 On 07 January 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Ecotricity (Heck Fen Solar) Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Heckington Fen Solar Park (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:  
<http://infrastructure.planninginspectorate.gov.uk/document/EN010123-000015>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has not agreed to scope out certain aspects/ matters on the basis of the information provided at as part of the Scoping Report.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their Environmental Statement (ES).
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## 2. OVERARCHING COMMENTS

### 2.1 Description of the Proposed Development

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
2.1.1	Paragraph 2.1 and Figure 2	Description of the Site Location	Paragraph 2.1 states that the Grid connection route lies wholly within the Boston Borough Council boundary. Figure 2 however shows that the 'EIA Area', which includes the Grid Connection route, is located in both the North Kesteven District and Boston Borough.  The ES should ensure that both text and figures align and are correct.
2.1.2	3.17-3.18	Cable/grid connection route	The Scoping Report states that the offsite cable routes from the development site and National Grid Bicker Fen substation approximately 6km south site are still being surveyed and more detail on the extents and locations of the cable routes cannot be offered within this Scoping Request. The ES should clearly define the Proposed Development and its components and identify any likely significant effects for the whole Proposed Development including the cable route and substation.
2.1.3	Paragraph 2.17	Construction Compounds	The ES should provide details regarding the location, construction, operation, decommissioning and proposed duration of construction compounds required and assess where significant effects are likely to occur. This should include details of any measures proposed to enhance the sustainability of construction compound set up (e.g. use of renewable energy, rainwater harvesting etc).
2.1.4	Paragraph 2.17	Temporary Roadways	The ES should provide details regarding the location, construction, operation, decommissioning and proposed duration of temporary

ID	Ref	Description	Inspectorate's comments
			roadways required and assess where significant effects are likely to occur.
2.1.5	Section 2, paragraphs 2.12 - 2.14	Maximum Parameters and Project Description	<p>The ES should describe the following as part of the Proposed Development description:</p> <ul style="list-style-type: none"> <li>• The maximum parameters of the Proposed Development including the maximum footprint of development, the maximum size and heights of development components and the likely capacities for output and storage;</li> <li>• The likely foundation design for the solar panels and their construction method including any relevant piling method;</li> <li>• The locations and voltages of overhead and underground cables;</li> <li>• Public Rights of Way proposals; and</li> <li>• Details of all of the components of the Proposed Development.</li> </ul>
2.1.6	Paragraphs 2.11, 4.8 and 4.10	Decommissioning	<p>The Scoping Report description identifies a 40-year lifetime of the Proposed Development, and the effects of decommissioning are anticipated to be of a similar, or lower, magnitude than the construction effects. The Scoping Report however acknowledges that the decommissioning phase is uncertain as technology is likely to evolve over the operational phase of the Proposed Development.</p> <p>The Scoping Report states that a Decommissioning Plan will be agreed with the Local Planning Authority. The Inspectorate would expect to see this secured through the inclusion of an Outline Decommissioning Plan or similar with the Application.</p> <p>The ES should clearly set out if and how decommissioning is to be assessed and any components which may remain following decommissioning.</p>

ID	Ref	Description	Inspectorate's comments
2.1.7	N/A	Maintenance	Maintenance is noted as being required. A number of aspect chapters reference this. However, the Scoping Report does not set out what maintenance may involve. It is noted that effects are likely to be similar to those during construction however the frequency and scale of maintenance is not explained. The ES should clearly explain what maintenance would be required, how this is assessed and any likely significant effects arising from such activity.
2.1.8	N/A	'the site', 'the development site' 'the Energy Park Site'	The Scoping Report uses these terms interchangeably, as such it can be unclear to the reader as to which areas of the Proposed Development the comment relates. The ES should clearly assess the likely significant effects arising from all components of the Proposed Development, the solar panel energy park site, the cable route and the substation as well as any offsite works.



## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 6)

ID	Ref	Description	Inspectorate's comments
2.2.1	N/A	Scoping table	The Inspectorate advises the use of a table to set out the key changes in parameters/options of the Proposed Development presented in the Scoping Report to that presented in the ES. It is also advised that a table demonstrating how the matters raised in the Scoping Opinion have been addressed in the ES and/or associated documents is provided.
2.2.2	Table 6.4	Cumulative Impact Assessment	The ES should set out how projects included in the assessment were identified and, where possible, agreed with the local authority. The assessments should consider all relevant types of development and not be limited to solar farm projects. The Inspectorate also notes that Table 6.4 does not include any of the solar farms currently registered with the Inspectorate's National Infrastructure Team. The ES should consider whether regional scale likely significant effects could occur with other large scale solar projects e.g. arising from changes in land use and disposal of waste.
2.2.3	Figure 4	Cumulative Impact Assessment	Figure 4 depicts the 5km search area used for the cumulative impact assessment however this shows the main energy park site only and not the cable route and works at Bicker Fen substation, which also form part of the Proposed Development. The search area should relate to the whole development.
2.2.4	N/A	Mitigation and monitoring	Any measures identified to minimise likely significant effects should be consulted on with relevant consultation bodies such as Natural England. Mitigation measures should be clearly identified and justified

ID	Ref	Description	Inspectorate's comments
			in the ES with an explanation provided on how this mitigation would be secured through the DCO process.
2.2.5	N/A	Transboundary	<p>The Scoping Report makes no reference to transboundary effects on the environment of any European Economic Area (EEA) state.</p> <p>Given the nature, scale and location of the Proposed Development, the Inspectorate does not consider that it has the potential for significant transboundary effects on the environment of any EEA State.</p> <p>The ES however should confirm whether the Proposed Development has potential to give rise to significant transboundary effects.</p>

### 3. ENVIRONMENTAL ASPECT COMMENTS

#### 3.1 Landscape and Visual Impact and Residential Amenity

(Scoping Report Section 7)

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

ID	Ref	Description	Inspectorate's comments
3.1.2	3.4 and 3.15	Type of Panels	The Scoping Report states that a decision has not been taken in relation to whether stationary or tracking panels will be used or whether onsite cables can be laid underground. Where the potential panel solutions are widely different in their physical characteristics, the ES should give consideration to the worst-case impact of the panel types, as well as considering the maximum parameters of development. The ES should consider the impact of both overhead lines and undergrounding where this remains uncertain.
3.1.3	7.30	Assessment	The Scoping Report states that the assessment will be based on the height of the solar panels. It does however recognise that other components are higher, for example the substation and battery storage components. The ES should include an assessment which is based on the worst-case scenario, recognising all components of the Proposed Development and their potential locations.
3.1.4	3.21	Lighting	The Scoping Report notes that no areas are proposed to be continuously lit however lighting on sensors will be deployed. The ES should ensure that this intermittent lighting is assessed in relation to likely significant effects on humans and/or ecology. The ES should

ID	Ref	Description	Inspectorate's comments
			explain how the lighting design has been developed to minimise light spill and avoid direct intrusion into nearby properties.

## 3.2 Ecology and Ornithology

(Scoping Report Section 8)

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

ID	Ref	Description	Inspectorate's comments
3.2.2	8.9	The Wash Special Protection Area (SPA) and Ramsar sites	The ES should consider the potential for the Proposed Development site to provide functionally linked land for bird species associated with the Wash SPA and Ramsar sites, or flight paths in the event that overhead line infrastructure is proposed.
3.2.3	8.48-8.54	Vegetation clearance	The ES should explain how phasing and methods of vegetation disturbance will avoid disturbance of protected species. Relevant measures should be secured by a DCO requirement.
3.2.4	8.57	Best practice guidance	Paragraph 8.57 states that following best practice guidance during construction, operation, and decommissioning phases will enable any significant effects on ecology to be avoided or minimised. The ES should set out what best practice and other guidance will be followed, how this has been used to inform the design of the Proposed Development and any mitigation measures proposed and where and how these are secured.
3.2.5	8.59	Biodiversity Net Gain (BNG)	Paragraph 8.59 states that a full BNG calculation using Biodiversity Metric 3.0 will accompany a draft Landscape and Ecological Management Plan (LEMP) as part of the EIA. The ES should distinguish between measures intended to avoid or reduce the

ID	Ref	Description	Inspectorate's comments
			potential for likely significant effects, or those which have been identified for enhancement only.
3.2.6	8.70	Methodology	The Scoping Report notes that survey data has been collected over a period of time. Should the ecological impact assessment seek to rely on older datasets, the ES should explain whether this approach has been agreed with relevant consultation bodies and why these surveys remain representative of the current situation on site.
3.2.7	n/a	Veteran trees	Veteran trees are not referenced in the Scoping Report. The ES should identify any veteran trees which may be affected by the Proposed Development and assess any likely significant effects.
3.2.8	n/a	Panel spacing	The ES should explain the relationship between panel spacing and vegetation growth on site and how spacing will be designed to avoid shading of vegetation.
3.2.9	n/a	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

### 3.3 Hydrology, Hydrogeology, Flood Risk and Drainage

(Scoping Report Section 9)

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

ID	Ref	Description	Inspectorate's comments
3.3.2	Paragraph 9.1	Energy Park and the Grid cable route	<p>Paragraph 9.1 identifies that the potential impacts of the Proposed Development will be assessed for the Heckington Fen Energy Park and the Grid cable route.</p> <p>Phasing used in the aspect chapter means that it is not always clear whether the information presented is representative of the Energy Park or Cable Route. It is also noted that Figure 11 does not include any details with regards to the Grid cable route and the chapter does not mention the substation.</p> <p>Where relevant, the ES should provide information for the whole of the Proposed Development, being clear when information relates to certain components.</p>
3.3.3	Paragraph 9.3 and Figure 11	Study area	<p>Paragraph 9.3 refers to Figure 11 to demonstrate the study area, however this figure only shows the site boundary (redline boundary) and topography data; it is unclear whether the site boundary, figure extent or other area represents the study area.</p> <p>The ES should clearly explain and justify the study area used in the assessment.</p>

ID	Ref	Description	Inspectorate's comments
3.3.4	9.40	Flood Risk Assessment (FRA)	<p>The ES should include a FRA based on the requirements of the Environment Agency standing advice. This should include a description of how the Proposed Development satisfies the requirements of the sequential and exception test, where relevant. The FRA should demonstrate the Proposed Development including flood suitable mitigation measures and flood resilient construction that will allow the development to remain operational for its 40-year lifespan. This includes confirming that all the flood sensitive equipment associated with the Proposed Development remains operational during a 0.1% event.</p> <p>Furthermore, the FRA should consider the surface water drainage/flood risk impacts that may occur off site and the potential of increased flood risk beyond the site boundary. This should include consideration of the potential for the solar installation to increase the rate of runoff from the site.</p>
3.3.5	Paragraphs 9.7, 9.27 to 9.30 and 9.43	Likely Significant Effects and cumulative effects	<p>Paragraph 3.6 of the Project Description states that steel poles will be driven into the ground to support each row of modules. Although the Project Description does not indicate the number of modules, given the area of the 'solar development area' in Figure 3, there is likely to be a high number of steel poles required.</p> <p>The baseline identifies that there is a naturally high ground water level and that in most fields, the soils drain into marginal ditches. This aspect chapter should consider the cumulative effects of these poles across the entirety of the developable area on the drainage patterns within the site and the study area.</p>



ID	Ref	Description	Inspectorate's comments
3.3.6	Paragraph 9.10 and Table 9.1	Peat	<p>The baseline identifies that the site is underlain by tidal flat deposits which include layers of peat.</p> <p>Considering the potential need for piled steel poles, as stated in paragraph 3.6, there is potential to disturb peat deposits. The ES should demonstrate how effects on peat deposits have been avoided and where this is not possible, the ES should assess likely significant effects due to peat disturbance.</p>

### 3.4 Cultural Heritage

(Scoping Report Section 10)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.4.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.4.2	10.26 10.29	Assessment Methodology	The ES should clarify the methodology for determining potentially unknown buried archaeological remains within the Proposed Development site and study area. The ES should consider the need for intrusive and non-intrusive field evaluation to provide information required to assess the likely significant effects for the whole Proposed Development site. Methodologies should be agreed with relevant statutory consultees.

### 3.5 Socio-Economics

(Scoping Report Section 11)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.5.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.5.2	n/a	Census data – baseline	New census data is due to be published in May 2022. This should be used to inform baseline data and the ES assessment.

### 3.6 Noise

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	12.22	Construction and decommissioning of the Energy Park infrastructure.	The Planning Inspectorate is not content that the Scoping Report has provided the information required to justify that the construction and decommissioning of the Energy Park Infrastructure in the solar array area is unlikely to give rise to significant effects. Whilst appropriate working methods and construction hours may reduce impacts, the Inspectorate would expect to see further information provided on construction techniques, locations, routes, machinery and duration to rule out the likelihood for significant effects to occur.
3.6.2	12.23	Noise and vibration from traffic movements during construction and decommissioning	In the absence of information to demonstrate that traffic movements will not exceed relevant thresholds for further assessment (e.g. 30% increase in traffic or HGV numbers or 10% increase in sensitive areas), the Inspectorate is not content to scope out traffic movements during construction and decommissioning. The ES should provide information on trip generation, traffic routing, noise emissions and distances from receptors including any measures that are to be secured to avoid or reduce likely significant effects.
3.6.3	12.24	Vibration from construction works at the Energy Park site	Paragraph 12.24 notes that construction activities such as piling which have the potential to generate vibration are unlikely to be used and should they be used, this use is to be very limited and therefore unlikely to result in a significant effect. The scoping report makes no reference to the separation distance of piling activities from receptors, the duration of such activities or the likely levels of vibration that would be experienced at nearby properties. In the absence of this information, the Inspectorate considers that an assessment of vibration should be included or more detailed

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			justification to explain why significant vibration effects will not arise or the measures that will be employed to avoid such effects
3.6.4	12.25	Site-specific predictions and assessments of construction or decommissioning noise and vibration	Paragraph 12.25 notes 'site-specific predictions and assessments of construction or decommissioning noise and vibration are not warranted in this instance for most activities (aside those set out above)-'. The Inspectorate does not deem this a clear statement to enable understanding of what is to be scoped in or out of the assessment and therefore does not agree that site-specific predictions and assessments are not required. The ES should include evidence to demonstrate that noise and vibration impacts will not be significant for relevant receptors, for all stages of the Proposed Development, covering the whole Proposed Development and every potential work and process.
3.6.5	12.26	Vehicle movements during the operational stage	The Scoping Report notes that vehicle trip generation during operation is unlikely to be significant. The Inspectorate agrees that this matter can be scoped out, however the ES description of development should confirm the anticipated trip generation during operation to justify this.
3.6.6	12.27	Vibration	The Scoping report notes that based on experience of other developments, that vibration from plant used at the 'site' is unlikely to result in significant effects. The Inspectorate agrees that this matter can be scoped out subject to the detailed description of development submitted with the ES demonstrating that operational plant and equipment is of a type and to be used in locations unlikely to generate significant vibration for sensitive receptors.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.6.7	12.5	Baseline information	The Scoping Report proposes relying on baseline data collected in 2011 and relying on measurements taken at sites some distance from the Proposed Development boundary. The ES is required to demonstrate that baseline data is representative. The baseline information should be agreed with relevant statutory consultees.
3.6.8	12.25	Mitigation	Acoustic mitigation measures to be included in the CEMP and CTMP should be agreed with the local Environmental Health Officer (EHO), where possible.
3.6.9	n/a	Use of tracking panels	The ES should include an assessment of noise generated by tracking panels and its potential impact on residential and ecological receptors.

### 3.7 Climate Change

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	13.42	Climate change effects on air quality	The Inspectorate agrees that the Proposed Development is not likely to give rise to significant air quality emissions during operation resulting from climate change and therefore this can be scoped out.
3.7.2	13.43	Climatic change effects on noise	The Inspectorate does not agree that this matter should be scoped out as there is insufficient information provided in the Scoping Report as to the likely significant effects from increased noise from building services equipment for cooling. This should be considered as part of the overall assessment of noise effects and cross referenced to the relevant chapters within the ES.
3.7.3	13.44	Climate change effects on transport and access	The Inspectorate agrees that considering the nature of the Proposed Development, this matter can be scoped out.
3.7.4	13.46	Climate change effects on socio-economics and human health	The Inspectorate agrees that it is unlikely that significant climate change effects on socio-economics and human health would arise as a result of the Proposed Development and this matter can be scoped out of the assessment at this stage.

ID	Ref	Description	Inspectorate's comments
3.7.5	13.18	Legislation, guidance and policy	The assessment of climate change and greenhouse gas (GHG) emissions should be based on and refer to relevant guidance.  This would include:

ID	Ref	Description	Inspectorate's comments
			<p>The Sixth UK Carbon Budget (December 2020) guidance particularly with respect to energy and transport during construction;</p> <p>The British Standards Institution's Publicly Available Specification (PAS) on Carbon Management in Infrastructure (2016); and</p> <p>IEMA's EIA Guide to Assessing Greenhouse Gas Emissions and Evaluating their Significance (2017).</p>
3.7.6	13.20 – 13.21	Emissions reduction assessment	<p>The Scoping Report states that the emissions reduction assessment will be a quantified assessment where possible. The ES should explain how emissions have been calculated and where this has not been fully quantifiable the justification for this.</p>



### 3.8 Transport and Access

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	14.4	B1395 and Six Hundreds Drove	The Inspectorate agrees that if traffic is not to be routed on these roads, they do not need to be included in the assessment.
3.8.2	14.11	Operational Traffic Movements	The Inspectorate agrees that operational traffic movements may be scoped out from further assessment, however the ES description of development should evidence the likely operational traffic movements to demonstrate that transport effects will not be significant.
3.8.3	14.17	Assessment of pedestrian severance, pedestrian delay, pedestrian amenity and fear and intimidation.	The Inspectorate notes that there is limited pedestrian infrastructure and use in and around the 'site', however the Scoping Report does not provide information on the interaction (if any) between the traffic routing and the Public Rights of Way. The ES should include this information to enable this matter to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.8.4	14.5	Methodology	The Scoping Report states that 'Subject to the highway authority's views, we will write separately in due course to agree an appropriate Trip End Model Presentation Program (TEMPro) growth rate.' The Inspectorate is unclear who this statement is referring to but agrees that any modelling and growth rates used in the assessment should be agreed with the local transport authority, where possible.

### 3.9 Air Quality

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	15.17	Impacts to air quality at sensitive human and ecological receptors during construction	The Scoping Report states that impacts on air quality would be mitigated through the outline Construction Environmental Management Plan (oCEMP). This mitigation should be agreed with the Local Environmental Health Officer, where possible. In the absence of detailed information regarding projected HGV movements, the Inspectorate does not consider that assessment of construction air quality effects can be scoped out. The ES must provide up to date information on the anticipated construction programme and the predicted number of HGV movements to confirm that relevant thresholds for air quality assessment are not exceeded (e.g. as set out by the Institute of Air Quality Management and EPUK) or provide a detailed air quality impact assessment.
3.9.2	15.17	Impacts to air quality at sensitive human and ecological receptors from non-road mobile machinery (NRMM) during construction	The Inspectorate does not agree that emissions from NRMM can be scoped out as no information has been provided on the type, number and location of such machinery within the Proposed Development site. An assessment of effects should be provided unless robust justification is provided to demonstrate that such machinery would not give rise to significant air quality effects.
3.9.3	15.17	Impacts to air quality at sensitive human and ecological receptors from the operational phase of the Proposed Development	The Inspectorate agrees that operational vehicle emissions may be scoped out from further assessment, subject to the description of development demonstrating that vehicle numbers are sufficiently low as to not trigger the thresholds for an air quality assessment.

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.9.4	15.23	Dust and particulate matter emissions produced during construction phase	The Scoping Report states that this is to be mitigated through the outline Construction Environmental Management Plan (oCEMP). The Inspectorate agrees that this matter can be scoped out providing the ES can demonstrate the effectiveness of such measures.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.9.5	15.13	Baseline surveys	The Scoping Report references that NO <sub>2</sub> monitoring is proposed but does not reference PM <sub>10</sub> or PM <sub>2.5</sub> , the Applicant should agree whether further monitoring of these pollutants is required with the Local Planning Authority.

