Mallard Pass
Solar Farm

Mallard Pass Solar Farm

Environmental Statement Volume 2
Appendix 2.2: Scoping Opinion

November 2022

PINS Ref: EN010127

Document Ref: EN010127/APP/6.2

Revision P0

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Reg 5 (2) (a)

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Mallard Pass Solar Project

Case Reference: EN010127

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

18 March 2022

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1. INTRODUCTION

1.0.1 On 07 February 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Mallard Pass Solar Farm Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Mallard Pass Solar Project (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/EN010127-000013

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

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 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/

1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 2.0)

ID	Ref	Description	Inspectorate's comments
2.1.1	Figure 2.1	Site Location Plan	The site location plan depicts the site boundary, which includes the whole of the Proposed Development and the Solar Photovoltaic (PV) site boundary (the area for the panels). The boundary lines overlap in places and the same or similar key colours are used, which prevents a full understanding of how the boundary of the Proposed Development relates to the solar PV site. In addition, certain fields or sections of fields within the site appear to be excluded. The ES should include a figure or figures that clearly set out the Proposed Development boundary and the land included therein.
2.1.2	Figure 2.3	Topography	The topographical plan included in the Scoping Report lacks clarity regarding the land that is included in the redline boundary. It appears that certain field areas have been excluded from the red line boundary. The ES needs to include plans which clearly show the land required for the Proposed Development.
2.1.3	3.4.9	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	N/A	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	3.5.1 and 3.6.1	Operational lifespan/Decommissioning	The Scoping Report states at paragraph 3.5.1 that an operational lifespan will not be specified in the application and the EIA will be carried out on the basis that the development is permanent. However, paragraph 3.6.1 states that a decommissioning statement will be based on 40-year operational life span for the solar infrastructure. Paragraph 3.6.2 states that the site will be returned to its original use after decommissioning, further suggesting that there is a limited lifespan for the Proposed Development. The ES needs to be clear as to whether decommissioning is to take place after 40 years or whether components are likely to be replaced to extend the lifespan of the development. Should components be replaced to extend the lifespan of the Proposed Development, the scale of this (particularly in the case of a comprehensive refurbishment of panels) and the likely significant effects should be assessed. The ES should clearly set out if and how decommissioning is to be assessed and any components which may remain following decommissioning. The Inspectorate would expect to see decommissioning secured through the inclusion of an Outline Decommissioning Plan or similar submitted with the Application.
2.1.6	3.5.3	Grazing	Where the ES relies upon grazing as mitigation for loss of Best and Most Versatile (BMV) land, it should be demonstrated that the land is not subject to restrictive covenants that would prevent such use and

ID	Ref	Description	Inspectorate's comments
			that such mitigation is secured in respect of the operation of the Proposed Development.
2.1.7	10.1.3	Summary	The Summary of the Scoping Report is not consistent with the rest of the document. The Inspectorate has therefore disregarded the summary and relied upon the information in the aspect chapters to inform this Scoping Opinion.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 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	6.5.14	Significance of effect	The Scoping Report outlines the approach to assigning significance but does not clearly explain what level of effect is determined to be significant in EIA terms. Typically, moderate and major effects are deemed to be significant, whereas the Scoping Report suggests that only effects that are major are likely to be key to decision making. The ES should clearly identify the likely significant effects of the Proposed Development.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Landscape and Visual

(Scoping Report Section 7.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	7.3.30	National Designated Landscapes	The Applicant proposes to scope out Designated Landscapes as there are no national landscape designations located within or in close proximity to the site, the nearest being over 50km away. The Inspectorate agrees that, in the absence of any nationally designated landscapes, namely National Parks or Areas of Outstanding Natural Beauty, within the vicinity of the Proposed Development this matter can be scoped out.
3.1.2	7.3.31 and 7.3.32	Local Landscape Designations	The Applicant proposes to scope out Local Landscape Designations (namely an 'Area of Particularly Attractive Countryside' and an 'Area of Local Landscape Value') as there will be very limited visibility of the Proposed Development from these sites and as such their character will not be affected. In the absence of a plan showing the location and elevation of these areas in relation to the Proposed Development site, the Inspectorate is not in a position to agree to scope this matter out at this stage.
3.1.3	7.3.33	Landscape Character Areas (LCAs)	The Scoping Report states that LCAs over 1km from the site will be scoped out of the assessment as there is limited visibility of the Proposed Development from these areas. However, Table 10.1 suggests that Welland Valley LCA is scoped out despite it being "approximately 1km away".

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			In the absence of information, such as a plan demonstrating the location of the LCAs in relation to the site boundary, the Inspectorate is not in a position to agree to scope these matters from the assessment at present without further explanation and justification.
3.1.4	7.3.34	Registered Parks and Gardens – Greatford Hall and Uffington Park	The Applicant proposes to scope out the Grade II listed Greatford Hall and Uffington Park Registered Parks and Gardens (RPG) receptors, as there is a lack of intervisibility between the two. In the absence of more detailed information such as topography and the sensitivity of views from these receptors, the Inspectorate is not in a position to agree to scope these matters from the assessment. Therefore, the ES should include an assessment of this matter or provide information to demonstrate the absence of a likely significant effect.
3.1.5	7.3.35	Registered Parks and Gardens – Burghley House and Holywell Hall Park	The Applicant proposes to scope out Burghley House (Grade II*) and Holywell Hall Park (Grade II) RPGs on the basis that there is limited visibility of the Proposed Development from these receptors. The Scoping Report notes that although Burghley House is located within the 2km study area (approximately 1.5km at its closest point), it is over 2.3km from the "built elements (solar arrays)" of the Proposed Development and a landscape buffer is also proposed which will reduce the visibility. However, paragraph 7.3.17 and Table 10.1 state that Burghley House RPG will be included within the Landscape and Visual Impact Assessment (LVIA) as a landscape receptor. As such, the Scoping Report is ambiguous regarding the need to assess effects on Burghley House RPG. The Inspectorate considers that as some potential for views of the Proposed Development is acknowledged to exist between it and the two RPGs; the Scoping Report places reliance upon as yet

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			undeveloped landscape buffers; and the layout of the scheme has not yet been confirmed; the ES should include an assessment of effects on these receptors or provide detailed justification for scoping out further assessment. The Applicant should seek to agree such approaches with relevant consultation bodies, where possible.
3.1.6	7.3.37	Residential amenity	The Applicant proposes to scope out residential receptors as the Proposed Development will be set back from settlement fringes and residential properties. As this matter depends upon undeveloped areas as a landscape buffer and the layout of the scheme has not yet been confirmed, the Inspectorate is not yet in a position to agree to scope this matter out. The ES should assess any potential likely significant effect and/or describe any proposed mitigation measures, as well as methods by which to secure these. Where such measures are locationally specific, a plan would assist understanding.
3.1.7	Table 10.1	Recreation and Amenity	It is noted in the Summary chapter of the Scoping Report that Recreation and Amenity is proposed to be scoped out of the LVIA for all stages of the Proposed Development. However, no justification is provided within the Scoping Report. In the absence of evidence, and in light of the potential for the Proposed Development to impact existing recreation and amenity including existing rights of way, the Inspectorate cannot agree to scope this matter out and an assessment of significant effects should be presented where they are likely to occur.

ID	Ref	Description	Inspectorate's comments
3.1.8	7.3.1	Mitigation	The Scoping Report states that likely significant effects will be avoided through mitigation measures embedded in the Proposed

ID	Ref	Description	Inspectorate's comments
			Development design, namely "*layout optioneering, setting back the development footprint from sensitive receptors, and/or implementation of screening planting to limit effects on sensitive receptors*". Where the avoidance of a likely significant effect is reliant upon mitigation measures, these should be described within the ES along with the proposed methods by which they will be secured through the Development Consent Order (DCO). Where a measure is locationally specific, a plan may assist understanding.
3.1.9	7.3.13 and 7.3.14	Study Area	The Scoping Opinion notes that a Zone of Theoretical Visibility (ZTV) used for the computer modelling was 3km and that this did not take into account localised features. The Scoping Report goes on to state that the study area will be 2km although the reasons for this reduced study area are not explained. Paragraph 7.3.22 notes that the assessment may include viewpoints outside of the study area. The Inspectorate considers that the study area should be informed by the extent of likely effects rather than an arbitrary study area boundary. The ES should evidence how the study area has been derived to ensure it is representative and should be agreed with relevant consultation bodies where possible.
3.1.10	7.3.19	LVIA	The Scoping Report states that the ZTV has been modelled on solar panel infrastructure heights of 3.5m and substation building heights of 13m. However, the Proposed Development includes other built infrastructure, including security fencing and CCTV poles, as well as lightning masts up to 6m in height. Furthermore, the Scoping Report notes the requirement to raise infrastructure 600mm in certain areas of the site (1-in-100 flood risk areas), the assessment should clarify the assumptions used to underpin the development of the ZTV.

ID	Ref	Description	Inspectorate's comments
3.1.11	n/a	Lighting	There is no reference to lighting effects within the LVIA section of the Scoping Report, and effects resulting from lighting are not listed as a potential effect (in paragraph 7.3.26). Although lighting effects on ecological receptors are considered within the Ecology and Biodiversity chapter, the ES should assess the lighting effects on landscape and visual receptors or demonstrate that no likely significant effects will occur. This should also include consideration of effects relating to intermittent lighting sources such as motion activated security lighting.

3.2 Ecology and Biodiversity

(Scoping Report Section 7.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	7.4.113 to 7.4.114	International Statutory Designated Sites	The Applicant proposes to scope out the construction, operational and decommissioning effects of the Proposed Development on internationally important statutory designated sites. The Scoping Report states that the nearest sites, Rutland Water Special Protection Area (SPA) and Ramsar, are located approximately 8.65km away from the Proposed Development site and no adverse effects are likely to occur. Scoping Report paragraph 7.4.54 states that 'ducks', which are a qualifying feature of the Rutland Water SPA, are present on site. However, no specific duck species are referenced within the Scoping Report. The ES should provide information relating to the presence of specific species, identifying those listed as qualifying features of the Rutland Water SPA within the site and provide an assessment accordingly. The ES should provide an assessment of likely significant effects on international statutory designated sites, including the potential for the Proposed Development site to provide functionally linked land for bird species associated with the Rutland Water SPA and Ramsar site, or provide evidence to demonstrate the absence of a likely significant effect.
3.2.2	7.4.11 and 7.4.76 to 7.4.77	National Statutory Designated Sites during operation	The Applicant proposes to scope out operational effects on nationally important statutory designated sites. The Scoping Report states that the potential effects during construction and decommissioning of the Proposed Development, such as habitat loss and accidental damage, are unlikely to occur during operation.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Scoping Report states that seven national statutory designated sites are present within two kilometres of the site, including Ryhall Pasture and Little Warren Verges Site of Special Scientific Interest (SSSI) and Tolethorpe Road Verges SSSI, which are located directly adjacent to the north-west of the site. The Inspectorate is of the opinion that this matter can be scoped out at this stage. However, the ES should ensure that the construction assessment of likely significant effects on national statutory designated sites clearly identifies whether any loss or impact on habitat is temporary or permanent in nature.
3.2.3	7.4.12 to 7.4.13 and 7.4.78 to 7.4.79	Non-Statutory Designated Sites during operation	The Applicant proposes to scope out the operational effects of the Proposed Development on non-statutory designated sites. The Scoping Report states that 98 national statutory Local Wildlife Sites (LWSs) are present within two kilometres of the site, and nine are located wholly or in part within the site. In the absence of information demonstrating no likely significant effects and the location of the Proposed Development site in relation to non-statutory designated sites surrounding and within the red line boundary, the Inspectorate is of the opinion that this matter cannot be scoped out at this stage. The ES should include an assessment of likely significant effects on non-statutory designated sites or provide evidence to demonstrate the absence of a likely significant effect.
3.2.4	7.4.115	Protected Species during operation, excluding wintering birds	The Applicant proposes to scope out the operational effects of the Proposed Development on all protected species, excluding wintering birds. The Scoping Report has proposed a number of mitigation measures to enable scoping out effects on protected species during operation. The mitigation measures include a lighting strategy to avoid artificial lighting on linear features, woodland and other

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			retained or created habitats, a limitation on operational traffic and no regular presence or work on site that may lead to disturbance of habitats. However, considering the change in landscape character and extent of land take required for the Proposed Development there is potential for likely significant effects on all protected species during operation, including ground nesting birds. The ES should assess the impacts of all stages of the Proposed Development on all breeding birds. The ES should also provide a clear description of mitigation measures for the enhancement and creation of habitats that will deliver a range of benefits for protected species and set out methods by which all mitigation measures for protected species will be secured.
3.2.5	7.4.105	Effects on wintering birds during decommissioning	The Applicant proposes to scope out the decommissioning effects of the Proposed Development on wintering birds, however no justification has been provided to support this. Given the potential effects during decommissioning are likely to be similar to those experienced during construction, including disturbance and damage to habitat, the Inspectorate is of the opinion that this matter cannot be scoped out at this stage.

ID	Ref	Description	Inspectorate's comments
3.2.6	7.4.69	Study Area	The Scoping Report notes that a wider study area was used (2km) for the gathering of data for contextual purposes but it is not explained how this 'wider' study area will be used in the assessment. The ES should explain and justify the study area. The ES should consider the potential for impacts on international sites designated for bats within a 30km study area.

ID	Ref	Description	Inspectorate's comments
3.2.7	7.4.25	Fish and Aquatic Invertebrates	The West Glen River flows through the site, however, no fish or aquatic invertebrate surveys have been or are noted as being undertaken for the river. Details of the surveys should be provided within the ES, or it should be demonstrated why fish and aquatic invertebrate surveys are not required and potential likely significant effects on these species can be ruled out.
3.2.8	N/A	Plants	The Scoping Report provides a description of the baseline for plant species. However, the potential effects on plants are not described and it is not determined as to whether there is a potential for likely significant effects and therefore if this matter is scoped in or out of the assessment. The ES should be clear which matters are scoped in or out and provide a robust justification for matters scoped out.
3.2.9	N/A	Panel configuration	The ES should explain the relationship between panel configuration and vegetation growth on site and how panel configuration will be designed to avoid shading of vegetation and effects on LWSs that are located within the site.
3.2.10	7.4.2	Hedgerows	The ES should also include an explanation of how the hedgerow boundaries of the site will be retained and enhanced to deliver a range of benefits to protected species.
3.2.11	N/A	Ancient Woodland and Veteran Trees	The ES should also assess any likely significant effects on veteran trees and ancient woodland. Veteran trees are not referenced in the Scoping Report, and ancient woodland is identified as being present immediately adjacent to the north-east site boundary. The ES should identify any veteran trees outside these ancient woodland areas.
3.2.12	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

ID	Ref	Description	Inspectorate's comments
			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 Access and Highways

(Scoping Report Section 7.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	7.5.55	Alternative modes of construction access	The Inspectorate is content that modes of transport (such as rail) that will not be utilised for construction material delivery can be scoped out of the assessment.
3.3.2	7.5.56	Hazardous or dangerous loads	The Inspectorate is content that this matter may be scoped out subject to the inclusion of appropriate measures to ensure safe transportation within the outline Construction Environmental Management Plan and/or outline Construction Transport Management Plan.
3.3.3	7.5.57 - 59	Operational Traffic	The Inspectorate is content that the information provided in the Scoping Report in relation to staff required on site during operation demonstrates that transportation to and from site is unlikely to result in significant effects. The Inspectorate is content for this matter to be scoped out of the assessment based on the figures provided. The ES description of development should confirm the anticipated trip generation during operation to justify this.

ID	Ref	Description	Inspectorate's comments
3.3.4	7.5.8	Baseline data	Traffic movement baselines have shifted as a result of the Covid-19 pandemic. The Applicant should seek agreement with the relevant consultation bodies regarding the degree to which data collected in 2021 is representative and/or whether historic data should be used to validate, supplement, or replace such data.

3.4 Noise and Vibration

(Scoping Report Section 7.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	N/A	Noise and vibration from traffic movements during construction and decommissioning	The Inspectorate notes that 60 two-way HGV movements per day and transportation for 100-150 workers is predicted during the peak construction period. 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 as suggested in the Guidelines for the Environmental Assessment of Road Traffic, 1993), the Inspectorate is not content to scope out traffic movements during construction at present. 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.
3.4.2	7.6.40	Noise and vibration from operational traffic movements	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, based on the figures provided however the ES description of development should confirm the anticipated trip generation (including number and type of vehicles) during operation to justify this.

ID	Ref	Description	Inspectorate's comments
3.4.3	7.6.6	Baseline	Traffic movement baselines have shifted as a result of the Covid-19 pandemic. The Applicant should seek agreement with the relevant consultation bodies regarding the degree to which data collected in

ID	Ref	Description	Inspectorate's comments
			2021 is representative and/or whether historic data should be used to validate, supplement, or replace such data.
3.4.4	7.6.2	Assessment of tracker panels	The Scoping Report states that tracker panels may be used on the site however paragraph 7.6.2 does not specify whether noise from this panel type could constitute a likely significant effect during operation. The noise assessment should explain the noise emissions from such panels and provide an assessment of operational noise effects.

3.5 Water Resources and Ground Conditions

(Scoping Report Section 7.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	7.7.39	Potential transfer of sediment and chemicals to surface water resources during operation	The Inspectorate agrees that the presence of chemicals and soil disturbance during operation, including maintenance procedures is unlikely to give rise to significant effects. The Inspectorate expects that the ES will explain why the operational development will not give rise to routine emissions of chemicals (i.e. that panels are effectively inert) or sediment and how emergency releases would be managed within an Operation Environment Management Plan and/or Soil Management Plan and Battery Safety Management Plan. Therefore, the Inspectorate is content to scope this matter out.

ID	Ref	Description	Inspectorate's comments
3.5.2	N/A	Cumulative effects	Paragraph 3.1.12 states that solar PV panels will be pile driven or screw mounted into the ground. The Scoping Report does not indicate the number of modules, however given the size of the 'solar development area' in Figure 3.1, it is likely that a large number of steel poles will be required. Paragraph 7.7.4 states that the site is at risk of flooding and paragraph 7.7.5 states that the elements of the project lie within groundwater Source Protection Zones 1 and 2 and the River Welland catchment Surface Water Safeguard Zone. This aspect chapter should consider the cumulative effects of these steel poles being driven into the ground across the entirety of the developable area in addition to any impacts from changes in surface run off from the panel and impermeable ground coverings on the drainage patterns within the site and the study area.

ID	Ref	Description	Inspectorate's comments
3.5.3	N/A	Piling and irrigation	The ES should consider if there is potential for piling for the solar panels to interrupt any drainage/irrigation systems that may be present below ground and any field drains present.
3.5.4	7.7.10	Representative baseline	The Scoping Report relies on information contained in a previous contaminated land survey undertaken at Wood Farm. The farm is located 250m west of the Proposed Development site and the historic mapping study area for the Wood Farm assessment is a 100m buffer around the site. As such, the study area does not overlap with the Mallard Pass Solar Project site. The ES should justify the use of any historic datasets and justify how these are representative of the Proposed Development site.

3.6 Agriculture and Land Use

(Scoping Report Section 7.8)

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

ID	Ref	Description	Inspectorate's comments
3.6.2	7.8.5	Agricultural Land Classification Survey	The Applicant has stated that they will conduct a '*semi-detailed'* Agricultural Land Classification survey at the site based on 210 auger surveys located on a 200m grid. The Applicant should ensure that a sufficient number of auger locations are used across the site to accurately inform the assessment in line with relevant guidance and/or standards (e.g. Natural England Technical Information Note TIN049, 2012), or justify why this surveying methodology approach is sufficient.
3.6.3	7.8.17	Magnitude of impacts	The Scoping Report states that the loss of more than 50ha of BMV land is considered to be large/major in magnitude, losses of 20-50ha are of moderate/medium and losses of less than 20ha are of low magnitude. This is stated to be based on '*established practice.'* The ES should provide specific reference any guidance or practice that is used.
3.6.4	N/A	Cumulative Effects	The ES should consider the potential for cumulative impacts at a regional scale with other plans and projects that result in a reduction of available BMV land.

3.7 Glint and Glare

(Scoping Report Section 7.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	7.9.20	Effects during decommissioning phase	The Applicant proposes to scope out effects during the decommissioning phase, stating that these effects will be of lesser significance than during operation as fewer of the solar panels will be in place. The Inspectorate agrees that, on the basis that the decommissioning phase is unlikely to result in glint and glare effects greater than those of the operational phase, this matter can be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.7.2	3.1.7	Worst case scenario	Paragraph 3.1.7 of the Scoping Report notes that either fixed or tracker mounting structures could be used for the solar arrays. Given that the two different mounting structures are likely to lead to different glint and glare effects, the ES should present the worst-case assessment for both options.
3.7.3	7.9.10	Study area	The Scoping Report highlights that only railway receptors within 500m of the solar panel area will be included within the assessment. The ES should justify this as an appropriate study area, explaining why no significant effects from glint and glare would occur beyond 500m on railway users.

3.8 Climate Change Impact Assessment

(Scoping Report Section 7.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	7.10.19	Climate change effects on decommissioning and construction	The Inspectorate agrees that temperature change, sea level rise, changes in precipitation, storm surges and wind speed as a result of climate change are unlikely to give rise to significant effects on the construction and decommissioning phases of the Proposed Development. Therefore, the Inspectorate is content to scope this matter out, however the ES project description should explain how the development has been designed to be resilient to such effects.
3.8.2	7.10.19	Indirect effects of climate change	The Inspectorate considers that the indirect effects of climate change, such as political conflicts caused or triggered by climate change leading to changes in the supply chain or changes in the energy market, are unlikely to give rise to significant effects and may be scoped out from further assessment.

ID	Ref	Description	Inspectorate's comments
3.8.3	7.10.15	Carbon emissions associated with decommissioning phase	The Scoping Report states that carbon emissions associated with the construction phase of the Proposed Development are to be scoped into the EIA. However, the Scoping Report does not include the same commitment for the decommissioning phase. The ES should include an assessment of Greenhouse Gas (GHG) emissions during the decommissioning phase of the Proposed Development.
3.8.4	7.10.17	GHG emissions associated with operational phase	The Scoping Report states that GHG emissions emitted by the Proposed Development will be offset by the production of cleaner energy generated. The ES should include an assessment of the GHG

ID	Ref	Description	Inspectorate's comments
			emissions associated with the operational phase of the Proposed Development.
3.8.5	N/A	Carbon and economic impact of changing land use	The Inspectorate does not consider that impacts on the economy or to carbon emissions resulting from a proposed change from arable to low intensity farming and/or the transportation/import of food and crops are likely to result in significant effects. On this basis, consideration of such effects in the EIA is not considered necessary.

3.9 Socio Economics

(Scoping Report Section 7.11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	7.11.24 to 7.11.25	Local Tourism Economy	The Applicant proposes to scope out effects of the Proposed Development on the local tourism economy as the main publicly accessible tourism assets are located approximately 2.3km from the site, including the Burghley House RPG. The Burghley House RPG is located within the ZTV, as noted in paragraph 7.11.25. Therefore, there is potential for adverse visual effects on a local tourism asset. In the absence of information to the contrary or evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope these matters out of the assessment.
3.9.2	7.11.26	Amenity and Recreation	The Applicant proposes to scope out effects on amenity and recreation, including effects on two Public Rights of Way (PRoWs) that traverse across the site. The Scoping Report states that the PRoWs will be retained within the 30m landscape buffer and only a temporary diversion may be required during the construction phase. The Inspectorate does not agree that this matter can be scoped out. The ES should explain what consideration has been given to mitigating the effect of the Proposed Development on the experience of footpath users. The Applicant should agree relevant mitigation measures with the Local Planning Authority, where possible.

3.10 Topics to be Scoped Out

(Scoping Report Chapter 8)

ID	Ref	Applicant's proposed aspects to scope out	Inspectorate's comments
3.10.1	8.1	Cultural Heritage – Archaeology	The Applicant proposes to scope out cultural heritage on the basis that the nature of the Proposed Development means that significant effects are unlikely to occur. The Scoping Report states that as the Proposed Development involves minimal ground-disturbing activity there is unlikely to be a significant effect on archaeological remains. However, the PV panel frames will be pile driven into the ground and grid connection cables will involve underground cabling, including digging trenches up to 1.3m deep (as noted in paragraph 3.1.23), as well as digging involved in installation of the perimeter fencing and security measures. Furthermore, it is noted in paragraph 8.1.11 that "*the potential extent and heritage significance of buried archaeological remains is being investigated by additional desk-based research…and geophysical survey"*. As such, it is considered that the extent of archaeological remains is unknown at this stage. Considering the Proposed Development does involve ground disturbing activity and the extent of archaeological assets is yet to be established, the Inspectorate is of the opinion that desk-based survey and geophysical survey should be undertaken as a minimum and the need for selective trial trenching should be established with the relevant local authority archaeologists.
3.10.2	8.1	Cultural Heritage – Heritage Assets	Effects on heritage assets are proposed to be scoped out on the basis that any changes are "*not sufficient to cause significant effects to their heritage significance"*. However, paragraph 8.1.18 states that a 'settings assessment' for designated heritage assets is yet to be

ID	Ref	Applicant's proposed aspects to scope out	Inspectorate's comments
			conducted. Considering the proximity of some of the heritage assets to the Proposed Development site, and the absence of evidence to suggest that the Proposed Development will not affect the heritage setting of such assets, the Inspectorate considers that this aspect cannot be scoped out at this stage. It is also noted (in Table 10.1) that construction and decommissioning effects for historic buildings and landscape are considered not applicable. However, as the Inspectorate does not agree that heritage assets can be scoped out, the ES should include an assessment for all phases of the Proposed Development unless justified within the ES and agreed with relevant consultation bodies.
3.10.3	8.2	Air Quality	The Scoping Report does provide an indication of vehicle movements required; however, the Inspectorate does not agree to this aspect being scoped out during construction without full information on traffic baseline and traffic impacts and impacts from plant machinery being provided. The ES should consider the potential for likely significant effects on human and non-human receptors during construction.
3.10.4	8.3	Arboriculture	The Applicant proposes to scope out arboriculture from the ES. Arboricultural effects would be considered within a standalone Arboricultural Impact Assessment. The Inspectorate agrees with this approach provided that any likely significant effects are reported in the ES.
3.10.5	8.4	Major Accidents and/or Disasters	A standalone chapter for Major Accidents and Disasters is not proposed on the basis that this aspect is addressed within other Chapters of the ES, namely Access and Highways, Glint and Glare, Water Resources and Ground Conditions. Additionally, paragraph 8.4.10 states that the ES will detail measures incorporated into the

ID	Ref	Applicant's proposed aspects to scope out	Inspectorate's comments
			design to minimise potential impacts relating to fire from the Proposed Development. The Inspectorate has considered the characteristics of the Proposed Development and agrees with this approach. The Inspectorate notes however that an outline Battery Safety Management Plan is also proposed to be submitted as part of the draft DCO application. 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.
3.10.6	8.5	Human Health	A standalone chapter for Human Health is not proposed on the basis that the Proposed Development would be designed and maintained to operate safely and where there are interactions with human health these will be considered within other aspect chapters of the ES as listed in paragraph 8.5.2. The Inspectorate agrees with this approach.
3.10.7	8.5	Electromagnetic Fields (EMF)	The Applicant proposes to scope out EMF on the basis that the export cable and existing substation are the only elements of the Proposed Development that exceed 132kV and these are located approximately 500m from residential dwellings, therefore the potential for EMF effects are limited. In line with relevant guidance (DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012), cables above 132kV have potential to cause EMF effects. The Inspectorate considers that the ES should demonstrate the design measures taken to avoid the potential for EMF effects on receptors from the cable and substation infrastructure.
3.10.8	8.6	Waste	Solar developments are typically considered to be 30 to 40 year developments with panel degradation cited as a limiting factor on

ID	Ref	Applicant's proposed aspects to scope out	Inspectorate's comments
			project lifespan. On this 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, it does not address the potential for component replacement during operation. 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. 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 secured through the inclusion of an Outline Decommissioning Plan, or similar, submitted with the Application. The ES should clearly set out how decommissioning is to be assessed and any components which may remain following decommissioning. The ES should also consider the requirement for cumulative impacts to be assessed at decommissioning due to a number of solar farms in the local area also likely to be decommissioning in a similar timescale.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[1]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
	NHS East Leicestershire and Rutland Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Leicestershire Fire and Rescue Service
	Lincolnshire Fire and Rescue Service
The relevant police and crime commissioner	Lincolnshire Police and Crime Commissioner
	Leicestershire Police and Crime Commissioner
The relevant parish council(s)	Essendine Parish Council
	Great Casterton Parish Council
	Little Casterton Parish Council
	Ryhall Parish Council
	Tickencote Parish Council
	Pickworth Parish Council
	Uffington Parish Council

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

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Careby Aunby and Holywell Parish Council
	Greatford Parish Council
	Braceborough and Wilsthorpe Parish Council
	Carlby Parish Council
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Rutland (Highways)
	Lincolnshire County Council (Highways)
The relevant strategic highways company	National Highways (formerly Highways England)
The relevant internal drainage board	Black Sluice Internal Drainage Board
	Upper Witham Internal Drainage Board
	Welland and Deppings Internal Drainage Board
UK Health Security Agency	UK Health Security Agency
The Forestry Commission	The Forestry Commission East & East Midlands

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[2]

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
	NHS East Leicestershire and Rutland Clinical Commissioning Group

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

STATUTORY UNDERTAKER	ORGANISATION
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
The relevant NHS Foundation Trust	North West Anglia NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
	London & Continental Railways Ltd
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
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
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited

STATUTORY UNDERTAKER	ORGANISATION
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Murphy Gas Networks limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Forbury Assets Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	Western Power Distribution (East Midlands) plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))[3]

LOCAL AUTHORITY[4]
Cambridgeshire County Council
Harborough District Council
Leicestershire County Council
Lincolnshire County Council
Melton District Council
Newark and Sherwood District Council
Norfolk County Council
North East Lincolnshire Council
North Kesteven District Council
North Lincolnshire Council
North Northamptonshire Council
Nottinghamshire County Council
Peterborough City Council
Rutland Council

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

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

LOCAL AUTHORITY[4]
South Holland District Council
South Kesteven District Council

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Anglian Water
The Environment Agency
Essendine Parish Council
The Forestry Commission East & East Midlands
Greatford Parish Council
Health and Safety Executive
Historic England
Lincolnshire County Council
National Grid Electricity Transmission PLC and National Grid Gas PLC
National Highways
NATS En-Route Safeguarding
Network Rail Infrastructure Ltd
Newark and Sherwood District Council
North-East Lincolnshire Council
North Kesteven District Council
North Lincolnshire Council
North Northamptonshire Council
Peterborough City Council
Pickworth Parish Council
Rutland Council
South Kesteven District Council
Uffington Parish Council
UK Health Security Agency

Anglian Water Services
Thorpe Wood House
Thorpe Wood
Peterborough
PE3 6WT

[redacted]
Our ref ScpR.MPS.NSIP.22.ds

Katherine King
Senior EIA Advisor
The Planning Inspectorate

MallardPassSolar@planninginspectorate.gov.uk

1 March 2022

Dear Katherine

Mallard Pass Solar Farm - EIA Scoping Report consultation

Thank you for the opportunity to comment on the scoping report for the above project which is both in Rutland Council and South Kesteven District.

