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BY EMAIL ONLY

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Dear Mr Brumwell

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: Application by Ridge Clean Energy for an Order granting Development Consent for the Temple Oaks Renewable Energy Park

Location: South Kesteven

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 04 July 2022, received on 04 July 2022.

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

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Natural England foresees no significant issues in relation to the scheme at this stage and we will not need to play a significant role in the Examination of this project

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

For any further advice on this consultation please contact the case officer Sandra Close at sandra.close@naturalengland.org.uk and copy to consultations@naturalengland.org.uk.

Yours sincerely

SANDRA CLOSE
Lead Adviser
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Annex A – Natural England Advice on EIA Scoping

1. General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided¹.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

2. Cumulative and In-combination Effects

The Environmental Statement should include in-combination/cumulative assessment. We note that no projects have been identified at present that could contribute to any cumulative ecological effects with the proposed development, so there is currently no need for an ecological cumulative assessment to be required. However, we note that this will be reviewed three months prior to the submission of the planning application to ensure that this remains the case (or if not produce a cumulative ecological assessment).

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

¹ National Infrastructure Planning (planninginsepctorate.gov.uk) Insert 2 – information to be provided with a scoping request, Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements

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

3. Environmental Data

We note that the Lincolnshire Environmental Records Centre has been consulted. We note preliminary surveys have taken place and based on these findings that further surveys will take place should the extended Phase 1 survey indicate the potential for the presence of protected species. The ES should assess the impact of all phases of the proposal on the protected species identified as present on site, or likely to be affected by the development. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area. The ES should provide details of any proposed mitigation measures that are required based on the results of these surveys. An *'Ecological and Ornithological Scoping Report'* has been provided in the *'Temple Oaks Renewable Energy Park'* (June 20221) at Appendix C.

4. Designated Nature Conservation Sites

5a) Internationally designated sites

The development site is not within or will impact on an internationally designated nature conservation site.

5b) Nationally designated sites

Sites of Special Scientific Interest

The proposal is within the Impact Risk Zone of:

- Sapperton and Pickworth Woods Site of Special Scientific Interest (SSSI)
- Grimsthorpe Park SSSI

However, this has not triggered a risk emanating from solar energy development. Natural England's SSSI Impact Risk Zones are used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

The applicants Scoping Report also states that the proposal falls within 5km of these designated sites:

- Dunsby Wood SSSI
- The Hermitage SSSI

Accidental damage and other direct or indirect effects should be considered to all these designated sites. The ES would need to show any potential effects on these designations, including impacts on foraging habitat, noise, water quality, air quality or other disturbance which may damage or destroy the interest features for which these SSSIs have been notified. Impacts would need to be considered at all stages of the proposed development i.e. construction, operation and de-commissioning. It should also detail the mitigation required to avoid any identified impacts on designated sites. The ES should identify any mitigation needed through a Construction Environmental Management Plan. If no potential risk is identified this should be reported in the ES.

5. c) Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. The applicant has identified regionally and locally important sites in their scoping report.

Local Sites are identified by the local wildlife trust, geoconservation group or other local group. The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. They may also provide opportunities for delivering beneficial environmental outcomes.

A Local Wildlife Site, Temple Wood, a Forestry Commission semi-natural oak and ash woodland. adjoins the southeast boundary of the site. The ES should establish that no negative effects are experienced during the construction phase of the development.

These are contacts for the relevant local body in this area who will be able to provide further information.

Table 4: Local Wildlife Trust (conservation body) contacts			
Wildlife Trust name	Address	Telephone	Email
Lincolnshire Wildlife Trust	Banovallum House Manor House Street Horncastle Lincolnshire LN9 5HF	01507 526667	info@lincstrust.co.uk

6. Protected Species

Background information to consider:

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using NE guidance on licencing [NE wildlife licences](#). Applicants can also make use of Natural England's (NE) charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No

Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#)

for details of the LONI process.

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

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

7. Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Folkingham airport would be considered a brownfield site. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)

- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

8. Biodiversity Net Gain

The ES should use an appropriate biodiversity metric such as [The Biodiversity Metric 3.1 - JP039](#) together with ecological advice to calculate the change in biodiversity resulting from the proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies. These are prepared by local planning authorities.

A commitment to producing a Habitat Management Plan (HMP) should be included in the ES to explain how the site will continue to be managed and secured for the lifetime of the development. The HMP should also provide details on retention and enhancement of existing habitat features such as hedgerows, woodland and ponds. The ES should cover opportunities for proposed habitat connectivity to surrounding habitats which would contribute to the wider Nature Recovery Network. Local sites designated for nature conservation/ habitat restoration can be found by contacting the Local Nature Partnership [Local Nature Partnerships: map and key contacts - GOV.UK \(www.gov.uk\)](#) to help identify opportunities.

9. Landscape

Nationally designated landscapes

The development site is not within or will impact on the on a Nationally Designated Landscape.

Landscape and visual impacts

The ES should include an assessment of local landscape character through the consideration of the relevant National Character Areas (NCAs) and any local landscape character assessments. A '*Landscape and Visual Assessment Scoping Report*' has been provided in the '*Temple Oaks Renewable Energy Park*' (June 2021) at Appendix A and names current best practice guidance to be used at A 2.21.

Please note that Natural England are not able to provide bespoke guidance on development proposals outside nationally designated landscape sites.

10. Soils and Agricultural Land Quality

We note that a detailed site survey has been undertaken and will be reported in full within the ES. The land within the proposed development boundary has been identified as Grade 3b with some non-agricultural land.

It is recognised that due to the nature of the solar panels a good proportion of the agricultural land affected by the development will not be permanently lost. However, to both retain the long-term potential of this land and to safeguard all soil resources as part of the overall sustainability of the whole development, it is important that the soil can retain as many of its many important functions and services (ecosystem services) as possible.

The following issues should be considered and included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any Best and Most Versatile (BMV) agricultural land would be impacted.
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should also set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise offsite impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and](#) The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#). Further guidance is also set out in the Natural England [Guide to assessing development proposals on agricultural land](#)