### 3.10 Land Use and Agriculture

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Paragraph 16.6	The EIA area where the cable route to Bicker Fen will be laid	Paragraph 16.6 of the Scoping Report explains that no auger measurements were taken to inform the Agricultural Land Classification survey in the EIA area where the cable route to Bicker Fen will be laid. The Scoping Report states that this is because the underground cable will not result in loss of agricultural land. However, the Scoping Report has not provided information on current land uses along the proposed cable route and whether these can be continued with an underground cable, noting the need for jointing and inspection pits which limit the use of the machinery on land. As such, the Inspectorate does not consider that the Scoping Report provides sufficient information to scope this matter out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.10.2	Paragraph 16.8	Likely Significant Effects	The Scoping Report identifies the loss of agricultural land and Best and Most Versatile (BMV) land due to the installation of solar panels, however no mention is made as a loss of land due to potential changes in the hydrological regime.  The ES should also consider the impacts of the hydrology and hydrogeology changes on agricultural land and potential implications in the wider area on whether likely significant effects are likely.
3.10.3	16.23	Cumulative effects	The Inspectorate notes the approach to cumulative impact on Best Most Versatile (BMV) land, specifically the exclusion of any Proposed Developments that include less than 20ha of BMV land. The Inspectorate would expect the ES to provide clear justification for

ID	Ref	Description	Inspectorate's comments
			how the use of this threshold enables cumulative impact to be assessed.

### 3.11 Glint and Glare

(Scoping Report Section 17)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.11.1	Paragraphs 17.6 and 17.7	Aviation receptors	Aviation receptors are proposed to be scoped out on the basis there is no evidence that glint and glare for solar farms interferes in any way with aviation navigation or pilot and aircraft visibility or safety. The Inspectorate considers that this matter may be scoped out from further consideration, however the description of development should explain how the panel design prevents the likelihood of glint and glare.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.11.2	n/a	Glint and glare and LVIA	The Glint and Glare Assessment should ensure that it assesses a worst-case scenario, which at present includes the consideration of tracking and stationary panels. The conclusions of the assessment should inform the LVIA.

### 3.12 Miscellaneous Issues

(Scoping Report Section 18)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.12.1	18.17 - 18.20	Cumulative assessment - Significance of waste/recycling stream	<p>Paragraph 8.20 states that cumulative waste stream options will be considered at the decommissioning phase and would be outlined in the decommissioning plan that would be required through a DCO Requirement. An assessment of decommissioning at this stage is assumed not to offer a realistic conclusion of the significance of the waste/recycling stream for the Proposed Development and is intended to be scoped out of this assessment.</p> <p>The Inspectorate does not agree that this matter can be scoped out of the assessment. The ES should address the likely significant effects from waste at decommissioning to the extent possible at this time, including consideration of any measures to ensure that component waste will avoid entering the waste chain. This should also include waste likely to be generated from replacing components.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.12.2	18.4 18.9	Telecommunications, Television Reception and Utilities	Paragraph 18.4 states that existing utility infrastructure will be identified through consultation and a desk-based study. The ES should explain the findings of the desk-based study and any required mitigation measures but is otherwise content to scope this matter out.
3.12.3	18.8 18.14	Electric, Magnetic and Electromagnetic Fields	The voltage of underground export cables between the onsite substation and the existing National Grid Bicker Fen substation is likely be 400kV. In line with relevant guidance (DECC Power Lines:

ID	Ref	Description	Inspectorate's comments
			<p>Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012), cables above 132kV have potential to cause electro-magnetic field (EMF) effects.</p> <p>The Inspectorate considers that the ES should demonstrate the design measures taken to avoid the potential for EMF effects on receptors.</p>
3.12.4	18.4	Telecommunications, Television Reception and Utilities	<p>The Scoping Report suggests that existing infrastructure will be identified through consultation and a desk-based study and will inform the design and protective provisions to avoid impacts on receptors. The Inspectorate is content that this aspect can be scoped out however the ES should explain the findings of the desk-based study and any required mitigation measures.</p>
3.12.5	18.10-18.12	Waste	<p>Solar developments are typically considered to be 30 to 40 year developments with panel degradation cited as a limiting factor on project lifespan. On that basis, the Inspectorate considers that some panels may need to be replaced during the operational life of the project. The Scoping Report states that waste during construction and decommissioning would be recycled in line with good practice and market conditions however does not address the potential for component replacement during operation.</p> <p>The ES should include an assessment of the likely impact of component replacement (e.g. batteries and panels) and outline what measures, if any, are in place to ensure that these components are able to be diverted from the waste chain.</p> <p>The ES should assess the likely significant effects from waste at decommissioning to the extent possible at this time. The Scoping Report states that a Decommissioning Plan will be agreed with the Local Planning Authority. The Inspectorate would expect to see this</p>



ID	Ref	Description	Inspectorate's comments
			<p>secured through the inclusion of an Outline Decommissioning Plan or similar with the Application.</p> <p>The ES should clearly set out how decommissioning is to be assessed and any components which may remain following decommissioning.</p>
3.12.6	Table 1.1 Table 19.2	Major Accidents and Disasters	<p>A standalone Chapter for major accidents and disasters is not proposed on the basis that the nature, scale, and location of the Proposed Development is not considered to be vulnerable to or give rise to significant impacts in relation to the risk of accidents and major disasters. Potential effects relating to soil conditions, surface water flooding and climate change will be assessed in other Chapters where relevant.</p> <p>The Inspectorate has considered the characteristics of the Proposed Development and agrees with this approach.</p> <p>The Applicant's attention is drawn to the Health and Safety Executive's comments relating to potential hazards and receptors to be addressed within the ES.</p> <p>Table 19.2 acknowledges that there is a potential fire risk associated with certain types of batteries such as lithium ion, which is reduced by cooling systems designed to regulate temperatures to within safe parameters.</p> <p>The Inspectorate considers that the risk of battery fire/explosion should be addressed in the ES, including where any measures designed to minimise impacts on the environment in the event of such an occurrence are secured.</p>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>1</sup>**

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Lincolnshire Fire and Rescue Service
The relevant police and crime commissioner	Lincolnshire Police and Crime Commissioner
The relevant parish council(s)	Bicker Parish Council
The relevant parish council(s)	Swineshead Parish Council
The relevant parish council(s)	Amber Hill Parish Council
The relevant parish council(s)	Little Hale Parish Council
The relevant parish council(s)	Great Hale Parish Council
The relevant parish council(s)	Heckington Parish Council
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Lincolnshire County Council
The relevant strategic highways company	National Highways (formerly Highways England)

<sup>1</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The relevant internal drainage board	Black Sluice Internal Drainage Board
The relevant internal drainage board	Witham First Internal Drainage Board
The Relevant Highways Authority	Witham Fourth District Internal Drainage Board
The relevant internal drainage board	Witham Third Internal Drainage Board
The relevant internal drainage board	Welland and Deepings Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
United Kingdom Health Security Agency	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	The Forestry Commission - East and East Midlands
The Secretary of State for Defence	Ministry of Defence

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>2</sup>**

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
Railways	Highways England Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust

<sup>2</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
Civil Aviation Authority	Civil Aviation Authority
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 transporter	Cadent Gas Limited
The relevant public gas transporter	Last Mile Gas Ltd
The relevant public gas transporter	Energy Assets Pipelines Limited
The relevant public gas transporter	ES Pipelines Ltd
The relevant public gas transporter	ESP Networks Ltd
The relevant public gas transporter	ESP Pipelines Ltd
The relevant public gas transporter	ESP Connections Ltd
The relevant public gas transporter	Fulcrum Pipelines Limited
The relevant public gas transporter	Harlaxton Gas Networks Limited
The relevant public gas transporter	GTC Pipelines Limited
The relevant public gas transporter	Independent Pipelines Limited
The relevant public gas transporter	Indigo Pipelines Limited
The relevant public gas transporter	Leep Gas Networks Limited
The relevant public gas transporter	Murphy Gas Networks limited
The relevant public gas transporter	Quadrant Pipelines Limited
The relevant public gas transporter	Squire Energy Limited
The relevant public gas transporter	National Grid Gas Plc
The relevant public gas transporter	Scotland Gas Networks Plc
The relevant public gas transporter	Southern Gas Networks Plc

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
The relevant electricity distributor with CPO Powers	Energy Assets Networks Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
The relevant electricity distributor with CPO Powers	Forbury Assets Limited
The relevant electricity distributor with CPO Powers	Fulcrum Electricity Assets Limited
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
The relevant electricity distributor with CPO Powers	Indigo Power Limited
The relevant electricity distributor with CPO Powers	Last Mile Electricity Ltd
The relevant electricity distributor with CPO Powers	Leep Electricity Networks Limited
The relevant electricity distributor with CPO Powers	Murphy Power Distribution Limited
The relevant electricity distributor with CPO Powers	The Electricity Network Company Limited
The relevant electricity distributor with CPO Powers	UK Power Distribution Limited
The relevant electricity distributor with CPO Powers	Utility Assets Limited
The relevant electricity distributor with CPO Powers	Vattenfall Networks Limited
The relevant electricity distributor with CPO Powers	Eastern Power Networks Plc

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant electricity distributor with CPO Powers	Western Power Distribution (East Midlands) plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity System Operator Limited
The relevant electricity interconnector with CPO Powers	National Grid Viking Link Limited

**TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>3</sup>**

<b>LOCAL AUTHORITY<sup>4</sup></b>
Boston Borough Council
North Kesteven District Council
West Lindsey District Council
South Kesteven District Council
South Holland District Council
City of Lincoln Council
Newark and Sherwood District Council
East Lindsey District
Lincolnshire County Council
North-East Lincolnshire Council
North Lincolnshire Council
Rutland County Council
North Northamptonshire Council

<sup>3</sup> Sections 43 and 42(B) of the PA2008

<sup>4</sup> As defined in Section 43(3) of the PA2008

<b>LOCAL AUTHORITY<sup>4</sup></b>
City of Peterborough Council
Cambridgeshire County Council
Nottinghamshire County Council
Norfolk County Council
Leicestershire County Council

## **APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES**

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Amber Hill Parish Council
Anglian Water
Boston Borough Council
Canal and River Trust
City of Lincoln Council
East Lindsey District Council
Environment Agency
Health and Safety Executive
Historic England
Lincolnshire County Council
National Grid
Network Rail
Newark and Sherwood District Council
NHS Lincolnshire Clinical Commissioning Group
North Kesteven District Council
North Northamptonshire Council
Peterborough City Council
South Kesteven District Council
United Kingdom Health Security Agency
West Lindsey District Council
Witham Fourth District Internal Drainage Board



**From:** [REDACTED]@gmail.com  
**To:** [Heckington Fen Solar](#)  
**Subject:** Ecotricity - Amber Hill Parish Council  
**Date:** 07 February 2022 15:22:42

---

Dear Sir/madam

Please find below feedback from Amber Hill Parish Council in relation to your consultation with them regarding the Ecotricity Heckington Fen Solar Park

Cllrs discussed the information received regarding the Solar farm, noting that they will be 4.5m high and have a lifetime of 40 years, although it is yet to be decided whether they would be tracking or fixed.

Cllrs resolved that they are in favour of a Solar farm as such, however they do have concerns about the fact that the land to be used is good quality land that will be removed from agricultural production.

The land currently proposed to be used is a mixture of grade 1 and 2 land, capable of producing good crops of roots and vegetables. Grade 3 and 4 land would be far more appropriate for a solar farm.

Regards

*Nicky*

Nicky Bush  
Clerk to Amber Hill Parish Council

[REDACTED]  
Swineshead  
Lincolnshire

[REDACTED]  
[REDACTED]

Katie Norris  
EIA Advisor  
The Planning Inspectorate

Our ref ScpR.HFSP.NSIP.22.ds

[HeckingtonFenSolar@planninginspectorate.gov.uk](mailto:HeckingtonFenSolar@planninginspectorate.gov.uk)

3 February 2022

Dear Katie

### Heckington Fen Solar Park - EIA Scoping Report consultation

Thank you for the opportunity to comment on the scoping report for the above project which is in North Kesteven District. A portion of the grid route corridor is in Boston District.

Anglian Water is the appointed water and sewerage undertaker for the site shown on Figure1 and Grid Route corridor shown on Figure2. The following response is submitted on behalf of Anglian Water in its statutory capacity and relates to potable water and water assets along with wastewater and water recycling assets. We would consider that Anglian Water should be included on the list of consultees to be drawn up by the applicant to follow their proposed approach to assessment and consultation on page 128, paragraph 18.4.

#### Engagement, the draft DCO Order and assisting the applicant

Anglian Water would welcome the instigation of discussions with Ecotricity (Heck Fen Solar) Limited prior to the project layout and initial design fix for the onshore infrastructure and to assist the applicant before the submission of the Draft DCO for examination (See paragraphs 18.9 and 18.14). We would recommend discussion on the following issues:

1. The Draft DCO Order including protective provisions specifically to ensure Anglian Water's services are maintained during construction
2. Requirement for potable and raw water supplies
3. Requirement for wastewater services
4. Impact of development on Anglian Water's assets and the need for mitigation
5. Pre-construction surveys

- Anglian Water

Anglian Water's works to support the construction and operation of national infrastructure

projects are conducted in accordance with the Water Industry Act 1991. We would expect that the Environmental Statement would include reference to existing water supply and water recycling infrastructure managed by Anglian Water and the provision of replacement infrastructure and the requirements for new infrastructure. Maps of Anglian Water's assets are available to view at the following address:



- The Scheme – Existing infrastructure

There are existing Anglian Water assets including water mains within the site and water and wastewater infrastructure near the site or within roads which serve the site and the surrounding community. Anglian Water works with developers including those constructing projects under the 2008 Planning Act to ensure requests for alteration of sewers, wastewater and water supply infrastructure is planned to be undertaken with the minimum of disruption to the project and customers.

At page 81, paragraph 9.23 the report refers to drinking water sourced from abstraction and advises that no impact groundwater catchments within Source Protection Zones will be affected by the development. At paragraph 9.26 the applicant advises that approaches have been made to the EA and district council for information on local groundwater sources.

A mains water pipe runs to the north of the A17 within the southern boundary of the site. The main pipe then runs along the route of the B1395 on the western boundary of the site. To minimise the carbon cost of the project the design and construction of the project should minimise and if possible, avoid the need to move the water supply network. If this is not possible then Protective Provisions will be required to protect the supply of water to local communities by Anglian Water. Similarly, with reference to paragraph 3.17 the same avoid existing utilities approach to defining the route of offsite cabling should be applied. Again, where water and waste water network assets are crossed or in proximity to the new cable route then Protective Provisions will be required to ensure customers services are not interrupted. A grid connection route running north to south adjacent to the North Kesteven and Boston District boundaries has the potential to minimise distribution to Anglian Water's network and customers.

The East Heckington Wastewater Recycling Centre (WRC) is located to the south of the southern boundary of the site. Access to the WRC would be required 24/7. Any construction works or vehicle movements including round closures should be designed and planned to enable continued access to the WRC.

We note that at Table 19.1 (page 132) it is proposed to work with the LLFA, IDB and EA to inform surface water drainage. No reference is made to the need for connection to the public sewer network. At paragraph 18.6 reference is made to waste water from dewatering and cleaning although no reference is made to waste water from construction and operational stage facilities. Anglian Water requests confirmation that no connection is required to the public sewer network.

Anglian Water recommends that the Environmental Statement should include reference to identified impacts on water supply, the sewerage network and sewage treatment both during construction and operation. Further advice on water and wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk).

- Surface drainage

Anglian Water welcomes that a Site Drainage Plan (paragraph 8.5.8) will be prepared, and that SuDS will be used to manage surface water (5.5.6). Notwithstanding the lead role of the IDB, Anglian Water would welcome clarification that the impacts on the local drainage/ sewerage network (paragraph 13.39) will be designed out of the scheme given that there will be no mains foul connection and only SuDS will be used for both construction and operational stages.

Please do not hesitate to contact me as Anglian Water's NSIP lead should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours sincerely,



Darl Sweetland MRTPI  
Spatial Planning Manager

Cc

[heckingtonfensolar@ecotricity.co.uk](mailto:heckingtonfensolar@ecotricity.co.uk)

**From:** [planning](#)  
**To:** [Heckington Fen Solar](#)  
**Subject:** Consultation by Ecotricity (Heck Fen Solar) Limited for the Heckington Fen Solar Park - Consultation request for Scoping Opinion (Regulation 10(1) of the EIA Regulations)  
**Date:** 18 January 2022 15:27:55

---

Dear Sir/Madam,

Thank you for your consultation on the scoping report for the Heck Fen solar farm.

The Borough Council consider the scoping report provides suitable information to show the Environmental Statement will adequately consider the impact of visual intrusion, noise and traffic on the Borough.

It is acknowledged that the cable route to Bicker Fen is not yet decided and this will clearly change the level of impact this may have on the Borough. However, if it is decided to have the route within the Borough, it is considered the scoping report provides suitable information to show the Environmental Statement will adequately consider the impact on ecology.

However, the Borough Council are not convinced by the scoping report of the analysis of the impact of the cable route on archaeology. The archaeology section in the scoping report focuses on the site. The cable route is mentioned but seems less important. The scoping report in para 10.3 refers to obtaining HER data for a 2km radius of the main site boundary. The cable route is about 6km and so it is unclear what information has been derived for it. Para 10.3 refers to recent ongoing work to the east of the site revealing roman activity. This may be in relation to the Tritton Knoll cable route. The Tritton Knoll and Viking Link work needs to be viewed to add to the knowledge on impact of the cable route. This is intimated in para 10.26. Para 10.5 does say the main assessment work will be for a 5km area with professional judgement on assets beyond that distance. Overall, the assessment work to be undertaken on the cable route needs clarification.

Although the site is outside the Borough, the use of 587 hectares of land for a solar farm removes a significant local area from agricultural production. As such, it is considered important that benefits are clearly stated. The scoping report includes sections on climate change and agricultural land. It is considered that analysis of any research on impacts of solar schemes on soil structure, fertility and carbon content would usefully add to the discussion on carbon sequestration and the ability of soils to cope with their expected drying from climate change.

Yours faithfully,

**Peter Udy | Boston Borough Council**





South East Lincolnshire Councils Partnership

You should be aware that the above is my opinion only and is made without prejudice to any future decision made by Boston Borough Council. It relates only to Planning and does not cover any other acts or legislation.

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**Canal &  
River Trust**

Making life better by water

Secretary of State  
The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref EN010123

Our Ref IPP-147

Friday 14<sup>th</sup> January 2022

BY EMAIL ONLY [heckingtonfensolar@planninginspectorate.gov.uk](mailto:heckingtonfensolar@planninginspectorate.gov.uk)

Dear Sirs

**EN010123 Heckington Fen Solar Park - EIA Scoping Report Notification and Consultation**

Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The location of the development, as indicated in the submitted red line boundary on figure 1 of the Scoping Document indicates that the project would not be located close to or include assets owned or managed by the Trust. As a result, we have **no comment** to make on the proposed Scoping Report.

Please note that, in the event that the scheme is amended to incorporate works that affect our assets, such as the provision of a new cable above the river Witham (our closest asset to the site), the Trust would wish to be re-consulted on the proposal.

Yours Sincerely

**Simon Tucker MRTPI**  
Area Planner – Yorkshire and North East

██████████@canalrivertrust.org.uk  
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire, DE13 7DN

**Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T ██████████E [canalrivertrust.org.uk/contact-us](http://canalrivertrust.org.uk/contact-us) W [canalrivertrust.org.uk](http://canalrivertrust.org.uk)



**Canal &  
River Trust**

Making life better by water

Secretary of State  
The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**Your Ref** EN010123

**Our Ref** IPP-147

**Friday 14<sup>th</sup> January 2022**

**BY EMAIL ONLY** [heckingtonfensolar@planninginspectorate.gov.uk](mailto:heckingtonfensolar@planninginspectorate.gov.uk)

Dear Sirs

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Yours Sincerely

**Simon Tucker MRTPI**

Area Planner – Yorkshire and North East

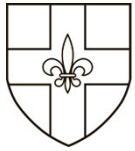
██████████@canalrivertrust.org.uk

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire, DE13 7DN

**Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN





CITY OF  
**Lincoln**  
COUNCIL

**Directorate of Communities & Environment**

Simon Walters MBA, ACG, MCMI

City Hall, Beaumont Fee

Lincoln, LN1 1DF

Telephone: [REDACTED]

Facsimile: [REDACTED]

Website: [www.lincoln.gov.uk](http://www.lincoln.gov.uk)

Emily Park  
The Planning Inspectorate

**Lana Meddings is dealing with this matter**

Direct Dial: [REDACTED]

E-mail: [REDACTED]@lincoln.gov.uk

Our Ref: 2022/0016/PREAPP

Your Ref:

Date: 18th January 2022

Dear Sir/Madam,

**Town and Country Planning Act 1990**

**Location: Heckington Fen Solar Park Land At Six Hundreds Farm Six Hundreds Drove East Heckington Sleaford Lincolnshire**

**Proposal: Scoping opinion consultation - application by Ecotricity (Heck Fen Solar) Limited for an Order granting Development Consent for the Heckington Fen Solar Park.**

Thank you for your pre-application enquiry received on 10th January 2022.