Anglian Water is the appointed water and sewerage undertaker for the site shown on Figure 2.1. 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 in Chapter 4. We note that Anglian Water is not listed as one of stakeholders where consultation has already taken place (paragraph 4.3.1).

Engagement, the draft DCO Order and assisting the applicant

Anglian Water would welcome the instigation of discussions with Mallard Pass Solar Farm 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. The intention to consult at the statutory consultation stage (paragraphs 4.5.2) would appear to be too late to inform design and may result in delays to the project. 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 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:

[redacted]

- The Scheme – Existing infrastructure

There are existing Anglian Water assets including water mains within the site and water and wastewater infrastructure including rising mains near the site or within roads which serve the site and the surrounding villages and Stamford. These are principally located in and near the communities of Carlby, Essendine, Ryhall and Great Casterton. 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. We welcome the intention to draw up a Water and Construction Management Plan.

Rutland Water is owned and operated by Anglian Water. We note at paragraphs 2.6.3 and 2.6.4 that the project will assess the impacts on Rutland Water as designated SPA and Ramsar sites important for ecology. With regards to consultation on the impacts on Rutland Water (paragraph 7.4.116), Anglian Water requests that we are included in consultation of ecology officers including the conclusions of the Councils and ecology bodies on whether impacts can be scoped out for Rutland Water.

With regards to socio economic impacts, Rutland Water is an important visitor attraction (paragraph 7.11.6) as well as serving the local community and providing employment. We agree that the study area (paragraph 7.11.18 considering socio -economic effects should be the local Council areas and this will include Rutland Water.

At page 25, paragraph 2.9.3 the report refers to groundwater and the Source Protection Zones within the site. Section 7.7 of the report considers Water Resources. Paragraph 7.7.12 advises that public and private water supplies will be considered in the ES. Anglian Water notes the reference to the River Welland and requests that the ES set out any potential impacts on Anglian Waters abstraction locations on the river and the related water treatment and supply network.

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 and water recycling network. If this is not possible then Protective Provisions will be required to protect the supply of water and management of wastewater for local communities by Anglian Water. Similarly, the proposed transmission network infrastructure should avoid existing utilities including water and sewerage pipelines.

We note that at paragraph 7.7.29 that the FRA will calculate the size of SuDS to manage surface water runoff. No reference is made to the need for connection to the public sewer network. At paragraph 7.7.31 reference is made to run off from hardstandings. Anglian Water requests confirmation that no connection is required to the public sewer network for construction including site compounds and welfare facilities or operational buildings (paragraph 3.1.22) or activities.

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. Operational impacts may include the crossing of pipelines and plant and vehicles undertaking maintenance, for example. Further advice on water and wastewater capacity and options – should they be required - can be obtained by contacting Anglian Water's Pre-Development Team [redacted]

Please do not hesitate to contact me should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours sincerely,

[redacted]

Darl Sweetland MRTPI
Spatial Planning Manager

Cc

[redacted]

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

Our ref: AN/2022/132755/01-L01
Your ref: EN010127

Date: 07 March 2022

(By email only to MallardPassSolar@planninginspectorate.gov.uk)

Dear Ms King

Application by Mallard Pass Solar Farm Limited (the applicant) for an Order granting Development Consent for the Mallard Pass Solar Project (the proposed development) - Scoping Consultation
Rutland and South Kesteven, TF052115

Thank you for consulting us regarding the above Environmental Impact Assessment Scoping Request, on 7 February 2022.

We have reviewed the submitted Scoping Report dated February 2022 and provide comments below on the following comments topics that fall within the Environment Agency's remit:

- Ecology and biodiversity
- Water resources and ground conditions
- Climate change impact assessment
- Risk of major accidents and/or disasters

Section 7.4: Ecology and biodiversity
Table 10.1 shows that impacts on habitats and most biodiversity classes have been scoped into the assessment during construction and decommissioning phases but out during the operation phase. We accept this.

Of particular relevance to the Environment Agency is the West Glen River, the presence and importance of which is acknowledged in this section.

7.4.7 refers to field surveys and the Ecological Baseline report in Appendix 7.2. We note there is no reference to baseline surveys relating to Water Framework Directive classification, specifically invertebrates and fish, which should be completed before work starts.

7.4.25 notes the habitats of the West Glen and its banks but notes that detailed surveys have not been undertaken.

7.4.63 notes that the river may support notable aquatic species.

7.4.81 confirms the aim to deliver at least 10% gain in biodiversity value, which we welcome. Opportunities should be sought in a range of habitats; this links to the consideration of green infrastructure in section 3.2 and 7.3, understood to include 'blue' infrastructure such as the river, surface drains and ponds.

Section 7.7: Water resources and ground conditions
We understand that water resources and ground conditions have been scoped into the Environmental Statement and agree with this.

Land contamination
We recommend that a Phase I or Preliminary Risk Assessment for land contamination is included in the Environmental Statement to assess any potential risk posed to groundwater or surface water.

As the site is predominantly greenfield, we consider the site is likely to pose low risk to controlled waters; however, development should be in accordance with the following guidance:

We recommend that developers should:

- Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

Flood risk
Solar farms are classified as 'essential infrastructure' in relation to flood risk vulnerability.

As the site is largely Flood Zone 1, the proposal raises little concern in relation to fluvial flood risk.

However, the River West Glen, a main river, does run through the site, with a narrow corridor of associated Flood Zones 2 and 3. We would therefore expect a full flood risk assessment to be carried out, as confirmed in sections 7.7.17 and 7.7.28-30. This must cover all sources of flood risk and management of surface water runoff; however, the Environment Agency's role is to advise on fluvial risk only.

We recommend that the developer avoids siting solar panels within Flood Zone 3 throughout the site, to protect the floodplain and the development itself.

We agree with the proposed buffer strip between the river and proposed solar panel development, as set out in section 3.2.2 of the report. Any works within 8m of the river will require a flood risk activity permit (please see below).

Cont/d..

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.
  The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Water quality
Notwithstanding the outcome of the Water Framework Directive screening assessment proposed in section 7.7.32, we would like the EIA to investigate how the development could i*mprove* the WFD status of the West Glen, not just avoid deterioration.

Note: 7.7.40 states that consultation has been undertaken with the Environment Agency to agree the approach to assessment for water resources and ground conditions. We are aware only of some consultation regarding flood risk mitigation.

A suitable strategy will be required for disposal of foul flows from staff amenity facilities during the construction phase – and during operation if the site will be staffed.

Section 7.10: Climate change impact assessment
We agree that climate change impact should be scoped into the EIA. Sections 7.10.2 and 7.10.10 confirm that both the vulnerability and the impact of the proposed development will be considered, during the construction and operational phases.

Section 8.4: Risk of major accidents and/or disasters
Sections 8.4.10 states that 'The ES will include details on the measures incorporated into the design to minimise any potential impact of Proposed Development resulting from a fire. As such, a separate ES chapter covering risk from fire accidents is not considered necessary. 8.4.11 states that battery fire risk will be covered under the "Outline Battery Safety Management Plan". That may be so, but we would want the ES to include an assessment of the risk to the environment and potable water supply abstraction at Wilsthorpe, as battery fires on such sites are high risk and difficult to control.

The comments we set out above are without prejudice to future decisions we make regarding any applications subsequently made to us for permits for operations at the site.

Yours sincerely

Cont/d..

[redacted]

Nicola Farr
Sustainable Places - Planning Specialist

[redacted]

End

Essendine Parish Council

Essendine Village Hall
10 Bourne Road
Essendine
Stamford
PE9 4LQ

Email; [redacted]

Chairman Essendine Parish Council
[redacted]

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

Your Ref: EN010127

4th March 2022

Response to Planning Inspectorate request dated 7 February 2022.

Subject EN010127 – Mallard Pass Solar Project – EIA Scoping Notification and Consultation

Dear Sirs,

your email dated 7 February 2022 requested that Essendine Parish Council, as a consultation body, provide the following.

"Inform the Planning Inspectorate of the information you consider should be provided in the ES"

Please find below the response from Essendine Parish Council.
Given the size of this proposed (2000+ acres) solar plant and the dominating affect it will have over the human population and the ecology, flora, fauna, wildlife and biodiversity

nothing should be scoped out of the Environmental Statement relating to the proposed development.

It is important that all information positive and or negative is presented to the population, local authorities and regulatory authorities to allow them to make informed balanced decisions and ask informed questions based upon all information and data.

Section 10.1.3 of the Mallard Pass Solar Farm Scoping Document dated February 2022 states

"…it is therefore proposed that the following topics are scoped out of the EIA:

Cultural Heritage;
Air Quality;
Arboriculture;
Socio-economics;
Major Accidents and/or Disasters;
Human Health, including Electro Magnetic Fields; and
Waste"

It is not acceptable that these items are scoped out of the EIA or ES Environmental Statement.

Please see attached four appendices.
Appendix A. Table 10.1 page 230 to 240 of the PDF Environmental Impact Assessment Scoping Request February 2022 document provided by Mallard Pass Solar Farm

Appendix B. Information and questions to be answered that have been requested by the residents of Essendine that should be included in the Mallard Pass Solar Farm Environmental Statement.

Appendix C. Questions requiring answers in the Environmental Statement which arise from the Mallard Pass Solar Farm. Environmental Impact assessment Scoping Opinion Request. February 2022.

Appendix D. Comments received from residents of Essendine.

It can be seen from the information contained within this document that numerous areas are thought very important and of concern to local residents, are to be Scoped Out. Essendine Parish Council believe this is unacceptable and would ask that Mallard Pass be required to Scope In these items to acknowledge the very real fears of local people for their health and their environment.

Yours Sincerely

Trevor Burfield
Chairman
Essendine Parish Council

Appendix A

Table 10.1 page 230 to 240 of the PDF document provided by Mallard Pass Solar Farm

This table identifies the subjects that are proposed to be scoped in and or out of the EIA.

It is not acceptable that any items are Scoped out of the EIA or Environmental Statement at any point of the three phases of Construction, Operation or Decommissioning.

Please see screen shots below from Pages 230 to 240 of the Mallard Pass Solar Farm (PDF document) Scoping Report February 2022, these tables identify what Mallard Pass Solar Farm identify as being in or out of scope. The items Mallard Pass have identified as being out of scope are identified with a red ring.

Key points to note.

Subjects that Mallard Pass Solar Farm do not propose to include in their Environmental Statement at all (see table 10.1) in relation to the construction, operation or decommissioning phase are identified below.

The residents of Essendine wish to see all of these subjects included in the Mallard Pass Solar Farm Environmental Statement.

Human Health – Impacts to human health
Noise from traffic and vibration effects during operation
Impacts from waste generation

Residential Amenity
Recreation and Amenity

Hazardous Loads
Impacts from major flooding or fire events or from transport accidents

Exposure of existing sensitive human receptors to elevated pollutant concentrations (emissions from vehicle exhausts and combustions source)
Exposure of existing sensitive ecological receptors to elevated nitrogen deposition (emissions from vehicle exhausts and combustion sources)
Exposure of existing sensitive human and ecological receptors to fugitive dust emissions

Impact to trees
Impact on Amenity and Recreation
Impact on Tourism.

Table 10.1: Summary of EIA Scope

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Visual Effects: Residents, Visitors, Users of PRoW, Macmillan Way Long Distance Footpath, Local Roads and East Coast Main Line Railway.	In	In	In
Landscape and Visual (effects within a 2km Study Area)	Rutland Local Landscape Character Areas: Rutland Plateau- Clay Woodlands (Dii) LCA Rutland Plateau - Gwash Valley (Diii) LCA	In	In	In
	South Kesteven Landscape Character Areas: Kesteven Uplands LCA	In	In	In
	Peterborough City Council Landscape Character Areas:	Out	Out	Out

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Nassaburgh Undulating Limestone Welland Valley			
	Burley House Grade II* RPG	In	In	In
	Settlements / Villages	In	In	In
	Residential Amenity	Out	Out	Out
	Recreation and Amenity	Out	Out	Out
Ecology and Biodiversity	Statutory designated sites - adverse impacts to sites through habitat loss	In	Out	In
	Statutory designated sites - adverse impacts to site integrity through loss of supporting habitat	Out	Out	Out

Nothing should be out of scope.

LDĀDESIGN

Mallard Pass Solar Farm

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Statutory and non-statutory sites - adverse impacts to sites through accidental damage / pollution	In	Out	In
	Habitats -Loss of valuable habitats including damage to HPIs	In	Out	In
	Bats (foraging) – Habitat loss	In	Out	In
	Bats (roosting) – Damage to roosts	In	Out	In
	Badgers - Damage to setts and foraging habitat	In	Out	In
	Water vole and otter - Habitat loss and damage to resting places	In	Out	In

7863_EIA_0001 Mallard Pass EIA Scoping Report

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Hazel dormouse - Habitat loss /degradation; damage to resting places; injuring individual dormice	In	Out	In
	Other SPI mammals - Loss of habitat / habitat degradation	In	Out	In
	Breeding birds – Damage to nests during vegetation management/removal	In	Out	In
	Breeding birds (skylark, lapwing and yellow wagtail) – Habitat loss	In	Out	In
	Breeding birds (other species) – Habitat loss	In	Out	In
	Wintering birds – Habitat loss	In	In	Out
	Reptiles – Habitat loss	In	Out	In

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Reptiles – Injury or death to individual reptiles	In	Out	In
	Amphibians – Habitat loss	In	Out	In
	Amphibians – Injury or death to individual GCN	In	Out	in
	Invertebrates – Habitat loss	In	Out	In
Access and Highways	Severance	In	Out	Out
	Driver Delay	In	Out	Out
	Pedestrian Delay	In	Out	Out
	Pedestrian and Cyclist Amenity	In	Out	Out
	Fear and Intimidation	In	Out	Out

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Accidents and Road Safety	In	Out	Out
	Hazardous Loads	Out	Out	Out
Noise and Vibration	Noise and vibration from construction activities and associated traffic on neighbouring residential receptors	In	Out	Out
	Noise from plant during operation on neighbouring residential receptors	Out	In	Out
	Noise from traffic and vibration effects during operation	Out	Out	Out
Water Resources and Ground Conditions	Increase in surface water run-off from areas of hardstanding	In	In	In
	Ensuring the Proposed Development is safe from water ingress for its lifetime in the event	In	In	In

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	of flooding, without increasing flood risk elsewhere			
	Potential impediment to drainage ditch flow as a result of crossings	In	In	In
	Potential transfer of sediment to surface water resources	In	Out	In
	Potential transfer of chemicals to surface water resources	In	Out	In
	Potential effects on public water supply	Out	In	Out
Land Use	Temporary (long-term) loss of land of BMV quality	In	In	In
	Temporary (long-term) loss of land of poorer quality	In	In	In

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Impact on farm businesses	In	In	In
Glint and Glare	Reflected sunlight from the solar panels causing a nuisance of a safety hazard to surrounding observers	In	In	Out
Climate Change Impact Assessment	The vulnerability of the Proposed Development to climate change	Out	In	Out
	The influence of the Proposed Development on climate change	In	In	In
	Changes to the future baseline of other environmental aspects as a result of climate change	In	In	In
	Indirect effects of climate change, such as political conflicts caused or triggered by	Out	Out	Out

Nothing should be out of scope.

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	climate change leading to changes in the supply chain or changes in the energy market			
	Carbon emissions generated by the Proposed Development	In	In	In
Cultural Heritage	Buried archaeological remains	Out	N/A	N/A
	Historic buildings, monuments and structures (designated)	N/A	Out	N/A
	Historic landscape (designed and non-designed landscape)	N/A	Out	N/A
Air Quality	Exposure of existing sensitive human receptors to elevated pollutant concentrations (emissions from vehicle exhausts and combustion sources)	Out	Out	Out

Nothing should be out of scope.

LDĀDESIGN

Mallard Pass Solar Farm

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
	Exposure of existing sensitive ecological receptors to elevated nitrogen deposition (emissions from vehicle exhausts and combustion sources)	Out	Out	Out
	Exposure of existing sensitive human and ecological receptors to fugitive dust emissions	Out	Out	Out
Arboriculture	Impact to trees	Out	Out	Out
Socio-economics	Impact on employment	In	In	In
	Impact on Amenity and Recreation	Out	Out	Out
	Impact on Tourism	Out	Out	Out
Risk of Major Accidents and/or Disasters	Impacts from major flooding or fire events or from transport accidents	Out	Out	Out

7863_EIA_0001 Mallard Pass EIA Scoping Report

Nothing should be out of scope.

LDĀDESIGN

Mallard Pass Solar Farm

Environmental Topic	Effect	EIA Scope (In or Out)		
		Construction Phase	Operation Phase	Decommissioning Phase
Human Health	Impacts to human health	Out	Out	Out
Waste	Impacts from waste generation	Out	Out	Out

Nothing should be out of scope.

Appendix B

Information and questions to be answered that have been requested by the residents of Essendine that should be included in the Mallard Pass Solar Farm Environmental Statement.

How will human health and wellbeing be affected?

How will wild animal health and wellbeing be affected?

What is the environmental impact created due to the loss of the agricultural land as food producing land?

How much food production will be lost over the lifetime of the Solar installation?

How close will any mechanical and or electrical equipment, fence, gate, light or camera be to any house, when the proposed Solar Farm is complete?

Will all vehicles be washed of soil and debris before leaving the construction area?

Will the roads be swept very regularly to keep mud off the roads?

Battery fire or damage what emergency plans will exist to manage such a disaster?

Solar Panel fire or damage what emergency plans will exist to manage such a disaster?

What communication methods will be put in place to alert residents of a battery fire?

What will the funnelling effect of the deer be? There are multiple herds of deer roaming freely within the area how will you stop the deer being funnelled onto the road and creating accidents?

What is the decommissioning/end of life plan for the solar panels and the infrastructure?

What noise will be generated by the solar panels whilst operating?

What noise will be generated when rain falls on the solar panels?

How will the air quality be affected?

How much traffic noise will be generated during construction?

How much light pollution will be generated during construction?

Where will the temporary construction compounds be sited?

How big will the construction compounds be?

What will the construction hours of operation be during the construction phase?

What days will the construction operate on?

Where will the vehicles of 400 construction workers be parked each day?

Where will the civil engineering machinery be parked?

Who will pay for (and reinstate) damage caused to paths, kerbs, verges, hedges during the construction phase?

How many cubic metres of concrete will be used in the construction?

Where will the concrete come from?

How will the concrete be delivered to the site and how will it be moved around the site?

How will you stop vehicles from breaking the weight limit regulations that exist on local roads?

What penalties will exist for offenders in the event of damage caused by speeding vehicles, damage to infrastructure, verges, hedges, breaking road width restrictions and weight limits?

Who will police these offenders?

What protocols will exist to ensure people and property is safe during periods of high winds that could potentially damage the solar panels and the solar panels subsequently become mobile during a storm?

What insurance policies exists to support the local population against damage to people and or property in the event of any claim before, during or after construction and whilst the solar farm is in operation?

How will damaged solar panels be contained to stop the material and chemicals being deposited into the ground and the water courses?

What is the carbon cost of building and operating the solar farm from now until the solar farm is decommissioned?

Carbon is already being spent to carry out surveys, consultations and investigations are you measuring and recording this carbon cost?

What temporary road widening will be require and where? How long is temporary?

Why is there no decommissioning time limit?

Effect of Solar Panel installations on racing pigeons, what is it?

10% Biodiversity gain is quoted by the developers what is the base line?

What independent body will measure the biodiversity net gain?

Biodiversity change, how will the developers stop changing the existing biodiversity to something that is not natural to the local area?

Appendix C

The following questions require answers and arise from the Mallard Pass Solar Farm. Environmental Impact assessment Scoping Opinion Request. February 2022.
The numerical references refer to those used within the above stated document.

2.1.1 What highways work will be required to facilitate construction traffic.

3.1.12 PV Module Mounting Structures.
How are the mounting structures "pile driven or screw mounted"?
what equipment is used,
how much noise is created,
how much disturbance e.g. Vibration to nearby housing is created,
how many piles will need to be driven in or screwed,
how long will it take to install each pile or screw or concrete base,
how many cubic metres of concrete will be used,
how will the concrete be transported to the pile driving/screwing locations?

3.1.20 What colour will the switchgear containers be?

3.1.22 Why is the substation compound so large and why is it so high?
What colour will it be?
What materials will be used to construct a structure 13metres high?
Where will this substation compound be sited?
How many people will work at this substation?
Why is a warehouse required?

3.1.29 Is the fence to be wooden or metal?
What colour will it be?
What does approximately 2m in height mean?

3.1.30 & 31 & 32 & 33 How close will the lighting be to the nearest house?

3.1.34 How many vehicles per day by vehicle type, will be accessing the primary point of access on Uffington Road, during construction phase and after construction has been completed.

3.4.2 Where are the temporary construction compounds to be sited?
How many will there be?
What size will they be?
What lighting will be used and how often?
What noise will be generated and how often?
What times will the compounds be from and to?
What days will the compounds be working?
How will the land be treated after the construction compounds are removed?
What additional access roads and tracks will be built?

3.4.8 Where will the workers vehicles be parked whilst they are on site?

How many vehicles under 3.5tonnes do you expect to have on site during the peak construction period?

How will you ensure the roads are kept free of debris and mud?

Will vehicle washing stations be installed?

3.4.10 How will the 10% biodiversity net gain be monitored and proven.
What is the base measurement of the existing biodiversity?

Who will be the independent body confirming a 10% net gain is achieved?

When will the 10% net gain in biodiversity be achieved by?

What penalties are in place should the 10% net gain in biodiversity not be achieved?

Appendix D

Comments received from the residents of Essendine.

1.1.4 States the likely significant environmental impact- that's an admission that there will be significant impacts

1.2.2 States that they are involved in projects ranging from 10-320 MW- are any of those actually finished? When you actually click on the projects that Windel are involved in for the East Midlands it states 370 MW for Solar and a BESS of 400 MW. If Windel have no other areas in the East Midlands then do these figures relate to Mallard Pass- if so 370 mw is bigger than the 350 MW stated. Maybe I have missed something but the Scoping Report fails to list the actual output of this farm.

We need to know that KWH that it will produce each year and whether it generates enough electricity to supply the 92,000 homes they claim it will.

2.1.1 States that the fields included in the PV site- there are 2 fields 26 and 28 that are included on Fig 2.2 which I thought were mitigation areas.

2.4 Water and Fig 2.5 which shows the incidence of flooding events. There is a bronze hatched area that states flooding is a 1 in 20 year event- this is rubbish. I have lived here since 2016 and the West Glen has flooded every single year and often multiple times in a year.

3.1.13 Substation will be lit- possible impact of residents whose houses overlook in that direction- Glenn Crescent and the bungalows on the A 6121.

3.1.37 States batteries will be used to store and release electricity produced by panels- but will they use to trade electricity too?

3.1.38 Nos of batteries dependent on Power Capacity and could be located anywhere. We await details.

3.2.4 Net gain of 10% in Biodiversity- what base will be used to determine the increase. How will they define Biodiversity?

3.4.3 3 proposed transport routes- Route 2 through Stamford.

3.4.5 100 tonne transformer needed and may need road widening- if Route 1 used. Route 1 being Off the A1 at Casterton and then along the Ryhall road to Ryhall and Essendine.

3.4.8 30 HGV's daily- 60 total movements. 400 construction workers at peak times- how many in the same vehicles. Parking issues? In the Scoping Report for Sunnica 72 HGV deliveries are mentioned and the figures Mallard Pass have given look low and need further questioning. Also Mallard Pass need to identify vehicle movements in the 3 main areas of

the Solar Farm and those for the substation and main battery storage area especially on the minor roads

3.5 Operational life open ended. This farm could go on 40 years plus.

3.6.2 At decommissioning if it happens- site re-instated with the local authority. No guarantee here then that the land will be returned to farmland.

5.7.7 to 5.7.8 South Kesteven should assess this proposal against their guidelines listed here. RCC has no local plan which is a pity- what will they use?.

6.5.35 The EIA should list alternatives considered- RCC and SKDC should ask.

7 EIA should also cover amenity in light of Covid. Its been excluded on all fronts.

7.3.2 State photos will be taken at years 1 and 15 on visual- too late then unless further mitigation planned.

7.3.33 States that distances 1km from the site will not be impacted visually- not sure on this as I think they will. Define visibility impact!

7.3.37 Residential Amenity excluded from LVIA because the boundary has been set back considerably- how can this be stated when final plans unknown.

7.4.87 Need Mallard Pass to identify all protected species areas like badger sets etc. On Point 7.4.17 They say arable fields are of low intrinsic ecological value- take issue on this- nesting birds etc lapwings skylarks.

7.4.101 They identify months for hedge works to be done to protect birds but in all honesty during the construction phase nesting surely will be severely affected due to noise etc.

7.5.8 Automatic Traffic Counter Surveys done in October 2021. People still working from home and at the height of the HGV driver shortage so not representative of what is going on now. In point 7.6.24 they admit noise affected by Covid so surely the ATC's too but we have to be careful here because if their construction numbers are under estimated the a higher ATC count may diminish the % traffic increase and the thresholds.

7.5.15 No footpath mention re Essendine to Carlby along A 6121

7.5.42 On route 1 a sensitive receptor has been missed out- drivers at the Casterton Junction.

7.5.46 Driver delay at Casterton cross rounds could be significant and Pedestrian delay 7.5.47

7.5.48 Pedestrian and Cycle Amenity will be impacted quite significantly along the minor roads

7.5.56 Hazardous and Dangerous Loads scoped out- if Route 1 is used I fail to agree on this due to the nature of the Casterton to Ryhall road

7.6.37 Scoping noise re Construction Traffic- taken out – not sure on this especially as their quoted traffic numbers look low.
7.6.34 An admission of noise re panels and more importantly the batteries and inverters. The noise around the Ryhall Sub station could be an issue especially with a further substation and battery storage/inverters. Also I wonder if these panels will generate noise during high winds and heavy rainfall.

7.8.17 Will be interesting to see if there is more than 20ha of BMV agricultural land lost- a trigger point for Natural England to get involved. I thought further work was being done re actual land classification and certainly to highlight 3A and 3B grades

7.8.19 Reduced Agricultural income during the operational stage- what a joke with the land owners getting a £1000 per acre per year for the solar farm- unless we have tenant farmers affected?

7.10 Under Climate Impact assessment Mallard Pass should provide a full Carbon Footprint of building and running MP and compare that to the reduced emissions of running a Solar Farm versus Gas Fired Electricity Stations

7.11.1 Just how many jobs will be local onsite?

8.2 and 8.2.8 Air Quality has been excluded but if the vehicle movements are not correct this maybe an issue.

8.4 Risk of Major Accidents or disasters- a joke bearing in mind the massive Lithium Batteries that will be located around the site.

More information is required in the Environmental Statement about the traffic and vehicle movements.

MP is 2175 acres and Sunicca 2700 acres i.e. about 25 % bigger. This is taking total site size.

In the MP Scoping Report a figure of 30 HGV single movements per day is mentioned that equates to 60 movements allowing for the return trip. Taking a construction period of 2 years and 30 single trips per day that is 2x365x30 single trips in total ie 21,900- 43,800 trips if you include the return trip.

In the Sunnica Framework Construction Traffic Management plan and Travel Plan they list in months 1-8 119 HGV Single journey movements and months 9-24 38 HGV Single movements. I am assuming for ease 30 days in a month. So in the 1st 8 months there are going to be 8x30x119 single HGV Movements ie 28,560 single HGV Movements. For months 9-24 it will be 16x30x38 single HGV movements ie 18,240. So over the total construction period of 24 months 28,560 plus 18,240 single HGV Movements ie 46,800. This compares

with MP's figure over the 24 months of 21,900 single HGV trips ie 47% less than the Sunnica figures on a site 25% less in size. If you take the Sunnica figure of 46,800 HGV single trip movements and reduce it by 25% it comes to 35,100. I estimate that MP are underestimating HGV movements by around 13,200 single trip movements over the 24 month period.