The City of Lincoln Council have no further comments.

This pre application advice is given with every intention of being helpful, is based on the information currently available and cannot be considered binding on the Council or its Officers. Should you decide to submit an application then the advice will form part of the consideration of that application. Once your application is submitted then the Council will initiate a formal consultation exercise with interested parties and responses will be taken into account. The nominated Officer will also visit the site and take the opportunity to assess your proposals in the context of their surroundings.

Only then will a recommendation be made regarding your application and this may be different to the pre application advice given in this letter taking into account responses received and the outcome of the site visit.

**Yours faithfully**

[REDACTED]

**Assistant Director - Planning**

**From:** [Heckington Fen Solar](#)  
**To:** [Heckington Fen Solar](#)  
**Subject:** FW: EN010123-000014 - Heckington Fen Solar  
**Date:** 09 February 2022 11:33:23

---

**From:** Walker, Michelle [REDACTED] <[\[REDACTED\]@e-lindsey.gov.uk](mailto:[REDACTED]@e-lindsey.gov.uk)>  
**Sent:** 27 January 2022 19:47  
**To:** Heckington Fen Solar <[HeckingtonFenSolar@planninginspectorate.gov.uk](mailto:HeckingtonFenSolar@planninginspectorate.gov.uk)>  
**Subject:** EN010123-000014 - Heckington Fen Solar

FAO Emily Park

Hello Emily,

Thank you for consulting East Lindsey District Council on the EIA Scoping Opinion for the proposed solar farm at Heckington Fen. Having read the on-line documentation I can confirm that this authority has no comments to make.

Regards  
Michelle

Miss M. Walker  
Deputy Development Manager

Tel: [REDACTED]  
Email: [REDACTED] <[\[REDACTED\]@e-lindsey.gov.uk](mailto:[REDACTED]@e-lindsey.gov.uk)>

Website: [REDACTED] <[www.e-lindsey.gov.uk](http://www.e-lindsey.gov.uk)>

[REDACTED]  
[REDACTED]  
[REDACTED]

East Lindsey District Council, Tedder Hall, Manby Park, Louth, LN11 8UP



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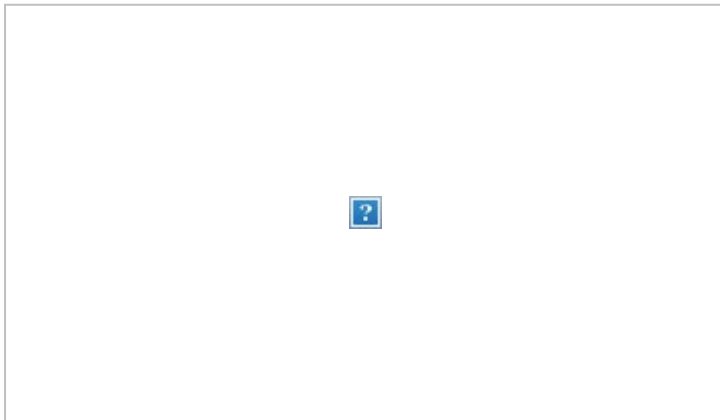
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DPC:76616c646f72





Emily Park  
Senior Environmental Advisor  
Environmental Services  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**Our ref:** AN/2022/132681/01-L01  
**Your ref:** EN010123-000014  
**Date:** 02 February 2022

Dear Emily

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Ecotricity (Heck Fen Solar) Limited (the Applicant) for an Order granting Development Consent for the Heckington Fen Solar Park (the Proposed Development)**

Thank you for consulting us on the Scoping Report for the above project, which we received on 10 January 2022.

**Chapter 8 Ecology**

In section 8.59 we are pleased to see recognition for NSIPs to deliver Biodiversity Net Gain (BNG) through the passing of the Environment Act. We understand that a BNG calculation using Biodiversity Metric 3 will accompany a draft Landscape and Ecological Management Plan (LEMP) as part of the EIA submission.

Page 14 shows the indicative site layout and most of the potential (95 hectare, 16.24%) BNG is in the south west of the site with two small sections in the north of the site which back onto the main river.

Our focus is the water related environmental enhancements linked to the Water Framework Directive so we are particularly interested in opportunities around the main river the Head Dike. We recognise the challenge here is that the bigger watercourses are high level carriers so significant habitat improvement on these would most likely need to consider the more complex setting back of embankments to create habit. This may or may not be feasible within the scheme and if this is an option that can be considered being considered a range of permissions would be required for this including

**Environment Agency**  
Nene House (Pytchley Lodge Industrial Estate),  
Pytchley Lodge Road, Kettering, Northants, NN15 6JQ  
Email: LNplanning@environment-agency.gov.uk  
www.gov.uk/environment-agency

*Customer services line: [REDACTED]  
Calls to 03 numbers cost the same as calls to standard  
geographic numbers (i.e. numbers beginning with 01 or 02).*

Cont/d..

our own flood environmental permit. Our Partnership and Strategic Overview team would be happy to engage in conversations to find a way forward on any flood risk implications.

On a smaller scale and for general habitat within the smaller drainage network there are potential ways of improving habitat to be considered, for example to increase the wet marginal areas on the existing drains. This would require consultation with Black Sluice IDB as well as the usual checks and permissions including ecological, water voles especially. There are also some further guides out there for artificial drainage networks that have ideas at varying levels of ambition for example

If an ambition is to wet the landscape a bit more around the solar farm then the applicant may want to speak with the Lincolnshire Wild life Trust who have a big focus on the Fens through the Fens for the future project as they will have lots of ideas for environmental enhancement and ways to capture BNG

Wildlife sites and protected sites should be avoided wherever feasible, and we will provide specific comments when the proposals are finalised.

### **Chapter 9 - Hydrology, Hydrogeology, Flood Risk & Drainage**

We await the submission of the flood risk assessment (FRA) to make further comments in relation to the development but have the following comments to assist in the development of the FRA.

The plans suggest several buildings are to be erected within the floodplain, we would require more information on each individual building to better assess whether they will be safe over the lifetime of the development.

With regards to any fencing of the site, we would request fences are not within 8m of the flood defence and to allow early engagement should this not be achievable.

The FRA should demonstrate that flood sensitive equipment will remain operational during a 0.1% event (2115 scenario) and that appropriate mitigation measures/flood resilient construction techniques have been incorporated into the development for its lifetime of 40 years.

The decommissioning plan [reference made in section 4.8 to 4.10] will have to consider the flood risk aspects and how the floodplain will be returned to its natural state thereafter – again early engagement would be advisable.

### **Environmental permitting**

Under the Environmental Permitting (England and Wales) Regulations 2016, permission must be obtained from the Environment Agency for any proposed activities which will take place:

- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) having the potential to divert flood flows to third parties, if planning permission has not already been granted for the works

We request early engagement with ourselves should the underground cable to Bicker Fen Sub Station go under the South Forty Foot Drain. We do have certain exemptions where service crossings are completed by means of horizontal directional drilling not using an open cut technique – known as Exemption FRA 3.

Details of Exemption FRA 3 can be found here: [Exempt flood risk activities: environmental permits - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/exempt-flood-risk-activities-environmental-permits)

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

**Sharon Nolan**  
**Sustainable Places Planning Advisor**

 [REDACTED]  
 [REDACTED]  
 [REDACTED]@environment-agency.gov.uk



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

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

Emily Park (Senior EIA Advisor)  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN  
By email only

Dear Ms Park

Date: 7 February 2022

**PROPOSED HECKINGTON FEN SOLAR PARK (the project)  
PROPOSAL BY ECOTRICITY (HECK FEN SOLAR) LIMITED (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as  
amended) REGULATIONS 10 and 11**

Thank you for your letter of 10 January 2022 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.

**HSE's land use planning advice**

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

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within any consultation zones of major accident hazard sites but is within 1 zone of a major accident hazard pipelines.

This is based on the current configuration as illustrated in, for example, figure 1 'ENERGY PARK SITE LOCATION PLAN' within the document 'DEVELOPMENT CONSENT ORDER APPLICATION FOR GROUND MOUNTED SOLAR PANELS, ENERGY STORAGE FACILITY, BELOW GROUND GRID CONNECTION TO BICKER FEN SUBSTATION AND ALL ASSOCIATED INFRASTRUCTURE WORKS. ENVIRONMENTAL IMPACT ASSESSMENT SCOPING REPORT LAND AT SIX HUNDREDS FARM, SIX HUNDREDS DROVE, EAST HECKINGTON, SLEAFORD, LINCOLNSHIRE ON BEHALF OF ECOTRICITY (HECK FEN SOLAR) LIMITED'

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

## 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.

HSC 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.

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 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 explosives sites in the vicinity.

## Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely



Allan Benson  
CEMHD4 NSIP Consultation Team





Direct Dial: [REDACTED]

Our Ref: PL00758702

Ms Katie Norris  
EIA Advisor  
Major Casework Directorate  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

12 January 2022

Dear Ms Norris

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11**

**Application by Ecotricity (Heck Fen Solar) Ltd (the Applicant) for an Order granting Development Consent for Ground Mounted Solar Panels, Energy Storage Facility, Below Ground Grid Connection to Bicker Fen Substation and all Associated Infrastructure Works (the Proposed Development)**

Thank you for consulting us on the above Scoping Report, Historic England is the Government's advisor on Historic Environment and will engage positively with information requests received in connection with producing this Environmental Impact Assessment.

We note that Historic Environment matters are scoped into the proposed Environmental Statement and we agree with this approach. In addition to our comments below, we refer the applicant to the expertise of the relevant local authority advisors in Lincolnshire in respect of both built heritage and the archaeological assets and impacts there-on.

We caution against a fixed radius approach to the consideration of setting impacts in advance of more work to understand the specific setting sensitivity of assets in the area in relation to the height and massing of the proposed scheme in its cultural landscape context, the proposed scope may be unduly restrictive and should be reviewed in the context of initial results.

Historic Environment matters should be addressed in detail both in respect of direct



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH





Historic England

physical impacts upon buried remains and setting impacts upon the historic environment and this assessment should be made in-line with current standards and guidance. In particular we draw your attention to the following oversights within the Environmental Impact Assessment Scoping Report (page 89 paragraph 10.25 Guidance):

- Planning Practice Guidance (PPG) 'Conserving and Enhancing the Historic Environment' [MHCLG, updated February 2018]
  - the July 2019 update supersedes the February 2018 update
- EAC Guidelines for the Use of Geophysics in Archaeology: questions to ask and points to consider [EAC 2015]
  - should read [EAC January 2016]

Yours sincerely

Alison MacDonald  
Assistant Inspector of Ancient Monuments  
E-mail: [REDACTED]@HistoricEngland.org.uk



THE FOUNDRY 82 GRANVILLE STREET BIRMINGHAM B1 2LH

Telephone [REDACTED]  
[REDACTED]



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.*

FAO Emily Park – Snr Environmental Advisor  
 The Planning Inspectorate  
 Environmental Services  
 Central Operations  
 Temple Quay House  
 2 The Square  
 Bristol, BS1 6PN

Marc Willis  
 Applications Manager  
 Planning Services  
 Lincolnshire County Council  
 County Offices  
 Newland  
 Lincoln LN1 1YL  
 Tel: [REDACTED]  
 E-Mail: [REDACTED]@[lincolnshire.gov.uk](mailto:[REDACTED]@lincolnshire.gov.uk)  
 Tel: [REDACTED]

1 February 2022

Your Ref: EN010123-000014  
 Our ref: NSIP7

Dear Sir/Madam

**SCOPING OPINION REQUEST BY ECOTRICITY (HECK FEN SOLAR) LIMITED IN RELATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE HECKINGTON FEN SOLAR PARK**

Thank you for your letter dated 10 January 2022 seeking this Authority’s views and comments on the Scoping Report produced by Pegasus Group in connection with the above proposal.

The Council has reviewed the information contained within the Scoping Report and offers the following comments which we request the Inspectorate considers in the preparation of its final Opinion.

**Overarching/general comments**

Grid connection	Para 2.9	The route for the proposed Grid Connection has not been finalised with two options being considered. Each route will have different impacts and effects and so once a route has been finalised this should be confirmed within the application and the ES justify the route identified and assess all potential impacts to receptors where significant effects are likely to occur across all applicable aspect Chapters. This should include consideration of impacts on utilities/gas pipeline, archaeology, waterways, roads, etc.
Onsite cabling	Para 3.15	The installation of cables either above or below ground will have different impacts and effects. The ES should therefore assess the potential impacts of both underground and above ground cables unless a final option is chosen before formal submission of the application.

Security measures	Para 3.21	The ES should assess the impact of any lighting proposed as part of the development including security lighting.
Access tracks	Para 3.22	Full details of any new or existing site access improvement works should be detailed within the ES and include full details of their design, specification etc to ensure safe and suitable visibility is provided.
	Para 3.23	Aggregate is to be used to construct internal access roadways and would be imported to the site. Details of all HGV movements associated with the delivery and import of these materials during the construction (and decommissioning phase) should therefore be included within the Transport Chapter and supporting Transport Assessment.
Energy storage	Para 3.24	The scheme will include an associated battery energy storage system, but the capacity of that system and its design, scale, appearance, and layout is yet to be determined. This should be defined in the ES and it must cover all design scenarios being proposed.
Development substation & transformer	Para 3.26	The maximum dimensions of the substation are defined as being 180m x 130m x 15m. This is an exceptionally large structure which would be clearly noticeable in the Fenland landscape. The LVIA suggests the Zone of Theoretical Visibility (ZTV) will be modelled on a height of 4.5m which is based on the solar panel arrays. Given the size of this structure (and other large infrastructure such as the Transformers – cited as being 7m x 10m x 10m) the ES and LVIA should assess the potential impacts of these structures based on different ZTV modelling height that more accurately reflects the scale of these features.
Compounds	Para 4.3	The ES should provide details regarding the location and proposed duration of construction compounds required and assess impacts from the construction, operation and decommissioning of these features where significant effects are likely to occur.
Decommissioning	Para 4.8	All internal trackways constructed as part of the development should also be removed at the decommissioning stage.
Local Development Plans	Section 5	In addition to existing adopted Local Plans consideration should also be given to any emerging policies contained within the draft Central Lincolnshire Local Plan (DCLLP). Consultation on the Regulation 18 version of this Plan has already been carried out and so reference should be given to this (or any later version) as the project advances to formal submission stage.
Cumulative and In combination effects	Paras 6.16 to 6.20	In addition to in combination cumulative effects from other proposed or permitted schemes in the vicinity of the development, the ES should consider the cumulative effect of other similar NSIP large scale solar schemes that are currently being promoted in the County. These include 3 proposals in

		<p>West Lindsey (i.e. Cottam, West Burton and Gate Burton) and a further proposal which is in South Kesteven District/Rutland (i.e. Mallard Pass). Whilst it is accepted these schemes are not located within the immediate area of this site, they are similar large-scale projects that will occupy large swathes of agricultural land present within the County. The cumulative impact and potential effects of these schemes (assuming these are successful in securing a DCO) therefore needs to be assessed. Whilst these schemes are at the pre-application stage and full details are not yet available, indicative plans have been produced and therefore the ES should include commentary on the cumulative impacts on the topics included in the ES from the other solar schemes in the area.</p> <p>A Screened Zone of Theoretical Visibility (ZTV) has been applied to the EIA Assessment Area based on the maximum solar panel height of 4.5m. The Scoping Report acknowledges there are taller elements of the development but argues these would be set back from the boundaries of the Energy Park and so it is proposed to assess the expanse of the panels rather than the height of locally occurring structures. The Council disagrees with this position and would advise that separate and specific ZTV's be applied to assess the impacts of the larger elements of the development including Transformers (described in para 3.13 – maximum dimensions being cited as 7m x 10m x 10m) and the Substation (described in para 3.26 - maximum dimensions being cited as 180m x 130m x 15m) as well as the main solar arrays. The Transformers and Substations are exceptionally large structures which would be clearly noticeable in a Fenland landscape even if they are set back from the site boundaries. The ES and LVIA should therefore adopt a different ZTV modelling regime for these elements so that the true impact of these individual structures is more accurately assessed.</p>
Alternatives	Paras 6.21 to 6.27	<p>The Council agrees that the existing DCO for the Wind Farm development on the same site should be discounted. No consent has been granted to extend the life of that permission and therefore this should not form the basis of any baseline or alternative proposal for the site as there is no realistic prospect of this development being delivered.</p> <p>In this section consideration needs to also be given to looking at the benefits of keeping the land subject of this project in agricultural use and the potential impact the loss of this land could have on food production in the region.</p>
	Para 6.25	<p>The assessment of alternative sites is proposed to be limited to a rather simplistic 9km search area (reflecting the equivalent cable connection distance to Bicker Fen Substation) however this is likely to significantly narrow and</p>

		skew the site selection process artificially in favour of the application site. As a minimum, the Council submits that a county-level alternative assessment area should be applied which should consider scope for connection into the National Grid at the locations proposed by the other registered NSIP solar projects currently being promoted within the County and/or other sites that lie within the same proximity to any other suitable National Grid connection points elsewhere. Specific consideration and comparison should be given to difference in the impacts on agricultural land.
		The ES should clearly set out the main reasons for selecting the chosen option and in this case this should not only include reference to other physical locations considered and discounted (as indicated above) but also include a consideration of alternative site layout/s and/or a reduced generating capacity as necessary to minimise the extent and loss of Best and Most Versatile (BMV) land within the site.

### **Specific Environmental Matters Comments**

#### Section 7: Landscape and Visual Impact and Residential Amenity

- The Council agrees this matter should be ‘scoped in’ and appropriate assessments included as part of the ES.
- The Council is generally agreeable to the methodology and approach detailed within the Scoping Report but recommends that the following publications also be taken into consideration when carrying out the LVIA and added to those referenced in para 7.2:
  - i. ‘Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals’, 17<sup>th</sup> September 2019 by the Landscape Institute;
  - ii. ‘Technical Guidance Note (TGN) 1/20 Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)’, 10th January 2020 by the Landscape Institute; and
  - iii. Technical Guidance Note (TGN) 2/21 Assessing landscape value outside national designations, May 2021 by the Landscape Institute.
- As highlighted earlier, the Council considers that separate and specific ZTV’s should be applied to assess the impacts of the larger elements of the development including Transformers and the Substation. These are exceptionally large structures which would be clearly noticeable in a Fenland landscape even if they are set back from the site boundaries. The ES and LVIA should therefore adopt a different ZTV modelling regime for these elements so that the true impact of these individual structures is more accurately assessed.

#### Section 8: Ecology and Ornithology

- The Council agrees this matter should be ‘scoped in’ and appropriate assessments included as part of the ES.

- The Council is generally agreeable to the methodology and approach detailed within the Scoping Report however notes that paras 8.4, 8.7 and 8.41 suggest that updated breeding and wintering bird surveys are not proposed to be carried out in relation to the main solar park and energy storage area. Whilst previous surveys undertaken in connection with the Wind Farm development provide useful background these are out of date and so should not be relied upon. The Council therefore requests that the Inspectorate seeks clarification on whether additional surveys are proposed and/or requires them to be carried out for the solar park and energy storage area - as is proposed for the Grid Cable Route.
- Para 8.59 - it is positive to see that the Biodiversity Metric 3 will be used to accompany the Landscape and Ecological Management Plan. Consultation is currently being carried out on the BNG process and therefore should the version of the metric change or the approach to BNG alter because of this consultation then this will need to be reflected in the ES.

#### Section 9: Hydrology, Hydrogeology, Flood Risk and Drainage

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- Para 9.32 – states that the ES is 'likely' to include a Construction Environmental Management Plan (CEMP). The Council considers that this should be included and accordingly requests that the Inspectorate reflects this request when issuing its Opinion.

#### Section 10: Cultural Heritage

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states "*The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape.*" (Regulation 5 (2d)). The Council is not satisfied with the proposed approach and methodology as proposed within the Scoping Report and offers the following comments which the Council requests be considered and reflected in the Inspectorates final Opinion.
- The full extent of the proposed development area, including the connector route corridors, should be included in the evaluation process. Archaeological impacts and subsequent mitigation have the potential for significant impacts so sufficient evaluation is essential in informing the selection process and in ensuring the subsequent design and work programme is devised with an understanding of the level of archaeological work which may be required before and during the construction phase.
- The Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the

impact on known and potential heritage assets is required by Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.

- Para 10.2 - the Council is pleased that further archaeological evaluation will be undertaken as part of the assessment process no further details or intended scheduling have been provided and more specific information will be required going forward.
- Para 10.3 - refers to having obtained HER data for a 2km radius from the main site boundary. This therefore discounts any data that may be relevant to the two proposed grid connection route options. Based on the information in the Scoping Report the Council is not therefore convinced the impact of either of the cable routes would be properly assessed as part of the development. As stated above the Council considers the cable routes should be assessed as part of the ES and so this needs clarification.
- Para 10.5 - states the main assessment area will be 5km and that designated assets (i.e. a Scheduled Monument and Listed Buildings) have been identified within a 2km radius of the site. Other designated heritage assets within and/or outlying the 2km radius are however recognised as potentially being affected but para 10.28 infers setting assessments will primarily focus on designated heritage assets located within a minimum 2km radius of the site and not the wider 5km area. For the avoidance of doubt, the Council requests that all designated assets within 5km radius of the development be taken into account and not principally those within 2km. In scoping which assets would be affected (Step 1) the ZTV modelling used should reflect that already recommended by the Council especially where any identified assets have the potential to be visible or have their setting affected by the taller elements of the development.
- Para 10.29 - states a geophysical survey of the main development site is to be carried out. It is not clear if this includes the proposed grid connection cable routes or is simply focused on the main site area. The Council considers that a geophysical survey is also required of the proposed cable routes as the results are required to identify site-specific archaeological potential and to inform a programme of archaeological trial trenching and subsequent mitigation. Pre-determination evaluation of the cable connection corridors can be very useful with informing a decision on the most cost effective and viable route. The Council therefore requests that the Inspectorate clarifies this point and/or requires such an assessment to be carried out on both cable routes (unless one is scoped out) as part of the ES.
- Trenching results are essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. A programme of trial trenching is required to inform a robust mitigation strategy which will need to be agreed by the time the Environmental Statement is produced and submitted with the Development Consent Order (DCO) application.



- Para 10.25 - the guidance documents listed should include the Lincolnshire Archaeology Handbook (2019). This lays out the requirements for undertaking archaeological work in the County.
- Para 10.26 - regarding desk-based sources full LiDAR coverage and assessment must be included, and Portable Antiquities Scheme (PAS) data must also be consulted for the study area.
- Para 10.29 - regarding the geophysical survey a single Written Scheme of Investigation should be prepared that all contractors adhere to. This must include appropriate quality and control measures to ensure consistency of data recovery across the site. The proposed cable route(s) must be included in the survey. Separate reports for each contractor should be supplied in full with an overarching report presenting the combined results as this will be the basis for the subsequent evaluation trenching.
- The impact assessment (paras 10.30, 10.40-10.41) must also consider impacts from decommissioning work.
- The Historic England Regional Science Advisor should be consulted on the project and particularly with regard to Palaeolithic potential and mitigation in areas of deep excavation (i.e. excavations for directional drilling platforms) as well as providing advice on geoarchaeological assessment.
- The EIA will need to contain sufficient information on the archaeological potential and must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or record the impact of the proposal on archaeological remains.

### Section 11: Socio Economics

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The ES should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the operation of the development and a comparison of this to the economic benefits/gains identified. Furthermore, although it is stated that the land would be farmed during its operational lifetime for sheep grazing it is not clear how this would be guaranteed or secured given there would not be a material change to the use of the land. Therefore, PINs must satisfy themselves that this can be secured as part of any proposal to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic.
- As indicated previously, in addition to in combination cumulative effects from other proposed or permitted schemes in the vicinity of the development, the ES should consider the cumulative economic effect of this and other similar NSIP large scale solar schemes that are currently being promoted in the County. These include proposals at Cottam, West Burton, Gate Burton in West Lindsey and the proposal which is in South Kesteven District/Rutland (i.e. Mallard Pass). The cumulative economic impact and potential effects of these schemes in terms of the loss of agricultural land and crop

production (assuming these are successful in securing a DCO) therefore needs to be assessed.

- As indicated previously, in addition to in combination cumulative effects from other proposed or permitted schemes in the vicinity of the development, the ES should consider the cumulative economic effect of this and other similar NSIP large scale solar schemes that are currently being promoted in the County. These include proposals at Cottam, West Burton, Gate Burton in West Lindsey and the proposal which is in South Kesteven District/Rutland (i.e. Mallard Pass). The cumulative economic impact and potential effects of these schemes in terms of the loss of agricultural land and crop production (assuming these are successful in securing a DCO) therefore needs to be assessed.

### Section 12: Noise

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council is in general agreement that construction and decommissioning noise is not expected to represent a significant effect provided that appropriate working methods and hours are adhered to. Some works along the Grid Connection Route(s) could however lead to significant impacts as a result of directional drilling and noise could arise from the operation of onsite substation and energy storage area. These potential impacts therefore do need to be assessed and appropriate mitigation measures to prevent, reduce and mitigate any impacts identified and included within the ES.
- Paras 12.3 to 12.5 of the Scoping Report suggests that updated background noise surveys are not proposed to be carried out. Instead, the baseline data from surveys conducted in 2011 is to be used and would be applied in carrying out the desktop review to assess potential impacts on noise sensitive receptors closest to the park. The Council disagrees with this approach and considers updated surveys should be conducted. Ongoing works are being carried out in the locality including those associated with the Tritton Knoll and Viking Link projects and these have the potential to increase background noise and/or lead to in combination and cumulative effects.
- The Council therefore requests that the Inspectorate requires updated background noise surveys to be carried out as part of the ES and that the assessment considers all phases of the scheme the solar park and energy storage area - as is proposed for the Grid Cable Route.

### Section 13: Climate Change

- The Council agrees this matter should be 'scoped in' as part of the ES and the methodology and approach detailed within the Scoping Report.

### Section 14: Transport & Access

- The Council agrees this matter should be 'scoped in' as part of the ES and the methodology and approach detailed within the Scoping Report.

## Section 15: Air Quality

- The Council agrees this matter should be 'scoped in' as part of the ES and the methodology and approach detailed within the Scoping Report.

## Section 16: Land Use & Agriculture

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. However, the Council requests that the Inspectorate takes these into account the following comments and requests that these be adopted in the Opinion issued:
- Para 16.14 – a total of 211.68 hectares (or 49%) of the area identified for energy generation comprises of Best and Most Versatile (BMV) agricultural land. The National Planning Policy Framework sets out that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the benefits from natural capital, including those from the best and most versatile agricultural land. The loss of such a significant area of BMV would appear to go against the objectives of the NPPF which seeks to protect this natural resource. The loss of such a large natural resource through sterilisation both from the energy park itself and/or any areas given over to create biodiversity net gain areas needs to be demonstrated and justified. Potential alternatives to the loss of this extent of BMV land therefore should be demonstrated through an assessment of alternatives which not only includes a consideration of sites elsewhere within the County potential alternative site layouts and/or reduction in generating capacity on this site so as to reduce, minimise or avoid the loss of such large areas of land.
- Para 16.20 – not only should the ES consider the economic effects of a proposed change from arable to low intensity farming but also a comparison of potential increased carbon footprint/impacts that would arise because of the need to transport/import food and crops from elsewhere which would have otherwise been grown on the land. The carbon footprint created by the displacement or removal of this land therefore needs to be properly calculated to ensure that the full carbon gains or benefits of this proposal are accurate.
- Paras 16.22 – the Council disagrees that all other forms of development removing 20ha or more of BMV agricultural land will not be considered in assessing cumulative effects. As indicated previously, in addition to in combination cumulative effects from other proposed or permitted schemes in the vicinity of the development, the Council considers it also necessary for the ES to consider the cumulative effect that this and other similar NSIP large scale solar schemes currently being promoted in the County could have. These include proposals at Cottam, West Burton, Gate Burton in West Lindsey and the proposal which is in South Kesteven District/Rutland (i.e. Mallard Pass) which collectively cover an area of over 4,000ha. The cumulative economic impact and potential effects of these schemes due to the loss of arable agricultural land for low intensity grazing (or other uses being promoted by those schemes) therefore needs to

be assessed. As indicated previously, it is also questionable how the proposed sheep grazing identified to be carried out during the operational life of the development could be secured and guaranteed. PINs must therefore satisfy themselves that this can be secured as part of any proposal in order to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic.


- Similarly, as above, the cumulative impact of any increased carbon footprint/impact because of the need to transport/import food and/crops from elsewhere needs to be considered. As a minimum, the Council therefore requests that all and any other similar scale NSIP solar park proposals being promoted within the County be considered when considering cumulative effects.
- As highlighted previously the Council does not the 9km radius to be applied when considering alternative sites to be appropriate and should be expanded to a county-level. The alternatives exercise needs to not only consider alternative sites but also alternative site layouts and potentially a reduction in generating capacity on this site as a means to demonstrate avoidance or minimisation of agricultural land impacts.

#### **Section 17: Glint & Glare**

- The Council agrees this matter should be 'scoped in' as part of the ES and the methodology and approach detailed within the Scoping Report.

#### **Section 18: Miscellaneous**

No comments other than it is noted that no specific chapter is proposed within the ES that considers Human Health. Whilst human health will be covered in technical assessments on air quality and noise this is only to address potential negative impacts of the development from these two areas. Several other Equality Impact Assessment (EIA) topics could have either a positive or negative impact on health (e.g., water, climatic factors). It is important that any impacts or benefits to people's health and wellbeing (e.g., improvements to the public right of way network) are properly identified and/or secured as part of the development. The Council therefore considers that these aspects should be covered in the ES or a separate Health Impact Assessment (HIA).

I trust the information and comments set out above are useful and should you seek clarification on any of the issues highlighted above please feel free to contact Marc Willis (Applications Manager) at  [@lincolnshire.gov.uk](mailto:marc.willis@lincolnshire.gov.uk)

Yours faithfully

  
**for Neil McBride**  
**Head of Planning**

## Land and Acquisitions

Anne Holdsworth  
DCO Liaison Officer  
Land and Property  
[REDACTED]@nationalgrid.com  
Direct tel: [REDACTED]  
[REDACTED]

SUBMITTED ELECTRONICALLY:  
heckingtonfensolar@planninginspectorate.gov.uk

17 January 2022

Dear Sir/Madam

### **APPLICATION BY ECOTRICITY (HECK FEN SOLAR) LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE HECKINGTON FEN SOLAR PARK (THE PROPOSED DEVELOPMENT)**

#### **SCOPING CONSULTATION**

I refer to your letter dated 10<sup>th</sup> January 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

Having reviewed the scoping report, I would like to make the following comments regarding National Grid infrastructure within / in close proximity to the Site boundary and EIA assessment Area.

#### **ELECTRICITY TRANSMISSION INFRASTRUCTURE**

NGET has high voltage electricity overhead transmission lines, and electricity substation and underground cables within the EIA Assessment Area. The overhead lines, substation and cables form an essential part of the electricity transmission network in England and Wales.

##### Overhead Lines

- 4ZM 400kV Bicker Fen–Spalding North- Burton  
Bicker Fen-Walpole-West Burton

##### Substation

- Bicker Fen 400kV Substation with associated Underground Cables

## **GAS TRANSMISSION INFRASTRUCTURE:**

NGG has a high pressure gas transmission pipeline located within or in close proximity to the proposed site boundary and the EIA Assessment Area, as follows:

- Feeder 7 East Heckington to Gosberton

The transmission pipeline forms an essential part of the gas transmission network in England, Wales and Scotland:

## **ASSET PLANS**

I enclose four plans showing the location of National Grid's:

- overhead lines;
- substation with underground cables; and
- gas pipeline.

## **SPECIFIC COMMENTS**

### **Electricity Infrastructure:**

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

## Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.

- A Deed of Consent is required for any crossing of the easement.

#### Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

#### General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:



[REDACTED]

To download a copy of the HSE Guidance HS(G)47, please use the following link:  
<http://www.hse.gov.uk/pubns/books/hsg47.htm>

## **Further Advice**

**We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.**

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: [box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

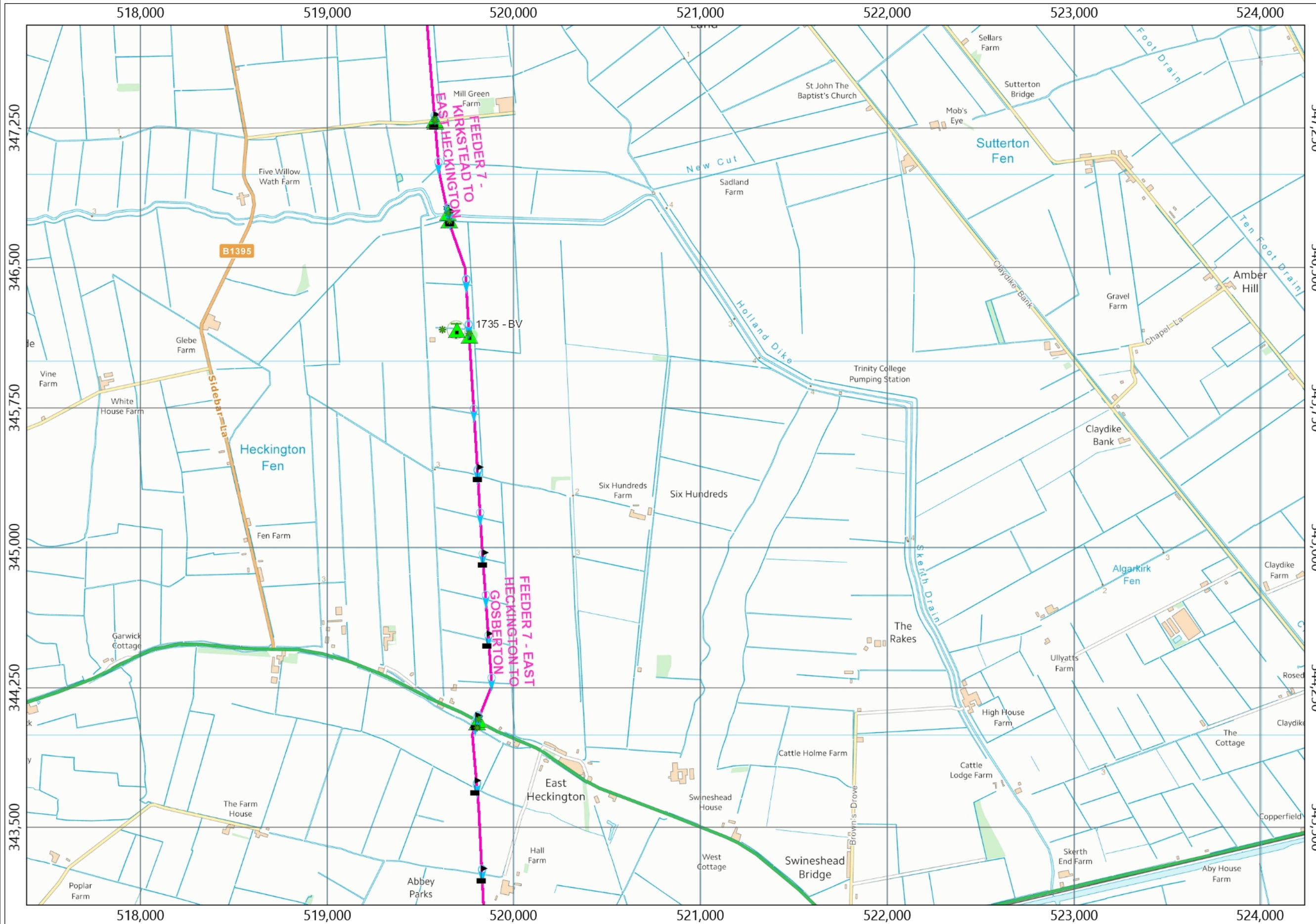
I hope the above is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours faithfully

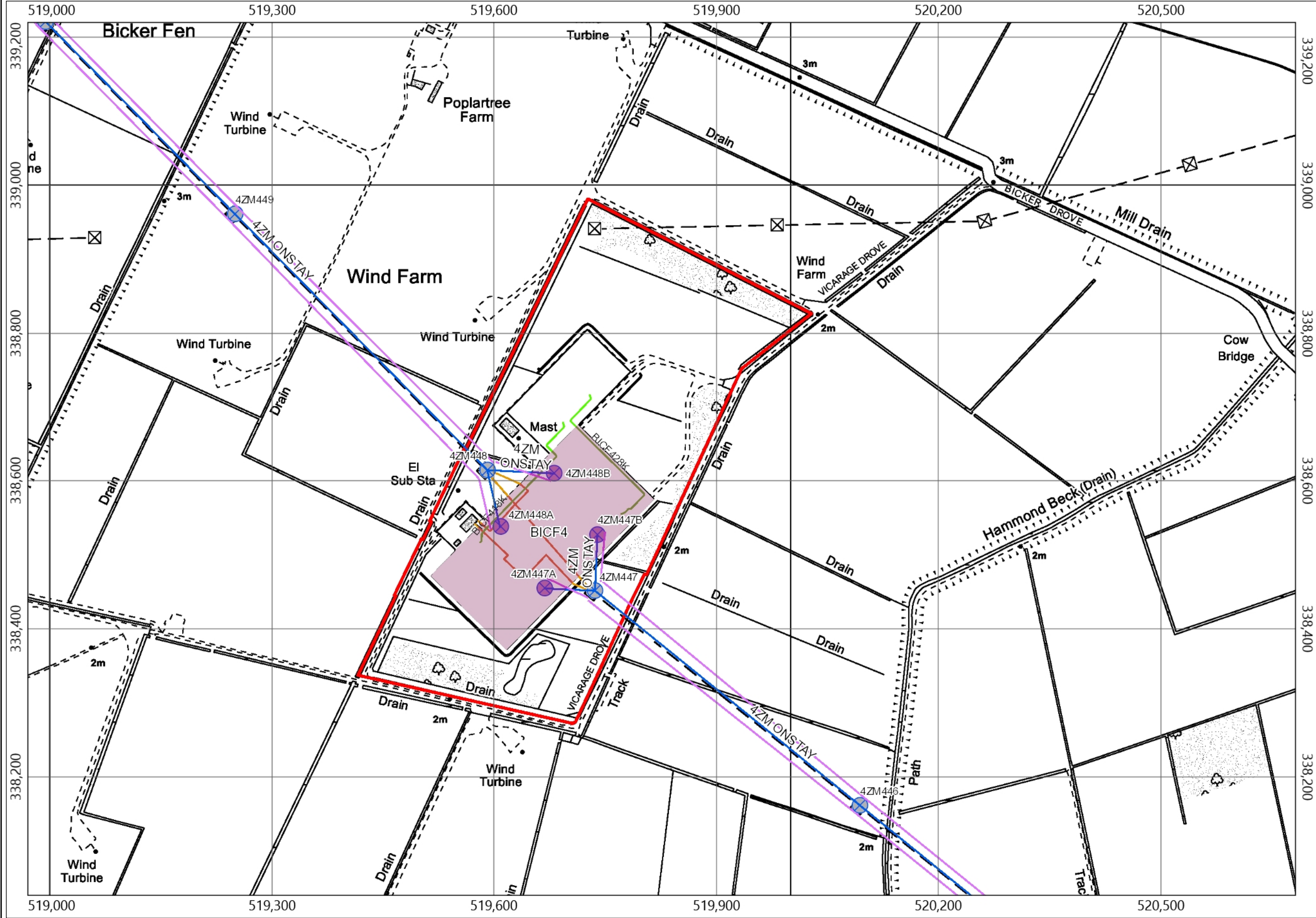
[REDACTED]