On Staff vehicle movements this is not so easy. MP have stated between 100-400 staff on site peaking at 400. With Sunnica they are estimating an average of 653 staff vehicle movements over the entire 24 month construction period peaking at 937 in months 1-9. Even if we take MP's peak of 400 that is around 41% less than Sunnica's . I am assuming with MP a staff member will equate to 1 vehicle movement. All these figures are single trips.

The figures just don't add up at this stage more information on traffic movement is required in the Environmental Statement.

-END-

From:	[redacted] on behalf of East and East Midlands Forest Area Enquiries
To:	Mallard Pass Solar
Cc:	[redacted]
Subject:	Forestry Commission response RE: EN010127 - Mallard Pass Solar Project - EIA Scoping Notification and Consultation
Date:	03 March 2022 13:04:24
Attachments:	image002.png image001.png _403e5d5eae7b4c0ba768a738d063d5e0.pdf

Thank you for consulting the Forestry Commission on this application.

The main area of concern was how the proposals would impact the ancient woodlands of Careby and Braceborough and if they would be assessed using the Standing Advice. We sent comments in to the applicants prior to the preparation of the submission. (Copied below signature). We assume that the Standing Advice had been taken into account as field parcels 37 and 38 are earmarked for habitat/biodiversity. Other than that we don't have any further comments to make on the Scoping document.

Whilst it may not be relevant for this consultation we are aware from discussions with Forestry England Land Agent Liam Egan, the owners of the wood that they don't appear to have bene consulted on these proposals. They have asked us to point out that they have a right of way for access on field parcel 38 and sent the attached map. Should the applicant want advice on species choice for resilience and relevant biosecurity for those adjacent fields Forestry England would be pleased to help [redacted]

Yours sincerely

[redacted]

Corinne Meakins

Copied text from our correspondence.

To whom it may concern,

Thank you for consulting the Forestry Commission at an early stage in this development. The Forestry Commission, is the Government advisor on forestry therefore we can neither support or object to a proposal, but endeavour to set out existing policy in order to deliver the best outcomes. The Forestry Commission's key concerns are the protection of Ancient Semi Natural Woodland and the protection and expansion of woodland overall. Therefore we hope in inputting at this early stage the PIER will reflect and address any concerns we may have .

Key issues to be addressed are

- The treatment of any ancient woodland which may be impacted by the proposal, Braceborough Wood is the closest to the boundary and any construction or storage etc near to this should be avoided, providing a large buffer area can help to do this, minimum 15 metres from edge of crown or fence whichever is largest, more is better in this case as the extent of roots and supporting mycorrhizal networks cannot be exaggerated.
- wherever possible retaining all other woodland and as mentioned in the document

'potential to connect habitat' joining these using further tree planting or hedges to extend the networks, will make them more resilient

- Also if there are any ancient or veteran trees the project should retain them.

Our Forestry Commission maps show far more detail and will have information about newly planted woodland which may not have been available to you. Areas of woodland may have been grant funded so removal could incur a penalty however the document already states the wish to retain woodland so this should not apply.

It is helpful to become familiar with potential impacts on ancient woodland by referring to the Standing advice prepared jointly by Natural England and the Forestry Commission. https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences , this also covers the treatment of veteran trees.

We would also like to point out that there may be opportunities to mask any visual impact using planting trees,

We hope that this is useful to you, if you have any queries don't hesitate to contact us and we will await the PIER with interest..

All future correspondence should be sent to East and East Midlands Forest Area Enquiries eandem@forestrycommission.gov.uk ,


N
W
E
S
Forestry England
Title: Braceborough Wood Access
Date: 1 March 2022
Author: Liam Egan
Scale @ A3: 1:7,500
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Ordnance Survey data © Crown copyright and database right 2022. OS 100030994.

Environmental Services

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MallardPassSolar@planninginspectorate.gov.uk.

Greatford Parish Council

[redacted]

05/03/2022

Your reference EN010127

SCOPING REPORT OPINION OF GREATFORD PARISH COUNCIL AS TO INFORMATION TO BE PROVIDED BY MALLARD PASS SOLAR LTD IN AN ENVIRONMENTAL STATEMENT RELATED TO THE PROPOSED DEVELOPMENT OF MALLARD PASS SOLAR FARM.

Dear Sir / Madam,

Thankyou for your letter of 7th February seeking the Parish Council's opinion and comments on the Environmental Impact Assessment Scoping Opinion Report produced by LDA design for Mallard Pass.

The Parish Council has reviewed the report and has the following comments to make:-

1. P11. States the generation of an ***anticipated 350MW***. Should it not be more definitive and explain the underlying assumptions that arrive at 350MW.

1.2.2 P12 A developer of an NSIP project should be able to demonstrate effective delivery of similar type projects. Windel only states '***projects*** ranging from 10MW to 320MW'. When previously questioned in the public consultation, they could not confirm any projects actually completed.

2.1.1 P18. Given that Mallard Pass have clearly identified and mapped 54 agricultural fields, the exact size of the development should be clear. It states 'approximately 900Ha'. This report is about assessment methodology based on detailed information. There is a lack of detail and this should be provided.

2.4.2 P20. States: “The Site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability, as indicated by the EA Flood Map for Planning). The Site is predominantly located within an area of very low risk from surface water flooding. Areas of low to high surface water flood risk are located in the northern and western and central areas of the Site, associated with the West Glen River and its tributaries.”

Firstly this mentions only the **site**. It is the very strong opinion of Greatford Parish Council that Mallard Pass should consider the impacts **outside of the site – specifically Greatford** and draw upon local information from residents who can provide evidence of both pluvial and fluvial flooding. Mallard Pass has acknowledged some flood issues on site and the need to elevate panels, we would challenge this baseline information as not being representative and inclusive and the report fails to consider in any detail potential effects upon downstream receptors such as the village of Greatford and The Greatford Cut which is the primary flood defence for the village.

2.9.3. P25. “The solar PV Site is characterised by a high groundwater vulnerability. The northern and western extent of the solar PV Site is located within Zone II (Outer Protection) Source Protection one (SPZ)

- Figure 2.1 P26. The chart is misleading as the red/orange denote the solar PV site, when it fact those areas also include all the mitigation areas.
- Figure 2.6 P30. Water Resources and Flood extents. This chart does not show the impact on Greatford outside the site, and it only highlights 1 in 20 as the worst case scenario. As above in 2.4.2 we know there is ongoing flooding In Greatford and at the bottom of Essendine hill on a regular basis and the flood risk is likely to increase owing to climate change.

3.1.8 P33 Tracker panels could cause different levels and direction of glint and glare depending on time of day. Scoping documents should include this point.

- Plate 1 and Plate 2 images of panels – can Mallard Pass ensure the pictures are representative of the panel dimensions given - they look a lot lower, especially when you consider you need to add the elevation off the ground to the panel dimensions.

The lack of detail as to the type of panel Mallard Pass intend to use make calculating likely water runoff rates from panels impossible, more detail should be included in the Environmental Impact Assessment to allow detailed calculations of runoff from solar panels, water volume and velocity and the ability of the underlying vegetation and soil to absorb volumes of water so as to calculate any increased flood risk from large volumes of water from the proposed solar farm quickly entering the West Glen river and then the water courses around Greatford.

3.1.12. P36 “The frames upon which the solar PV panels will be mounted will be pile driven or screw mounted into the ground to a typical depth of approximately 1.5m, subject to ground conditions. The option to install concrete blocks known as “shoes” may also be considered, avoiding the need for driven and screw anchored installation, therefore minimising ground disturbance.”

This decision is key and there will be significant ground disturbance with pile driven or screw mounted frames, so this worst case scenario must be reflected on the impact of soil compaction and the increasing flood risk to areas downstream of the site- especially Greatford.

The issue of archaeological disturbance should also be scoped into the Environmental Impact Assessment as with the recent find of a large and complete Roman mosaic in Rutland, and the finding in 1961 of a Roman grave with human remains within the Mallard Pass site outside

Braceborough, the human remains of which are held by the University of Cambridge, it is highly likely that further archaeologically significant remains will be on site. These are very likely to be disturbed by the proposed piles and it is our opinion that a full survey should be undertaken to ensure valuable relics from the nation's past are not destroyed.
3.1.14. P36. “There are two options for inverters.” MPs need to clearly state the maximum adverse effects of their choice, but importantly should be clear why there is uncertainty. Ref EN-1 2.49.17

3.1.18. P37. “The footprint of the transformers will typically be 12.5m x 2.5m and 3m in height. The configuration of equipment will depend on the iterative design process and be influenced by technical as well as environmental factors.” As above they should specify why there is uncertainty and maximum impact scenario of a design.

3.1.21. P37 “The configuration of equipment will depend on the iterative design process as influenced by technical and environmental factors.” As above, too vague.

3.1.29. P40 “A fence will enclose the operational area of the Proposed Development. The fence is likely to be a ‘deer fence’ (wooden or metal) and approximately 2m in height. Pole mounted internal facing closed circuit television (CCTV) systems installed at a height of up to 3.5m”

What is their rationale for 2m high deer fencing? A 2m high deer fence is too low and the deer will try to jump it and some will be injured. Also a wooden fence will not be sufficient to deter deer, a land owner in Greatford erected a 2m high wood post and wire fence less than 5 years ago, this is now largely ineffective owing to lengths of it falling over and has holes int where deer have run into it, damaging the fence and injuring themselves in the process.

“Clearances above ground, or the inclusion of mammal gates will be included to permit the passage of wildlife”.

There needs to be much more detail as to the clearance above ground and the distance between mammal gates, the rationale around where these will be sited, and the exact wildlife species expected to use these gates.

3.1.30. P41 “For security requirements, operational lighting would include Passive Infra-red Detector (PID) systems which would be installed around the perimeter of the Proposed Development.”

There is no consideration for the impact on wildlife of the proposed lighting, particularly light sensitive animals and insects and how night-time lighting in what is currently a very dark environment would affect their normal behaviour, eg: the effect upon moths and their predators, especially bats.
How sensitive will the PID be? And what animals could trigger it and affect others, how long would it stay on?

3.1.31. P41 “The lighting of the primary substation would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would be lighting, similar to street lighting that operates from dusk. Otherwise there would be low level lighting on specific operational units that would again operate from dusk. All lighting would seek to limit any impact on sensitive receptors.” The specific operational units need to be identified and on a map and the needs of sensitive receptors and how they will be affected assessed. There also should be consideration as to whether this has a negative impact on their habitat.

3.1.37 P43 Battery Energy Storage System.
Incredibly these have not been included in the section on Risk of Major Accidents and/or Disasters. Indeed Risk of Major Accidents and/or Disasters has been “scoped out” .
The type of battery has not been specified but it is highly likely that Lithium-ion batteries will be used.
Lithium-ion batteries can, and have failed, leading to electrochemical reactions. These reactions do not require oxygen and can spread rapidly giving rise to “thermal runaways.” Normally, and incorrectly referred to as a fire. The only method of dealing with “thermal runaways” is cooling with large amounts of water until the reaction ceases. The electrochemical reaction emits toxic gases including hydrogen fluoride.Explosive gases are then emitted which can cause large explosions. There are numerous instances all over the world of serious battery fires and toxic explosions. Scoping should include design of battery containers to prevent electrochemical reactions, detection, suppression and action to be taken to cool the reaction with sufficient quantities of water. Batteries were included in the Sunnica Energy Farm Environment Impact Assessment Scoping Report and in the Cleve Hill Solar Park Environmental assessment, so there is a precedent for it to be included in the scoping report for Mallard Pass.

Table 3.1: P44 “Minimum Offsets to Landscape and Ecological Features and Designations'' table. Are these just statutory minimums adopted? It would be better to also show a maximum as these offsets do not demonstrate full acknowledgement of the importance for wider biodiversity gains. It shows little sensitivity to many of the receptors.

3.2.3. “The existing Public Rights of Way (ProW) that cross the Site will be retained and incorporated within multifunctional green corridors. Subject to the construction phasing and methodology there may be a requirement to temporarily divert a public right of way during the construction phase, the details of which will be sought to be agreed with the relevant key stakeholders, with an appropriate temporary alternative provided.”
There would need to be a clear risk assessment for diverting or removing a PRoW during construction, understanding the consequent behaviour of the walker, horse rider or cyclist. This needs to be clearly scoped due to safety and well-being issues for the many PRoW users.

3.2.4 P45 “Potential areas for mitigation and enhancement as identified on Figure 3.1 will also provide areas for green infrastructure and potentially be used to deliver a 10% net gain in biodiversity”.
What does “potentially be used” mean? There needs to be much greater clarity on this point. If the net bio-diversity gain is not achieved, then what?
Bio-diversity gains need to be quantified and qualified and over what time period? It should not be a purely volume metric, it has to be determined through its appropriateness to each habitat and should be measured on a quality index. Every mitigation area will have different needs. It will need to be proven how a bio-diversity gain is maintained through careful management. Further clarity on all this methodology is required.

3.4.1 P46. Construction. Due to start in 2026. Other published Mallard Pass documents say 2024. There needs to be clarity on this point.

3.4.5 P48. AIL loads. Mallard Pass identified the potential need for temporary localised road widening; there is no mention of assessing the likely impact on biodiversity and other receptors. The road in question off the A1 between Great Casterton and Ryhall is winding and is bounded by hedgerow. Equally there are limited options between Ryhall and Essendine.

3.4.8 P48 “it is anticipated that during the peak construction period, there could be 30 Heavy Goods Vehicles (HGV) deliveries per day, which equates to 60 two-way movements”. Looking at other solar farm NSIPs, like Sunnica and Cleve Hill, these estimates look to be very low which will have a knock on effect upon all of the assumptions made about traffic impacts, noise impacts and air pollution impacts. There should be greater clarity on the assumptions underpinning these numbers and also whether Mallard Pass have taken into account other developments that will be going on in and around Greatford during this period as there will be 80 to 100 extra HGV movements created by a new quarry, and also HGV and heavy plant movements created by the proposed Anglian Water pipeline.

3.4.9. P49 “Temporary Construction Compound. During the construction phase, a primary construction compound is expected to be located onsite with one or more temporary secondary construction compound(s) provided at different locations throughout the solar PV Site, as well as temporary roadways, to facilitate access to all parts of the solar PV Site. The details of which (including location, scale and duration) will be set out and described within the ES”. This is fundamental to the whole traffic plan, how can assumptions be made about traffic loads and routing without stating where these temporary compounds will be? More information is required upfront as there may be many significant impacts.

3.4.10 P49 Construction Reinstatement and Habitat Creation . “A programme of construction reinstatement and habitat creation will commence during the construction phase”. It is our opinion that the underlying grass in the proposed solar panel fields should be established well before (at least 2 years before) construction starts so as to give some resilience to the soil being run upon and compacted during the construction of the solar panel arrays. Established grass will recover far more quickly and provide more protection from flooding and sediment loss than grass that is established during or after construction when the bare soil is most at risk from compaction. There is no indication of these important considerations in the report.
It is also our opinion that the construction plan should consider ground conditions and work should not be undertaken on wet soils, as it will create long term compaction leading to poor water infiltration and increased flood and sediment loss. This is good agricultural practice and it should be adopted here.

3.5. Operation
3.5.1. P50 “The operational life of the Proposed Development is not proposed to be specified in the application and the Applicant is not seeking a time limited consent.”
Is it realistic to assume the life of a solar farm is unlimited?
Surely there should be a time limit to the technology as newer more efficient technologies are developed?
Equally there will be a life span of the components. They will need to be replaced every 25 years which will inevitably impact upon the receptors during the operational phase. If any part of the site is deemed non-operational, will it be automatically decommissioned? The land may need to be returned to some other function deemed more important at a future date. It is our opinion that there should be a planning lifespan for this project, and if necessary it could be extended by future application.

3.5.3.P50 “The land underneath and around the panels **could** be managed through a combination of sheep grazing and/or hay/silage production in order to maintain the field vegetation during the operational phase of the Proposed Development”.
“Could'' is very vague. The method of management here is key to ensuring the right biodiversity is maintained and flood risk is fully mitigated by reducing unnecessary compaction. There seems little

acknowledgment of needing a clear assessment of pasture management, noting all key receptors. Have they fully explored the options? There is no plan in place to appoint a grazier, or to manage the health and wellbeing of any livestock deployed in the maintenance of the grass on site. It is our opinion that this should be addressed as it is fundamental to the management of the site's environment.

3.7.3 P53 “A series of Design Principles will be developed for the Proposed Development. The Design Principles for the Proposed Development will align with the core purposes and ambitions of the ‘Design Principles for National Infrastructure’ which are Climate, People, Places and Value.” “Principles should act as reminders to the delivery organisation, a steer in the right direction, and a means of restoring focus to the big picture…Design Principles should be a point of departure, setting out a common understanding [of] the issues to be addressed.” (Developing Design Principles for National Infrastructure (NIC, 2018)).”
Taking Value as an example:

- Provide wider economic and supply chain benefits, and a positive legacy for the communities in and around Mallard Pass Solar Farm. There is absolutely no detail of any economic or legacy benefits for the communities in or around the proposed Mallard Pass development.
- Respect the wider landscape and the intrinsic value of the countryside and natural environment;
- Respect and respond to features of heritage value.

Taking People as an example:

- Engage openly and transparently with local communities, stakeholders and neighbours, making use of local knowledge to improve our project; • Consider feedback carefully and engage and respond meaningfully;
- Behave as a considerate neighbour through both construction and operation;
- Respect public amenity.

There needs to be more details as to how Mallard Pass intends to deliver the above, and also detail as to what methods and processes they will use to assess that the above are delivered?

4.1.2. P57 “Consultation alongside the EIA process is critical to the development of a comprehensive and proportionate ES. The views of statutory and non statutory consultees are important to ensure that the EIA from the outset focuses on the environmental studies and to identify specific issues where significant environmental effects are likely, and where further investigation is required”.
Please check Mallard Pass’s statutory and non-statutory lists as they appear to have some errors and inconsistencies in relation to cross county (Lincs & Rutland) coverage with certain organisations.

4.2.2. P58 “All responses received during consultation are being carefully considered and taken into account in the development of the Proposed Development and a consultation summary report has been released at the same time as this EIA Scoping Request.”
The Scoping request was issued on the 7th of February, but the consultation summary report booklet wasn't received in the post in Greatford until the 24-25th of February.

5.4.7. P63 “Paragraph 4.2.2 of the NPS states that: “To consider the potential effects, including benefits, of a proposal for a project, the IPC [now PINS] will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being.” How will they demonstrate community cohesion and well-being, what methodology will they use? There is no detail as to any social or economic effects of the development in this scoping report, or how they might be measured should they arise.

5.5.5. P67 Section 2.48 of the Draft NPS EN-3 sets out key influences that developers should consider when selecting sites for solar development" eg. Proximity of a site to dwellings – why is there no minimum agreed buffer in their offsets list?

5.5.8 P67 "Draft NPS EN-5 includes a new section on 'Environmental and Biodiversity Net Gain' at Section 2.8, which states that when planning and evaluating a projects contribution to environmental and biodiversity net gain, it will be important, for both the Applicant and examining Authority, to recognise that "the linear nature of electricity networks infrastructure allows excellent opportunities to: i) reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and/or ii) connect people to the environment, for instance via footpaths and cycleways constructed in tandem with biodiversity enhancements."
Please can you clarify how these will be delivered? as there is no detail in the scoping report.

5.7.7. P71 "Policy RE1 'Renewable Energy Generation' of the SKDC Local Plan states that proposals for renewable energy generation will be supported subject to meeting the criteria outlined in Appendix 3 'Renewable Energy' of the Local Plan and provided that:

- The proposal does not negatively impact the district's agricultural asset;
- The proposal can demonstrate the support of affected local communities;
- The proposal includes details of the transmission of power produces;
- The proposal details that all apparatus related to renewable energy production will be removed from the site when power production ceases;
- That the proposal complies with any other relevant Local Plan policies and national planning policy."

The proposed scheme appears to be in direct conflict with much of the local policy RE1 as it does negatively impact upon the district's agricultural asset, does not demonstrate support for local communities and does not seek to remove all apparatus when production ceases.

6.3.1. P74 "Whilst every ES should provide a full factual description of the development, the **emphasis** of Schedule 4 (of the EIA Regulations) is on the "significant" environmental effects to which a development is likely to give rise."
Emphasis does not mean the preclusion of other impacts. How significant is evaluated can be differently interpreted and this needs to be clarified.

6.5.3. P75 "The 'future baseline' scenario will describe the changes from the baseline scenario as far as natural changes can be established, although it is noted without the Proposed Development that the solar PV Site would continue to be intensively managed for agricultural purposes." The baseline should consider likely forthcoming changes in agricultural practice as landowners diversify and perhaps re-introduce livestock, change rotations to fix atmospheric nitrogen instead of purchasing artificial nitrogen (with associated environmental benefits) and grow a wider range of crops or release the land for rewilding.

6.5.19.P80 "Cumulative effects with other schemes will be assessed as part of the EIA process." The other schemes need to be identified first before any areas are scoped out – this is not obvious in the recommendations of this report. The scheme might not be solar but the traffic impacts upon Greatford and surrounding villages from new housing, a 55Ha quarry, a water pipeline and other developments in the area should be scoped in and studied in greater depth.

6.5.27. P81 "Mitigation measures are developed as part of an **iterative** process and therefore will be developed throughout the EIA process in response to the findings of the initial assessments."
How can so many areas in this report be scoped out if a number of mitigation measures are going to be iterative? This does not make sense.

6.5.30. P83 “Our approach to EIA is not to undertake an assessment of environmental effects where primary or tertiary mitigation measures are sufficient to avoid a likely significant effect occurring. This approach allows the ES to be focussed solely on the likely significant environmental effects and not theoretical significant effects that will not materialise as a result of the design or standard construction practices.”
Is this wholly valid? Who decides what is a theoretical significant effect? What happens if a theoretical effect becomes an actual direct effect?
Mallard Pass appears to have entirely dismissed the major concern of the Parish of Greatford which is the potential for the proposed development to increase the speed and volume of flooding in the village as a result water running off panels and the underlying soils being unable to absorb all of the water they are currently able to. This could be defined as a theoretical effect but it needs to be part of the approach and a thorough assessment of the risk and likely impact needs to be undertaken.

6.5.35. P84. Regulation 14(2)(d) of the EIA Regulations also requires that the ES should include: "A description of the reasonable alternatives studies by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment…"
This is not apparent in any documentation so far. Can this be reviewed? In the initial consultation we asked why the large number of local brownfield sites such as dis-used airfields and dis-used landfill sites with a surface area of circa 730 Ha and within 10miles of the Ryhall substation aren’t being considered?

7.3.2 P89 “A number of viewpoints have been identified from within and around the Site from publicly accessible locations to understand the nature of existing views towards and within the Site to inform the assessment.

We have appended the “viewpoints.doc” from Mallard Pass Action Group which has reviewed all the proposed viewpoints and the choice of locations for photomontages. As locals we are best equipped to understand the viewpoints for both transient and amenity users and we recommend that these viewpoints are used to consider the visual impact of the proposed development.

7.3.3 P90.”However, the gently undulating terrain combined with woodland stands, vegetated field boundaries and roadsides act to provide a wooded backdrop to many views and, therefore, screening the Site from further afield, limiting distant views from outside of the Site.”
This baseline assessment is not the case for a large proportion of the site which has open views. These statements are misleading.

7.3.15. P95 “The study area includes the settlements of Essendine, Ryhall, Belmesthorpe, and fringes of Stamford, scattered properties as well as recreational routes and PRoW (footpaths, bridleways etc.) and local roads.”The viewpoints cover a wider area than listed including the outskirts of Carlby, Braceborough, Aunby, Pickworth etc.

7.3.17 p95 Grade II* **Burley** House RPG (approximately 1.5km south), (considered as part of landscape value); this should say Burghley House in Stamford as opposed to Burley House which is near Oakham – this error is repeated throughout the scoping report.

7.3.20. P96 A preliminary assessment from desk-study and fieldwork indicates that potential landscape character and visual effects would likely be limited to the solar PV Site and its local context up to approximately 500m east and south, and 1km west and 2km north. Areas at greater distances from the Site in these respective directions are **unlikely** to experience any notable or perceptible change to their prevailing characteristics, owing to the limited intervisibility of the Proposed Development as a result of intervening vegetation, existing built development and landform. This is a vague statement and needs to be backed up with robust data.

7.3.21. P97. “The representative viewpoints have been selected from publicly accessible locations and generally where the greatest potential effects are anticipated to be experienced. The viewpoint locations represent a wide range of receptors, providing a 'sample' of the potential effects from the locality, with locations purposefully selected to illustrate the range of visual effects; or to specifically ensure the representation of a particularly sensitive receptor. Please see Appendix 1 of this scoping opinion for a better selection of viewpoints that in our opinion better assess the impact of the proposed development.

7.3.22 P97 “we propose to undertake rendered photomontages for years 1 and 15 of the Proposed Development from Viewpoints 1, 2, 3, 10 and 11 to demonstrate the views” **Assessment covered in separate ‘viewpoints.doc’ – Appendix 1. Most of the photomontages selected by Mallard Pass do not give a representative view of the solar panels.**

7.3.27 P91 “The reversible nature of the Proposed Development means that the landscape can be returned to its former agricultural use, should it be decommissioned”.
This makes a huge assumption that the soil will be capable of returning to agricultural farming, and over what time period is this likely to occur? Soil takes millennia to produce and can be destroyed in a few years. There is no evidence to validate this assumption and no detail as to how decommissioning will be undertaken; this needs to be within scope of the EIA.

7.3.37. P104 “Early and continued development of the design has identified potentially affected settlement fringes and residential properties and resultantly, the proposed built solar development footprint has been set back considerably from these boundaries (e.g. around Essendine), providing a sufficient buffer between these receptors and Proposed Development, to avoid the potential risk of 'overwhelming' or 'over-bearing' visual effects to residential properties. As such, residential amenity will not be assessed within this LVIA and is scoped out of the EIA. A Residential Visual Amenity Assessment will be undertaken and submitted as part as a standalone report as part of the DCO application.”
Given the level of feedback to the first consultation it is evident that residents in the vicinity of the proposed development feel their visual amenity is still heavily affected. Whether they live next to the PV site or close to it, in their day to day life the visual impact is significant. The level of detail on mitigation so far does not alleviate the visual concerns, so this should definitely not be scoped out at the next stage.

Ecology
7.4.7. P106 “The details of the surveys carried out and the baseline conditions identified are set out in the Ecological Baseline report provided at Appendix 7.2”
There are concerns about the timing, range and extent of some of these surveys not being sufficiently robust to provide an accurate assessment of wildlife present. Eg:-

- Great crested eDNA should be done between mid April and end June. They took samples on 29 April, which is within the timing, but is still a bit early. Evidence of GCN in Braceborough, close to the proposed development, shows that they appear in May.
- Phase 1 habitat survey - end or March and end April is quite early, especially for many flowering plants.
- Wintering birds - should be monthly in Winter (Dec-Mar). Surveys only undertaken in Nov and Dec, so are inadequate. There is no detail about weather conditions on the visits which could affect the result. • Bats should be surveyed May - Sept, but they didn’t survey for them explicitly and they are common in the locality.
- Other protected species surveys Appendix 2.30: Surveys for foraging and commuting bats, roosting bats, hazel dormouse, reptiles, invertebrates and plants (detailed botanical survey) were not undertaken, despite some habitats on site being suitable for these species and they are present in the locality.

7.4.23 P110 “All the hedgerows on Site are considered to meet the description of the Hedgerows HPI”.
Given hedgerows are an HPI, the solar PV should be far more sensitively positioned to enable the best bio diversity to develop. What basis has been used to set the margins?

7.4.25 P110 “The West Glen river has the potential to meet the description of the Rivers HPI (Maddock, 2011) based on the presence of aquatic species and water quality and hydrological parameters, although this was not assessed in detail.”
This should be further assessed given the likelihood of it being an HPI?

7.4.49.P116 “No records of polecat Mustela putorius were returned by the LRC or LRERC but this species is reportedly present on the western edge of the Site along the Drift (information supplied by Tom Tew of Naturespace). This species is an SPI.”
A resident of Greatford has reported a Polecat sighting near Banthorpe lodge. Further investigation is required as this species is an SPI.

7.4.76. P123. Designated sites: “ however, accidental damage and other direct or indirect effects may occur to the Ryhall Pasture and Little Warren Verges SSSI and Tolethorpe Road Verges SSSI, adjacent to the Site. Accidental damage will be avoided by implementing appropriate control measures during the construction stage (tertiary mitigation).”
Due to the nature of the Proposed Development, no impacts to the SSSIs are likely to occur as a result of noise or air pollution.”
Is this assumption valid? There will be pollution from the considerable amount of lorries using a very narrow road not just for the new battery storage facility but for access to the PV areas on that side of the site. Also the proposed mitigation of fencing may not be at all viable as roads are not wide enough already. The verges need to be protected and the fencing process in itself could cause damage.

7.4.77 P 123 “Potential adverse impacts to the integrity of statutory designated sites through loss of supporting habitat is scoped out of the EIA for all phases”.
That is a contradiction to the issues previously highlighted and should not be scoped out.

7.4.89. P127 “During the operational phase it is unlikely that any impact would arise on badgers and therefore is scoped out of the EI”.
There needs to be more survey work to understand the badger behaviour during operation and this should not be scoped out. Experience has shown that they create new setts and move around, farmers are constantly having to be careful when using machinery. There have been issues recently close to the site, of badgers digging next to the gas pipeline and under farm roadways. There were no surveys in the woodland, therefore limited pictures of their habitats.