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



**Notes:**  
Heckington Fen Solar Park NGG Plan 1

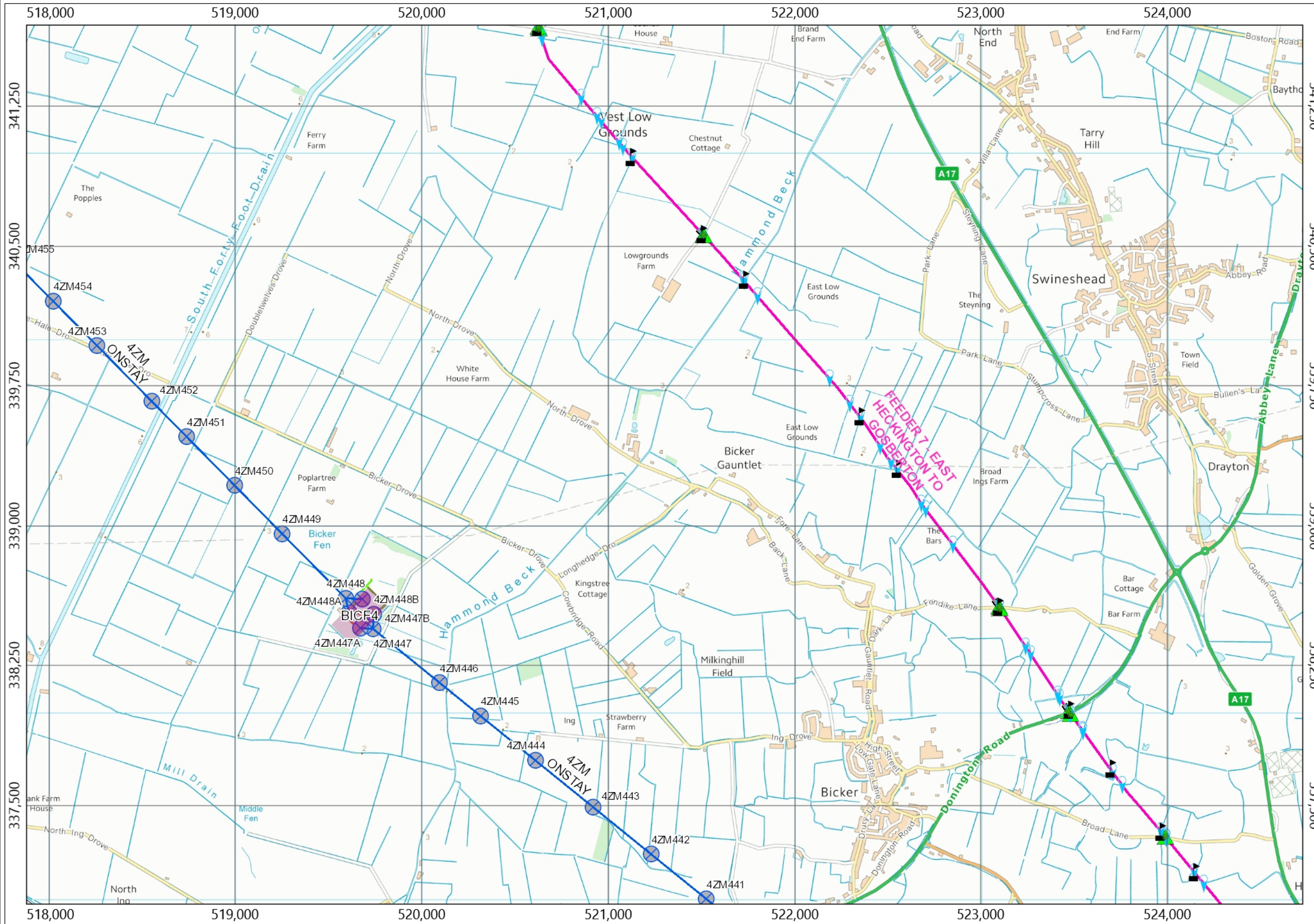




- Legend:**
- Substations Commissioned
  - Circuits
    - Commissioned
    - Decommissioned Group
    - Planned and Spares
  - OHL 400kV Commissioned
  - OHL 275kV Commissioned
  - OHL 132kV & Below Commissioned
  - Towers Commissioned
  - Buried Cable Commissioned
  - Fibre Cable Commissioned
  - Pilot Cable
  - Pillar
  - Oil Tank
  - Link Box
  - Gauge
  - Joint Bay
  - Cable Joint
  - Oil Pipe
  - Cooling Pipe
  - Cooling Station
  - RAMM
  - Electric Land Ownership - Freehold
  - Electric Land Ownership - Leasehold
  - Cable Tunnel
  - Gas Operational Boundary
  - Gas Site Boundary
  - Trial Hole
  - Vantage Point
  - Aerial Marker Post
  - Pipe Crossing Point
  - CP Test Post
  - Transformer Rectifier
  - Pipeline Crossing
  - Sleeve
    - Nitrogen Sleeve
    - Other Sleeves
  - Pipe Line Control Point
  - Named Pipeline Section
  - River Crossings

**Notes:**  
 Heckington Fen Solar Park NG Plan 4 Substation



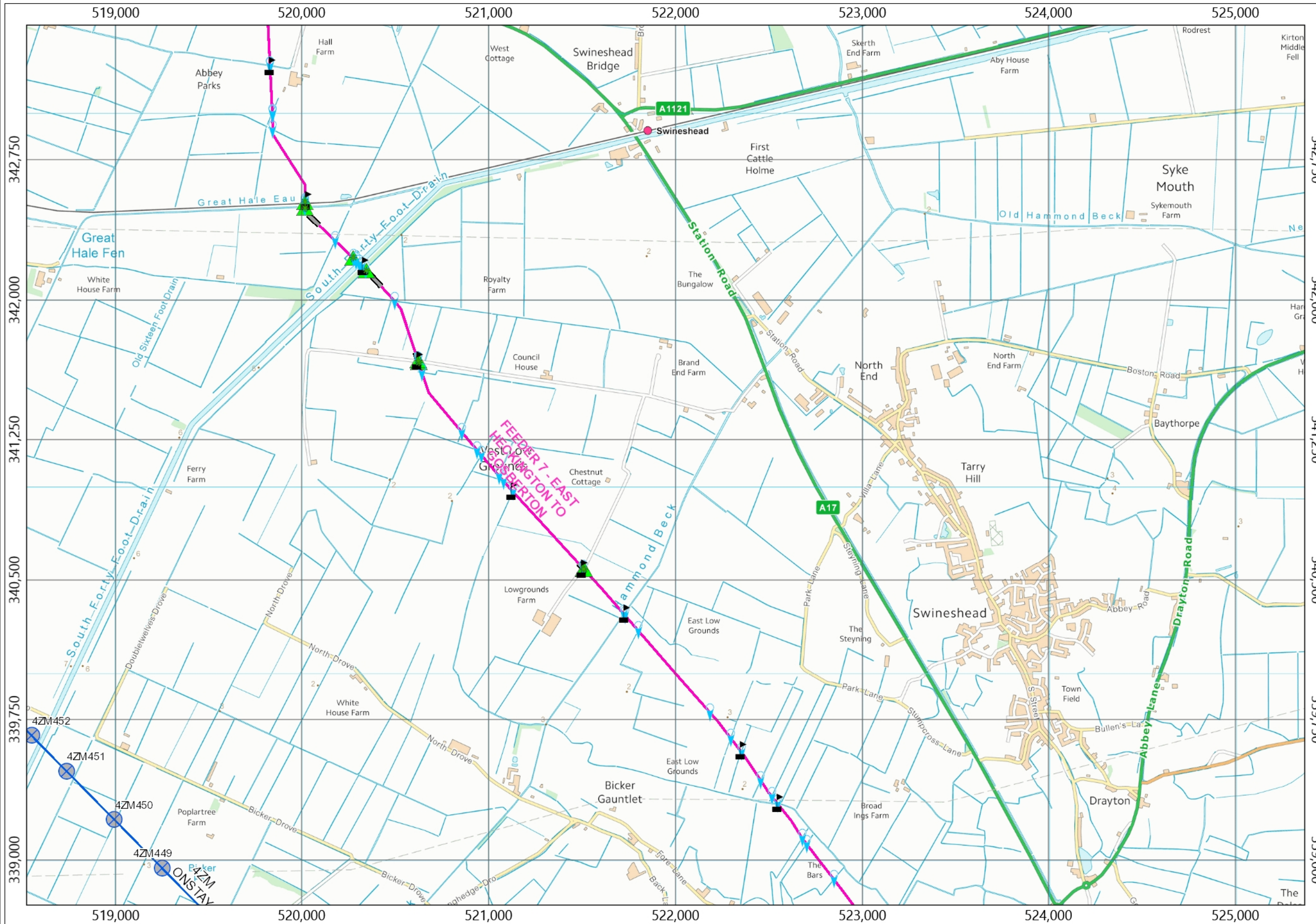


**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
- Towers Commissioned
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- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

**Notes:**  
 Heckington Fen Solar Park NG Plan 3





**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
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- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
- Nitrogen Sleeve
- Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

**Notes:**

Heckington Fen Solar Park NG Plan 2



**From:** [redacted] on behalf of [redacted]  
**To:** [Heckington Fen Solar](#)  
**Subject:** Ref EN010123-000014 - scoping opinion for Heckington Fen Solar Park  
**Date:** 07 February 2022 10:34:18  
**Attachments:** [image001.png](#)

---

OFFICIAL

**FAO – Planning Inspectorate**  
**Ref – EN010123-000014**  
**Proposal – Scoping Opinion for Heckington Fen Solar Park**  
**Location – Heckington Fen Solar Park**

Thank you for your letter of 10 January 2022 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. In particular, it should include a Glint and Glare study assessing the impact of the scheme upon train drivers (including distraction from glare and potential for conflict with railway signals). It should also include a Transport Assessment to identify any HGV traffic/haulage routes that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

Please note that if the intention is to install cabling for the grid connection through railway land, the developer will need an easement from Network Rail and we would recommend that they engage with us early in the planning of their scheme in order to discuss and agree this element of the proposals.

Kind regards



**Matt Leighton**  
Town Planning Technician  
**Diversity and Inclusion Champion**  
Network Rail Property - Eastern Region  
George Stephenson House, Toft Green, York, YO1 6JT

\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*  
\*\*\*\*\*



Growth and Regeneration Business Unit  
Castle House  
Great North Road  
Newark  
Nottinghamshire  
NG24 1BY

[www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)

Emily Park  
The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Telephone: [REDACTED]  
Email: [planning@nsdc.info](mailto:planning@nsdc.info)

Our ref: 22/00050/NPA  
Your ref: EN010123-000014

17 January 2022

Sent via e-mail to:  
[heckingtonfensolar@ecotricity.co.uk](mailto:heckingtonfensolar@ecotricity.co.uk)

Dear Ms Park,

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11**

**Application by Ecotricity (Heck Fen Solar) Limited (the Applicant) for an Order granting Development Consent for the Heckington Fen Solar Park (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

I refer to the above consultation received by this Authority on 11 January 2022 which relates to the proposed installation of a ground mounted solar photovoltaic (PV) electricity generation and storage facility on a site approximately 3.7km east of Heckington and 8.9km west of Boston within Lincolnshire.

I can advise that Newark & Sherwood District Council have no comments to make on the Environmental Impact Assessment Scoping Report (by AECOM Dated January 2022).

Please note that this matter has not been formally reported to the District Council's Planning Committee. In these circumstances the comments are those of an Officer of the Council under delegated power arrangements.

If you require any further assistance please do not hesitate to contact my colleague, Helen Marriott, the case officer, who has dealt with this consultation, on 01636 655793.

Yours sincerely

[REDACTED]

Lisa Hughes - Business Manager – Planning Development

**From:** [REDACTED]  
**To:** [Heckington Fen Solar](#)  
**Cc:** [OFFICE \(NHS LINCOLNSHIRE CCG\)](#)  
**Subject:** EN010123-000014 Heckington Fen Solar Park  
**Date:** 10 January 2022 16:56:00  
**Attachments:** [image002.png](#)  
[image003.png](#)

Thank you for your letter dated 10<sup>th</sup> January regarding the Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

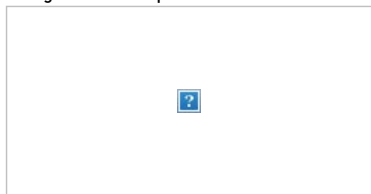
As the local NHS we do not have any comments at this stage of the process.

With kind regards

Jacqui Bunce

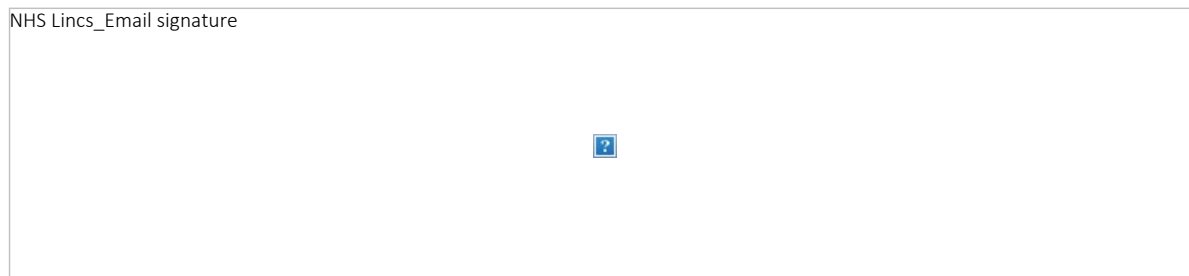
**Jacqui Bunce** | Programme Director  
Strategic Estates, Partnerships & Planning  
Bridge House|The Point|Sleaford|NG34 8GG  
**Mobile:** [REDACTED]  
**Email:** [REDACTED]@nhs.net

Design Council Expert



[REDACTED]

**Thank you for your continued hard work and commitment #WeAreLincsNHS**



**Facebook:** [REDACTED]

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**North Kesteven**  
DISTRICT COUNCIL

Your Ref: EN010123-000014  
Our Ref: 22/0039/ADVICE  
Contact: Mark Williets  
Email: [REDACTED]@n-kesteven.gov.uk

The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

2 February 2022

## **Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

### **Application by Ecotricity (Heck Fen Solar) Limited for an Order granting Development Consent for the Heckington Fen Solar Park on land at Six Hundreds Farm, Six Hundreds Drove, East Heckington, Lincolnshire**

Thank you for your consultation request under regulation 10(6) of the EIA Regulations. North Kesteven District Council, as a consultation body and host authority, wishes to make the following comments in regard to information to be provided with the Environmental Statement Scoping Report. The following comments are made, following the structure of the Environmental Impact Assessment Scoping Report by Ecotricity (December 2021):

#### **Section 1 Introduction**

The Council notes and agrees with Table 1.1 in that the ES could scope out specific chapters dealing with human health, major accidents and soil/contamination (although see separate comments below).

#### **Section 2 Project Description**

Paragraph 2.8 notes the additional educational needs school under construction. In the context of the noise chapter the applicant should check (directly with the operator if required) whether children who will use/be resident at the school are likely to have any specific sensory issues which need to be directly addressed.

Paragraph 2.16 confirms that the proposal might include improvement works/operational development at Bicker Fen Substation (BFSS). It should be confirmed whether these works will be included within the scope of the DCO application (preferred) and impacts assessed or will be subject to a freestanding DCO application.

#### **Section 3 Technical Specifications**

Paragraph 3.4 refers to the potential tracking of panels to follow the direction of the sun and that it has yet to be confirmed whether panels are fixed or will track. As necessary depending

**District Council Offices, Kesteven Street, Sleaford, Lincolnshire NG34 7EF**

tel: [REDACTED] email: customer\_services@n-kesteven.gov.uk web: www.n-kesteven.gov.uk

on the technology and design selected the implications of such will need to be considered in particular in relation to LVIA, noise and glint and glare.

Paragraph 3.11 notes that ‘multiple central inverters, approximately 80-100, will be distributed throughout the Energy Park site and therefore are not shown on Figure 3 at this time.’ Depending on the layout and options pursued the LVIA and noise chapters will need to review the impacts of central inverter groupings vs the alternative string converter options.

Paragraph 3.15 notes a potential for some above ground cables. Depending on the layout and the option selected the LVIA should therefore review options and clearly identify any location/s where above ground cabling is proposed.

Paragraph 3.19 notes that ‘there is no more detail that can be provided on this route at this time, not the depth of the required trench nor the number of cables’. This is a potentially significant concern in that the cable corridor occupies a wide area as illustrated and brings in land across the North Kesteven and Boston Borough boundaries. The Planning Inspectorate should therefore satisfy themselves under 10 (3) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that there is sufficient information available at this time in the submitted Scoping Report for them to confirm the required scope of the ES as it relates to the cable corridor route.

Paragraph 3.21 notes that 21 ‘it is likely that lighting on sensors for security purposes will be deployed around the energy storage area and potentially at any other pieces of critical infrastructure.’ The LVIA must therefore consider the type, location and lux levels of any selected light fittings, their spacings, whether permanently illuminated during certain hours or whether lighting will be PIR-triggered and the associated cowling/mitigation. Whilst the site is not within an identified ‘dark skies’ location nevertheless the scale of the site and the unknown extent and type of external lighting at this stage means that sky glare and glow needs to be scoped in to the terms of the LVIA.

Paragraphs 3.24 and 3.26 state that the battery storage capacity of this site would be approximately 200-400MW. A maximum of 6.04 ha is set aside for this element of the Energy Park Development and the report notes that ‘the energy storage system includes batteries, inverters and system controllers but its final design has not yet been determined’. The report also notes that the maximum dimensions of the main substation are proposed to be 180m x 130m x 15m and that smaller sub-stations will be distributed throughout the site with dimensions around 7m x 3m x 3m. For the avoidance of doubt the ES must consider battery storage and substation final layout and emissions in relation to LVIA and noise impacts and we invite PINS to require that the ‘worse case’ scenario is tested based on the maximum dimensions suggested.

As above paragraph 3.29 notes that the development ‘will require an extension of approximately 45m<sup>2</sup> to the substation either to the southwest or northeast (to be determined by National Grid)’ i.e. an extension to the BFSS. The applicant or PINS should confirm whether these works are anticipated through a single comprehensive DCO application or whether they will be decoupled. We invite PINS to require submission of a single DCO application.

## **Section 5 Legislative and Planning Framework**

Paragraph 5.52 onwards lists the Central Lincolnshire Local Plan (CLLP) policies of relevance noting their collective weight. CLLP Policies LP5, LP15 (community orchard), LP20 and LP24 (green infrastructure and open space) are also likely to be relevant and should also be considered within the planning framework.

Paragraph 5.72 references the Regulation 18 draft CLLP but doesn’t commit to the weight to be afforded to the policies nor identifies policies for specific consideration. Depending on the

timing of the DCO application submission the Central Lincolnshire authorities may have undertaken consultation under Reg. 19 which will carry a higher degree of weight and which should be considered in the legislative and planning context. At the present time draft CLLP policies S1, S2, S5, 11, 13-15, 20, 46, 49, 50, 52, 56, 58-60, 65, 66 are relevant to the scheme and should be discussed in the ES.

## **Section 6 Environmental Impact Assessment**

Paragraph 6.16 gives some examples of cumulative effects but excludes cumulative BMV/agricultural land impacts. Please see below for further comments.

Paragraph 6.17 refers cumulative LVIA and notes that 'the SZTV has shown that there are few, even theoretical opportunities to see the Development from over 5km away from the site and it has therefore been determined reasonable to consider possible cumulative developments within this area'. As below the Council notes the applicant's offer to agree viewpoints prior to undertaking the LVIA and where the Council considers that additional or revised viewpoints will be required.

Paragraph 6.18 and Figure identify solar farm schemes within a 5km, radius which will be considered in the context of cumulative impact. As set out under the sub-heading below, the applicant's timescale for applying for a DCO may align with that being proposed for the Gate Burton, Cottam and West Burton Solar projects (West Lindsey/Bassetlaw District Councils) and the Mallard Pass Solar Farm (South Kesteven/Rutland), that are also nationally significant infrastructure.