7.4.95. P128 “No impacts to hazel dormouse during the operational phase are likely to occur.” These are therefore scoped out of the EIA.”
Hazel dormice have been seen close to the site, they should not be scoped out of the EIA

7.4.98. P129 Other mammals P128 “Due to the nature of the Proposed Development, no impacts are likely to arise during the operational phase. These are therefore scoped out of the EIA.”
The impact on brown hares and their behaviour needs to be assessed. Will the 30x30 gates provide sufficient access to the PV area or will there be significant injury/death due to fencing next to roads? The effect on the healthy Roe Deer population present across the proposed development should also be considered in detail.

7.4.103 P130 “Therefore, impacts to birds during the operational phase of the Proposed Development is scoped out of the EIA.”

Further review needs to be done on the impact to ground nesting birds. ie. What kind of ground cover do different ground nesting birds require to ensure a safe undisturbed habitat. What kinds of maintenance activity (sheep grazing, mowing) will disturb that habitat?

7.4.107. P131 Amphibians "The Site supports few terrestrial habitats with the potential to support amphibians and these are proposed to be retained. All ponds are also proposed to be retained and none within the Site, or adjacent to it, were found to support GCN, though common toad may be present."
There are GCN in Braceborough and therefore likely to be in other ponds on the site, the survey was conducted at the wrong time to identify their presence, further investigation is required.

7.4.111 P132 Invertebrates. "Operational impacts to invertebrates are scoped out of the EIA." There is insufficient data available, no survey work was conducted. There needs to be a better understanding as the compaction impacts on the soil and how the changes from agriculture to solar PV land affects their habitat and populations.

7.4.115. P132 "During the operational phase of the Proposed Development, no impacts to protected species are likely to occur as:

- The lighting scheme will be designed to avoid artificial lighting on linear features (including hedgerows and water courses), woodland and other retained or created habitats. This will avoid adverse effects on bats, dormice, otters, water vole, amphibians, birds and other SPIs.
- Onsite operational traffic will be minimal and limited to maintenance vehicle movements at very low intensity, with a negligible risk of accidentally injuring or killing any protected or notable species such as wild mammals, amphibians, reptiles or birds.
- No regular presence or work is envisaged onsite leading to disturbance of retained or created habitats.

The above is an assumption and a statement and not backed with clear evidence or assessment. They cannot define the impacts clearly as there is no information on the type of management activities in operation and the different impacts from each activity. Mowing under panels is different to grazing sheep to cleaning the panels to using machinery to take haylage - all have different impacts and the management practices should be assessed in terms of impacts upon wildlife.

7.4.116. Consultation. P133 "The consultation process to be undertaken will involve consultation with the Ecology Officers for Leicestershire, Rutland and Lincolnshire County Councils. Non-statutory consultees such as the Wildlife Trusts will also be approached. These stakeholders will be provided with the summary of the baseline of ecological conditions, the general proposals and the principals which will be used for the detailed design of the Proposed Development."
With so many areas scoped out of the operational EIAs, and only preliminary data and survey work so far, how can the stakeholders receive an informed baseline of information?

A report from Natural England: Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012) 2017:

"When considering site selection for utility scale solar developments it is generally agreed that protected areas should be avoided. This is reflected in the scientific literature where modelling approaches include many factors such as economic considerations and visual impact but also often avoid protected areas such as SPAs. This is echoed by organisations such as Natural England and the RSPB that recommend that solar PV developments should not be built on or near protected areas. As sensitive species and habitats are not necessarily restricted to the geographical boundaries of protected areas, it is imperative that research is undertaken into the potential interactions between solar PV arrays and biodiversity, especially sensitive habitats and species." "...concerns have been raised that solar PV developments have the potential to negatively impact a broad range of taxa including birds, bats, mammals, insects and plants. In light of this, it is highly recommended that research is undertaken into the ecological impacts of solar PV arrays across a broad range of taxa at multiple geographical scales."

Given these conclusions, it is too early in the process to suggest that so many areas are scoped out of the EIA.
Highways
7.5.39/40. P143. "The IEMA Guidelines for the Environmental Assessment of Road Traffic identifies two broad rules-of-thumb which could be used as a screening process to determine the scale and extent of assessment. These rules are summarised as follows

- Rule 1 – include highway links where traffic flows will increase by more than 30% (or the number of HGVs will increase by more than 30%).
- Rule 2 – include any other specifically sensitive areas where traffic flows have increased by 10% or more.

Any links within the study area that fall below these thresholds will be scoped out of the assessment, unless specifically requested to be incorporated by key stakeholders or the local Highway Authorities." **The fundamental question is whether the vehicles' movements have been accurately forecast. This affects all associated scoping assumptions.** If you refer to Sunnica's CTMP https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-001865-SEF_ES_6.2_Appendix_13C_Framework%20Construction%20Traffic%20Management%20Plan%20and%20Travel%20Plan.pdf, you will see their level of vehicle movements for a 2400 solar PV area. Mallard Pass is disproportionately low.

7.5.42. P144 Sensitive receptors.

- Route 1: should list other drivers at this critical Great Casterton T-junction after having come off the A1; users of the villages of Ryhall & Essendine.
- Route 2. There are 2 primary schools not listed in Uffington; users of the villages of Tallington and Uffington; users of the town of Stamford.

All of these are sensitive receptors. Aside from noise, pollution, safety is a major consideration.

7.5.44. P145 "Potential Effects The potential effects to be assessed during the construction phase of the Proposed Development on those links that exceed the thresholds set out at paragraph 7.5.39 are as follows:

- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian and Cyclist Amenity;
- Fear and Intimidation;
- Accidents and Road Safety;
- Hazardous Loads."

Is The IEMA the only baseline methodology for assessing these impacts? An increase in certain traffic levels may not create a linear impact on some of the effects listed above. There also needs to be some assessment which is not purely quantitative and linear, but has qualitative and local knowledge inputs. The methodology seems very unrepresentative of the reality that would be experienced if the impact was deemed medium for example.

7.5.56. P148 Hazardous or Dangerous Loads. This is scoped out of the assessment. There are hazards along all 3 routes of different descriptions. There is high potential for collision with other vehicles with articulated transport in particular due to narrow or windy roads, hills – already known accident hotspots. Given the sensitive nature of some of the loads – toxic substances contained within the solar panels, batteries etc, it seems very unwise to scope this out of the EIA and it should in our opinion be scoped in.

7.5.59. P149 "it is considered that the significance of the environmental effects of the operational phase of the Proposed Development would be negligible with respect to access and highways and therefore a detailed assessment of the operational phase of the Proposed Development is proposed to be scoped out of the EIA." Given it is not clear what kind of management activities will take place, can it be clarified what has been used as a worst case scenario to underpin the vehicle movements and scope this out?

7.6. P151 Noise and Vibration. Baseline conditions. The list is not complete, it should include the following: 1 Grange Farm Cottage, 2 Grange Farm Cottage; Grange Farm; West Barn Cottage, Lodge Cottage, Braceborough Lodge Farm

7.6.10. P153. The NPPF also notes that tranquil areas which have remained relatively undisturbed by noise and which are prized for their recreational and amenity value should be identified and protected. Many parts of the proposed site on PRoW are in our opinion undisturbed by noise and are definitely prized by the residents for their recreational and amenity value.

7.6.22 Desk and field study. Appendix 7.4 only highlights the locations, yet the data is only going to be provided at the ES. Given how critical this is to residents, they would want to see something in the PEIR for the public consultation in the spring. The whole PV site plan could change depending on the buffer they allow for nearby properties which could be impacted by these results. The test frequency appears very limited in 7.6.23, will it provide a representative baseline? Will any allowance be made for the impact of wind direction and to extend the 250m boundary and factor it into the noise level range (high wind, low wind etc).

7.6.31. P158. "Some construction activities, such as piling operations, drilling or vibratory rolling techniques, can generate vibration levels in close proximity to their use (less than 50m typically)".
If proximity to any residential areas is less than 50m, there should be an assessment of the wider impacts on those properties ie. not just noise, dust etc, but importantly if older properties have no foundations what could be the impact of those vibrations. Clarity upfront on residential buffers/margins to proximity of solar PV could resolve many questions/concerns.

7.6.36. P160. "Primary mitigation will first involve adjusting the design of the Proposed Development to maximise (where possible) the distance from areas including noise-generating plant from noise-sensitive receptors. The detailed design of the Proposed Development, including final plant locations and selections, can be controlled through a requirement of the DCO that would establish suitable noise limits at the boundary of the Site".
Would it not be more helpful if Mallard Pass at the earlier stages set their noise limits and adjusted their plan accordingly, rather than it being a requirement of the DCO? They could share their mitigation measures earlier in the process.

7.6.37 P "Noise impacts from construction traffic are therefore scoped out of the EIA".
This assumes the baseline for vehicle movements is correct which we don't believe it is – ref 6.6.37.

Water Resources and Ground Conditions 7.7
7.7.2. "A desk-based survey was undertaken in December 2021 to understand the baseline conditions for water resources and ground conditions at the Site." Whilst desk-based work is always a starting point, there seems to be no further assessment based on local knowledge and other available information. The report has been produced by Argyll Environmental in Brighton and contains a vast amount of data, site diagrams, flood risk areas, wildlife info, etc, gathered from the EA, Natural England, and other sources, but Argyll themselves point out this report on its own is not sufficient.

7.7.5. P162. "An initial baseline study shows that elements of the Proposed Development north of Essendine village and south of Wood Farm lie within groundwater Source Protection Zones (SPZ) 1 and 2 and outside of the River Welland catchment Surface Water Safeguard Zone".
Given this information it will be critical to avoid any water contamination from damaged solar panels and/or on site battery storage faults (Fires) and mitigation needs to be clearly identified.

7.7.6 P162. This has " 'high' Impact Risk Zone associated with the SSSI at Ryhall Pasture and Little Warren Verges".
As above there needs to be clear mitigation or re-design to avoid any contamination issues.

7.7.12. P164. "A Site walkover will be undertaken to verify the location and nature of watercourses and waterbodies within the study area likely to be affected by the Proposed Development. The Site walkover will augment the desk study."
Depending on when the site walkover is done will significantly impact the conclusions reached. 2021/22 has been very dry. To supplement the desk and walkover studies, every Parish Council and Flood Warden where applicable should also be contacted to build the knowledge base; **in particular, the Greatford Flood Warden has a wealth of knowledge in this Parish.**

7.7.13. P164. "Infiltration testing will be conducted at the Site in early 2022. The infiltration testing will comprise of test pits which will be utilised for testing to Building Research Establishment (BRE) 365 (2016) standard in order to confirm the permeability of the underlying soils and suitability for infiltration drainage." Is this the right testing approach? The infiltration rates at the soil surface are of great concern from a flooding point of view, while test pits are useful to determine field capacity surface infiltration will be key to understanding how large volumes of water draining from panels at their lower edge will interact with the soil post construction, there is a very real danger that large volumes of water will running downhill will erode channels leading to erosion, rapid water runoff, increased flood risk and siltation issues down stream. This does not appear to be considered in the scoping report and should be investigated.

7.7.19. P166. "Draft NPS EN-3 (BEIS, 2021) outlines the requirements for an FRA and the promotion of the use of sustainable drainage systems (SuDS)."
Mallard Pass has not detailed the use of SuDs so far, just acknowledged there are flood risk areas and will raise the height of solar panels. This does not take into account the impact of water run-off outside of the site, and in particular the impact upon flood defences such as the Greatford Cut.

7.7.21. P168. "The baseline data will be used to assess the potential effects of the Proposed Development on hydrological and hydrogeological resources within a 5km study area. This study area is based on the hydrological and hydrogeological connectivity of water bodies located downstream of the Proposed Development."
MPs need to show flood maps taking into account the 5km study area, currently Greatford is just off their map. Please note that the Water Resources Sensitivity table in Appendix 7.6 – this applies to Greatford Cut (a flood defence) and is highly sensitive.

7.7.28. P169 "As sections of the Site are located within Flood Zone 3a, the FRA will need to demonstrate that the Proposed Development passes the Exception and Sequential tests outlined in the NPS and NPPF. There will be a requirement to raise all electronically sensitive equipment at least 600mm above the highest modelled flood level for the 1 in 100-year (+climate change) event, or have a commitment to install flood resilient measures onsite infrastructure."
As above point 7.7.19 if panels need to be raised, what criteria will they use to assess the use of SuDs?

7.7.29. P169. "The FRA will be produced and will focus on the following elements:
• Assessment of the introduction of new hard-standing areas on the greenfield run-off rates, using Micro Drainage software."
This needs to take into account all the new access tracks and hard-standing bases for all the battery storage on the solar PV site, and runoff from the panels themselves.

7.7.31 P170
"Construction effects" – there is no mention of impact of compaction of the soil, temporary access tracks etc on water run-off.
"Operational Effects
• Increase in surface water run-off from areas of hard-standing;" - there is no mention of the impact of run-off from the solar panels themselves. Normally rain is dispersed evenly across the ground, when it falls on solar panels up to 3.5m high, there will be a huge concentration of water run-off at the bottom of the panels, leading to water channels being created, and speeding up the flow of water if the ground is unable to absorb it. These effects need to be taken account of.

7.7.39. P172. Issues to be scoped out. "Potential transfer of chemicals to surface water resources during operation". Given the possibility of contamination from damaged panels or chemical leak from battery fire on the solar PV site, this should in our opinion be scoped in.

Agricultural Land Use
This is a key determining factor in the decision making process with the Planning Inspectorate, so ensuring this is scoped, correctly surveyed and assessed, is critical to the outcome of the application.

7.8.5. P173 "In order to inform the assessment an Agricultural Land Classification survey will be undertaken at the Site. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the solar PV Site."
What is the baseline methodology for determining 210 locations (looks too low), and what guidelines are they using to conduct these surveys? Semi-detailed for such a huge site and with many differing soil series is clearly inadequate. In our opinion this survey needs to be much more detailed and the methodology shared to inform further comment.
According to the British Society of Soil Science (BSSS) Proficiency in ALC Survey Grading of land using the ALC system is not straightforward. For individual development sites this normally involves a detailed ALC field survey, according to the MAFF 1988 ALC guidelines. Proficiency in the conduct of an ALC survey requires knowledge and experience of field soil survey and the interpretation of soil, topography and climate data. There are comparatively few experts capable of carrying out ALC to a sufficient professional standard. For this reason, BSSS has published a professional competency document 4 that outlines the qualification, knowledge, skills and experience required to carry out ALC. It is in our opinion essential that the practitioner carrying out this survey is suitably qualified and experienced.

7.8.17. P176 "In terms of magnitude of impacts, the loss of more than 50ha of BMV land is considered to be a large/major magnitude, losses of 20-50ha are of moderate/medium magnitude and losses of less than 20ha to be of low magnitude. These thresholds are based on established practice. The 20ha threshold is the trigger point for consultation with Natural England on losses of BMV agricultural land.
Based on an approximate solar PV area of 530Ha minimum, should Natural England be involved now as more than 20Ha (3.7%) is likely to be BMV land. Also more than 50Ha (10% of the land could be BMV) which is deemed large/major magnitude. Given these statistics it is even more important that the soil survey work is full, thorough, qualified and wholly independent.

7.8.18. P176. Potential Effects. "The Proposed Development has the potential to affect the agricultural land quality and use of the solar PV Site. The construction process is generally considered unlikely to significantly affect the agricultural land quality or the soil resource".
This is not the belief of local specialists who see there will be damage to the soil through compaction and drilling, putting down access tracks during the construction period. The view is the soil will be badly degraded, and in time devoid of life underneath the panels as light and water will be withheld by the very nature of the

panels. In time the soil will be able to cycle the nutrients necessary to return to agricultural production after 40 years. This of course will be hugely affected with how the soil is managed over the 40 year period. No information or data is offered in the scoping document and this information should be sought and included in the EIA.

Climate Change

7.10.10. P186. "The effect of the Proposed Development on climate change will be assessed by evaluation of two quantities. Firstly, the potential emissions associated with the construction and operation of the Proposed Development. This will include the construction process and the manufacture and transportation of the components of the Proposed Development, and the carbon dioxide emissions embodied within them." This assessment does not include the carbon cost of importing more of our food as a result of the loss of agricultural land production in the UK. It also does not take account of the carbon costs of replacing and recycling panels when they are no longer efficient/redundant – it is known they will not last 40 years. This should be included in the EIA.

Socio-economic

7.1..20/21 Assessment of effects only mentions on the negative side the loss of agricultural workers, there is also the lost income to all the other businesses in the supply chain associated with agriculture & farming. This impact will continue during the operational phase. In our opinion this needs to be factored in.

7.11.25 P195 "it is considered that the effect on the local tourism economy will not be significant and it is therefore proposed that this is scoped out of the EIA." The distances to Stamford and Burghley are closer than 2.3km, as outlined earlier in the report. If you start to change the character and feel for an area it could have a negative impact particularly for Stamford, in our opinion this should be scoped in.

7.11.26 P195 "Significant impacts on PROW users are therefore not anticipated and are scoped out of the EIA. A Recreation and Amenity assessment will be undertaken and submitted in support of the DCO Application"

In our opinion this is too late in the process and needs to be kept in scope at the EIA stage. How has Mallard Pass come to this conclusion? The impacts on walkers, cyclists and horse-riders will be significant, with the potential for mental health impacts for those with fewer alternatives. Traversing these PRoW with panels and security fencing all around is akin to walking through an industrial plant or a prison, removing any sense of enjoyment or well-being. For horses it could prove dangerous, as the tunnel effect on the bridleway will prove very scary, unlike the norm of greenfield land.

This absolutely needs to be scoped in to address the strength of public opinion both in Greatford and in other villages. There is no assessment to show the benefits for the community – whether supporting their local economy or improving the social benefits.

8.0 Environmental Topics Scoped Out of the EIA

Heritage

8.1.13: "Furthermore, mitigation through design (avoidance) can allow any especially sensitive buried archaeological remains (such as human remains) to be safeguarded completely from any disturbance. The desk based assessment and geophysical surveys will aid in the identification of any such locations. Thus, an assessment of buried archaeological remains can be scoped out of the EIA." Given a geophysical survey of the site has been completed, it is asserted that any assessment of buried archaeological remains **cannot** be scoped out of the EIA until such time as the results of the geophysical survey are in the public domain and aspects requiring "mitigation through design" are adequately pinpointed. Given the roman remains findings in field 36, can the geophysical surveys confirm there are no further roman remains at risk from drilling/piling. (Ref.3.1.12).

Air Quality

8.25 P209 “it is considered likely that no exceedances of the annual mean objective will be experienced in the vicinity of the Site.” Given Essendine is at the epi-centre for all 3 routes, has this been taken into account?

8.28/29 P211 “it is not expected that a specific air quality chapter will be required in the ES.”. Surely a sensitivity analysis should be done to determine if the forecast traffic movements are wrong and considerably higher, will any of the assessment thresholds be breached? This should be explored before taking it out of scope.

Risk of Major Accidents or Disasters.

8.4.2. P215 “The EIA Regulations do not include the definition of major accidents and/or disasters. For the purposes of the assessment, the following three definitions and accidents and disasters have been used within the context of the Proposed Development:

1. The Control of Major Accidents Hazard (COMAH) Regulations, 2015, defines a major accident as “an occurrence such as a major emission, fire, or explosion resulting from uncontrolled development, leading to serious danger to human health or the environment (whether immediate or delayed) inside or outside the establishment, an involving one or more dangerous substances”.
2. The International Federation of Red Cross & Red Crescent Societies Disaster and Crises Management Guidance provides a useful definition for disaster, which is “a sudden calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community’s or society’s ability to cope using its own resources. Though often caused by nature, disasters can have human origins.”; and 7863_EIA_0001 Mallard Pass EIA Scoping Report
3. The Oxford English Dictionary defines an accident as “an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury.”

Are these the right and appropriate definitions – “an unfortunate incident” is not how a battery storage fire and explosion will be perceived if it happens?

8.4.10. P217 “Component and equipment of the Proposed Development will be installed in accordance with the relevant Fire regulations and guidance from the Health and Safety Executive. The operational phase of the Proposed Development would involve routine maintenance and servicing of equipment to ensure the safe operation of equipment. Fire equipment and notices will also be provided onsite for the availability of personnel and would be regularly inspected and serviced in accordance with relevant Fire Regulations. The ES will include details on the measures incorporated into the design to minimise any potential impact of Proposed Development resulting from a fire. As such, a separate ES chapter covering risk from fire accidents is not considered necessary.”

The scale of this battery storage will be unprecedented in the UK and upfront design is critical to ensure the safety for the local communities is the highest priority. It is our opinion that a separate ES chapter covering risk from fire accidents is absolutely necessary.

8.4.11. P218 “An outline Battery Safety Management Plan (oBSMP) will be prepared and submitted with the DCO Application. The oBSMP will detail the regulatory guidance reviewed to ensure that all safety concerns around the BESS element of the Proposed Development are addressed in so far as is **reasonably practicable**.” – would that kind of comment be allowed with a nuclear power station?

This is one of the biggest concerns for residents given the evidence of fire safety events with lithium-ion batteries all over the world. The amount of time allocated in this report is negligible. It shows no understanding or respect for the impacts of such an adverse event. The lethal toxic gases, the uncontrollable fires, the environmental damage require more than just a plan, they require thorough design, and full assessment throughout the planning process and need to be scoped in.

Human Health

8.5.5 P220. Will Mallard Pass clarify there are no cable routes in close proximity to PRoW? 8.5.6. P220 “Due to interactions with human health covered elsewhere within individual topics of the ES, it is not considered necessary to provide a separate Human Health ES chapter.”

There does not seem to be any recognition or assessment of mental health impacts, just physical health. Therefore health should not have been removed totally from the scope.

Conclusion

Table 10.1 on P230 highlights the extent of areas scoped out of the EIA. Given the unprecedented scale of this project, and the lack of full information and understanding at this early stage in the process, we would ask for a cautious approach to be exercised and for areas highlighted in this report to be recommended to be put back into scope.

Overall our concerns relate to the number of areas that are to be scoped out of the EIA. In some cases there is insufficient early data, and/or an underestimated impact of the issues on receptors. Given the scale of this NSIP project, it is essential nothing is scoped out too early in the process.

Please acknowledge receipt of Greatford Parish Council’s scoping report opinion by return.

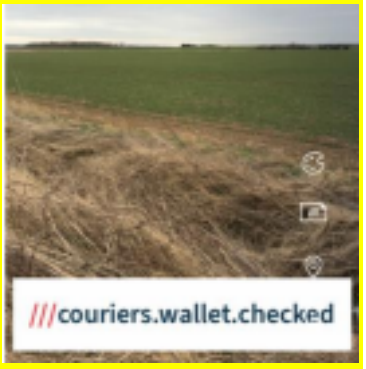
Yours faithfully,

Cllr Philip Britton

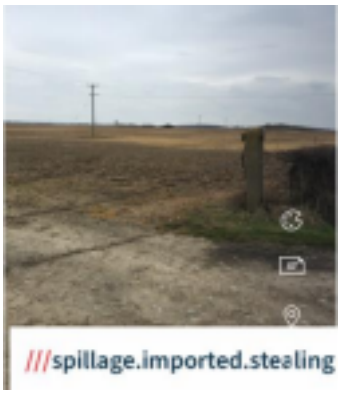
Chair, Greatford Parish Council

Appendix 1

Mallard Pass Solar Farm proposed viewpoints

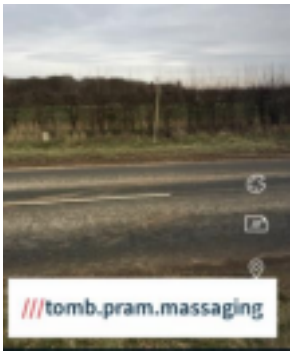
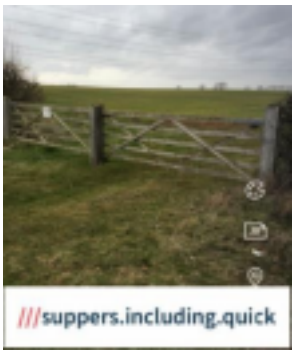
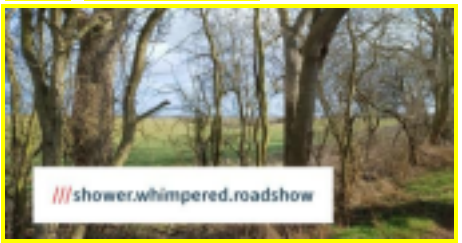
Viewpoint	Mallard Pass proposed viewpoint	Revised suggestions
1	This viewpoint shows small area of field 29 beyond large mitigation area, set back from the road, so only partially visible. Not the best viewpoint for a montage, should be re-allocated to another area.	Turn left of A6121 to Greatford, just down on RHS. Views of 29,30,33, 34,36. Better montage option. 
2	This is along the A6121. There is a mitigation area in front of this, and the solar panels will be on a far higher piece of ground. Not clear how far set back the panels will be in field 29 that adjoins field 28. Not the best viewpoint for a montage, should be re allocated to another area.	
3	This viewpoint is in a low lying area out the back of Carlby, the panels heading west are on the other side of the elevated railway line. This viewpoint is irrelevant and should be removed. It should not be part of the montage selection.	Recommend replacing it at the top of the footpath just outside Essendine, looking east over at fields 28,29,30,33 

4	This point is next to the bridleway and is an obvious choice. However the viewpoint opposite, still on the same bridleway, is stronger.	Just down the same bridleway a few hundred yards under the power lines. This is a 360 panoramic and should be the montage view

		
5	This looks out onto an area of mitigation on to field 39 where there will be no panels and it is not next to a footpath.	Recommend moving this further up the road towards Carlby and positioned next to the footpath sign outside Grange Farm that would provide a relevant viewpoint of the panels across field 36. 
6	This is on the wrong side of the railway line with no solar PV fields visible.	The north side of the railway, 50 yards along the bridleway to where it bears to the right, adjacent to field 35. It provides long distance views of the PV panels. Ideal for the photo montage. 

7	This is on a footpath which leaves green lane just after it starts on Newstead Lane. The point chosen is only just into the field and the current scrub land at the field edge is so high is blocks the view across to Wood Farm. The panels are to be located on this field.	These 2 viewpoints on this path are far more representative of the views.  
8	This point shows clearly the impact of the solar panels when looking across the fields as you pass gateways. Panels will be visible all along the road from Uffington to Essendine though the hedge varies in thickness and height and will afford some screening along parts of the road particularly in summer when in full leaf. This viewpoint is OK.	
9	This viewpoint is restricted with hedgerow which is a feature down Uffington road. I suggest the viewpoint is taken in an open gateway.	

10	This viewing point is on a footpath which leaves the village of Belmesthorpe off Castle Rise. There is no visibility of the proposed solar farm which is up an incline and on the other side of a fully hedged bridleway. There is no logic for it to be included. This should not be a montage view.	No available alternative.
11	This viewpoint is fine.	
12	This view point is located on the B1176 at the point a footpath joins the road between fields 9 and 12. The view point will show clearly the visual impact of the arrays when looking across the fields to Essendine, so relevant for walkers and horseriders. However it is a low point on the road and does not necessarily give a true perspective of the panels from the higher points of the road when travelling from Ryhall to Little Bytham by vehicle.	Also suggest these viewpoints at the Drift junction looking east to Essendine across field 9, and NW in

	Could be a montage option. Also suggest the following points opposite.	 field 2. 
13	The hedge is high and dense and so the fields where arrays will be mounted is not very visible at the particular point shown on the byway. It misrepresents the open coppices that flag both sides of the drift and the clear visibility field users will have where the arrays will be mounted. This by way is very well used by walkers, horse riders, cyclists and a variety of other road users.	Alternative suggestions still adjacent to field 13. Good montage point  

14	This is located at Barbers Hill at the most northerly point of the scheme. However the location is on a high, flat & straight piece of road which completely misrepresents the true topography of the area – the south facing slope of the field is not evident and the view point does not give a true indication of the visual impact the scheme will have – this is clearly evident just a 100yds or so further south along the B1176 – see opposite	V slightly further south on B1176 looking down the hill and across towards Essendine. A good montage option. 

	More suggestions opposite:	Just south of the crossroads B1176 heading to Ryhall looking east across fields 5&6 & beyond.  Heading north on B1176 to Careby looking across field 4  B1176 crossroads looking across to Essendine to fields 5,6,7,8, 10,11  Heading west out of Carlby over the B1176 crossroad on RHS looking west into field 4.

28.2.22

Health and Safety Executive

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

FAO Katherine King
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN
By email only

Dear Ms King

23 February 2022

PROPOSED MALLARD PASS SOLAR FARM PROJECT (the project)
PROPOSAL BY MALLARD PASS SOLAR FARM LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11

Thank you for your letter of 7 February 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 within multiple consultation zones of major accident hazard sites and major accident hazard pipelines.

This is based on the current site boundary configuration as illustrated in, for example, 'Drawing number 7863_100 Zone of Theoretical Visibility (ZTV) Study Including Woodlands and Settlements - Proposed Viewpoints' within the document 'Mallard Pass Solar Farm Scoping Report Technical Appendices February 2022

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's Explosives Inspectorate has no comment to make in regards to the proposed development.

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 . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely,

AJC

Pp Allan Benson
CEMHD4 NSIP Consultation Team

From:	[redacted]
To:	Mallard Pass Solar
Subject:	Mallard Pass Solar Farm EIA SCOPING RESPONCE HISTORIC ENGLAND - Your ref EN010127 our ref PL00758842
Date:	07 March 2022 19:49:15

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.
Application by Mallard Pass Solar Farm Limited (the Applicant) for an Order granting Development Consent for the Mallard Pass Solar Project (the Proposed Development).

Dear PINS

We note the proposed green space / enhancement areas within the indicative layout, these appear to coincide with areas of key interaction between the scheme and the setting of designated heritage asset, as such these zones will require detailed consideration in the ES. We note in particular the set-backs at Braceborough, Greatford, Uffington and Essendine, these appear to be a sound starting point in respect of addressing the setting of designated heritage assets (see our GPA2 https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/). It will be important to consider kinetic and fixed point views to, from, between and across the landscape in particular as the church spires appear and disappear as one moves between settlements and over former heath.

We also welcome an iterative approach to the assessment of direct archaeological impacts starting with field walking and geophysical survey – in which respects we refer you to the advice of the County Council Heritage Teams at Lincolnshire Historic Environment Record and Leicestershire & Rutland HER – with Curatorial Advice from Leicestershire County Council and Lincolnshire County Council / Heritage Trust for Lincolnshire as appropriate.

This is a large scheme, landscape scale impacts need to be considered in the context of historic landscape character as well as the setting of specific assets. The structural landscape role of higher areas of former heath lying between more intensively exploited richer soils around medieval nucleated settlement should be considered, (both in terms of environmental opportunities and impacts) as should the particular archaeological character of the proposed development areas at that wider scale.

Yours sincerely

Tim Allen

Tim Allen MA FSA
Development Advice Team Leader (North)

Midlands Region
Historic England
The Foundry, 82 Granville Street, Birmingham B1 2LH

[redacted]
http://www.historicengland.org.uk/ | @HistoricEngland

BY EMAIL ONLY
FAO Katherine King – Snr EIA Advisor
The Planning Inspectorate

Marc Willis
Applications Manager
Planning Services
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Tel: 01522 782070
[redacted]

4 March 2022

Your Ref: EN010127
Our ref: NSIP1

Dear Sir/Madam

SCOPING OPINION REQUEST BY MALLARD PASS SOLAR FARM LIMITED IN RELATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE MALLARD PASS SOLAR PROJECT

I write in response to your letter dated 7 February 2022 seeking this Authority's views and comments on the Scoping Report produced by LDA Design 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.

General comments

Lifespan of development

Paragraph 3.5.1 - solar developments are typically considered to be 30 to 40 year developments with panel degradation cited as a limiting factor on project lifespan. Despite this the applicant does not propose to specify the operational life of the solar development and therefore is not seeking a time limited consent (paragraph 3.5.1) and states that the EIA will be carried out on the basis that the development is permanent, to ensure a worst case assessment of likely significant effect. If this is the case then the ES will need to assess the impacts of the development as a permanent feature in the landscape including impacts such as the permanent loss of arable farmland should the DCO be granted.

The ES should also include an assessment of the likely impact of component replacement (e.g. batteries and panels) and outline what measures/safeguards will be put in place to ensure that any replacement components are of the same overall

parameters/dimensions/specification etc as those which are assessed as part of the ES and thus unlikely to give rise to new or increased effects have already been identified and assessed. This is necessary given the potential changes in technology that can occur which may result in replacement components varying significantly from those which form part of the current proposal.

Alternatives

Paragraph 6.5.36 indicates that a consideration of alternatives will be presented within a standalone chapter of the ES and that this will likely involve the analysis of different layouts, scales, technologies adopted, design parameters and site selection. The Council agrees alternatives should be considered and contained as a separate chapter in the ES.

In this section consideration should however 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.

The assessment of alternative sites should also include a county-level alternative assessment area which considers 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 any difference in the impacts on agricultural land.

The ES should also 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.

Comments on topics identified to 'scoped in'

Section 7.3 - Landscape and Visual Impact

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council recommends that the following publications be taken into consideration when carrying out the LVIA and added to those referenced in para 7.3.9:
    i. 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
    ii. Technical Guidance Note (TGN) 2/21 - Assessing landscape value outside national designations, May 2021 by the Landscape Institute.
- Due to the limited time given for the Council to review the Scoping Report we have not had chance to visit or check the viewpoints proposed. It is however noted that the representative viewpoints identified are subject to micro-siting and confirmation on the ground and therefore the Council would invite the Inspectorate to make clear in their

response that these are not fixed at this stage and are subject to review and amendment through on-going and subsequent discussions with the Council and other host authorities.

- Paragraph 3.1.17 suggests that individual battery storage containers will be stationed adjacent to central inverters (should these be used) or transformers. It is not yet clear if string or central inverters will be used as part of the development (see para 3.1.14) or how many battery storage containers will be required. If the decision is taken to use central inverters, then the ES must consider the impacts of the battery storage within the final layout in particular in relation to LVIA and noise impacts and we invite the Inspectorate to require that the 'worse case' scenario is tested based on the maximum dimensions suggested.
- See comments in respect of Cultural Heritage with regard to assessing the potential impacts on designated assets including the Grade II Greatfoord Hall; Grade II Uffington Park; Grade II* Burghley House & Hollywell Hall.

Section 7.4: Ecology and Biodiversity

- The Council agrees this matter should be 'scoped in' and that appropriate assessments should be included as part of the ES. The Council is also agreeable to the general approach and methodology detailed within the Scoping Report and offers no specific comments on this aspect/topic at this stage.

Section 7.5: Access and Highways

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council is also agreeable to the general approach and methodology detailed within the Scoping Report and offers no specific comments at this stage other than the following:

  Construction access routes - paragraph 7.3.31 indicates that three potential access routes are being considered. LCC considers Route 1 to be preferable route from a highway perspective since this provides the significantly shortest distance to the strategic road network as Routes 2 and 3 are considerably longer routes. However, unless the applicant confirms the route prior to submission the ES must consider all proposed routes and any mitigation necessary.

Section 7.6: Noise and Vibration

- The Council agrees this should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council is also agreeable to the general approach and methodology detailed within the Scoping Report.
- The Council agrees that operational noise associated with the solar array panels is not expected to represent a significant effect and so can be scoped out. However, there is the potential for noise associated with the larger electrical plant and equipment (as is acknowledged within paragraph 7.6.34) and yet paragraph 7.6.41 appears to suggest

that noise impacts during the operation of the development will be scoped out. The Council disagrees with this approach and considers that there is the potential for noise and vibration impacts to arise from the operation and decommissioning of the development and so these potential impacts do need to be assessed and appropriate mitigation measures identified to prevent, reduce and mitigate any impacts identified and included within the ES.

- Paras 7.6.24 of the Scoping Report suggests that updated background noise surveys are not proposed to be carried out. The Council disagrees with this approach and considers updated surveys should be conducted.
- 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 7.7 - Water Resources and Ground Conditions

- The Council agrees this should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council is also agreeable to the general approach and methodology detailed within the Scoping Report.
- It is requested that the Flood Risk Assessment includes, or is accompanied by, a Drainage Strategy that details proposals required as necessary mitigation for the impact of the development on the surface water regime. Any mitigation proposals would need to follow the SuDS hierarchy in CIRIA guidelines.
- Paragraph 3.2.2 sets out the minimum stand-off distance for ditches however these may need to be increased where ditches are owned/maintained by Internal Drainage Boards (IDB). Typically such ditches require a minimum 9m buffer on each side of the ditch in order to allow access for maintenance. The advice of any IDB should therefore be sought and appropriate buffers designed into the final site layout.

Section 7.8 – Agricultural Land Use

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The proposal site comprises of predominately arable fields with the vast majority falling within ALC Grade 3 with an area of Grade 2 towards the southern extent. 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.

- Paragraph 7.8.5 states *"that in order to inform the assessment an Agricultural Land Classification survey will be undertaken. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the site".* Published guidance at https://www.gov.uk/government/publications/agricultural-land-assessproposals-for-development/guide-to-assessing-development-proposals-on-agriculturalland#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 this to the proposal site area this would equate to a much greater number of auger samples being required. The Council therefore considers that the information to be presented in any ALC assessment would not be representative unless it is carried out in accordance with the Natural England Technical Advice Note 49.
- The ES should 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.
- The ES should take into account any other forms of development that are proposing to remove 20ha or more of BMV agricultural land that may be being promoted within the Study Area. The in combination cumulative effects of other proposed or permitted schemes in the vicinity of the development should be taken into account and the Council considers it necessary for the ES to also 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 Heckington Fen Solar Park proposal which is in North Kesteven District/Boston Brough Council area 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 therefore needs to be assessed.
- 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.
- 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 7.9 – Glint and Glare

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- The Council is also agreeable to the general approach and methodology detailed within the Scoping Report and offers no specific comments at this stage other than the following:

  At the time of writing a decision has yet to be taken as to whether the PV panels will be trackers or fixed. In any event the ES must consider glint and glare potential in relation to the degree/orientation and any pivot of the panels relative to any nearby properties within and surrounding the site (as well as RAF airspace if needed) to rule out impacts to aviation interests, motorists and sensitive receptors.

Section 7.10: Climate Change Impact Assessment

- The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
- Paragraph 7.10.10 states that the effect of the development on climate change will be assessed by the evaluation of:
  - the potential emissions associated with the construction and operation of the development, and;
  - the potential savings in emissions associated with the operation of the development as a result of the consequent reduction in use of more carbon-emitting electricity generation methods.

  In addition to these two elements, the Council considers it also necessary for the ES to include an assessment of any increase in carbon emissions as a result of the need to transport/import food and crops from elsewhere which would have otherwise been grown on the arable farmland that would be lost or removed from production as a consequence of the development. Such an assessment would enable the full carbon gains or benefits of this proposal to be properly understood. The Council requests that the Inspectorate therefore requires the applicant to include such an assessment within the ES.

Section 7.11 - Socio Economics

- Paragraph 10.1.3 suggests that Socio-economics is to be 'scoped out' and however oddly paragraph 7.11 then goes on to present an approach to assessment. This is confusing and should be clarified.
- The Council considers that a consideration of the socio-economic impacts of the development should be carried out and contained as part of the ES and this should not simply focus on impacts in terms of direct and in-direct employment. The Council requests that any such assessment 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.
- Paragraph 3.5.3 suggests that the land underneath and around the panels could be managed through a combination of sheep grazing and/or hay/silage production in order to maintain the field vegetation during the operational phase of the development. 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. Furthermore, it is not clear how this proposed use would be guaranteed or secured given there would not be a material change to the use of the land. Therefore, the Inspectorate 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.

- 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 North Kesteven District/Boston Borough area (i.e. Heckington Fen Solar Park). 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.

Comments on topics identified to be 'scoped out'

The Council disagrees with the proposal to 'scope out' the following topics (as set out in Section 8 and paragraph 10.13) and, for the reasons set out below, requests that the Inspectorate requires these to be considered as part of the ES.

- Cultural Heritage
- Air Quality
- Socio-economics

The Inspectorate is requested to require these topics to from part of the ES and take into account the following comments when forming their final opinion.

Section 8.1: Cultural Heritage

- The Council fundamentally disagrees with the proposal for this matter to be 'scoped out' as part of the ES. Despite initial positive contact with the promoter prior to submission of this Scoping Report the Council is deeply concerned with their proposal to 'scope out' impacts on cultural heritage and has grave concerns on the Cultural Heritage section of the submitted documents. The Council therefore requests that the Inspectorate requires appropriate assessments to be carried out as part of the ES by stating this explicitly within its formal response.
- As part of the Environmental Impact Assessment (EIA) process, a Scoping Report should set out the proposed approach regarding Cultural Heritage, and we are deeply disappointed by this submission with respect to the Archaeology and Built Environment. A sufficient evaluation should be carried out to understand the archaeological potential and to inform a reasonable and appropriate mitigation strategy in the Environmental Statement (ES) which will need to be submitted with the Development Consent Order (DCO) application. The full suite of available desk-based information needs to be competently assessed including all available records, air

photos, LiDAR and local sources. This understanding and the geophysical survey results will inform a robust programme of trial trenching to provide evidence for the site-specific archaeological potential of the development and provide the basis for an effective mitigation strategy to deal with the archaeological impact.

- The Council feels the dismissive approach adopted and suggestion of descoping cultural heritage considerations is unacceptable and contrary to professional good practice, planning guidance and EIA Regulations, as well as leaving the potential for massive delays to the work programme and open-ended impact on the project budget. Proposing to descope cultural heritage on the grounds of negligible impact, without having provided the evidential basis through appropriate evaluation work is at best confused and is a catastrophic approach in terms of risk management and project management.
- The Council therefore strongly recommends that cultural heritage is 'scoped in' and that the Planning Inspectorate requires this of the applicant when issuing their formal Opinion.

The following specific comments are also offered:

<u>Proposed Methodology</u>

The Council is extremely disappointed by the proposal to descope assessment of buried archaeological remains. This is entirely unacceptable and denotes a fundamental lack of understanding of the requirements of NPPF and EIA Regulations as well as being an intensely high-risk strategy in terms of project management, timetable and budget.

Paragraph 8.1.12 says *that 'significant effects on buried archaeological remains are not anticipated. This is not to suggest that important buried archaeological remains are not expected to survive within the Site, but that the size and frequency of the driven piles and cable runs for the solar arrays are so slight that even if their location were to coincide exactly with buried remains there would be no material loss of archaeological interest.*' There is no evidential basis for this statement, or for any of the other statements dismissing the proposal's potential impact on uninvestigated archaeology.

On the contrary, 900ha of solar panel frames *'will be pile driven or screw mounted into the ground to a typical depth of approximately 1.5m'* (see paragraph 3.1.12) with onsite cabling trenches to a depth of 1.3m (see paragraph 3.1.3) as well as the same depth for the connecting cable to the National Grid (see paragraph 3.1.27). This is below the depth of archaeological levels.

Paragraph 8.1.13 proposes to mitigate by design and even avoid human remains. Only desk-based assessment and geophysical survey are proposed, neither of which can identify the location of burials. Archaeology obviously cannot be avoided by design when there has not been sufficient competent archaeological evaluation to determine where it is.

Paragraph 8.1.15 proposes descoping the impact upon settings of designated heritage assets. Again, such an approach is entirely unprofessional and inappropriate. Oddly

paragraph 8.1.16 then goes on to present an approach to assessment. This is entirely contrary to the previous sections which have been given over to descoping cultural heritage.

Paragraphs 8.1.17 to 8.1.19 give a brief outline for desk-based assessment, geophysical survey and further investigation such as trial trenching to inform the production of a cultural heritage report despite the earlier statements stating that archaeology will be descoped. This is very confused and the Inspectorate is therefore requested to seek clarification from the applicant about what exactly is being proposed. In practice, this will form the core work necessary for ensuring the Cultural Heritage Section of the EIA conforms to EIA requirements and it will form the basis for the Cultural Heritage Chapter in the ES.

Requirements for Environmental Statement

The ES will require comprehensive desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact areas. 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 secured in the DCO.

Regarding desk-based sources, the ES will require:

- Full LiDAR coverage and assessment; full aerial photo coverage and assessment; archaeological reports; relevant documents from the Record Office covering each site; and the Portable Antiquities Scheme (PAS) data must also be consulted.
- Map regression should include all available maps to provide a reasonable understanding of the development and time depth of the sites.
- The HER search should be for at least 5km for visual impact on designated assets and a minimum 1km search beyond the extent of the full impact zone for non-designated assets.

Full impact zone

We note the Scoping Report only deals with the red line boundary. The full potential impact zone including all proposed connection corridors as well as the red line boundary area will need to undertake sufficient evaluation to allow for a programme of suitable mitigation. The full extent of the proposed impact area including the connector route corridors must be included in the evaluation process as archaeological impacts and subsequent mitigation have the potential for significant financial and scheduling impacts.

The full potential impact zone will require geophysical survey to identify site-specific archaeological potential and to inform a programme of archaeological trial trenching and subsequent mitigation.

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. Pre-determination evaluation of the cable connection corridors can be very useful with informing a decision on the most cost effective and viable route.

Geophysical Survey

Before commencement of any geophysical survey a Written Scheme of Investigation must be submitted with details of the methodology, practice and extent of the work to be undertaken and what quality control mechanisms have been put in place.

For geophysical survey work involving multiple companies a single Written Scheme of Investigation (WSI) for the geophysical survey 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.

Evaluation Trenching

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 DCO application.

Settings Assessment

Regarding a competent Settings Assessment, the application site may affect the setting of several Scheduled Monuments as well as a large number of designated and non-designated heritage assets. The Settings Assessment/Heritage Impact Assessment needs to begin from an understanding of the significance of each of those assets in order to assess the potential impact of the development on them and put forward any potential benefit or mitigation of proposed negative impact.

Paragraph 7.3.35 proposes descoping Burley House and Holywell Hall Park as they are visually distant. Houses, their parks, their estates and their landholdings have interrelationships, establishing the significance of these relationships is an essential component for determining potential impact. Paragraph 8.1.15 also proposes scoping out ‘an assessment of the effects on the heritage significance of these assets (historic buildings, structures, monuments and the historic landscapes)’. No descoping should occur until there has been a robust assessment of significance which can be used as the basis for determining the potential impact of the development upon it.

Overall conclusions on Cultural Heritage

The EIA will require the full suite of comprehensive 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.

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 adequately record the impact of the proposal on archaeological remains.

This is in accordance with 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))

Section 8.2: Air Quality

- The Council disagrees with the proposal for this matter to be 'scoped out' as part of the ES and requests that the Inspectorate requires appropriate assessments to be carried out as part of the ES by stating this explicitly within its formal response. This would be consistent with the approach adopted on over NSIP projects that have already gone through the scoping stage and received a response from Inspectorate (e.g. Heckington Fen Solar Park).
- The Scoping Report states that impacts on air quality would be mitigated through the outline Construction Environmental Management Plan (oCEMP). In the absence of detailed information regarding projected HGV movements, the Council does not consider that an 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 or provide a detailed air quality impact assessment.

Section 9: Cumulative Assessment

- Paragraph 9.1.3 - 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 West Lindsey (i.e. Cottam, West Burton and Gate Burton) and a further proposal which is in North Kesteven District/Boston Borough (i.e. Heckington Fen Solar Park). 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.

Miscellaneous – Community Concerns/Comments

Finally, in addition to the above comments, the Council has also been sent and received a copy of comments and views on the proposed Scoping Report prepared by a local action group 'Mallard Pass Action Group'. Attached to this response is a copy of their response/comments which we have been asked be brought to the attention of the Inspectorate. The Council recognises that local residents and communities have the benefit of local knowledge and so is supportive of their involvement and comments at this stage and invites the Inspectorate to therefore take these comments into account and, where considered necessary, require appropriate assessments or information to be provided as part of the ES by stating this explicitly within its formal response.

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) [redacted]

Yours faithfully

[redacted]

for Neil McBride
Head of Planning

Encs.
Mallard Pass Scoping Request – review by the committee of Mallard Pass Action Group and accompanying Mallard Pass Solar Farm proposed viewpoints

Mallard Pass Scoping Request – review by the committee of Mallard Pass Action Group

We have paid particular attention to the objectives of this scoping exercise, notably:

- The potential significant environmental effects which require assessment
- The assessment methodology for each environmental topic proposed to be scoped into the EIA process
- Sources of information
- Issues of perceived concern
- Any other areas which should be addressed in the assessment

Overall our concerns relate to the number of areas that are to be scoped out of the EIA. In some cases there is insufficient early data, and/or an underestimated impact of the issues on receptors. Given the scale of this NSIP project, it is essential nothing is scoped out too early in the process.

1.1.1. P11. States the generation of an ***anticipated 350MW***. Should it not be more definitive and explain the underlying assumptions that arrive at 350MW.

1.2.2 P12 A developer of an NSIP project should be able to demonstrate effective delivery of similar type projects. Windel only states '***projects*** ranging from 10MW to 320MW'. When previously questioned in the public consultation, they could not confirm any projects actually completed.

2.1.1 P18. Given the MP have clearly identified 54 agricultural fields, the exact size of the development should be clear. It states 'approximately 900Ha'. This report is about assessment methodology based on detailed information.

2.4.2 P20. States: "The Site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability, as indicated by the EA Flood Map for Planning). The Site is predominantly located within an area of very low risk from surface water flooding. Areas of low to high surface water flood risk are located in the northern and western and central areas of the Site, associated with the West Glen River and its tributaries."
Firstly this mentions the **site**, MP should consider impacts ***outside*** **of the site** as well and draw upon local information from residents which can provide evidence of both pluvial and fluvial flooding. Mallard Pass has acknowledged some flood issues on site and the need to elevate panels, we would challenge this baseline information as not being representative and inclusive.

2.9.3. P25. "The solar PV Site is characterised by a high groundwater vulnerability. The northern and western extent of the solar PV Site is located within Zone II (Outer Protection) Source Protection one (SPZ)

- Figure 2.1 P26. The chart is misleading as the red/orange denote the solar PV site, when it fact those areas also include all the mitigation areas.
- Figure 2.6 P30. Water Resources and Flood extents. This chart does not show the impact on Greatford outside the site, and it only highlights 1 in 20 as worst case scenario. As above 2.4.2 we know there is ongoing flooding In Greatford and the bottom of Essendine hill on a regular basis.

3.1.8 P33 Tracker panels could cause different levels and direction of glint and glare depending on time of day. Scoping document should include this point.

- Plate 1 and Plate 2 images of panels – can Mallard Pass ensure the pictures are representative of the panel dimensions given - they look a lot lower, especially when you consider you need to add the elevation off the ground to the panel dimensions.

3.1.12. P36 "The frames upon which the solar PV panels will be mounted will be pile driven or screw mounted into the ground to a typical depth of approximately 1.5m, subject to ground conditions. The option to install concrete blocks known as "shoes" may also be considered, avoiding the need for driven and screw anchored installation, therefore minimising ground disturbance." This decision is key and there will be significant ground disturbance with pile driven or screw mounted frames, so this worst case scenario must

be reflected on the impacts to soil compaction increasing flood risk to bio-diversity disturbance. With the recent find of the Roman mosaic in Rutland, and the finding in 1961 of a Roman grave with human remains within the Mallard Pass site outside Braceborough, the human remains of which are held by the University of Cambridge, it is highly likely that further archaeologically significant remains will be on site. These are very likely to be disturbed by the proposed piles.

3.1.14. P36. "There are two options for inverters." MP need to clearly state the maximum adverse effects of their choice, but importantly should be clear why there is uncertainty. Ref EN-1 2.49.17

3.1.18. P37. "The footprint of the transformers will typically be 12.5m x 2.5m and 3m in height. The configuration of equipment will depend on the iterative design process and influenced by technical as environmental factors." As above they should specify why there is uncertainty and maximum impact scenario of a design.

3.1.21. P37 "The configuration of equipment will depend on the iterative design process as influenced by technical and environmental factors." As above, too vague.

3.1.29. P40 "A fence will enclose the operational area of the Proposed Development. The fence is likely to be a 'deer fence' (wooden or metal) and approximately 2m in height. Pole mounted internal facing closed circuit television (CCTV) systems installed at a height of up to 3.5m"
What is their rationale for 2m high deer fencing, it is too low and the deer will try and jump it and some will be injured. Why is the CCTV so high?
"Clearances above ground, or the inclusion of mammal gates will be included permit the passage of wildlife". Need more detail on clearance or gates and exact wildlife expected to go through.

3.1.30. P41 "For security requirements, operational lighting would include Passive Infra-red Detector (PID) systems which would be installed around the perimeter of the Proposed Development." There is no consideration for the impact on wildlife, particularly light-sensitive animals and how night-time lighting would affect their normal habitat. How sensitive will the PID be, what animals could trigger it and affect others, how long would it stay on?

3.1.31. P41 "The lighting of the primary substation would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would be lighting, similar to street lighting that operates from dusk. Otherwise there would be low level lighting on specific operational units that would again operate from dusk. All lighting would seek to limit any impact on sensitive receptors."
It needs to assess the sensitive receptors and how they will be affected and whether this has a negative impact on their habitat.

3.1.37 P43 Battery Energy Storage System.
Incredibly these have not been included in the section on Risk of Major Accidents and/or Disasters. Indeed Risk of Major Accidents and/or Disasters has been "scoped out" .The type of battery has not been specified - it is highly likely that Lithium-ion batteries will be used.
Lithium-ion batteries can and have failed leading to electrochemical reactions. These reactions do not require oxygen and can spread rapidly giving rise to "thermal runaways." Normally, and incorrectly referred to as a fire. The only method of dealing with "thermal runaways" is cooling with large amounts of water until the reaction ceases. The electrochemical reaction emits toxic gases including hydrogen fluoride.Explosive gases are then emitted which can caused large explosions. There are numerous instances all over the world of serious battery fires and toxic explosions.
Scoping should include design of battery containers to prevent electrochemical reactions, detection, suppression and action to be taken to cool the reaction with sufficient quantities of water. Batteries were included in the Sunnica Energy Farm Environment Impact Assessment Scoping Report and in the Cleve Hill Solar Park Environmental assessment, so there is a precedent for it to be included in the scoping report for Mallard Pass.

Table 3.1: P44 “Minimum Offsets to Landscape and Ecological Features and Designations” table. Are these just statutory minimums adopted? Would it be better to also show a maximum as these offsets do not demonstrate full acknowledgement of the importance for wider bio-diversity gains. It shows little sensitivity to many of the receptors.

3.2.3. “The existing Public Rights of Way (ProW) that cross the Site will be retained and incorporated within multifunctional green corridors. Subject to the construction phasing and methodology there may be a requirement to temporarily divert a public right of way during the construction phase, the details of which will be sought to be agreed with the relevant key stakeholders, with an appropriate temporary alternative provided.”
There would need to be a clear risk assessment of diverting or removing a PRoW during construction, understanding the consequent behavior of the walker, horse rider or cyclist. This needs to be clearly scoped due to safety and well-being issues.

3.2.4 P45 “Potential areas for mitigation and enhancement as identified on Figure 3.1 will also provide areas for green infrastructure and potentially be used to deliver a 10% net gain in biodiversity”.
What does “potentially be used” suggest – further clarity required. If not the bio-diversity gain, then what? Bio-diversity gains need to be quantified and qualified and over what time period. It is not a pure volume metric, it has to be determined through its appropriateness to each habitat and should be measured on a quality index. Every mitigation area will have different needs. It will need to be proven how a bio-diversity gain is maintained through careful management. Further clarity on all this methodology is required.

3.4.1 P46. Construction. Due to start in 2026. Other published Mallard Pass documents say 2024. Can they clarify.

3.4.5 P48. AIL loads. Mallard Pass identified the potential need for temporary localised road widening, there is no mention of assessing the likely impact on bio-diversity and other receptors. The road in question off the A1 between Great Casterton and Ryhall is very windy and is bounded by hedgerow. Equally there are limited options between Ryhall and Essendine.

3.4.8 P48 “it is anticipated that during the peak construction period, there could be 30 Heavy Goods Vehicles (HGV) deliveries per day, which equates to 60 two-way movements”. Looking at other solar farm NSIPs, like Sunnica and Cleve Hill, these estimates look low which will have a knock-on effect of all the assumptions made about traffic impacts, noise impacts and air pollution impacts. There should be greater clarity on the assumptions underpinning these numbers.

3.4.9. P49 “Temporary Construction Compound. During the construction phase, a primary construction compound is expected to be located onsite with one or more temporary secondary construction compound(s) provided at different locations throughout the solar PV Site, as well as temporary roadways, to facilitate access to all parts of the solar PV Site. The details of which (including location, scale and duration) will be set out and described within the ES”.
This is fundamental to the whole traffic plan, how can assumptions be made about traffic loads and routing without stating where these temporary compounds will be. More information is required upfront as they may be many significant impacts.

3.4.10 P49 Construction Reinstatement and Habitat Creation . “A programme of construction reinstatement and habitat creation will commence during the construction phase”.
The underlying grass should be established well before (at least 2 years) construction starts so as to give some resilience to the soil being run on and compacted during construction, established grass will recover far more quickly and provide more protection from flooding and sediment loss than grass established during or after construction. There is no indication of these considerations in the report. Also the plan should consider ground conditions and work should not be undertaken on wet soils, as it will create long term compaction leading to poor water infiltration and increased flood and sediment loss.

3.5. Operation

3.5.1. P50 “The operational life of the Proposed Development is not proposed to be specified in the application and the Applicant is not seeking a time limited consent.”

Is it realistic to assume the life of a solar farm is unlimited. Surely there will be a time limit to the technology as newer more efficient technologies come on board. Equally there will be a life span of the components. They will need to be replaced every 25 years, impacting the receptors during the operational phase. If any part of the site is deemed non-operational, will it be automatically decommissioned?

The land may need to be returned to some other function deemed more important at a future date, should the planning lifespan be unlimited?

3.5.3.P50 “The land underneath and around the panels **could** be managed through a combination of sheep grazing and/or hay/silage production in order to maintain the field vegetation during the operational phase of the Proposed Development”.

“Could” is very vague. The method of management here is key to ensuring the right bio-diversity is maintained and flood risk is fully mitigated by reducing unnecessary compaction. There seems little acknowledgment of needing a clear assessment of pasture management, noting all key receptors. Have they fully explored the options?

3.7.3 P53 “A series of Design Principles will be developed for the Proposed Development. The Design Principles for the Proposed Development will align with the core purposes and ambitions of the ‘Design Principles for National Infrastructure’ which are Climate, People, Places and Value.”