These projects are all now registered on the National Infrastructure website, and all except Mallard Pass are the subject of Scoping Opinions or are pending such a decision from the Planning Inspectorate at the time of this reply. It is therefore imperative that the ES for Heckington Fen considers the cumulative effect of these four known solar project NSIP schemes; specifically in relation to impacts on agricultural land.

With reference to paragraph 6.23 the Council agrees with the applicant that the 66MW wind park (Ref:09/1067/S36) does not form part of the baseline owing to the inability to satisfy the MOD radar mitigation requirement.

Paragraph 6.25 states that 'the ES requires that 'Alternative Sites' are considered as part of the assessment process. As a result, these same environmental constraints will be applied to the land form within a similar distance (up to 9km) to the connection at National Grid Bicker Fen substation to determine if another area of land would be a viable alternative site for a solar park development of this scale and with this generation capacity'.

The 'alternative sites' distance of 9km has been selected on the basis of the proximity to BFSS however no information is available to confirm that a grid connection has been secured in principle with National Grid. The applicant has also confirmed that the 66MW wind energy scheme (Ref:09/1067/S36) is essentially non-implementable and in any case would transfer less than 15% of the quantity of electricity than is now proposed. Written evidence of the ability/agreement to make a grid connection into BFSS should therefore be provided.

Notwithstanding, the solar NSIP schemes referred to above (registered with PINS) confirm that alternative grid connections are available in principle to support large scale solar development elsewhere within the County.

Schedule 4 (2) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states that an ES must include 'a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an

indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects’.

In the context of agricultural land impacts (see below) ‘location’, ‘size’ and ‘scale’ are key factors which, in the Council’s opinion, suggest that applying a relatively simplistic 9km search area (reflecting the equivalent cable connection distance to BFSS) for the assessment of alternative sites is likely to be significantly narrow, skewing the site selection process artificially in favour of the application site.

A county-level alternative assessment area should be applied which as a minimum should consider scope for connection into the National Grid at the locations proposed by the registered NSIP solar projects named above, and with specific consideration of agricultural land impacts. Without prejudice to that higher level alternative assessment, the regulations also require an indication of the main reasons for selecting the chosen option. In this case this should include alternative site layout/s (and reduced MW generating capacity as necessary) to reflect the location of known Best and Most Versatile (BMV) land within the site.

With reference to paragraph 6.32 the Council agrees that human health can be scoped out as freestanding chapter and in terms of 6.37, as above the Regulation 18 CLLP (or Regulation 19 version; depending on timings) should be referenced.

### **Section 7 LVIA & Residential Amenity**

A Screened Zone of Theoretical Visibility (ZTV) has been applied to the EIA Assessment Area based on the maximum solar panel height of 4.5m. The Scoping Report acknowledges there are taller elements of the development but argues these would be set back from the boundaries of the Energy Park and so it is proposed to assess the expanse of the panels rather than the height of locally occurring structures.

The Council disagrees with this position and would advise that separate and specific ZTV’s be applied to assess the impacts of the larger elements of the development including Transformers (described in paragraph 3.13 – maximum dimensions being cited as 7m x 10m x 10m) and the Substation (described in paragraph 3.26 - maximum dimensions being cited as 180m x 130m x 15m) as well as the main solar arrays.

The Transformers and Substations, particularly the latter, are exceptionally large structures which would be clearly visible set in a Fenland landscape even if they are set back from the site boundaries as illustrated indicatively. The ES and LVIA should therefore adopt a different ZTV modelling regime for these elements so that the true impact of these individual structures is more accurately assessed. This should include a scenario where panel heights are reduced but Transformer/Substation dimensions are unchanged.

With reference to Figure 7 the Council will discuss and agree the ZTV viewpoints directly with the applicant however at this stage we consider that additional VPs are required from the edge of South Kyme and Heckington villages as greatest concentrations of local population. We also consider that a further VP is required to the north east and that either VP3 or VP4 as currently proposed could be deleted as these appear to cover the same direction view of the eastern part of the site.

Paragraph 7.14 identifies the correct NKDC Landscape Character Assessment (LCA) character area and as part of the LVIA assessment the applicant should cross reference the SofS decision in relation to the windfarm scheme 09/1067/S36 by way of the site’s wider fenland context.

In the context of ‘alternatives’ highlighted above, paragraph 7.24 notes that ‘the proposed substation compound and energy storage area are proposed to be located toward the southeast corner of the Energy Park Site.’ Presumably this is to minimise the length of cable

connection to BFSS and should be discussed and justified in the context of alternative site layouts and LVIA/agricultural land impacts.

With reference to 7.27, the Council agrees in principle that the Study Area for the LVIA should be a 5km radius from the boundary of the proposed solar park. We note that the LVIA will be based on the installation of 4.5m high panel as a worse-case scenario pending resolution of flood risk issues and associated mitigation measures. The LVIA should consider whether and how impacts vary through the alternative options of using tracker panels (and any specific flood risk mitigation requirement) vs fixed panels.

We agree with paragraph 7.28 which confirms that the primary focus of the LVIA will be construction and operational impacts of the Energy Park itself and not of the operational stages of the underground cable route works. We agree that the construction effects of laying the new Grid cable and the construction, operation and decommissioning phase of any new above ground equipment at the BFSS should be included. It would help if the ES is accompanied by montages and drawings showing the indicative layout of construction compounds and typical spoil heap heights, plant and equipment requirements along a typical 'tranche' of cable trenching.

Paragraph 7.39 and Appendix B refer to the proposed Residential Visual Amenity Assessment, which we agree should be included. 7.39 notes that 'in order to cross this threshold, the visual effects arising from the proposed Energy Park would need to be of such a degree and significance that the residential property would be uninhabitable due to the effects on living conditions'. At this stage the Council consider that the assessment area for the RVAA is likely to be no more than 1km from the site boundary based on the stated dimensions of the plant and equipment proposed.

## **Section 8 Ecology and Ornithology**

The Council has provided pre-application advice to the applicant in relation to the required scope of ecological survey work to support the DCO application, a copy of which (supplied by the Council's ecological consultant, AECOM, is appended). As a result of that advice, the Council is broadly content with the proposed scope set out in Section 8, however we would make the following additional comments.

Figure 3 shows the habitat enhancement areas outside the solar park and these all seem to be within the proposed order limits. The sufficiency of the allocated land will need testing through BNG assessment. The supporting BNG assessment should be prepared with reference to current good practice guidance on BNG reporting: [REDACTED]

The Council notes that the habitats on site will be classified in accordance with the Phase 1 Habitat survey classification. Whilst this is acceptable the BNG assessment will require conversion of these habitat types into the UKHab classification. This translation should be done transparently so that it is clear how the baseline habitat data relates to the data entered into the BNG Metric 3.0.

The most recent survey data indicates the presence of two badger clans using the site (paragraph 8.37). Full assessment should be provided of how the development could impact these two clans e.g. potential impacts on established patterns of habitat usage and competition for access to foraging habitats. The installation of extensive new security fences is particularly relevant to this, even with allowance for badger gates. Consideration should be given to whether a bait marking study is required, and the survey approach should be explained e.g. with the PEIR.

Further explanation should be provided for why detailed aquatic ecology surveys and assessment are not needed (this encompassing more than the botanical, water vole and otter surveys covered in the scoping report).

The potential effects of the development identified from paragraph 8.46 onwards remain heavily biased towards fauna. As advised previously in AECOM's advice, the assessment should work through a hierarchy of receptors encompassing European Sites, other statutory and non-statutory nature conservation sites, irreplaceable and priority habitats (the latter would include arable field margins subject to extant Stewardship agreements), other habitats, and all relevant protected and notable species. Full explanation should be provided for the scoping of receptors into and out of the detailed ecological impact assessment.

Section 8 notes that the ecological impact assessment will be undertaken in accordance with current good practice guidelines published by the Chartered Institute for Ecology and Environmental Management. However, the approach to impact assessment described from paragraph 8.70 onwards does not fully align with this e.g. in terms of the geographic scale proposed in Table 8.1, and the use and definitions of magnitude. These divergences perhaps arise from an attempt to merge the CIEEM approach with the wider EIA approach as set out in Section 6 of the scoping report. Instead, the Council recommends that the applicant to provide an assessment fully compliant with CIEEM and then as a last step translate the conclusions reached into the terminology used in the wider ES.

With reference to paragraphs 8.43 and 8.59, it is stated that 'outside of the solar park there will be approximately 95ha of arable farmland enhanced to create new wildlife habitat plus a further 1.8ha in the form of a community orchard and a further 10.9km of new/enhanced hedgerow'.

The location of the 95ha arable farmland enhancement outside of the solar park needs to be confirmed by the applicant as this does not appear in the ES – we assume it means the peripheral land immediately abutting the proposed panelled areas where the BNG and landscaping measures are suggested. The applicant should also detail how proposed enhancements are to be secured in perpetuity or for the proposed 40-year lifetime of the project if that land is not owned by the applicant.

Paragraph 8.59 references the Environment Act and the requirement for Biodiversity Net Gain but doesn't commit to a % delivery. The proposed amendments to the Act will require confirmation of a biodiversity gain objective for all NSIP schemes and that where a qualifying DCO application is made, the development must meet that BNG objective. We assume that this will be a minimum 10%.

Finally, paragraph 16.8 of the Scoping Report notes that the Energy Park site will be farmed during the operational lifetime as sheep grazing. This is referenced in the context of agricultural land impacts which are discussed in detail below. The location and proposed extent of sheep grazing has not been declared in the Scoping Report. The ES should therefore describe and evaluate as necessary how the proposed delivery of BNG/arable farmland enhancement (i.e. the specific BNG interventions proposed across the respective parts of the site) is compatible with proposed pastoral farming.

## **Section 9 Hydrology etc.**

Paragraph 9.27 notes that 'there may be the need to create access tracks to appropriate points along this new Grid route. The flood risk effect and surface water drainage effect of these new access roads will be determined'. Section 9 as a whole does not specifically refer to the off-site surface water drainage/flood risk impacts of the totality of the development mindful of the proposed increased in hard surfacing (i.e. substations, inverters, extensive solar panel coverage). The proposed flood risk assessment (FRA) should therefore consider the potential

for increased flood risk elsewhere, the content of which should be informed by the Environment Agency and the Internal Drainage Board.

Paragraph 9.40 notes that 'a test for the implications for the development for Flood Risk will be completed as required under Planning Policy. This will form part of the planning bundle but will sit outside of the EIA. This is required as the Energy Park site is mainly within Flood Zone 3 and part within Flood Zone 2. Planning Policy requires the need for any Flood Risk Assessment to demonstrate that it can pass such a test and show that despite the increased flood risk of the site it is still the 'best' location for the development'.

This is somewhat clumsily worded and fails to acknowledge the requirement of the flood risk sequential test and the interplay with the consideration of alternatives. Flood risk is one of the few environmental constraints directly applicable to the site and triggers the requirement for a detailed sequential test. The applicant should prepare this with reference to the guidance contained in the NPPG (Paragraph: 033 Reference ID: 7-033-20140306).

The 'Table 2: Flood risk vulnerability classification' contained at Paragraph: 066 Reference ID: 7-066-20140306 of the NPPG does not specifically refer to renewable energy infrastructure and associated generating stations other than under 'essential infrastructure', which is defined as 'essential utility infrastructure which has to be located in a flood risk area for operational reasons, including electricity generating power stations and grid and primary substations..'

The proposals do not fall within this category nor are solar farms specifically named alongside wind turbines as 'essential infrastructure'. Unless otherwise specified or advised by the Environment Agency the flood risk sequential test search area should be the same as applied in relation to the 'alternatives' search area discussed above; namely county-wide.

## **Section 10 Cultural Heritage**

### Archaeology

By way of background the proposed development lies in an area of archaeological interest where evidence of prehistoric and Roman period remains are known. Recent archaeological investigations immediately adjacent to the proposed area have identified significant remains of Iron Age and Roman period occupation, including evidence of salt-making. Romano-British finds and evidence of salt-making has been recorded also within the proposed boundary of the solar park. The broad assessment area for the cable route contains remains of prehistoric and Roman occupation and recent archaeological excavation has revealed significant evidence of multi-phase occupation, including enclosures, structures and industrial activity.

The proposals for construction of a solar farm will necessarily have an impact on any buried archaeological remains. Piling, building foundations, cable trenching, access roads, building compounds and construction traffic are all known impacts and the cumulative effect will be significant.

It should be noted the geophysical survey, on land adjacent to the proposal (undertaken in connection with the Viking Link and Triton Knoll projects), identified a number of anomalies interpreted as of possible archaeological origin, together with palaeochannels. Subsequent excavation has revealed far more extensive archaeological remains, notably on the roddons (the dried raised bed of a watercourse), which had not been apparent from the geophysical survey. Paragraph 10.3 acknowledges the recent ongoing work to the east of the site revealing roman activity and on that basis reports and analysis published to date in relation to Triton Knoll and Viking Link must be reviewed and referenced where necessary in the baseline discussion of archaeological impacts. This is intimated in paragraph 10.26.

The scoping report (paragraph 10.3) refers to obtaining HER data for a 2km radius of the main site boundary. The cable route corridor extends around 6km from the southern-most edge of

the main site. It is therefore unclear whether the applicant also intends to interrogate the HER and other sources of information for a radius extending 2km from both the site boundary and the cable corridor. We suggest that it should.

Paragraph 10.2 (and 10.29) note that ‘the need for, and scope and timing of, intrusive investigations (e.g., trial trenching) and mitigation will be negotiated and agreed with Lincolnshire County Council Archaeology Officers once the heritage desk-based assessment and geophysical survey are complete’.

The archaeological scope must also be agreed with consultants acting for NKDC and Boston Borough Council, which in the case of NKDC is the Heritage Trust of Lincolnshire.

In terms of specific observations on the scope of the ES, it is noted that the Desk Based Assessment (DBA) will include assessment of HER data, reports, aerial photographs, historic maps, archives and a walk over survey. In addition, the Portable Antiquities Scheme database should also be consulted. Further, the DBA should also consider impacts on palaeoenvironmental deposits and geoarchaeological assessment. The reference to planning and specialist guidance should include the Lincolnshire County Council Archaeology Handbook (2019) which sets out requirements for work in the county, including archiving and deposition. This can be accessed at <https://www.lincolnshire.gov.uk/historic-environment/archaeological-handbook>.

We note in paragraph 10.29 that a geophysical survey will be carried out across the main development site (i.e. the solar farm as opposed to the cable corridor) as part of the EIA. We agree with this approach namely that owing to the size of the site and the project timetable, the area will be divided into four parcels and each awarded to a different contractor. However, in order to ensure that there is consistency between each of the survey areas a single Written Scheme of Investigation should be produced which sets out the methodologies to be used by all contractors and should provide for results to be presented in a site wide report. The geophysical survey, together with LiDAR (see below) and desk-based assessment will inform the required programme of trial trenching.

We therefore disagree that geophysics should be used in isolation. As advised by the Heritage Trust of Lincolnshire the applicant must adopt both geophysical survey along with light detection and ranging (LiDAR) analysis across the main body of the site. Once the geophysics and LiDAR data is available and has been analysed by the applicant, they must then agree a scope of on-site trial trenching with all relevant heritage consultees (including Historic England if necessary) informed by those results. The trial trenching must then be undertaken, and the results presented and analysed prior to the ES being finalised and the DCO application being submitted. Carrying out of trial trenching/watching brief should not be left to the Requirements stage. The results of the trial trenching will need to inform the archaeological mitigation strategy.

At present, the Scoping Report suggests that trial trenching will be carried out post-consent, however without sufficient information on the presence, character, date and significance of deposits, there cannot be a robust assessment of impact or development of a mitigation strategy and the Council therefore resists this proposal.

The archaeology section in the scoping report focuses primarily on the main body of the site itself. The cable route is mentioned briefly but the inference is that it is less important/less significant than the main site. Table 19.1 proposes to deal with the cable trench works through watching brief, noting like the effects are likely to be ‘minimal’. The Council disagrees both with the approach to assessment and also considers it premature to states that the effect will be ‘minimal’ without further supporting evidence.



North Kesteven District Council are not satisfied that the applicant has adopted an appropriate approach to assessing the impact of the cable route on archaeology. The cable corridor has not been determined. At paragraph 2.18 it is stated that cable installation 'will involve digging a trench approximately 5-10m deep across a 25m wide easement within which the grid cable will be installed.' This will represent a significant impact on any archaeological deposits.

Therefore (consistent with the main solar farm site) the cable route, once selected, will need to be evaluated, initially by means of geophysical survey and LiDAR and followed by a programme of trial trenching. The approach to scope out archaeological investigation of the cable route (Table 19.1) and mitigate 'through a watching brief' is not considered acceptable and not supported by the Council.

On this basis we also disagree with the suggestion in 10.29 that 'in line with the approaches taken elsewhere the geophysical survey of the underground cable route will be undertaken if the scheme is consented and prior to construction commencing'. Whilst reference is made to an approach adopted at Cleeve Hill and Little Crow Solar Farms, there is no further context given which justifies why this should be carried across to the Heckington Fen site. Each must be considered on its merits mindful of the scale, nature and location of the proposals.

As a general comment the ES must describe, in relation to the historic environment, how the scheme has adopted measures to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and how 'alternatives' have been addressed; including potentially alternative site layout/s and cable connection options (as required by Schedule 4 (7) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. We feel that this can only be robustly demonstrated through the approach we advocate.

The Council would draw PINS' attention to paragraph 2.53.3 of the Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (September 2021) which states that:

*'Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. These are expected to be carried out, using expertise where necessary and in consultation with the local planning authority, and should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets.'*

#### Above-ground historic environment

Paragraph 10.5 does state that the main assessment work will be for a 5km area with professional judgement on assets beyond that distance, however based on the above we feel that the proposed scope of archaeological assessment work to be undertaken within and surrounding the high-level cable route needs clarification.

With reference to paragraph 10.3 and references elsewhere in section 10 (10.28) there is mention of considering impacts on Heritage Assets within both a 2km and 5km radius of the site. For the avoidance of doubt the Council considers that all designated and non-designated heritage assets within 5km from the site boundary should be considered.

The 5km search area takes in parts of Heckington and South Kyme. Conservation Area appraisals are available for Heckington which should be referred to for the purpose of the assessment. Brief reference to the village appraisal for South Kyme might also be helpful although this document is dated.

10.8 notes that 'the Proposed Development may alter the setting of designated heritage assets such that could result in a degree of harm to their heritage significance'. The ES needs to consider impacts on non-designated heritage assets too within the search area (i.e., 5km). The Council can supply records where necessary.

For reference in the planning policy/legislative framework section, paragraph 10.23 notes that 'overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it'. However, the applicant is referred to footnote 7 of the NPPF which disapplies the presumption in favour of sustainable development in relation to impacts on heritage assets.

Table 10.1 treats conservation areas differently, namely 'Conservation Areas of especial historic interest' and 'the majority of Conservation Areas' in different categories. It is unclear why a differentiation has been applied as there is no reference to where such guidance exists. Unless further information is supplied in the ES all conservation areas within the 5km search area should be considered equally and without reference to relative 'status'.

Finally, we recommend that the baseline assessment should have regard to the Lincolnshire Heritage Explorer (<https://heritage-explorer.lincolnshire.gov.uk/map>) and 'The Historic Landscape Characterisation Project for Lincolnshire' (September 2011) and associated mapping; copies of which can be provided by NKDC.

A copy of the detailed advice from the Council's consultant archaeologist is appended to this response and which provides more background and justification in relations to the procedural concerns we identify above and we understand that these are also shared by Lincolnshire County Council.

## **Section 11 Socio Economics**

Paragraph 11.7 and 11.8 set out that the socio-economic impacts of the operational phase will be identified and will likely be relatively modest; some employment-generating impact (i.e. maintenance/upkeep) is inferred through the reference to the proposed orchard which would be accessed via agreement with the Parish Council for certain community groups. However, there is no reference in the proposed scope to any socio-economic benefit enduring from continued agricultural use of part or all of the site.

Paragraphs 13.15 and 16.8 state that sheep will be grazed within the site thus enabling some continuance of agricultural activity. The applicant should therefore attempt to quantify whether and how there are socio-economic benefits stemming from a change from predominantly arable agricultural use of the site pre-development to pastoral use post-development.

We suggest under section 16 below that the applicant should also identify a mechanism by which a change in agricultural activity (and ergo any associated socio-economic effect) can be secured through the DCO process.

Finally, paragraph 11.5 notes in connection with construction activities that 'the scale and spatial distribution of these direct impacts will depend on the locations of the companies carrying out the activities and where they source their labour from'. An established way of calculating the extra value generated by local spend on contractors and services would be by using LM3 multipliers which the applicant might wish to consider depending on the certainty of construction contracts etc at this stage. The multiplier can be found at [REDACTED]

## **Section 12 Noise**

With reference to paragraph 12.5 we note the suggestion that the background noise environment in the area would have changed significantly, outside of the periods of restrictions associated with the Covid-19 pandemic, since 2011. The Council would suggest though that the applicant contacts Lincolnshire County Council as Highway Authority to check whether they hold any data on baseline road traffic growth on the A17 to inform the update of the noise assessment. The background noise environment is also now potentially impacted by ongoing

works in connection with the Triton Knoll and Viking Link schemes and which may therefore require cumulative assessment.

Whilst the Council's Environmental Health team agree with the buffer zone for the consideration of noise sensitive receptors as set out in paragraph 12.13, the Planning Inspectorate should satisfy themselves that an alternative assessment distance is justified in this instance relative to the 500m area that was promoted through the Gate Burton NSIP EIA Scoping Report. A plan must be provided showing the receptor locations modelled.

Paragraph 12.22 states that 'in this instance, the nature of the works to construct or decommission the Energy Park infrastructure is such that activities will be limited to a relatively low intensity and/or duration. Construction and decommissioning noise is therefore not expected to represent a significant effect provided that appropriate working methods and hours are adhered to'. Nevertheless, construction noise impacts should consider works such as piling associated with the installation of panel supports.

Section 12 does not refer to any noise associated with possible use of tracking panels. This option has not yet been ruled out and therefore the noise chapter of the ES needs to consider operational noise associated with motors, plant and equipment associated with the pivoting and rotation of panels. Cumulative noise impacts may then need to be assessed stemming from the creation of variable 'corridors' down which noise could pass depending on the alignment of panels at different times of the day. This should also account for the operational noise generated by substations, inverters and other noise-emitting plant and equipment relative to those corridors and the off-site sensitive receptor locations.

### **Section 13 Climate Change**

Paragraph 13.15 notes that 'during the operational lifetime, it is intended that a low-density flock of sheep will graze the site. There is also a considerable area of the site that is to be used for ecological enhancements and habitat creation. It is expected that these measures will also have a positive effect in terms of carbon sequestration and storage'.

As set out above the interplay and effects associated with the proposed change in agricultural activity from arable to pastoral, including implications for BNG, should be discussed in relevant sections of the ES.

We agree that the 2020 NKDC Climate Emergency Strategy and Action Plan should be referred to under 'legislation, guidance and policy', and in terms of the Central Lincolnshire Local Plan Review the applicant should refer to the 'climate change' section of the Local Plan Consultation Library <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-consultation-library/>

We agree with the suggestion in paragraph 13.34 that project resilience should be scoped in for further assessment as projected climate change has the potential to impact on the project's ability to supply electricity. 13.39 references flood risk and drainage noting that a consideration of climate change will form an integral part of the assessment of flood risk and will be cross-referenced in this assessment.

Whilst not implicit, it is inferred that this means the degree to which project resilience might be impacted by changes to flood levels relative to the site as modelled by the Environment Agency and the degree to which this is mitigated through reduced by measures inbuilt into the scheme.

Finally, with reference to our comments under section 16, the applicant might also wish to address 'alternatives' in the context of GHG offset to reflect revised layouts or overall energy generation capacity in relation to BMV land considerations.

## **Section 14 Transport and Access**

Paragraph 14.12 notes that 'sites that are considered to be sensitive receptors with reference to IEMA are Conservation Areas, schools, health facilities, community facilities and congested junctions. Any sensitive receptors will be agreed with the highway authority at LCC in due course'. The applicant should also agree sensitive receptor locations with NKDC if there are overlaps between vehicle movements and noise generation/noise impacts.

In addition, Section 14 does not directly address trip generation estimates associated with the proposed community allotment, and permissive footpaths i.e. the public accessibility to and within the site as proposed by the applicant. This must be considered in the scope of the chapter.

## **Section 15 Air Quality**

We agree with paragraph 15.17 that impacts to air quality at sensitive human and ecological receptors from the operational phase of the proposed development can be scoped out.

Paragraph 15.22 notes that 'the sensitive receptors that will be considered in the Air Quality Assessment include the existing sensitive receptors in the vicinity of the EIA Assessment Area and potential construction routes, including residential properties and schools'. Paragraph 15.20 references IAQM guidance on construction dust assessment for sensitive receptors within 50m of the site. The applicant/ES should clarify whether the construction phase air quality assessment will therefore be limited to any sensitive receptor within 50m of the site as this is not specifically stated.

## **Section 16 Land Use and Agriculture**

Paragraph 16.6 note that 'in order to inform the assessment, we have carried out an Agricultural Land Classification survey. Given the size of the Development site the survey has been carried out at a semi-detailed scale. This has involved 138 auger locations on a regular 200 metre grid across the site'.

Published guidance at <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land#alc> states that 'for a detailed ALC assessment, a soil specialist should normally make boreholes every hectare on a regular grid on agricultural land in the proposed development area up to 1.2m deep using a hand-held auger'

This is confirmed within the Natural England Technical Advice Note 49 which states that for a detailed ALC assessment there should be a 'frequency of one boring per hectare'. Applying the site area this would equate to 490 auger samples not 138. The Council therefore considers that the information presented in the ALC assessment would not be representative if presented on the basis of the assessment carried out to date and requests that additional augering is carried out in accordance with the Natural England Technical Advice note 49.

With reference to the consideration of alternatives, paragraph 16.15 states that '...the ES will include a site search exercise that will consider other areas of land within a similar connection distance to the National Grid Bicker Fen substation, which are of a similar size to the Energy Park (490ha) and are not BMV land'.

As highlighted above the Council does not consider that the alternative site assessment radius of 9km is representative and should be expanded to a county-level in the context of NSIP-scaled solar farms registered with PINS in the West Lindsey/Bassetlaw and South Kesteven/Rutland districts and in consideration of the grid connection options associated with those schemes. Evidence from the National Grid should be provided.

Without prejudice to the PINS decision on this matter and as set out above the 'alternatives' exercise also needs to consider alternative site layouts and potentially a reduction in MW generating capacity aligned with location of the respective ALC Grades described in paragraph 16.14 to demonstrate avoidance or minimisation of agricultural land impacts. Regardless of the 'alternatives' search area to be agreed by PINS and pending the alternative site layout analysis which the applicant should undertake, the 'off-site' alternatives assessment should not focus solely on land that is 'not BMV', but rather also areas that comprise lesser proportions of BMV. Presumably the applicant will use high-level Natural England mapping for this exercise.

Paragraph 16.17 notes that 'there is no set methodology for such a site search exercise to determine acceptability against the PPG or draft NPS. However, many solar farm applications have completed such a site search, which have been considered by Local Planning Authorities and PINS and deemed compliant when determining ground mounted solar farm application'. The applicant should identify and discuss these case studies/examples and their relevance in the context of the proposed scheme.

Paragraphs 16.18 and 6.25 provide different alternative sites search areas of 8km/9km from the site respectively.

Paragraph 16.22 states that consideration will be given to the cumulative sites that are identified in Section 6 of the Scoping Report 'and any additional ground mounted solar sites, with a 5km area that have entered the planning system by the time this application is submitted'. It further notes that consideration will not be given to other forms of development that may be removing 20ha or more of BMV agricultural land for their development.

The Council disagrees with this proposal. Whilst it is noted that the EIA Regulations seeks "the cumulation of effects with other existing and/or approved projects", paragraph 4.2.5 of NPS EN-1 states that "when considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence)".

Furthermore, PINS Advice Note 17 states at paragraph 1.4 that it relates to projects that are 'reasonably foreseeable', and that the recent High Court judgment *Pearce v Secretary of State for Business, Energy, and Industrial Strategy* [2021] EWHC 326 (Admin) considers the matter of cumulative environmental effects in detail.

The applicant's timescale for applying for a DCO could potentially align with the NSIP solar projects proposed elsewhere within the county and adjoining parts of Rutland and Bassetlaw and for which, in the case of the Gate Burton, West Burton and Cottam solar farms, have already been subject to a Scoping Opinion request to which North Kesteven District Council has provided (or is in the process of providing) comments. These are attached for completeness.

The West Lindsey District Council (WLDC) scoping response to the Gate Burton proposal, referenced 144006, notes that the Cottam and West Burton Solar projects should be considered alongside the Gate Burton scheme in the context of cumulative impact. All of these projects are registered on the National Infrastructure website and all three have sought or are in the process of seeking a Scoping Opinion. WLDC's understanding is that consent 'will be sought' for the Cottam and West Burton Solar projects at the time the Gate Burton project is under consideration. Furthermore, the Mallard Pass solar farm (Rutland/South Kesteven) is also a registered NSIP project on the National infrastructure website.

As set out in their Scoping response, WLDC's view is that the cumulative effects upon the environment from the Gate Burton project in combination with the Cottam and West Burton projects will be significant. Whilst no further detail is set out in terms of the specific areas of

concern that the Gate Burton ES should consider (nor is the Mallard Pass scheme mentioned), North Kesteven District Council's view is that the (Heckington Fen) applicant should consider cumulative agricultural land effects alongside the proposed Cottam, West Burton, Gate Burton and Mallard Pass NSIP projects. No other cumulative effects are anticipated at this stage from the information available.

Finally, paragraph 16.8 states that 'the Energy Park site will be farmed during the operational lifetime as sheep grazing. This could be mitigated by careful construction methodologies, including during the decommissioning stage. This will be considered within the assessment'.

Paragraph 16.10 then notes that (the ES) 'will consider the potential for removal of the panels and therefore the reversibility of the impact, and it will consider the extent to which agricultural use can continue during the life of the proposed development'. Paragraph 8.25 does however confirm that areas adjoining watercourses are currently used for grazing sheep and cattle.

Mindful of the estimated proportions of BMV land on site as identified in the applicant's ALC report (which has not yet provided) and the associated agricultural land guidance in Draft National Policy Statement for Renewable Energy Infrastructure (EN-3) (as well as in the NPPF and CLLP), the applicant's ES should explore in more detail how agricultural land use continuance is to be delivered alongside the operation of the solar farm. This should include;

1. acknowledging the proposed change from arable to pastoral farming within the main body of the site (i.e. areas away from the watercourse margins referred to in paragraph 8.25)
2. identifying the areas of the site within which pastoral farming is proposed (and for other areas, whether or how those will remain in agricultural activity with the presence of solar panels and BNG habitat/landscaping implementation)
3. identifying whether contracts are in place for pastoral farming in the locations proposed, and whether those contracts span the operational duration of the scheme (40 years minimum)
4. whether and how the applicant considers that such contractual obligations, and more broadly, a change from one type of agricultural activity (pre-development) to another (post-development) could be legally secured, monitored and enforced through the DCO regime – for example through the use of Requirements/legal agreement

As highlighted above we infer from the Scoping Report that the applicant intends to demonstrate that BMV/agricultural land impacts can be/will be mitigated to an acceptable degree at least in part through the arable > pastoral change proposed within the body of the site and ergo that there will be at least some continuance of use.

However, in order to satisfy Schedule 4 (7) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 the applicant must be able to identify and arguably secure the measures relied upon to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects and which is at least partly relied upon by the proposed change in agricultural activity.

## **Section 17 Glint and Glare**

Paragraph 17.7 states that 'the nearest active airfield is Boston Aerodrome which is 14km to the east. At this distance significant glint and glare impacts are extremely unlikely which is supported by the sentiment of the draft EN-3'.

The Scoping Report does not refer to RAF Cranwell or RAF Coningsby which operate as training and Quick Reaction Alert (QRA) stations respectively and which use airspace above the site. Defence Estates should therefore be consulted regarding the proposal to scope out glint and glare on aviation interests.

Paragraph 17.7 notes that a geometric assessment will be undertaken to identify the potential for solar reflections to impact on sensitive receptors such as properties and vehicles moving along the road network.

Unless applicant confirms that the panels are to be fixed (as opposed to the use of tracker panels), the assessment must also consider glint and glare potential in relation to the degree/orientation and pivot of panels relative to A17 and properties within and surrounding the site (as well as RAF airspace if needed) to rule out impacts to aviation interests, motorists and sensitive receptors (specifically residential and the school).

### **Table 19.1 Summary of Proposed Scope**

As set out above under section 10, we disagree with the reference on p133 in relation to cultural heritage that 'any effects due to the trenching work and cable laying to below ground assets would be minimal and can effectively be mitigated through a watching brief. Such an approach has been deemed acceptable for other DCO Energy Schemes such as Cleve Hill Solar Farm and Little Crow Solar Farm'.

The suggestion that effects due to trenching and cable laying will be 'minimal' is not yet proven and we disagree that effects can be mitigated through a watching brief. Whilst the applicant refers to Cleve Hill and Little Crow Solar Farms, no further information has been submitted within the Scoping Report for Heckington Fen to compare and contrast the cultural heritage baseline against the predicated effects for those two schemes and therefore it is too simplistic to assume that the same process can/should be applied here.

### **Further general comments**

A review of the Central Lincolnshire Local Plan is underway. Consultation on the first draft of the CLLP (Reg 18) concluded on 24th August 2021, and consultation responses have been published. The representations and likely degree of change to the emerging plan were report to the Central Lincolnshire Joint Strategic Planning Committee on 10<sup>th</sup> January for information. A live timetable is maintained on the website. It currently envisages consultation on the pre-submission Local Plan document to take place in Spring 2022, with submission to the Secretary of State in Summer 2022. Indeed, the Central Lincolnshire Joint Strategic Planning Committee is scheduled to meet on 28<sup>th</sup> February when Members will be invited to endorse the Reg 19 'Pre-submission Draft' version of the plan for consultation; the pre-submission version will be in the public domain from 17<sup>th</sup> February. If endorsed, the consultation could begin within a matter 2/3 weeks and run for at least 6 weeks.

Consequently, it is expected that the draft CLLP is likely to be at an advanced stage by the time an application for the DCO is made and may even be adopted during consideration of the NSIP application. It therefore should be taken into consideration in accordance with the provisions of paragraph 48 of the NPPF (2021). We invite PINS to require that the ES make reference to the 'Pre-submission Draft' local plan accordingly.

It is noted at this stage, the grid construction infrastructure could comprise of either underground or overground cables/lines, and that works to extend the BFSS could constitute an NSIP in its own right. The Council is concerned that such infrastructure that will arise as a direct consequence of this proposed development may have significant environmental effects and must therefore be in scope for the purposes of this EIA (and Consent Order) and should not be considered separately.

The Council also highlights that whilst section 105 ('decisions in cases where no national policy statement has effect') of the Planning Act 2008 will be engaged, it is recognised that under the Energy White Paper, draft National Statements have been published and have been subject to consultation. The draft NPS EN-3 does expressly now consider Solar Photovoltaic Generation (page 79 onwards).

Consequently, at the time a DCO is applied for, and during consideration of the application, it is likely that it will be S104 ('decisions in cases where NPS has effect') that should be applied, not S105. In any event, it is considered that the draft NPS (particularly draft EN-1 and EN-3) should be a material consideration.

In terms of the proposal to scope out 'Major Accidents or Disasters', the applicant confirms that the risk of an accident would relate primarily to the risk of fire or explosion associated with the battery storage element. Whilst the extent and positioning of the battery storage is to be determined, it is unclear as to the magnitude or effect of such an event.

Whilst it is recognised that the battery energy storage system would have mitigation through cooling systems, this does not eliminate the risk. Therefore, whilst we agree that 'Major Accidents or Disasters' does not warrant formally 'scoping in', nevertheless further information should be presented with the DCO application which sets out how these risks will be mitigated and managed through scheme design and maintenance.

### **Conclusion/Summary**

Subject to the above comments under the relevant sub-headings the Council largely agrees with the proposed scope of the ES. However, key issues or proposed approaches to the ES preparation which we do not support from the information presented (or where additional clarity is required) are:

1. Alternatives/BMV land impacts – in relation to site selection (i.e. off-site alternatives) and alternative (on-site) layouts and configurations to reflect the applicant's identification of a high proportion of BMV agricultural land within the site. The Council disagrees that the 'alternatives' site area should be limited to 8/9km from the BFSS and consider that this should be County-wide having regard to options for connection to the National Grid in alternative locations; including as proposed through the Cottam, West Burton, Gate Burton and Mallard Pass NSIP projects. Additional soil augering and assessment should be undertaken. At present the augering undertaken is only around 33% of the coverage recommended by Natural England guidance.
2. Cultural Heritage (archaeology) – LiDAR should be used in addition to geophysical survey to inform a trial trenching strategy. The trial trenching should be carried out and the results presented in the ES to guide the assessment of impacts and the application of avoidance and mitigations measures along with informing future phases of archaeological investigation. The Council disagrees that trenching should be first undertaken post-consent via Requirement/s. This applies to both the cable route and the main site.
3. Flood risk – linked to the above the flood risk sequential test search area should be expanded to align with the alternative site/s assessment.
4. Cumulative effects – cumulative agricultural land/BMV impacts should be considered alongside the Cottam, West Burton, Gate Burton and Mallard Pass NSIP projects. The proposed 5km cumulative effects search area is insufficient as proposed in relation to agricultural land/BMV although the Council agree that there are unlikely to be any other cumulative effects associated with these projects.



5. LVIA – A Screened Zone of Theoretical Visibility (ZTV) has been applied based on a panel height of 4.5m. A different approach must be applied in relation to the Transformer/Substation/s and a scenario involving a reduction in panel heights.
6. Cable connection corridor to BFSS - the Scoping Report appears premature in relation to the cable connection options given that preferred options have yet to be significantly narrowed down. We advise that archaeological impacts are potentially underplayed. The Council reserves the right to provide further comments on the proposed ES scope as and when preferred options are known and the cable connection corridor has been rationalised accordingly.

Yours sincerely



**Mark Williets**  
Development Manager  
Development Management

Encs

Response from Rutland County Council  
Response from the Heritage Trust of Lincolnshire

## Nick Feltham

---

**From:** Justin Johnson <[REDACTED]@rutland.gov.uk>  
**Sent:** 02 February 2022 09:10  
**To:** NK - Planning; Nick Feltham  
**Subject:** RE: 22/0039/ADVICE - Land At Six Hundreds Farm, Six Hundreds Drove, East Heckington, Lincolnshire

**CAUTION:**External email, think before you click!

Dear Nick

Having considered the above scoping opinion Rutland County Council would recommend that the section on Land Use and Agriculture should be amended to include a wider assessment of the cumulative impacts of the development to include other known NSIP developments for solar farms which are proposed in Lincolnshire and Rutland. There are a significant number of projects now proposed and the cumulative impacts of these projects on the best and most versatile agricultural land should be assessed as part of any Environmental Statement.

We would request that any assessment includes the impacts of the Mallards Pass Solar Farm which is proposed on the Lincolnshire Rutland boarder.