“Principles should act as reminders to the delivery organisation, a steer in the right direction, and a means of restoring focus to the big picture…Design Principles should be a point of departure, setting out a common understanding [of] the issues to be addressed.” (Developing Design Principles for National Infrastructure (NIC, 2018)).”

Taking Value as an example:

- Provide wider economic and supply chain benefits, and a positive legacy for the communities in and around Mallard Pass Solar Farm;
- Respect the wider landscape and the intrinsic value of the countryside and natural environment;
- Respect and respond to features of heritage value.

Taking People as an example:

- Engage openly and transparently with local communities, stakeholders and neighbours, making use of local knowledge to improve our project; Consider feedback carefully and engage and respond meaningfully;
- Behave as a considerate neighbour through both construction and operation;
- Respect public amenity.

What method and process will they use to assess the above are delivered?

4.1.2. P57 “Consultation alongside the EIA process is critical to the development of a comprehensive and proportionate ES. The views of statutory and non statutory consultees are important to ensure that the EIA from the outset focuses on the environmental studies and to identify specific issues where significant environmental effects are likely, and where further investigation is required”.

Please check Mallard Pass’s statutory and non-statutory lists. They have some errors and inconsistencies in relation to cross county (Lincs & Rutland) coverage with certain organisations.

4.2.2. P58 “All responses received during consultation are being carefully considered and taken into account in the development of the Proposed Development and a consultation summary report has been released at the same time as this EIA Scoping Request.”

The Scoping request was 7th Feb, the consultation summary report booklet was received in the post 24-25th February.

5.4.7. P63 “Paragraph 4.2.2 of the NPS states that: “To consider the potential effects, including benefits, of a proposal for a project, the IPC [now PINS] will find it helpful if the applicant sets out information on the likely significant social

and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being." How will they demonstrate community cohesion and well-being, what methodology will they use?

5.5.5. P67 Section 2.48 of the Draft NPS EN-3 sets out key influences that developers should consider when selecting sites for solar development" eg. Proximity of a site to dwellings – why is there no minimum agreed buffer in their offsets list?

5.5.8 P67 "Draft NPS EN-5 includes a new section on 'Environmental and Biodiversity Net Gain' at Section 2.8, which states that when planning and evaluating a projects contribution to environmental and biodiversity net gain, it will be important, for both the Applicant and examining Authority, to recognise that "the linear nature of electricity networks infrastructure allows excellent opportunities to: i) reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and/or ii) connect people to the environment, for instance via footpaths and cycleways constructed in tandem with biodiversity enhancements."
Please request clarity on how these will be delivered.

5.7.7. P71 "Policy RE1 'Renewable Energy Generation' of the SKDC Local Plan states that proposals for renewable energy generation will be supported subject to meeting the criteria outlined in Appendix 3 'Renewable Energy' of the Local Plan and provided that:

- The proposal does not negatively impact the district's agricultural asset;
- The proposal can demonstrate the support of affected local communities;
- The proposal includes details of the transmission of power produces;
- The proposal details that all apparatus related to renewable energy production will be removed from the site when power production ceases;
- That the proposal complies with any other relevant Local Plan policies and national planning policy."

It is critical this underpins SKDC's assessment of Mallard Pass's proposed scheme.

6.3.1. P74 "Whilst every ES should provide a full factual description of the development, the **emphasis** of Schedule 4 (of the EIA Regulations) is on the "significant" environmental effects to which a development is likely to give rise."
Emphasis does not mean to the preclusion of other impacts. How significant is evaluated can be differently interpreted.

6.5.3. P75 "The 'future baseline' scenario will describe the changes from the baseline scenario as far as natural changes can be established, although it is noted without the Proposed Development that the solar PV Site would continue to be intensively managed for agricultural purposes." The baseline should consider likely forthcoming changes as landowners diversify eg. the and is used for bio-energy fuels, re-wilding.etc

6.5.19.P80 "Cumulative effects with other schemes will be assessed as part of the EIA process."
The other schemes need to be identified first before any areas are scoped out – this is not obvious in the recommendations of this report. The scheme might not be solar eg. traffic impacts for new housing, quarry, water pipeline and other solar farms in the area.

6.5.27. P81 "Mitigation measures are developed as part of an **iterative** process and therefore will be developed throughout the EIA process in response to the findings of the initial assessments."
How can so many areas in this report be scoped out if a number of mitigation measures are going to be iterative?

6.5.30. P83 "Our approach to EIA is not to undertake an assessment of environmental effects where primary or tertiary mitigation measures are sufficient to avoid a likely significant effect occurring. This approach allows the ES to be focussed solely on the likely significant environmental effects and not theoretical significant effects that will not materialise as a result of the design or standard construction practices."
Is this wholly valid?

6.5.35. P84. Regulation 14(2)(d) of the EIA Regulations also requires that the ES should include: "A description of the reasonable alternatives studies by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment…"
This is not apparent in any documentation so far. Can this be reviewed.

7.3.2 P89 “A number of viewpoints have been identified from within and around the Site from publicly accessible locations to understand the nature of existing views towards and within the Site to inform the assessment. PLESSE SEE SEPARATE “viewpoints.doc” which has reviewed all the proposed viewpoints and the choice of locations for photomontages. As locals we are best equipped to understand the viewpoints for both transient and amenity users.

7.3.3 P90.”However, the gently undulating terrain combined with woodland stands, vegetated field boundaries and roadsides act to provide a wooded backdrop to many views and, therefore, screening the Site from further afield, limiting distant views from outside of the Site.”
This baseline assessment is not the case for a large proportion of the site which has open views. These statements are misleading.

7.3.15. P95 “The study area includes the settlements of Essendine, Ryhall, Belmesthorpe, and fringes of Stamford, scattered properties as well as recreational routes and PRoW (footpaths, bridleways etc.) and local roads.”The viewpoints cover a wider area than listed including the outskirts of Carlby, Braceborough, Aunby, Pickworth etc.

7.3.17 p95 Grade II* **Burley** House RPG (approximately 1.5km south), (considered as part of landscape value); - should be Burghley House – error repeated throughout.

7.3.20. P96 A preliminary assessment from desk-study and fieldwork indicates that potential landscape character and visual effects would likely be limited to the solar PV Site and its local context up to approximately 500m east and south, and 1km west and 2km north. Areas at greater distances from the Site in these respective directions are **unlikely** to experience any notable or perceptible change to their prevailing characteristics, owing to the limited intervisibility of the Proposed Development as a result of intervening vegetation, existing built development and landform.
This is a vague statement and needs to be backed up with robust data.

7.3.21. P97. “The representative viewpoints have been selected from publicly accessible locations and generally where the greatest potential effects are anticipated to be experienced. The viewpoint locations represent a wide range of receptors, providing a 'sample' of the potential effects from the locality, with locations purposefully selected to illustrate the range of visual effects; or to specifically ensure the representation of a particularly sensitive receptor. ”
Assessment of viewpoints covered in separate ‘viewpoints.doc’.

7.3.22 P97 “we propose to undertake rendered photomontages for years 1 and 15 of the Proposed Development from Viewpoints 1, 2, 3, 10 and 11 to demonstrate the views” **Assessment covered in separate ‘viewpoints.doc’. Most of the photomontages selected by Mallard Pass do not give a representative view of the solar panels.**

7.3.27 P91 “The reversible nature of the Proposed Development means that the landscape can be returned to its former agricultural use, should it be decommissioned”.
This makes a huge assumption that the soil will capable of returning to agricultural farming. What evidence is there to underpin this assumption?

7.3.37. P104 “Early and continued development of the design has identified potentially affected settlement fringes and residential properties and resultantly, the proposed built solar development footprint has been set back considerably from these boundaries (e.g. around Essendine), providing a sufficient buffer between these receptors and Proposed Development, to avoid the potential risk of 'overwhelming' or 'over-bearing' visual effects to residential properties. As

such, residential amenity will not be assessed within this LVIA and is scoped out of the EIA. A Residential Visual Amenity Assessment will be undertaken and submitted as part as a standalone report as part of the DCO application."
Given the level of feedback to the first consultation it is evident that residents feel their visual amenity is still heavily affected. Whether they live next to the PV site or close to it, in their day to day life the visual impact is significant. The level of detail on mitigation so far does not alleviate the visual concerns, so this should not be scoped out at the next stage.

Ecology
7.4.7. P106 "The details of the surveys carried out and the baseline conditions identified are set out in the Ecological Baseline report provided at Appendix 7.2"
There are concerns about the timing, range and extent of some of these surveys not being sufficiently robust to provide an accurate assessment of wildlife present. Eg.

- Great crested eDNA should be done between mid April and end June. They took samples on 29 April, which is within the timing, but is still a bit early. Evidence of GCN in Braceborough shows they appear in May.
- Phase 1 habitat survey - end or March and end April is quite early, especially for many flowering plants.
- Wintering birds - should be monthly in Winter (Dec-Mar). Surveys only undertaken in Nov and Dec, so inadequate. No detail on weather conditions on the visits which could affect the result.
- Bats should be surveyed May - Sept, but they didn't survey for them explicitly.
- Other protected species surveys Appendix 2.30: Surveys for foraging and commuting bats, roosting bats, hazel dormouse, reptiles, invertebrates and plants (detailed botanical survey) were not undertaken, despite some habitats on Site being suitable for these species.

7.4.23 P110 "All the hedgerows on Site are considered to meet the description of the Hedgerows HPI".
Given hedgerows are an HPI, the solar PV should be far more sensitively positioned to enable the best bio-diversity to develop. What basis has been used to set the margins?

7.4.25 P110 "The west Glen river has the potential to meet the description of the Rivers HPI (Maddock, 2011) based on the presence of aquatic species and water quality and hydrological parameters, although this was not assessed in detail."
Should this not be further assessed given the likelihood of it being an HPI?

7.4.49.P116 "No records of polecat Mustela putorius were returned by the LRC or LRERC but this species is reportedly present on the western edge of the Site along the Drift (information supplied by Tom Tew of Naturespace). This species is an SPI."
Polecat has been seen near Banthorpe lodge. " Further investigation required.

7.4.76. P123. Designated sites: " however, accidental damage and other direct or indirect effects may occur to the the Ryhall Pasture and Little Warren Verges SSSI and Tolethorpe Road Verges SSSI, adjacent to the Site. Accidental damage will be avoided by implementing appropriate control measures during the construction stage (tertiary mitigation)."
Due to the nature of the Proposed Development, no impacts to the SSSIs are likely to occur as a result of noise or air pollution."
Is this assumption valid? There will be pollution from the considerable amount of lorries using a very narrow road not just for the new battery storage facility but for access to the PV areas on that side of the site. Also the proposed mitigation of fencing may not be at all viable as roads are not wide enough already. The verges need to be protected and the fencing process in itself could cause damage.

7.4.77 P 123 “Potential adverse impacts to the integrity of statutory designated sites through loss of supporting habitat is scoped out of the EIA for all phases”.
That is a contradiction to the issues previously highlighted and should not be scoped out.

7.4.89. P127 “During the operational phase it is unlikely that any impact would arise on badgers and therefore is scoped out of the EI”.
There needs to be more survey work to understand the badger behaviour during operation and this should not be scoped out. Experience has shown they create new setts and move around, farmers are constantly having to be careful when using machinery. There have been issues recently close to the site, of badgers digging next to the gas pipeline. There were no surveys in the woodland, therefore limited picture of their habitats.

7.4.95. P128 “No impacts to hazel dormouse during the operational phase are likely to occur.” These are therefore scoped out of the EIA.”
Hazel dormice have been seen close to the site, should they be scoped out?

7.4.98. P129 Other mammals P128 “Due to the nature of the Proposed Development, no impacts are likely to arise during the operational phase. These are therefore scoped out of the EIA.”
The impact on brown hares and their behaviour needs to be assessed. Will the 30x30 gates provide sufficient access to the PV area or will there be significant injury/death due to fencing next to roads?

7.4.103 P130 “Therefore, impacts to birds during the operational phase of the Proposed Development is scoped out of the EIA.”
Further review needs to be done on the impact of ground nesting birds. ie. what kind of ground cover do different ground nesting birds require to ensure a safe undisturbed habitat. What kinds of maintenance activity (sheep grazing, mowing) will disturb that habitat?

7.4.107. P131 Amphibians “The Site supports few terrestrial habitats with the potential to support amphibians and these are proposed to be retained. All ponds are also proposed to be retained and none within the Site, or adjacent to it, were found to support GCN, though common toad may be present.”
There are GCN in Braceborough and therefore likely to be in other ponds on the site, the survey was conducted at the wrong time to identify their presence, further investigation is required.

7.4.111 P132 Invertebrates. “Operational impacts to invertebrates are scoped out of the EIA.”
There is insufficient data available, no survey work was conducted. There needs to be a better understanding as the compaction impacts on the soil and how the changes from agriculture to solar PV land affects their habitat.

7.4.115. P132 “During the operational phase of the Proposed Development, no impacts to protected species are likely to occur as:

- The lighting scheme will be designed to avoid artificial lighting on linear features (including hedgerows and water courses), woodland and other retained or created habitats. This will avoid adverse effects on bats, dormice, otter, water vole, amphibians, birds and other SPIs.
- Onsite operational traffic will be minimal and limited to maintenance vehicle movements at very low intensity, with a negligible risk of accidentally injuring or killing any protected or notable species such as wild mammals, amphibians, reptiles or birds.
- No regular presence or work is envisaged onsite leading to disturbance of retained or created habitats.

The above is an assumption and a statement and not backed with clear evidence or assessment. They cannot define the impacts clearly as there is no information on the type of management activities in operation and the different impacts from each activity. Mowing under panels is different to grazing sheep to window-cleaning the panels to using machiney to take haylage - all have different impacts.

7.4.116. Consultation. P133 “The consultation process to be undertaken will involve consultation with the Ecology Officers for Leicestershire, Rutland and Lincolnshire County Councils. Non-statutory consultees such as the Wildlife Trusts will also be approached. These stakeholders will be provided with the summary of the baseline of ecological conditions, the general proposals and the principals which will be used for the detailed design of the Proposed Development.”

With so many areas scoped out of the operational EIAs, and only preliminary data and survey work so far, how can the stakeholders receive an informed baseline of information?

A report from Natural England: Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012) 2017:

“When considering site selection for utility scale solar developments it is generally agreed that protected areas should be avoided. This is reflected in the scientific literature where modelling approaches include many factors such as economic considerations and visual impact but also often avoid protected areas such as SPAs. This is echoed by organisations such as Natural England and the RSPB that recommend that solar PV developments should not be built on or near protected areas. As sensitive species and habitats are not necessarily restricted to the geographical boundaries of protected areas, it is imperative that research is undertaken into the potential interactions between solar PV arrays and biodiversity especially sensitive habitats and species.”

“...concerns have been raised that solar PV developments have the potential to negatively impact a broad range of taxa including birds, bats, mammals, insects and plants. In light of this, it is highly recommended that research is undertaken into the ecological impacts of solar PV arrays across a broad range of taxa at multiple geographical scales.”

Given these conclusions, it is too early in the process to suggest that so many areas are scoped out of the EIA.

Highways

7.5.39/40. P143. “The IEMA Guidelines for the Environmental Assessment of Road Traffic identifies two broad rules-of-thumb which could be used as a screening process to determine the scale and extent of assessment. These rules are summarised as follows

- Rule 1 – include highway links where traffic flows will increase by more than 30% (or the number of HGVs will increase by more than 30%).
- Rule 2 – include any other specifically sensitive areas where traffic flows have increased by 10% or more.

Any links within the study area that fall below these thresholds will be scoped out of the assessment, unless specifically requested to be incorporated by key stakeholders or the local Highway Authorities.” **The fundamental question is whether the vehicles movements have been accurately forecast. This affects all associated scoping assumptions.** If you refer to Sunnica’s CTMP https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-001865-SEF_ES_6.2_Appendix_13C_Framework%20Construction%20Traffic%20Management%20Plan%20and%20Travel%20Plan.pdf, you will see their level of vehicle movements for a 2400 solar PV area. Mallard Pass is disproportionately low.

7.5.42. P144 Sensitive receptors.

- Route 1: should list other drivers at this critical Great Casterton T-junction after having come off the A1; users of the villages of Ryhall & Essendine.
- Route 2. There are 2 primary schools not listed in Uffington; users of the villages of Tallington and Uffington; users of the town of Stamford.

All of these are sensitive receptors. Aside from noise, pollution, safety is a major consideration.

7.5.44. P145 “Potential Effects The potential effects to be assessed during the construction phase of the Proposed Development on those links that exceed the thresholds set out at paragraph 7.5.39 are as follows:

- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian and Cyclist Amenity;
- Fear and Intimidation;

- Accidents and Road Safety;
- Hazardous Loads."

Is The IEMA the only baseline methodology for assessing these impacts? An increase in certain traffic levels may not create a linear impact on some of the affects listed above. There also needs to be some assessment which is not purely quantitative and linear, but has a qualitative and local knowledge inputs. The methodology seems very unrepresentative of the reality that would be experienced if the impact was deemed medium for example.

7.5.56. P148 Hazardous or Dangerous Loads. This is scoped out of the assessment. There are hazards along all 3 routes of different descriptions. There is high potential for collision with other vehicles with articulated transport in particular due to narrow or windy roads, hills – already known accident hotspots. Given the sensitive nature of some of the loads – toxic substance contained within the solar panels, batteries etc, it seems very unwise to scope this out of the EIA..

7.5.59. P149 "it is considered that the significance of the environmental effects of the operational phase of the Proposed Development would be negligible with respect to access and highways and therefore a detailed assessment of the operational phase of the Proposed Development is proposed to be scoped out of the EIA."
Given it is not clear what kind of management activities will take place, can it be clarified what has been used as a worst case scenario to underpin the vehicle movements and scope this out?

7.6. P151 Noise and Vibration. Baseline conditions. The list is not complete, it should include the following: 1 Grange Farm Cottage, 2 Grange Farm Cottage; Grange Farm; West Barn Cottage, Lodge Cottage, Braceborough Lodge Farm

7.6.10. P153. The NPPF also notes that tranquil areas which have remained relatively undisturbed by noise and which are prized for their recreational and amenity value should be identified and protected.

7.6.22 Desk and field study. Appendix 7.4 only highlights the locations, yet the data is only going to be provided at the ES. Given how critical this is to residents, they would want to see something in the PEIR for the public consultation in the spring. The whole PV site plan could change depending on the buffer they allow for nearby properties which could be impacted by these results. The test frequency appears very limited in 7.6.23, will it provide a representative baseline? Will any allowance be made for the impact of wind direction and to extend the 250m boundary and factor it into the noise level range (high wind, low wind etc)

7.6.31. P158. "Some construction activities, such as piling operations, drilling or vibratory rolling techniques, can generate vibration levels in close proximity to their use (less than 50m typically)".
If proximity to any residential areas is less than 50m, there should be an assessment of the wider impacts on those properties ie. not just noise, dust etc, but importantly if older properties have no foundations what could be the impact of those vibrations. Clarity upfront on residential buffers/margins to proximity of solar PV could resolve many questions/concerns.

7.6.36. P160. "Primary mitigation will first involve adjusting the design of the Proposed Development to maximise (where possible) the distance from areas including noise-generating plant from noise-sensitive receptors. The detailed design of the Proposed Development, including final plant locations and selections, can be controlled through a requirement of the DCO that would establish suitable noise limits at the boundary of the Site".
Would it not be more helpful if Mallard Pass at the earlier stages set their noise limits and adjusted their plan accordingly, rather than it being a requirement of the DCO? They could share their mitigation measures earlier in the process.

7.6.37 P "Noise impacts from construction traffic is therefore scoped out of the EIA".
This assumes the baseline for vehicle movements is correct which we don't believe it is – ref 6.6.37.

Water Resources and Ground Conditions 7.7

7.7.2. “A desk-based survey was undertaken in December 2021 to understand the baseline conditions for water resources and ground conditions at the Site.” Whilst desk-based work is always a starting point, there seems to be no further assessment based on local knowledge and other available information. The report has been produced by Argyll Environmental in Brighton and contains a vast amount of data, site diagrams, flood risk areas, wildlife info, etc, gathered from the EA, Natural England, and other sources, but Argyll themselves point out this report on its own is not sufficient.

7.7.5. P162. “An initial baseline study shows that elements of the Proposed Development north of Essendine village and south of Wood Farm lie within groundwater Source Protection Zones (SPZ) 1 and 2 and outwith of the River Welland catchment Surface Water Safeguard Zone”.
Given this information it will be critical to avoid any water contamination from damaged solar panels and/or on-site battery storage faults (Fires) and mitigation needs to be clearly identified.

7.7.6 P162. This has “ 'high' Impact Risk Zone associated with the SSSI at Ryhall Pasture and Little Warren Verges”.
As above there needs to be clear mitigation or re-design to avoid any contamination issues.

7.7.12. P164. “A Site walkover will be undertaken to verify the location and nature of watercourses and waterbodies within the study area likely to be affected by the Proposed Development. The Site walkover will augment the desk study.”
Depending on when the site walkover is done will significantly impact the conclusions reached. 2021/22 has been very dry. To supplement the desk and walkover studies, every parish council and flood warden where applicable should also be contacted to build the knowledge base.

7.7.13. P164. “Infiltration testing will be conducted at the Site in early 2022. The infiltration testing will comprise of test pits which will be utilised for testing to Building Research Establishment (BRE) 365 (2016) standard in order to confirm the permeability of the underlying soils and suitability for infiltration drainage.”
Is this the right testing approach?

7.7.19. P166. “Draft NPS EN-3 (BEIS, 2021) outlines the requirements for an FRA and the promotion of the use of sustainable drainage systems (SuDS).”
Mallard Pass have not detailed the use of SuDs so far, just acknowledged there are flood risk areas and will raise the height of solar panels. This does not take into account the impact of water run-off outside of the site.

7.7.21. P168. “The baseline data will be used to assess the potential effects of the Proposed Development on hydrological and hydrogeological resources within a 5km study area. This study area is based on the hydrological and hydrogeological connectivity of water bodies located downstream of the Proposed Development.”
MP need to show flood maps taking into account the 5km study area, currently Greatford is just off their map. Please note the Water Resources Sensitivity table in Appendix 7.6 – this applies to Greatford Cut (a flood plain) and is high.

7.7.28. P169 “As sections of the Site are located within Flood Zone 3a, the FRA will need to demonstrate that the Proposed Development passes the Exception and Sequential tests outlined in the NPS and NPPF. There will be a requirement to raise all electronically sensitive equipment at least 600mm above the highest modelled flood level for the 1 in 100-year (+climate change) event, or have a commitment to install flood resilient measures onsite infrastructure.”
As above point 7.7.19 if panels need to be raised, what criteria will they use to assess the use of SuDs?

7.7.29. P169. “The FRA will be produced and will focus on the following elements: Assessment of the introduction of new hard-standing areas on the greenfield run-off rates, using Micro Drainage software.”

This needs to take into account all the new access tracks and hard-standing bases for all the battery storage on the solar PV site.

7.7.31 P170
"Construction effects" – no mention of impact of compaction of the soil, temporary access tracks etc on water run-off. "Operational Effects Increase in surface water run-off from areas of hard-standing;" - there is no mention of the impact of run-off from the solar panels themselves. Normally rain is dispersed evenly across the ground, when it falls on solar panels up to 3.5m high, there will be a huge concentration of water run-off at the bottom of the panels, leading to water channels being created, and speeding up the flow of water if the ground is unable to absorb it. These effects need to be taken account of.

7.7.39. P172. Issues to be scoped out. "Potential transfer of chemicals to surface water resources during operation". Given the possibility of contamination from damaged panels or chemical leak from battery fire on the solar PV site, is it wise for this to be scoped out?

Agricultural Land Use
This is a key determining factor in the decision making process with the Planning Inspectorate, so ensuring this is scoped, correctly surveyed and assessed, is critical to the outcome of the application.
7.8.5. P173 "In order to inform the assessment an Agricultural Land Classification survey will be undertaken at the Site. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the solar PV Site."
What is the baseline methodology for determining 210 locations (looks too low), and what guidelines are they using to conduct these surveys?
According to the Bristish Society of Soil Science (BSSS) Proficiency in ALC Survey Grading of land using the ALC system is not straightforward. For individual development sites this normally involves a detailed ALC field survey, according to the MAFF 1988 ALC guidelines. Proficiency in the conduct of an ALC survey requires knowledge and experience of field soil survey and the interpretation of soil, topography and climate data. There are comparatively few experts capable of carrying out ALC to a sufficient professional standard. For this reason, BSSS has published a professional competency document4 that outlines the qualification, knowledge, skills and experience required to carry out ALC.

7.8.17. P176 "In terms of magnitude of impacts, the loss of more than 50ha of BMV land is considered to be a large/major magnitude, losses of 20-50ha are of moderate/medium magnitude and losses of less than 20ha to be of low magnitude. These thresholds are based on established practice. The 20ha threshold is the trigger point for consultation with Natural England on losses of BMV agricultural land.
Based on an approximate solar PV area of 530Ha minimum, should Natural England be involved now as more than 20Ha (3.7%) is likely to be BMV land. Also more than 50Ha (10% of the land could be BMV) which is deemed large/major magnitude. Given these statistics it is even more important that the survey work is full, thorough, qualified and wholly independent.

7.8.18. P176. Potential Effects. "The Proposed Development has the potential to affect the agricultural land quality and use of the solar PV Site. The construction process is generally considered unlikely to significantly affect the agricultural land quality or the soil resource".
This is not the belief of local specialists who see there will be damage to the soil through compaction and drilling, putting down access tracks during the construction period. The view is the soil will not carry the nutrients necessary to return to agricultural production after 40 years. This of course will be hugely affected with how the soil is managed over the 40 year period.

Climate Change

7.10.10. P186. "The effect of the Proposed Development on climate change will be assessed by evaluation of two quantities. Firstly, the potential emissions associated with the construction and operation of the Proposed Development. This will include the construction process and the manufacture and transportation of the components of the Proposed Development, and the carbon dioxide emissions embodied within them."

This assessment does not include the carbon cost of importing more of our food as a result of the loss of agricultural land production in the UK. It also does not take account of the carbon costs of replacing and recycling panels when they are no longer efficient/redundant – it is known they will not last 40 years.

Socio-economic

7.1..20/21 Assessment of effects. It only mentions on the negative side the loss of agricultural workers, there is also the lost income to all the other businesses in the supply chain associated with agricultural farming. This impact will continue during the operational phase. This needs to be factored in.

7.11.25 P195 "it is considered that the effect on the local tourism economy will not be significant and it is therefore proposed that this is scoped out of the EIA." The distances to Stamford and Burghley are closer than 2.3km, as outlined earlier in the report. If you start to change the character and feel for an area it could have a negative impact particularly for Stamford.

7.11.26 P195 "Significant impacts on PROW users are therefore not anticipated and are scoped out of the EIA. A Recreation and Amenity assessment will be undertaken and submitted in support of the DCO Application"

This is too late in the process and needs to be kept in scope. How has Mallard Pass come to this conclusion? The impacts on walkers, cyclists and horse-riders will be significant, with the potential for mental health impacts for those with fewer alternatives. Traversing these PRoW with panels and security fencing all around is akin to walking through an industrial plant, removing any sense of enjoyment or well-being. For horses it could prove dangerous, as the tunnel effect on the bridleway will prove very scary, unlike the norm of greenfield land. This absolutely needs to be scoped in to address the strength of public opinion.There is no assessment to show the benefits for the community – whether supporting their local economy or improving the social benefits.

8.0 Environmental Topics Scoped Out of the EIA

Heritage

8.1.13: "Furthermore, mitigation through design (avoidance) can allow any especially sensitive buried archaeological remains (such as human remains) to be safeguarded completely from any disturbance. The desk based assessment and geophysical surveys will aid in the identification of any such locations. Thus, an assessment of buried archaeological remains can be scoped out of the EIA."

Given a geophysical survey of the site has been completed, it is asserted that any assessment of buried archaeological remains **cannot** be scoped out of the EIA until such time as the results of the geophysical survey are in the public domain and aspects requiring "mitigation through design" are adequately pinpointed. Given the roman remains findings in field 36, can the geophysical surveys confirm there are no further roman remains at risk from drilling/piling. (Ref.3.1.12).

Air Quality

8.25 P209 "it is considered likely that no exceedances of the annual mean objective will be experienced in the vicinity the Site." Given Essendine is at the epi-centre for all 3 routes, has this been taken into account?

8.28/29 P211 "it is not expected that a specific air quality chapter will be required in the ES.". Surely a sensitivity analysis should be done to determine if the forecast traffic movements are wrong and considerably higher, will any of the assessment thresholds be breached? This should be explored before taking out of scope.

Risk of Major Accidents or Disasters.

8.4.2. P215 "The EIA Regulations do not include the definition of major accidents and/or disasters. For the purposes of the assessment, the following three definitions and accidents and disasters have been used within the context of the Proposed Development:

1. The Control of Major Accidents Hazard (COMAH) Regulations, 2015, defines a major accident as "an occurrence such as a major emission, fire, or explosion resulting from uncontrolled development, leading to serious danger to human health or the environment (whether immediate or delayed) inside or outside the establishment, an involving one or more dangerous substances".
2. The International Federation of Red Cross & Red Crescent Societies Disaster and Crises Management Guidance provides a useful definition for disaster, which is "a sudden calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins."; and 7863_EIA_0001 Mallard Pass EIA Scoping Report
3. The Oxford English Dictionary defines an accident as "an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury."

Are these the right and appropriate definitions – "an unfortunate incident" is not how a battery storage fire and explosion will be perceived if it happens?

8.4.10. P217 "Component and equipment of the Proposed Development will be installed in accordance with the relevant Fire regulations and guidance from the Health and Safety Executive. The operational phase of the Proposed Development would involve routine maintenance and servicing of equipment to ensure the safe operation of equipment. Fire equipment and notices will also be provided onsite for the availability of personnel and would be regularly inspected and serviced in accordance with relevant Fire Regulations. The ES will include details on the measures incorporated into the design to minimise any potential impact of Proposed Development resulting from a fire. As such, a separate ES chapter covering risk from fire accidents is not considered necessary."
The scale of this battery storage will be unprecedented in the UK and upfront design is critical to ensure the safety for the local communities is the highest priority.

8.4.11. P218 "An outline Battery Safety Management Plan (oBSMP) will be prepared and submitted with the DCO Application. The oBSMP will detail the regulatory guidance reviewed to ensure that all safety concerns around the BESS element of the Proposed Development are addressed in so far as is **reasonably practicable**." – would that kind of comment be allowed with a nuclear power station?
This is one of the biggest concerns for residents given the evidence of fire safety events with lithium-ion batteries all over the world. The amount of time allocated in this report is negligible. It shows no understanding or respect to the impacts of such an adverse event. The lethal toxic gases, the uncontrollable fires, the environmental damage require more than just a plan, they require thorough design, and full assessment throughout the planning process and need to be scoped in.

Human Health

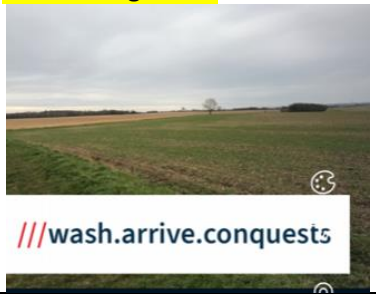
8.5.5 P220. Will Mallard Pass clarify there are no cable routes in close proximity to PRoW?
8.5.6. P220 "Due to interactions with human health covered elsewhere within individual topics of the ES, it is not considered necessary to provide a separate Human Health ES chapter."
There does not seem to be any recognition or assessment of mental health impacts, just physical health. Therefore should health have been removed totally from the scope?

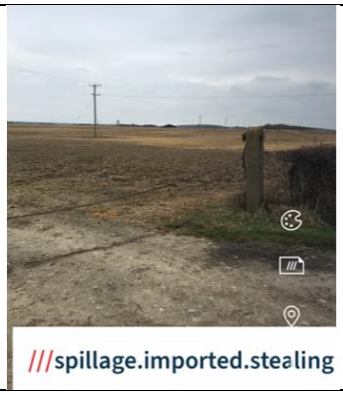
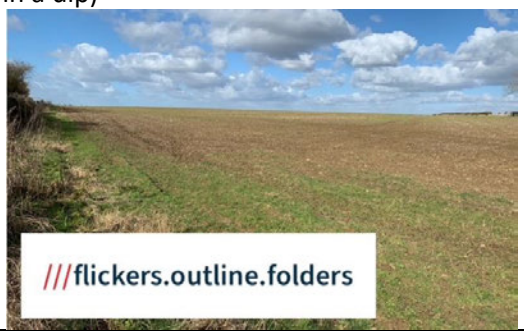
Conclusion

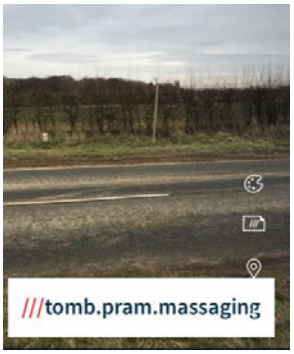
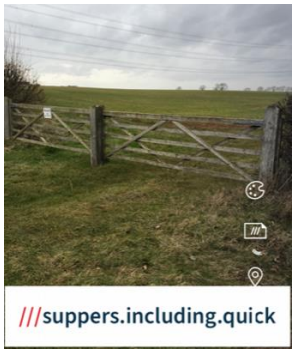
Table 10.1 on P230 highlights the extent of areas scoped out of the EIA. Given the unprecedented scale of this project, and the lack of full information and understanding at this early stage in the process, we would ask for a cautious approach to be exercised and for areas highlighted in this report to be recommended to be put back into scope.

28.2.22

Mallard Pass Solar Farm proposed viewpoints

Viewpoint	Mallard Pass proposed viewpoint	Revised suggestions by MPAG
1	This viewpoint shows small area of field 29 beyond large mitigation area, set back from the road, so only partially visible. Not the best viewpoint for a montage, should be re-allocated to another area.	Turn left of A6121 to Greatford, just down on RHS. Views of 29,30,33, 34,36. Better montage option. 
2	This is along the A6121. There is a mitigation area in front of this, and the solar panels will be on a far higher piece of ground. Not clear how far set back the panels will be in field 29 that adjoins field 28. Not the best viewpoint for a montage, should be re-allocated to another area.	
3	This viewpoint is in a low lying area out the back of Carlby, the panels heading west are on the other side of the elevated railway line. This viewpoint is irrelevant and should be removed. It should not be part of the montage selection.	Recommend replacing it at the top of the footpath just outside Essendine, looking east over at fields 28,29,30,33 
4	This point is next to the bridleway and is an obvious choice. However the viewpoint opposite, still on the same bridleway, is stronger.	Just down the same bridleway a few hundred yards under the power lines. This is a 360 panoramic and should be the montage view 
5	This looks out onto an area of mitigation on to field 39 where there will be no panels and it is not next to a footpath.	Recommend moving this further up the road towards Carlby and positioned next to the footpath sign outside Grange Farm that would provide a relevant viewpoint of the panels across field 36.

		
6	This is on the wrong side of the railway line with no solar PV fields visible.	The north side of the railway, 20 yards along the bridleway adjacent to field 35 provides long distance views of the PV panels.(This pic is a few yards too early as in a dip) 
7	This is on a footpath which leaves green lane just after it starts on Newstead Lane. The point chosen is only just into the field and the current scrub land at the field edge is so high is blocks the view across to Wood Farm. The panels are to be located on this field.	These 2 viewpoints on this path are far more representative of the views.  
8	This point shows clearly the impact of the solar panels when looking across the fields as you pass gateways. Panels will be visible all along the road from Uffington to Essendine though the hedge varies in thickness and height and will afford some screening along parts of the road particularly in summer when in full leaf. This viewpoint is OK.	
9	This viewpoint is restricted with hedgerow which is a feature down Uffington road. I	

	suggest the viewpoint is taken in an open gateway.	
10	This viewing point is on a footpath which leaves the village of Belmesthorpe off Castle Rise. There is no visibility of the proposed solar farm which is up an incline and on the other side of a fully hedged bridleway. There is no logic for it to be included. This should not be a montage view.	No available alternative.
11	This viewpoint is fine.	
12	This view point is located on the B1176 at the point a footpath joins the road between fields 9 and 12. The view point will show clearly the visual impact of the arrays when looking across the fields to Essendine, so relevant for walkers and horseriders. However it is a low point on the road and does not necessarily give a true perspective of the panels from the higher points of the road when travelling from Ryhall to Little Bytham by vehicle. Could be a montage option. Also suggest the following points opposite.	Also suggest these viewpoints at the Drift junction looking east to Essendine across field 9, and NW in field 2.  
13	The hedge is high and dense and so the fields where arrays will be mounted is not very visible at the particular point shown on the byway. It misrepresents the open coppices that flag both sides of the drift and the clear visibility field users will have where the arrays will be mounted. This by-way is very well used by walkers, horse riders, cyclists and a variety of other road users.	Alternative suggestions still adjacent to field 13. Good montage point  
14	This is located at Barbers Hill at the most northerly point of the scheme. However the location is on a high, flat & straight piece of road which completely misrepresents the true topography of the area – the south facing slope of the field is not evident and the view point does not give a true indication of the visual impact the scheme will have – this is clearly evident just a 100yds or so further south along the B1176 – see opposite	V slightly further south on B1176 looking down the hill and across towards Essendine. A good montage option. 

	More suggestions opposite:	Just south of the crossroads B1176 heading to Ryhall looking east across fields 5&6 & beyond.  Heading north on B1176 to Careby looking across field 4  B1176 crossroads looking across to Essendine to fields 5,6,7,8, 10,11  Heading west out of Carlby over the B1176 crossroad on RHS looking west into field 4.

28.2.22

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

Land Rights and Acquisitions
Anne Holdsworth
DCO Liaison Officer
UK Land and Property
[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
MallardPassSolar@planninginspectorate.gov.uk

28 February 2022

Dear Sir/Madam

APPLICATION BY MALLARD PASS SOLAR FARM LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE MALLARD PASS SOLAR PROJECT
SCOPING CONSULTATION RESPONSE

I refer to your letter dated 7th February 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 consultation report, I would like to make the following comments regarding National Grid infrastructure within or in close proximity to the current red line boundary:

Electricity Transmission Infrastructure

NGET has a high voltage electricity overhead transmission line, substations and underground cables within or in close proximity to the scoping area. The overhead line, substations and cables form an essential part of the electricity transmission network in England and Wales.

Overhead Lines

- 4VK 400kV Cottam-Eaton Socon-Wymondley 2

Substations

- Ryhall 400kV substation
- Essendine 25kV substation

Other Apparatus

- Essendine to Ryhall Cable Circuits.
- Associated fibre cables.

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Gas Transmission Infrastructure:

NGG has high pressure gas transmission pipelines located within or in close proximity to the scoping area. The transmission pipelines form an essential part of the gas transmission network in England, Wales and Scotland:

Gas Mains:

- Feeder 9 Kirkby Underwood to Tallington
- Feeder 22 Aslackby to Braceborough

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

- overhead lines;
- substations;
- underground cables; and
- gas pipelines.

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) 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.

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- 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.

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- 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.

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To view the SSW22 Document, please use the link below:
https://www.nationalgrid.com/uk/gas-transmission/land-and-assets/working-near-our-assets

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 [redacted]

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 not withstanding any discussions taking place in relation to connections with electricity or gas customer services.

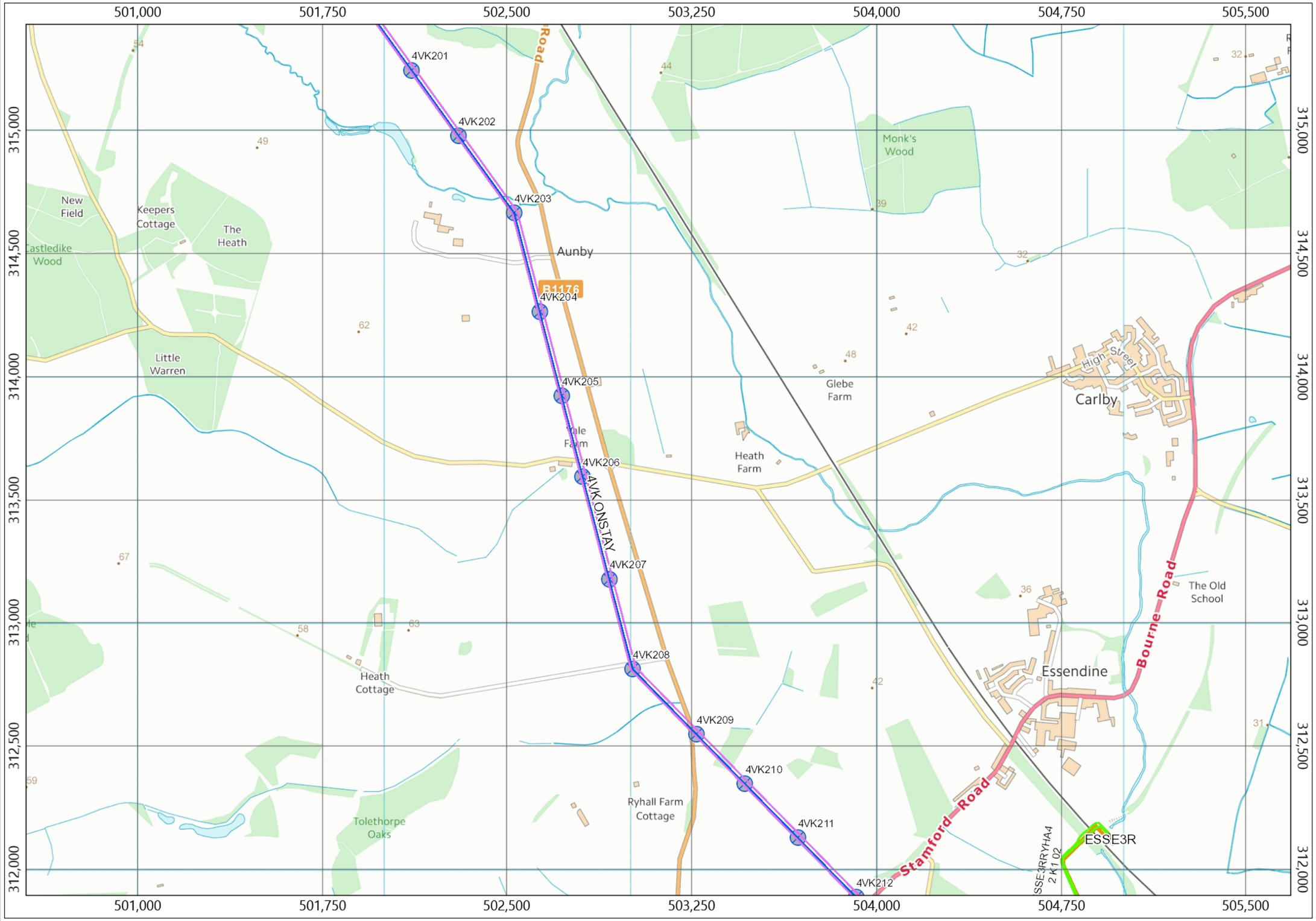
Yours faithfully

[redacted]

Anne Holdsworth
DCO Liaison Officer, Land Rights and Acquisitions

nationalgrid

Mallard Pass Solar Farm NG Plan 1



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- 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
- RAMM
- 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:

Mallard Pass Solar Farm NG Plan 1

0 0.38 0.8 Kilometers

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Time: 14:51:26

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Print by: **Holdsworth, Anne**

nationalgrid | Mallard Pass Solar Farm NG Plan 2

Legend:

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

Notes:

Mallard Pass Solar Farm NG Plan 2

0 0.51 1.0 Kilometers

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Print by: **Holdsworth, Anne**

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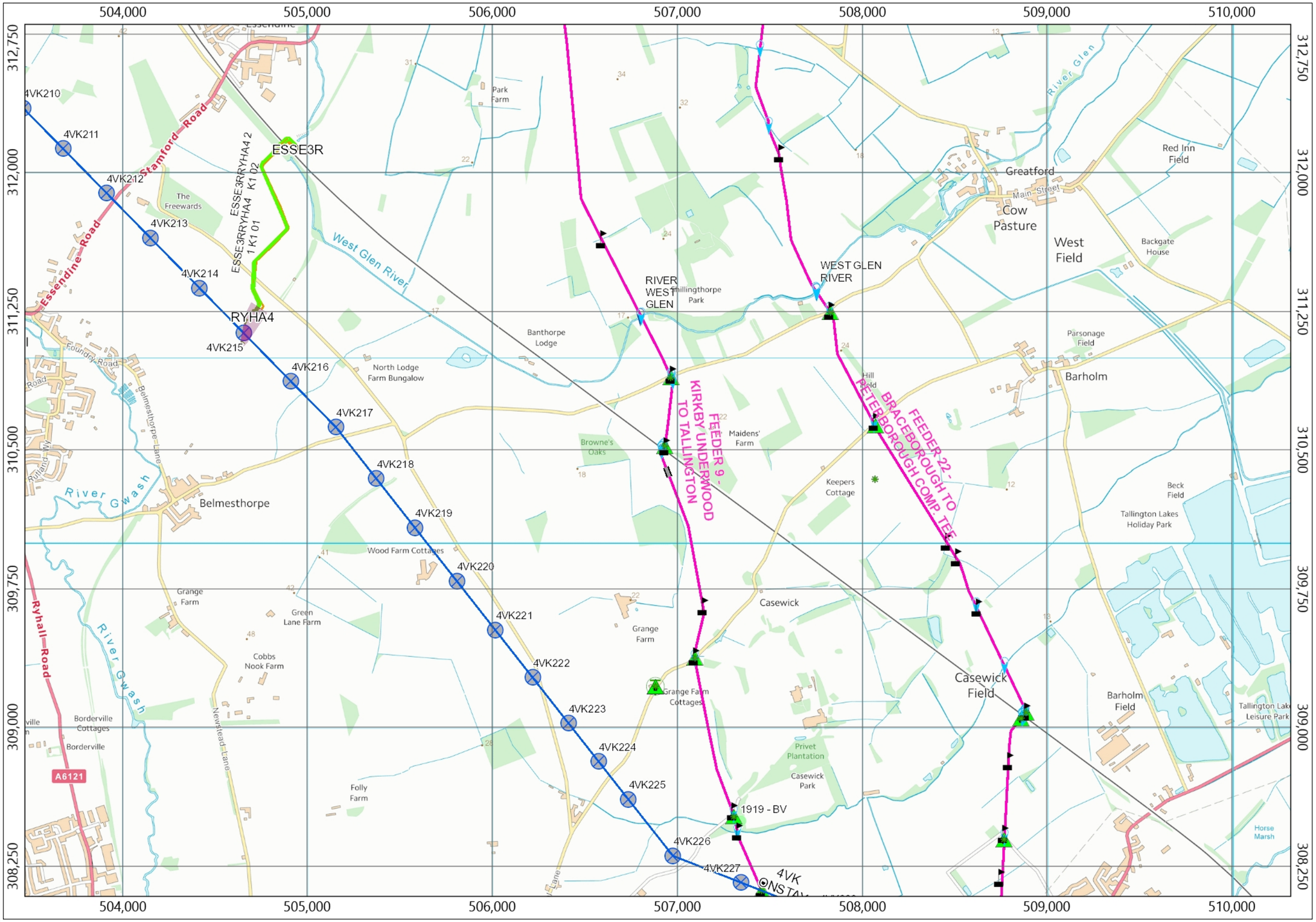

Legend:

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- Circuits
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  - Decommissioned Group
  - Planned and Spares
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- OHL 132Kv & Below Commissioned
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- Cable Tunnel
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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:

Mallard Pass Solar Farm NG Plan 3

0 0.51 1.0 Kilometers

Date: 30/11/2021
Time: 14:47:21

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

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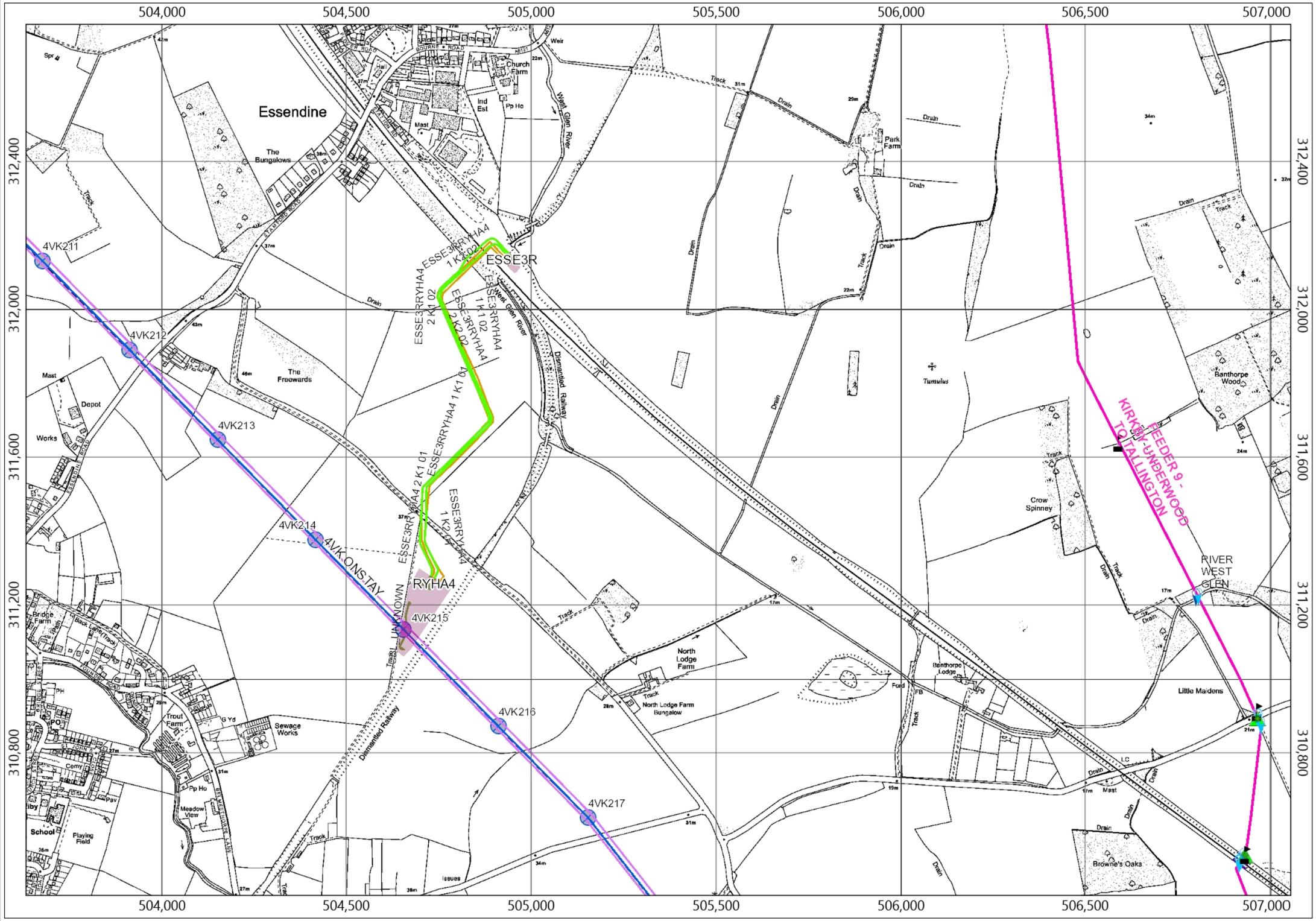

Legend:

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- Circuits
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  - Decommissioned Group
  - Planned and Spares
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- 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
- 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
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  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Mallard Pass Solar Farm NG Plan 4

0 0.25 0.5 Kilometers

Date: 30/11/2021
Time: 15:00:24

Page size: A3 Landscape Scale: 1: 10,000
Print by: **Holdsworth, Anne**

N

Our ref: 7299
Your ref: EN010127

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

Email:
MallardPassSolar@planninginspectorate.gov.uk

Martin Seldon,
Assistant Spatial Planner
National Highways
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Tel: 0300 4703345

23 February 2022

Dear Sir/Madam,

Regulations 10 and 11 - Mallard Pass Solar Farm Limited for an Order granting Development Consent for the Mallard Pass Solar Project.

Thank you for consulting National Highways on 7 February 2022, in relation to Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11, for Application by Mallard Pass Solar Farm Limited (the Applicant) for an Order granting Development Consent for the Mallard Pass Solar Project (the Proposed Development).

We have reviewed the scoping report dated February 2022 and the associated appendix. Based on our review, we have the following comments. At this stage, it is noted that there is limited information around the impact of the construction and decommissioning impact on the A1. We agree that the impact on the A1 should be assessed, below we have provided general and specific comments to consider.

General Comments

- An assessment of transport related impacts of the proposal should be carried out and reported as described in the Department for Transport *'Guidance on Transport Assessment (GTA)'* and in accordance with Circular 02/2013.
- Environmental impact arising from any disruption during construction, traffic volume, composition or routing change and transport infrastructure modification should be fully assessed and reported.

Specific Comments

We understand that existing DfT static counts and survey data have been used for Local Highway Roads and do not include the A1. If baselines were to used or required at a later stage. It would be recommended that Webtris counts for the A1 are used, where possible. Additionally, it should be noted that due to the unknown impact of COVID-19, National Highways recommends that historical data is also used to understand current trends. This is to ensure that a robust assessment is conducted.

Additionally, we recommend that the AM (08:00-09:00) and PM (17:00-18:00) peak hour periods be assessed. It may also be advantageous to provide a breakdown of the impact over a 24 or 12-hour period, in order to assess the impact during other periods.

We would agree with the use of DfT TEMPro Growth Factors for future year assessments, but these will need to be in accordance with DfT Circular 02/2013 paragraph 25, which states "*The overall forecast demand should be compared to the ability of the existing network to accommodate traffic over a period up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater. This is known as the review period."*.

We also recommend that the SRN assessment is agreed in a staged approach, that is the overall methodology and elements such as assessment years, trip generation, and distribution be agreed upon prior to further assessment work being carried out. This approach should avoid any abortive work.

These comments imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms.

Yours sincerely

[redacted]

Martin Seldon
Assistant Spatial Planner
[redacted]

From:	NATS Safeguarding
To:	Mallard Pass Solar
Subject:	RE: EN010127 - Mallard Pass Solar Project - EIA Scoping Notification and Consultation [SG32758]
Date:	08 February 2022 11:06:59
Attachments:	image002.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png

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Our Ref: SG32758

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

[redacted]

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
[redacted]

From:	[redacted] on behalf of Town Planning LNE
To:	Mallard Pass Solar
Subject:	Ref EN010127 - scoping opinion, The Mallard Pass Solar Project
Date:	07 March 2022 10:22:46
Attachments:	image001.png

FAO – Planning Inspectorate
Ref – EN010127
Proposal – Scoping Opinion for the Mallard Pass Solar Project
Location – The Mallard Pass Solar Project

Thank you for your letter of 7 February 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 in support of the project through railway land, the developer will be 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

NetworkRail

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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BS1 6PN

Sent via e-mail to:
mallardpasssolar@planninginspectorate.gov.uk

Our ref: 22/00260/NPA
Your ref: EN010127

16 February 2022

Dear Ms King,

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

Application by Mallard Pass Solar Farm Limited (the Applicant) for an Order granting Development Consent for the Mallard Pass Solar Project (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 08 February 2022 which relates to the proposed installation of a ground mounted solar photovoltaic (PV) electricity generation and storage facility on a site north of Stamford (which is partly in the neighbouring administrative boundary of South Kesteven District Council).

I can advise that Newark & Sherwood District Council have no comments to make on the Scoping Report (Dated February 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, [redacted]

Yours sincerely

[redacted]

Lisa Hughes - Business Manager – Planning Development

From: [redacted]
To: Mallard Pass Solar
Cc: [redacted]
Subject: North East Lincolnshire - EN010127
Date: 11 February 2022 08:46:45

Dear Katherine,

I can confirm that North East Lincolnshire have no comments to make on the EIA scoping.

Kind Regards

Cheryl Jarvis FD, MSc, MRTPI
Principal Town Planner
Development Management - Planning
Places & Communities – NEL
[redacted]

EQUANS
Working in partnership

engie.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

Enquiries to: Rebecca Leggott
[redacted]

North Lincolnshire Council

Your Ref: EN010127
Our Ref: CON/2022/283
Date: 7th March 2022

The Planning Inspectorate National Infrastructure Case Team – email only

Your Ref: EN010127

Dear Sir/ Madam,

Re: Scoping consultation in respect of a proposed DCO for the Mallard Pass Solar Project.

Thank you for your consultation letter dated 7th February 2022.

I have taken the opportunity to review the Environmental Impact Assessment Scoping Report. Technical consultees within the Council have been consulted on this document which will hopefully advise the final production of the Environmental Statement and support a robust submission to the Planning Inspectorate.

Having had regard to the Environmental Impact Assessment Scoping Report, North Lincolnshire Council does not wish to raise any objections to the principle of the proposed scheme or details set out within the EIAR at this moment in time.

I trust that the above is helpful. Please do not hesitate to contact me should you wish to discuss any aspect of this response or this development.

Yours Sincerely

[redacted]

Rebecca Leggott

Principle Development Management Officer

Name and address of applicant

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

Notice of decision to make comment

Application number:	**22/0206/NEIAUT**
Proposal:	**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), Application by Mallard Pass Solar Park for an Order granting Development Consent for the Mallard Pass Solar Park - Request for Scoping Opinion**
Location:	**Mallard Pass Solar Farm Between Essendine, Carlby & Braceborough, Lincolnshire/Rutland**

North Kesteven District Council does not wish to make detailed comments in relation to the scope of the Environmental Statement in relation to the proposed Mallard Pass Energy Park but would offer the following observations. The Mallard Pass Energy Park is one of a number of relatively recently publicised large scale solar farms proposed in or straddling Lincolnshire and which are collectively subject to the provisions of the Planning Act (2008) and as such are classified as Nationally Significant Infrastructure Projects (NSIPs).

This includes the proposed circa 500MW Heckington Fen solar park being promoted by Ecotricity in North Kesteven District and which has been accepted by the Planning Inspectorate and where an application for Development Consent Order is expected to be submitted to the Planning Inspectorate by the 4th Quarter 2022. A Scoping Request has been submitted to the Planning Inspectorate, referenced EN010123-000014, to which the Council has formally replied.

The Planning Inspectorate has also recently issued a Scoping Opinion in relation to the Gate Burton Energy Park (EN010131-000006) in West Lindsey District. Elsewhere in Lincolnshire (or spanning the Lincolnshire boundary) the West Burton and Cottam Solar Parks have also been accepted as NSIP projects. The West Burton and Cottam schemes are currently awaiting a Scoping Opinion from the Planning Inspectorate.