Kind regards,

**Justin Johnson | Development Manager**  
Rutland County Council  
Catmose, Oakham, Rutland LE15 6HP  
t: [REDACTED] | e: [REDACTED]@rutland.gov.uk  
[www.rutland.gov.uk](http://www.rutland.gov.uk)

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[www.rutland.gov.uk/my-council/data-protection](http://www.rutland.gov.uk/my-council/data-protection)

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**From:** NK - Planning <[Planning@n-kesteven.gov.uk](mailto:Planning@n-kesteven.gov.uk)>  
**Sent:** 11 January 2022 14:31  
**Subject:** 22/0039/ADVICE - Land At Six Hundreds Farm, Six Hundreds Drove, East Heckington, Lincolnshire

Good Afternoon

Please find attached the documents for the following consultation:

**Request for Pre Application Planning Advice:**

**Planning Application Reference: 22/0039/ADVICE**

**Proposal:** Application by Ecotricity (Heck Fen Solar) Limited for an Order granting Development Consent for the Heckington Fen Solar Park - Consultation request for Scoping Opinion (Regulation 10(1) of the EIA Regulations)

**Location:** Land At Six Hundreds Farm, Six Hundreds Drove, East Heckington, Lincolnshire

Kind regards

Cheryl



**Planning Administration Team**

Tel: [REDACTED]  
www.n-kesteven.gov.uk  
Kesteven Street, Sleaford, NG34 7EF



Rutland County Council  
Customer Service Centre: [REDACTED]

Visitor Parking Information & Map: <https://www.rutland.gov.uk/my-community/parking/council-car-parks/>  
Email Enquiries: [enquiries@rutland.gov.uk](mailto:enquiries@rutland.gov.uk)  
Council Website: <http://www.rutland.gov.uk>  
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## Archaeological advice

Planning Application Reference: 22/0039/ADVICE

Proposal: Application by Ecotricity (Heck Fen Solar) Limited for an Order granting Development Consent for the Heckington Fen Solar Park - Consultation request for Scoping Opinion (Regulation 10(1) of the EIA Regulations)

Location: Land At Six Hundreds Farm Six Hundreds Drove East Heckington

Archaeological background:

The proposal is located at Heckington Fen and lies in an area of archaeological interest where evidence of prehistoric and Roman period remains are known. Recent archaeological investigations immediately adjacent to the proposed area have identified significant remains of Iron Age and Roman period occupation, including evidence of salt-making. Romano-British finds and evidence of salt-making has been recorded also within the proposed solar park. The broad assessment area for the cable route contains remains of prehistoric and Roman occupation and recent archaeological excavation has revealed significant evidence of multi-phase occupation, including enclosures, structures and industrial activity.

It should be noted the geophysical survey, on land adjacent to the proposal, identified a number of anomalies interpreted as of possible archaeological origin, together with palaeochannels. Subsequent excavation has revealed far more extensive archaeological remains, notably on the roddons, which had not been apparent from the geophysical survey.

The Scoping Report in respect of the above proposal sets out the basic methodologies for assessment to include a desk-based assessment and geophysical survey.

Comment on the Scoping Report

- Desk-based assessment:

It is noted that the DBA will include assessment of HER data, reports, aerial photographs, historic maps, archives and a walk over survey. In addition, the Portable Antiquities Scheme database should also be consulted. Further, the DBA should also consider impacts on palaeoenvironmental deposits and geoarchaeological assessment. The reference to planning and specialist guidance should include the Lincolnshire County Council Archaeology Handbook (2019) which sets out requirements for work in the county, including archiving and deposition.

- LiDAR:

The DBA should include an assessment of LiDAR evidence to help understand the fenland landscape (for example location of roddons) and potential for archaeological deposits.

- Geophysical survey:

It is proposed that the geophysical survey of the energy park will be split into 4 areas with the geophysical survey of each undertaken by a separate contractor producing a separate written scheme of investigation (WSI). In order to ensure that there is consistency between each of the survey areas a single WSI should be produced which sets out the methodologies to be used by all contractors and should provide for results to be presented in a site wide report. The geophysical survey, together with LiDAR and desk-based assessment will inform the required programme of trial trenching.

- Cable route:

The cable corridor has not been determined. At 2.18 it is stated that cable installation 'will involve digging a trench approximately 5-10m deep across a 25m wide easement within which the grid cable will be installed.' This will represent a significant impact on any archaeological deposits. Therefore

the cable route, once selected, will need to be evaluated, initially by means of geophysical survey and LiDAR and followed by a programme of trial trenching. The approach to scope out archaeological investigation of the cable route (Table 19.1) and mitigate 'through a watching brief' is not considered acceptable.

- Trial trench evaluation

The proposals for construction of a solar farm will necessarily have an impact on any buried archaeological remains. Piling, building foundations, cable trenching, access roads, building compounds and construction traffic are all known impacts and the cumulative effect will be significant. In order to understand the nature and extent of those impacts a programme of trial trenching will be required. The results of the trenching will inform the archaeological mitigation strategy.

It is proposed that trial trenching will be carried out post-consent, however without sufficient information on the presence, character, date and significance of deposits, there cannot be a robust assessment of impact or development of a mitigation strategy.

- Archaeological consultees

In addition to the Lincolnshire County Council Archaeology Officers (noted in the Report), the archaeological advisor for each of the relevant local authorities should be included.

Recommendations:

The information in the desk-based assessment should consider the potential for impacts on archaeological remains together with impacts on the built heritage and historic landscape. It should provide sufficient evidence to understand the impact of the proposal on the significance of any heritage assets and their settings, sufficient to meet the requirements of the National Planning Policy Framework.

It is considered that the site offers a potential for archaeological remains to be present based on the extent and type of remains recorded at the site and in the vicinity. Therefore sufficient site-specific evaluation needs to be undertaken, in order to determine the presence, significance, depth and character of any archaeological remains. Trial trench evaluation will be required in order to provide an assessment of potential and likely impact of the proposals on any archaeological deposits. The results of the evaluation will inform the archaeological mitigation strategy.

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.' National Planning Policy Framework (2021) Section 16, para 194.

Denise Drury  
Senior Historic Environment Officer  
26<sup>th</sup> January 2022

**From:** [REDACTED]  
**To:** [Heckington Fen Solar](#)  
**Subject:** EN010123-000014 Heckington Fen Solar  
**Date:** 04 February 2022 10:54:19  
**Attachments:** [image692906.png](#)  
[image604584.png](#)  
[image333116.png](#)  
[image121070.png](#)

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Dear Sir, Madam

Further to the Council's formal response to the Scoping Report in relation to Heckington Fen, I have received a further request from our Environmental Health Officer which I would be grateful if you could also consider.

Paragraph 15.23 of the Scoping Report states that:

*'The works being undertaken during the construction phase include earthworks, construction and trackout. It is anticipated that dust and particulate matter emissions produced during construction phase activities would be inherently controlled through the implementation of an outline Construction Environmental Management Plan (oCEMP). Therefore, the effects of dust and particulate matter emissions released during the construction phase of the Proposed Development from on-site activities are unlikely to be considered significant and have been scoped out of the ES'.*

Paragraph 15.25 then notes that 'if required, dispersion modelling will be used to predict concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> at sensitive receptors adjacent to roads affected by the Proposed Development'.

For the avoidance of doubt the Council wishes to request that the effects of dust generation from HGV movements are considered during the construction phase of the development through the monitoring of PM<sub>2.5</sub> at appropriate sensitive receptor locations.

Regards  
Nick Feltham



**Nick Feltham**  
**Principal Planning Officer**

Tel: [REDACTED]  
Email: [REDACTED]@N-KESTEVEN.GOV.UK  
[www.n-kesteven.gov.uk](http://www.n-kesteven.gov.uk)  
Kesteven Street, Sleaford, NG34 7EF

**From:** [REDACTED]  
**To:** [Heckington Fen Solar](#)  
**Cc:** [ENC PLANNING](#)  
**Subject:** EN010123-000014 - Application by Ecotricity (Heck Fen Solar) Limited (the Applicant) for an Order granting Development Consent for the Heckington Fen Solar Park (the Proposed Development)  
**Date:** 31 January 2022 13:19:48

---

Dear Emily Park,

Thank you for your consultation letter on the above Scoping Opinion request.

North Northamptonshire Council has no comments to make on this consultation.

Regards

**Gavin Sylvester | Principal Development Management Officer**

North Northamptonshire Council

Thrapston Office

Cedar Drive, Thrapston, Northants NN14 4LZ

T: [REDACTED] | DD: [REDACTED]

Twitter: @NNorthantsC

Facebook: @NorthNorthants

Web: [www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)



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**Telephone:** [REDACTED] (open 9am - 1pm)  
**Email:** [planningcontrol@peterborough.gov.uk](mailto:planningcontrol@peterborough.gov.uk)  
**Case Officer:** Mrs Louise Simmonds  
**Our Ref:** 22/00818/CONSUL  
**Your Ref:** EN010123-000014

**PETERBOROUGH**



Planning Services

Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

Ms Emily Park  
The Planning Inspectorate  
Senior Environmental Advisor  
Temple Quay House,  
Temple Quay,  
Bristol,  
BS1 6PN

**Peterborough Direct:** [REDACTED]

27 January 2022

Dear Ms Park

**Planning enquiry**

Proposal: Consultation on proposed Heckington Fen Solar Park Project EN010123-000014

Site address: Heckington Fen Solar Park

Further to your enquiry received on 10 January 2022, in respect of the above, the Local Planning Authority makes the following comments:

Due to the distance of the proposal from Peterborough City Council's authority boundary, the Council does not wish to offer any comments upon the Scoping Opinion request.

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours sincerely

Mrs Louise Simmonds  
Team Manager - Development Management

# South Kesteven District Council

Development Management  
Council Offices, St Peter's Hill,  
Grantham, Lincolnshire, NG31 6PZ

Tel: [REDACTED]

E-mail: [planning@southkesteven.gov.uk](mailto:planning@southkesteven.gov.uk)

Web: [www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)



SOUTH  
KESTEVE  
DISTRICT  
COUNCIL

Emily Park The Planning Inspectorate Environmental Services Central Operations Temple Quay House 2 The Square Bristol, BS1 6PN	Case Officer      Phil Jordan E-Mail              [REDACTED]@southkesteven.gov.uk Tel Ext:            6074 Date:                2nd February 2022
--	--

Dear Sir/Madam

<b>Application No.</b>	S22/0048
<b>Proposal:</b>	Solar Park
<b>Location:</b>	Heckington Solar Park, , , ,
<b>Application Type:</b>	Adjoining Authority Consultation
<b>Decision:</b>	<b>Comments to Make:</b>

The above proposal has been considered by this Authority and on the 2nd February 2022 it was resolved that this Council wishes to make the following comments:-:

- 1 The site is sufficiently separated and screened from South Kesteven such that there would be no landscape and visual impacts of concern from the Energy Park aspect of the proposal. Further, the large area identified to the south of the site for potential underground cabling is unlikely to result in any significant landscape and visual impacts.

However, there are currently several large scale solar park proposals being considered across the South Kesteven District Council, Lincolnshire and adjoining authorities. SKDC would request that the cumulative impacts of a loss of agricultural land, and in particular that considered to be best and most versatile is considered across a wider area than that currently proposed by the submitted Scoping Report.

Mallard Pass Solar Farm is likely to be within the planning system (Scoping Opinion due early Feb 2022) and it is requested that the cumulative impacts of any loss of best and most versatile agricultural land associated with that proposal are considered alongside the same for the current proposal. Likewise, the cumulative impacts from a loss of best and most versatile agricultural land associated with any further large scale solar farms in South Kesteven should be considered.

Cont/....

<https://infrastructure.planninginspectorate.gov.uk/projects/east-midlands/mallard-pass-solar-project/>

Yours faithfully

**Emma Whittaker**  
**Assistant Director Of Planning**



UK Health  
Security  
Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: EN010123-000014  
Our Ref: 58737 CIRIS

Ms Emily Park  
Senior Environmental Advisor  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

7<sup>th</sup> February 2022

Dear Ms Park

**Nationally Significant Infrastructure Project**  
**Heckington Fen Solar Park [PINS Reference: EN010123]**  
**Scoping Consultation Stage**

Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) and the Office for Health Improvement and Disparities (OHID) (formerly Public Health England) welcome the opportunity to comment on your proposals and Environmental Impact Assessment (EIA) Scoping Report at this stage of the Nationally Significant Infrastructure Project (NSIP). Advice offered by UKHSA and OHID is impartial and independent.

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

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

It is noted that the applicant does not propose to conduct any monitoring for PM, although they propose installing diffusion tubes to monitor for NO<sub>2</sub>, in consultation with the local authority. It is also noted that the applicant states that model predicted concentrations would be compared to the current statutory standards and objectives; it is not clear whether this means "current" at the time of the Scoping Stage or at the time that the modelling exercise is to be undertaken.

We note that the applicant has scoped out Major Incidents and Disasters. Given that the applicant has not finalised the route for the underground cable to be connected to the National Grid, but has identified that the route may pass close to residential dwellings and that *"The route will require crossing .... major roads, rail, high pressure gas main and potentially third-party grid connections"*, we consider that it is too early to scope out a more detailed consideration of the risk of Major Accidents.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, 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 exposure to 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) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

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<sup>1</sup>

██  
██  
██

Given the population reduction targets discussed within the Environment Act, the recent reduction in World Health Organization Air Quality Guideline for PM<sub>2.5</sub>, and the fact that the applicant states that the route for construction traffic will pass within 50 metres of sensitive receptors, we recommend that the applicant considers monitoring for PM<sub>2.5</sub> to inform their assessment, if the change in traffic flows exceed the relevant EPUK/IAQM criteria.

Although new Defra targets are not yet in place, we recommend that the applicant should consider comparing the modelled concentrations with forthcoming targets should they become available before the modelling exercise is undertaken.

We recommend that the applicant should consider scoping in Major Accidents and Disasters, until the route for the underground cable route has been finalised and the potential for accidents that might affect public health is better understood. This is notwithstanding the fact that safe methods of working would be used.

For advice on the EMF assessment methodology, please refer to the EMF section of the advice document referred to above.

## **Human Health and Wellbeing - OHID**

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has 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

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

### *Population and Human health assessment*

It is noted that population and human health will be considered within existing chapters and not form a separate chapter within the ES. Given the current knowledge of the scheme and potential impacts this appears to be a proportionate approach. This should be kept under review as more information becomes available and a separate population and human health chapter may be justified as the assessments develop.

### *Vulnerable populations*

An approach to the identification of vulnerable populations has not been provided. The impacts on health and wellbeing and health inequalities of the scheme may have particular

effects on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics.

The identification of vulnerable populations and sensitive populations should be considered. The proposed educational facility has been noted in the scoping report and further details are required to assess any temporal overlap during the construction of the solar farm, particularly if the school will be operational at the time of construction.

### **Recommendation**

Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based on the list provided by the Welsh Health Impact Assessment Support Unit and the International Association of Impact Assessment (IAIA).

Further details regarding the potential impact on the special educational needs school should be identified for the construction phase of the solar farm.

### *Housing affordability and availability / Socio-economic assessment*

The scoping report does not identify the projected numbers of construction workers required for the scheme. The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing, particularly that of short-term tenancies and affordable homes for certain communities. The cumulative impact assessment will need to consider this across the wider study area but also identify the potential for any local (ward-level) effects, where there could be knock-on effects on access to accommodation for residents with the least capacity to respond to change (for example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit / low paid employment seeking the same lower-cost accommodation).

It should be noted the Housing Needs Assessment for Central Lincolnshire (2020) identifies the private rented sector plays a particularly key role (between 26%-29%) in accommodating those in lower paid roles, such as customer services, caring and leisure service occupations. There are a number of renewable energy schemes proposed for the wider region increasing the potential for non-home-based construction workers to be seeking accommodation.

### **Recommendation**

The peak numbers of construction workers and non-home-based workers should be established and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services.

Any cumulative impact assessment should consider the impact on demand for housing by construction workers and the likely numbers of non-home based workers required across all schemes.

*Traffic and Transport*

It is noted that the IEMA GEART guidelines are to be used and as such the operational phase and pedestrian issues during construction are to be scoped out. Although pedestrians are unlikely to be present the remainder of the traffic and transport assessment for construction should consider impacts on pedestrians and any horse-riding activities.

**Recommendation**

The construction phase traffic and transport assessment should include an assessment of impacts on cyclists and horse riders.

Yours sincerely

On behalf of UK Health Security Agency  
[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

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





Guildhall  
Marshall's Yard  
Gainsborough  
Lincolnshire DN21 2NA  
Telephone [REDACTED]  
Web [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk)

Your contact for this matter is:  
Ian Elliott  
[REDACTED]@west-lindsey.gov.uk  
[REDACTED]

The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

7th February 2022

Dear Sir/Madam

**APPLICATION REFERENCE NO: 144258**

**PROPOSAL: PINS consultation on behalf of the Secretary of State as to the information to be provided in an Environmental Statement - ref EN010123.**

**LOCATION: Heckington Fen Solar Park**

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 the Environmental Impact Assessment Scoping Report (SR) by Pegasus Group dated January 2022 with Section 2 of the SR describing the proposed development including the infrastructure required in paragraph 2.16. Overall I consider the SR to be well written and comprehensive.

Planning Policy Context:

The site is a good distance (approximately 11.8 miles) outside the closest West Lindsey District boundary near Southrey. The statutory development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004 is the Central Lincolnshire Local Plan 2012-2036. As the district of West Lindsey is part of Central Lincolnshire its statutory development is also 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
  - Historic Environment
  - Environmental Impact Assessment
  - Air Quality
  - Light Pollution
  - Healthy and Safe Communities
  - Natural Environment

- Noise
  - Renewable and Low Carbon Energy
  - Travel Plans, Transport Assessments and Statements in Decision-taking
  - Water Supply, Wastewater and Water Quality
- National Design Guide 2019
  - Overarching National Policy Statement for Energy (EN-1)\*
  - Overarching National Policy Statement on Renewable Energy Infrastructure (EN-3)\*

\* Currently under review by Central Government<sup>1</sup>

#### Landscape and Visual Impact:

As set out in the SR 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 would be approximately 11.8 miles (19 kilometres) from the shared North Kesteven and West Lindsey district boundary. The height of the development (including infrastructure) would primarily be no more than 4.5 metres high, however paragraph 3.29 of the Electricity Export Connection to National Grid section states that *“The new equipment will look similar to the units already installed at the National Grid Bicker Fen site. It is expected that the maximum height of this new unit will be 15m, which is similar to the units already installed at Bicker Fen”*. This infers that the 15 metre unit would be installed at the existing National Grid Bicker Fen site which has structures of similar appearance. It is presumed that this refers to the Bicker Fen site at Boston which is even further away from West Lindsey (25 miles). It is requested that more clarity and certainty is provided in the ES statement in terms of the location and appearance of the 15 metre high unit.

Given the height of the development subject to the location of the 15 metre high unit it would not be expected to be in view from any parts of the West Lindsey District . Therefore it is not considered that any viewpoints from West Lindsey would be necessary and no residential properties in West Lindsey are expected to be affected.

#### Cumulative Effect:

West Lindsey which is part of Central Lincolnshire, with North Kesteven District Council and Lincoln City Council, and is expecting three large scale solar projects (nationally significant infrastructure) to be applied for through a Development Consent Order in addition to Heckington Fen. The projects of Cottam, West Burton and Gate Burton are registered on the National infrastructure website, with Gate Burton having received a Scoping Opinion, and Cottam & West Burton projects currently subject to a request for EIA Scoping.

Whilst the structure of the ES appears to be generally acceptable it is imperative that any Environmental Impact Assessment clearly considers within its structure the cumulative effect of Heckington Fen with these three solar farm projects and any other solar Farms in Central Lincolnshire such as the Fiskerton Solar project, which is an extant development, with consent to expand. There are questions as to how all these developments taken

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<sup>1</sup> <https://www.gov.uk/government/consultations/planning-for-new-energy-infrastructure-review-of-energy-national-policy-statements>

together will affect Central Lincolnshire's character, as traditional rural Lincolnshire Countryside.

Yours faithfully

Ian Elliott  
Senior Development Management Officer  
On behalf of West Lindsey District Council

If you want to know more about how we use your data, what your rights are and how to contact us if you have any concerns, please read our privacy notice:

[www.west-lindsey.gov.uk/planning-privacy](http://www.west-lindsey.gov.uk/planning-privacy)

If you require this letter in another format e.g. large print, please contact Customer Services on [REDACTED], by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

**From:** [REDACTED]  
**To:** [Heckington Fen Solar](#)  
**Cc:** [drainage](#)  
**Subject:** RE: EN010123 Heckington Fen Solar Park - EIA Scoping Report Notification and Consultation  
**Date:** 10 January 2022 11:27:00

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Dear Katie.

Thank you for your email regarding the Heckington Solar Farm project.

I can confirm that this project is not within the area that the Witham Fourth IDB are responsible for, so we are unable to make any comments about this development.

Kind regards

**Neil**

**Neil Foster**  
**Engineering Officer**  
**Witham Fourth District Internal Drainage Board**  
**47 Norfolk Street**  
**Boston**  
**PE21 6PP**

[REDACTED]

Our office is closed to visitors but our staff are still working. Please email/telephone with any enquiries.

[REDACTED]



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