The Mallard Pass Solar Park is located around 35km south/south-west of the Heckington Fen solar park and therefore cumulative construction and operational impacts are likely to be negligible across the majority of EIA topic areas as listed in the LDC Design Scoping Request document. There will be no intervisibility between the Mallard Pass and Heckington proposals.

Date: 9th February 2022

[redacted]
Development Manager

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

Paragraph 7.8.3 of the Scoping Report notes that 'the solar PV Site is shown on the published "provisional" Agricultural Land Classification (ALC) maps, published in the 1970's and updated in 2011 by Natural England, as a mixture of mostly undifferentiated Grade 3, with some Grade 2 to the east of Belmesthorpe. The ALC maps do not differentiate Grade 3 into Subgrades 3a and 3b'.

Paragraph 7.8.5 then notes that 'in order to inform the assessment an Agricultural Land Classification survey will be undertaken at the Site. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the solar PV Site'.

However whilst paragraph 7.8.14 (and table 9.2 - cumulative effects) confirms that the study area for the ALC will include the site, and 'if relevant, adjoining agricultural land if that might be affected', it does not commit to assessing cumulative agricultural land impacts associated with the development of the other large scale solar proposals; being Gate Burton, West Burton, Cottam and Heckington.

Whilst Lincolnshire has a large quantity and high relative proportion of BMV agricultural land, the potential development of 5 substantial NSIP-scaled solar farms (as currently registered with PINS) has the potential to result in a degree of cumulative adverse impact stemming from temporary loss of opportunity for the continued cultivation of potential BMV land across the County. We would therefore request that the Planning Inspectorate give consideration to this issue being scoped in to the Land Use chapter of the ES and that cumulative agricultural land impacts are considered across the registered projects, adhering to ALC Best Practice published by Natural England.

North Northamptonshire Council

Development Management Service
Wellingborough Office
Swanspool House, Doddington Road
Wellingborough
NN8 1BP
Tel: 0300 126 3000
www.northnorthants.gov.uk

Katherine King
Temple Quay House
2 The Square
Bristol
BS1 6PN

Ask for: Mr Duncan Law
[redacted]
Our Ref: NW/22/00079/SCQ
Your Ref:
Date: 9 February 2022

Dear Sir/Madam

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

Application No. NW/22/00079/SCQ
Proposal: Application by Mallard Pass Solar Farm Limited (the Applicant) for an Order granting Development Consent for the Mallard Pass Solar Project.
Location: Land Either Side And In The Vicinity Of The East Coast Main Line, Near The Village Of Essendine.
Case Officer: Mr Duncan Law

Application by Mallard Pass Solar Farm Limited (the Applicant) for an Order granting Development Consent for the Mallard Pass Solar Project (the Proposed Development).

Thank you for your letter inviting North Northants Council (Wellingborough area) to comment on the above application. We have reviewed the application and provide the following comments:

No Comment

Yours faithfully

[redacted]

George Candler
Executive Director Place and Economy

Telephone: 01733 453410 (open 9am - 1pm)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 22/00824/CONSUL
Your Ref: EN010127

PETERBOROUGH CITY COUNCIL

Planning Services

Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Peterborough Direct: 01733 747474

Ms Katherine King
The Planning Inspectorate
Environmental Services
Central Operations
2 The Square
Bristol
BS1 6PN

7 March 2022

Dear Ms King

Planning enquiry

Proposal: Mallard Pass Solar Project

Site address: Mallard Pass Solar Farm Limited Essendine

Further to your enquiry received on 7 February 2022, in respect of the above, the Local Planning Authority makes the following comments:

Thank you for the opportunity to comment on this proposal.

The proposal site extends towards the south, towards the Peterborough City Council boundary and the GI listed Burghley House and its GII Registered Parkland, and we are concerned that the impact on its setting needs to be fully assessed and understood.

The Burghley Estate is broadly located on the south side of the Welland Valley, with the proposed solar farm including areas on the facing north side of the valley. The Councils Principal Built Environment Officer notes that the setting of Burghley is of high significance and landscape views into and out of the site are of considerable importance. Despite the relatively low lying nature of solar panels, the impact on the House and Parkland is likely to be magnified by the local topography.

The significance of the potential impact on the heritage and landscape setting on Burghley House and Parkland is such that we are of the opinion that it should be assessed within an Environmental Impact Assessment.

Please also find attached the comments, supported by photographs, of Sam Falco, Principal Built Environment Officer, for further information.

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

Mr A O Jones
Principal Minerals and Waste Officer

Mallard Pass - Solar Farm

Sam Falco [redacted]

Mon 3/7/2022 1:35 PM

To: Alan Jones [redacted]

Cc: Stones, Sheila [redacted]

Dear Alan,

Thanks for the information on this proposal.

Please note these comments extend to built heritage.

There is a concern that there is potential for impact on the setting of the GI listed Burghley House and its GII Registered Parkland.

The Burghley Estate is located on the south side of the Welland Valley. The proposed large scale solar farm is sited on the north side of the valley and appears to extend over the top and into the valley. There is strong concern that the solar farm will be in plain view.

Clearly the setting of Burghley is of high significance and landscape views into and out of the site is of considerable importance.

Whilst solar panels are a relatively low lying feature, their impact will be magnified by the fact that it extends into the north side of the valley where the topography sweeps down towards the south. The nature of solar installations is that their character is alien to rural landscapes and must be carefully planned for, especially on undulating ground such as in this location.

A full and thorough impact assessment needs to be implemented which will carefully assess the landscape setting of Burghley House and its Parkland.

I am of the view that the potential heritage and setting impacts on Burghley should be rigorously assessed in the heritage chapter within the EIA.

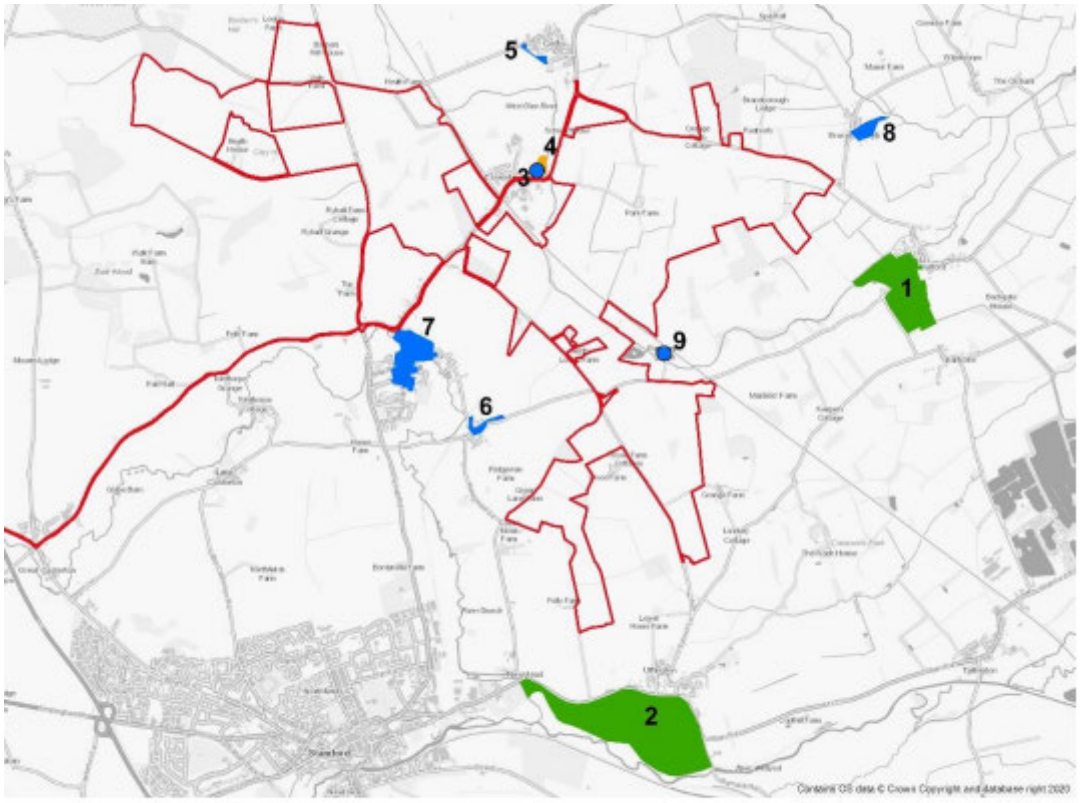

Plate 5: Key Designated Heritage Assets

The statement below has been extracted from the report: *'For all designated heritage assets, it is views towards them that are the critical components of their experience, the vast majority of these being views from up close. The form of the Proposed Development and its distance from these heritage assets means that no views of them would be lost or obscured'.*

This may be the case in many situations, however, the substantial scale of Burghley's Parkland and position means that the Landscape setting and experience at Burghley extends far beyond an individual building.

The images below give an indication of the potential for harm, where the north side of the valley is visible from Burghley Park and the landscape contributes to the setting of this listed building of the highest order.

Best wishes

Sam

Sam Falco | BA (Hons), MSt (Cantab), MPlan
Principal Built Environment Officer | Planning Services | Place and Economy Directorate
Address: Peterborough City Council | Sand Martin House | Bittern Way | Fletton Quays | Peterborough | PE2 8TY
[redacted]

From: [redacted]
To: Mallard Pass Solar
Subject: Re: EN010127 - Mallard Pass Solar Project - EIA Scoping Notification and Consultation
Date: 07 March 2022 11:30:24
Attachments: image001.png
image003.png

Dear Sirs

Please see my comments below:

1. This application should not be viewed in isolation, but should be looked at alongside other applications and approvals in Rutland and South Kesteven. RCC approved a major application on Woolfox airfield, which is ex-military land, but work did not start within the stipulated 3 years. Smaller applications have been approved or are under consideration in Stretton, Langham, Uppingham and Ketton. Lincolnshire County Council or South Kesteven District Council should be able to provide details for South Kesteven *(a search of the LCC website using solar farm did not identify just solar farms. I believe that there is an application for a large facility near Bourne)*
2. This is an area of gently rolling open countryside with good views, good quality farmland, many wooded areas and multiple public rights of way. The nature of the land will be completely changed if a solar farm is allowed to proceed.
    a. A significant quantity of arable and grazing land will be lost to the production of food.
    b. Walking or riding on public rights of way in the middle of acres of solar panels does not equate to doing so in open countryside and many walkers and riders will be deterred from going there. This is likely to have a significant adverse effect on public health
3. Many of the woods are populated with deer (fallow, roe and muntjac) which graze on the adjacent fields. They will be greatly deterred if there is no grazing available
4. The area is home to many red kites and buzzards which depend on carrion and small mammals for their food. They will not be able to hunt in areas covered with solar panels.

Yours faithfully
Mary Gallacher
Pickworth Parish Meeting Representative

[redacted]

Rutland County Council

Catmose

Oakham

telephone: 01572 758400

fax: 01572 758373

email: planning@rutland.gov.uk

web: www.rutland.gov.uk

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

Our Ref: 2022/0181/NSIPSO
Your Ref: EN010127

7/3/2022

Dear Sir/Madam

SCOPING OPINION REQUEST BY MALLARD PASS SOLAR LIMITED IN RELATION TO AN GRANTING DEVELOPMENT CONSENT FOR THE MALLARD PASS SOLAR FARM

Thank you for your letter dated 7th February 2022 seeking this Authority's views and comments on the Scoping Report produced by LDA Design on behalf of Mallard Pass Solar Farm Ltd 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 preparation of its final Opinion. Also attached are the following appendices:

Appendix A: Detailed scoping response of the LPA's ecological advisor, which should be taken to represent the Authority's views on the subject.

Appendix B: A comprehensive suite of comments provided by the Mallard Pass Action Group that has been provided independent of the response of the LPA.

Appendix C: Comments on the proposed viewpoints from the Mallard Pass Action Group.

Appendix D: Comments on the proposed viewpoints from The Local Planning Authority (Rutland County Council).

Comments on topics scoped into the ES

Landscape and Visual Effects	• The viewpoint locations have not been agreed with Rutland County Council. RCC would expect to be involved and agree the precise location of the viewpoints prior to the submission of any formal application. The attached comments on the viewpoints provided by the Mallards Pass Action Group (Appendix C) and Rutland County Council (Appendix D) should also be taken into consideration when considering potential viewpoints.

	• The Scoping report fails to identify bridleway E182 and byway E123 for consideration. Consideration of the impacts on these routes should be included within the LVIA contained in the ES. • No details are provided on the proposed green infrastructure. RCC would expect details of the green infrastructure to be included in the supporting ES. • Residential and recreational amenity has been scoped out of the EIA and proposed to be submitted and assessed using a Residential Visual Amenity Assessment as a standalone document. It is considered that these areas should not be scoped out and should form part of the LVIA contained in the ES.
Ecology and Biodiversity	• Effects on international sites has been scoped out (paragraph 7.4.114) as the site does not support habitat used by species within the Rutland Water SPA designation however paragraph 7.4.54 states the site is used by ducks which are a designating species for the Rutland Water Ramsar designation therefore it is felt that an assessment of habitat loss for species associated with the Ramsar site **should be included in the ES**. • It is recommended that the guidance contained in the guidance note in appendix 'A' titled: Leicester, Leicestershire and Rutland Standard Scoping Opinion – biodiversity and ecology *Leicestershire and Rutland Environmental Records Centre, July 2018 updated February 2022* should be followed when preparing the ES
Access and Highways	• It is considered likely to be reasonable to scope out operational road traffic effects, but no access routes have been identified in the Scoping Report to confirm this approach. This point needs to be clarified before a decision can be made on whether or not to scope this element out. • **It is unclear how decommissioning can be scoped out** (paragraph 7.5.61) if construction road traffic effects have been scoped in given the likely same traffic volumes. decommissioning should be scoped into the assessment. • The ES should include assessment of the impact of all alternative construction traffic routes unless a specific route is chosen prior to submission. If this is the case, the reasons for discounting alternative routes must be provided. • 3.1.34/35 The permanent primary access off Uffington Road and other secondary accesses are noted, however there are no plans to show these locations, so these are subject to full details to be submitted. • 3.1.36 The internal access tracks will need to a minimum of 3.5m wide to accommodate HGV traffic and full details of passing bays will be required. 6m wide main access – This will not be sufficient for 2 HGVs to pass one another at the

	main entrance. Swept path analysis will be required to determine the junction size, and it must demonstrate that an HGV can enter from both directions whilst another is waiting to leave. Minimum geometry would ordinarily be a minimum of 7.3m wide access with 15m radius kerbs but depends also on the geometry of the major road where swept path analysis will determine the final geometry required. • 3.4.8 This paragraph sets out the estimated amount of daily construction activities including 60 two-way HGV movements, an average of 100-150 workers with up to 400 at peak times, lgv movements and construction vehicles, but full details are to be advised within the Environmental Assessment. As such, the LHA are unable at this stage to evaluate the full impact. • 3.4.12 It is noted that a construction management plan will be developed and submitted in due course. This will need to include all phases of development and cover all areas, all site compounds and all accesses to the application site. • 3.5 – The LHA raise no objection to the operational traffic generation, subject to seeing full details of all proposed permanent accesses. • 3.6 – The full impact of decommissioning on the surrounding highway network will need to be fully assessed too, similar to the construction phase, however this element could be conditioned and agreed nearer to the decommissioning time. In particular this should pay attention to accesses, unless those installed for the construction purpose are intended to remain for the 40 odd year duration. It is not clear at this stage if that is the intention, or the accesses and any other off-site highway improvements used for construction will be retained for decommissioning. Clarification should be sort. And decommissioning should be scoped into the highways assessment. • 7.5.9 – The LHA would question the use of DfT counts from 2020, where traffic flows from mid-March onwards would be grossly under usual figures due to Covid. Clarification on what exact period this covers is sort. • 7.5.39 – The LHA note the trigger point to identify the scope of highway assessment is based on a document nearly 30 years old. The LHA request that the Department for Transport trigger is used due to the length of the construction period and the rural nature of the area and surrounding villages. Once trip generation and distribution are agreed with the LHA, the LHA request that all junctions within Rutland receiving 30 two-way trips from the proposal be assessed. • There is no detail at this stage where accesses are intended to be formed off the public highway, so no assessment of these can be made at this stage. The Transport Assessment must include a full assessment of all proposed accesses including swept path analysis of the largest anticipated

	vehicle, with one vehicle waiting within the access to leave whilst another enters from either direction (or where the route agreed to be in one direction only, then that direction). Fully detailed and dimensioned plans based on topographical surveys are required with appropriate vehicle to vehicle visibility splays. • The Transport Assessment must also include the full assessment of all proposed routes including existing geometry to identify all off-site highway improvements required as mitigation, such as junction or carriageway widening, and potentially the provision of passing bays. • Clearly the construction period will be the main impact over a 2-year period, followed closely by the decommissioning stage, during which extensive damage could occur to the proposed route/s within the public highway. As such, the LHA will request that detailed joint pre-construction and post-construction highway surveys are carried out with the developer to present the surveys in both video and photographic format to allow any damage to be easily identified. The same will be required by condition for pre-decommissioning and post-decommissioning. The developer will be responsible for any damage identified within these reports as extraordinary traffic and funds to cover the cost of these works, if found necessary, will be recovered under Section 59 of the Highways Act 1980. Whilst the LHA will recommend conditions for the surveys themselves, an informative in relation to Section 59 will be recommended to be appended to the decision should this proposal be approved. Once the chosen/agreed route from the strategic road network is determined then the extent of these surveys can be agreed. Whilst there is an option under Section 59 to agree a sum of money before development commences, it is impossible to estimate what this sum could be, therefore will choose the above-mentioned route to ensure there is NIL cost risk to the LHA. • The construction management plan will need to be robust and cover all individual site areas within the overall development and cover all phases of development. Jetted drive-thru wheel wash facilities will be required on ALL site accesses with ALL exiting vehicles driving through and the area between this and the public highway hard surfaced with fully bound material. • Any flood lighting, whether temporary (during construction) or permanent shall be positioned such that it does not cause a highway safety issue. This can be conditioned. • The LHA will be concerned about glare from the panel units and the design for each area must be such that glare to users of the public highway is avoided at all costs. Again, this can be conditioned, but must also be fully assessed as part of the ES.

	• All new or improved private accesses must be designed to ensure no loose surface material or surface water can fall on to the adjacent public highway. To be conditioned follow receipt of detail design. • Due to the nature and content of this scoping report the LHA are unable to determine what the impact will be on the public highway at this stage and await the submission of the full Transport Assessment. However, the above points are provided to help guide the content of the Transport Assessment.
Noise and Vibration	• **Noise monitoring of construction traffic routes should be conducted**. No monitoring locations on these routes appears to have been included in the plan at Appendix 7.4. • Paragraph 7.6.20 states that dwellings on construction routes will be considered in the assessment but paragraph 7.6.37 notes that construction traffic noise and vibration effects have been scoped out of the assessment. Given the unconfirmed routing strategy and the likely volume of construction traffic **it does not appear that sufficient information has been provided to confidently conclude that there would be no significant noise and vibration effects on receptors, and this should therefore be scoped into the ES**. • The baseline noise surveys (paragraph 7.6.6) appear to have been Mallard Pass Solar Farm EIA Scoping Review, Review Tables 33848/A5/Scoping Review Report 4 February 2022 TOPIC Comments undertaken in January, if this was during the Government's Covid Work from Home order which expired on 26th January 2022 then the **accuracy of the baseline information would not be considered robust.** Additional baseline survey work will therefore be required to accurately reflect an accurate baseline. • Noise from traffic during decommissioning has been scoped out but given that traffic volumes could be similar to during construction, this could also have significant effects and it is **considered that this sub-topic should be scoped in.**
Water Resources and Ground Conditions	• South Kesteven District Council should be added to consultees list at paragraph 7.7.40 • The RCC's LLFA are not concerned about the main areas for the panels, as the installations will not affect the overall area of drainage which will remain permeable, however full details of surface water drainage of all buildings and hard surfaced access roads will be required for further review. The LLFA will expect to see nil discharge from the application site, given the size of the site. It is suggested that roof rainwater harvesting could be considered to assist with the cleaning maintenance of the panels, but soakaways or other sustainable drainage techniques are used. There is no information about how or what the internal access roads will be constructed from, but

	these could potentially be permeable systems to mirror the existing natural form of surface water drainage.
Agricultural Land Use	• Land and Soils in EIA Guide published by IEMA on 17th February 2022 should be considered in the assessment. • 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. These include sites at Heckington in North Kesteven and Cottam, West Burton, Gate Burton in West Lindsey. these collectively cover an area 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 therefore needs to be assessed.
Glint and Glare	• Chapter method is contradictory. The quote from EN3 at paragraph 7.9.8 states that there would be no effects on aviation, however paragraph 7.9.18 includes potential for aviation effects. • The Glint and Glare assessment makes no reference to potential impacts with fixed panels vs tilting panels given that the scheme design yet to be confirmed. The ES should therefore incorporate a full comparison of effects of tilting panels vs fixed panels at the site unless the detailed design has reached a point where the proposed panel type is confirmed.
Climate Change Impact Assessment	• Second Edition of the IEMA GHG in EIA Guide to be issued week commencing 28th February and should be used in the assessment.
Socio Economics	• Report is ambiguous as to whether this topic is scoped in or not. Not included in the list at paragraph 7.2.1 but is included at section 7.11 as scoped in. **It is considered that this should be scoped in.**

Comments on topics scoped out of the ES

Cultural Heritage	• Insufficient evidence has been provided in the report to justify scoping out effects on archaeology. The site is 900 hectares in area and has not been previously substantially developed. Whilst a search of the HER has been undertaken the Scoping

	Report acknowledges ongoing geophysical survey work but no detail has been provided in the report to support the claim that there would not be significant effects. • The Council therefore recommends that cultural heritage is 'scoped in' and that the Planning Inspectorate requires this of the applicant when issuing their formal Opinion.
Air Quality	• The Scoping Report states that impacts on air quality would be mitigated through the outline Construction Environmental Management Plan (oCEMP). In the absence of detailed information regarding projected HGV movements, the Council does not consider that an assessment of construction air quality effects can be scoped out. It is considered that this **should be scoped into the ES** to fully assess any impacts from projected HGV movements.
Arboriculture	• Rutland County Council notes the proposal for an Arboricultural Impact Assessment to be undertaken that informs the final design of the scheme with a view to minimising the impact of the proposal on the trees within and surrounding the site. Provided this assessment is submitted alongside the application Rutland County Council does not object to this approach.
Risks of Major Accidents or Disasters	• It is considered that insufficient information has been provided on the proposed battery storage facility to justify scoping out of accidents and disasters. **This should be scoped into the ES**.
Human Health	• Rutland County Council notes the proposal to include topic-specific assessment of human health impacts in individual chapters of the ES and accepts that this is an appropriate method for addressing the matter given the nature of the proposed development.
Waste	• Rutland County Council notes that the scoping report indicates that Waste from construction will be addressed within a separate outline Construction Environmental Management Plan. Similarly waste from decommissioning will be addressed through an outline Decommissioning Environmental Management Plan to be submitted alongside the application. This is considered to be an acceptable approach.

In addition to the above comments, it is considered that the following matters should be scoped into the Environmental Statement:

- Inclusion of further information regarding the risk of accidents and disasters associated with the battery storage elements of the scheme, and the details submitted should include any mitigation measures proposed to address those risks.
- Inclusion of an assessment of the effects of the development on Archaeology, including geoarchaeological work undertaken, specifically deposit modelling, as part of the desk-based assessment to support assessment of the prehistoric environment, and geophysical survey with a view to informing further evaluation works or mitigation.
- Potential impact of HGV movements on air quality

I trust the above comments are of assistance and should you need clarification on any of the matters please do not hesitate to contact Nick Thrower (Principal Planning Officer) [redacted]

Yours sincerely

[redacted]

Justin Johnson

Development Manager - Planning

Leicester, Leicestershire and Rutland

Standard Scoping Opinion – biodiversity and ecology

Leicestershire and Rutland Environmental Records Centre, July 2018 updated February 2022

An independent consultant should be commissioned to undertake an Ecological Assessment on the likely impact of the scheme in relation to the site and its environs.

Desk Study

A data search should be requested from Leicestershire and Rutland Environmental Records Centre, to include as a minimum requirement:

- identification of all recognised statutory and non-statutory sites of nature conservation interest likely to be impacted by the proposed development
- All known records for protected species, UKBAP priority species, Local BAP priority species likely to be impacted by the proposed development
- All known records for any other species groups known to be particularly at risk from impact from the proposed development

If statutory sites are likely to be impacted by the development, information on the sites should also be requested from Natural England.

Surveys

The Assessment should include the following surveys. All habitat and species surveys should be conducted at the appropriate time(s) of year for the species concerned by a suitably trained and licensed individual. Methodologies, dates of survey, times of survey where appropriate, and survey personnel should be clearly stated.

- A habitat survey using either UK Habitat classification methodology or an extended Phase 1 Survey to JNCC 1993 methodology. Surveys must be carried out at an appropriate time of year for the habitat concerned; in particular, grasslands and early successional habitats must be surveyed between late Spring to early Autumn. Surveys carried out outside these times may be rejected.
- Condition assessments of habitats in accordance with technical guidance produced by Natural England to support the Biodiversity Net-gain metric.
- Significant habitats should be recorded to a standard consistent with assessment against the Local Wildlife Site criteria for Leicestershire and Rutland Records of incidental observations of fauna.
- Survey for all protected species and UK/Local BAP species possibly/likely to be impacted by the development proposal, stating the survey methodology used; to include as appropriate:
- A Bat Survey in accordance with national guidelines to identify species, roosts, status of roosts (maternity, feeding, transient, etc), hibernation sites and feeding areas, foraging routes of bats on-site and those that may be impacted off-site
- A Badger Survey in accordance with national guidelines to identify the location of any setts, status of setts (main, outlier, annexe, etc), tracks, feeding areas and territories on-site or off-site and likely to be impacted by the development proposal.
- A field assessment of all water bodies on site and within 500m of the site boundary, if connected by suitable terrestrial habitat to the site, to ascertain suitability for great crested newts, in accordance with the standard Habitat Suitability Index assessment methodology
- Surveys of all ponds assessed as HSI 'Lee Brady' score of 'Average' or above to be followed up with a suite of great crested newt surveys, to national guidelines, OR a commitment to enter the District-level licensing scheme for GCNs available in amber/green risk- zones in

Leicestershire and Rutland (note that DLL is not available in the red-risk zones in Leicestershire;
- Otter survey, if suitable habitat is present
- Crayfish survey – native, White-clawed Crayfish and other species - if suitable habitat is present.
- A Water Vole Survey along all suitable water courses.
- Survey of any other protected or UK/Local BAP species possibly/likely to be impacted by the proposed development
- A Breeding Bird Survey to BTO CBC methodology
- A hedgerow survey, either to the Hedgerow Evaluation and Grading System Survey to the Clements and Tofts 2007 methodology, to Hedgerow Regulations standards, or to Leicester, Leicestershire and Rutland Local Wildlife Site criteria
- A Tree Survey to English Nature Veteran Tree Initiative methodology

Evaluation and Impact Assessment

The Ecological Assessment should:

- include an analysis of the importance of the recorded habitats and species in a local and national context (local context is provided by the *Guidelines for the selection of Local Wildlife Sites in Leicester, Leicestershire and Rutland.*
- set out the impact of the proposals on significant habitats, statutory and non-statutory sites, wildlife corridors, habitat connectivity and the wider ecological network, including impacts on habitats off-site – for example on nearby watercourses and adjacent habitats.
- Identify the potential impacts of a development on linkages between habitats, both current and potential, such as ecological connectivity between individual woodlands within the landscape.
- Identify impacts on significant populations of protected or UK/Local BAP priority species, including impacts on breeding sites, foraging areas, sheltering, refuge and hibernation sites, 'commuting' routes and dispersal habitats.
- Identify indirect effects, such as through increased road traffic, disturbance or lighting.
- Complete the baseline habitat assessment required to assess pre-development biodiversity value of the site, in accordance with DEFRA v.3.0 metric or subsequent revisions.

Avoidance, Mitigation and Compensation

The Ecological Assessment should:

- Describe avoidance, mitigation and compensation measures introduced in the site design to reduce ecological impact, bearing in mind the recognised hierarchy of avoidance first, then mitigation, with compensation as a last resort.
- Integrate biodiversity enhancements within the site as a priority, in accordance with policies in the NPPF, including opportunities to improve local access to natural greenspace.
- Complete the BNG metric for post-development enhancement, including on-site and off-site measures, and demonstrate that the development is in measurable net-gain for biodiversity.
- Give details of proposed ecological enhancement measures including creation of habitats, restoration or translocation of existing sites and habitats, and provision of linking and stepping-stone habitat to enhance habitat and species connectivity within the site and wider landscape.
- Include a broad outline of post development management arrangements for biodiversity areas, which must be for at least 30 years. Mitigation, compensation and enhancement proposals should reflect the aspirations of Local and National Biodiversity Action Plans.

References

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Comments from Mallard Pass Action Group:

Mallard Pass Scoping Request – review by the committee of Mallard Pass Action Group

We have paid particular attention to the objectives of this scoping exercise, notably:

- The potential significant environmental effects which require assessment
- The assessment methodology for each environmental topic proposed to be scoped into the EIA process
- Sources of information
- Issues of perceived concern
- Any other areas which should be addressed in the assessment

Overall, our concerns relate to the number of areas that are to be scoped out of the EIA. In some cases, there is insufficient early data, and/or an underestimated impact of the issues on receptors. Given the scale of this NSIP project, it is essential nothing is scoped out too early in the process.

1.1.1. P11. States the generation of an ***anticipated 350MW***. Should it not be more definitive and explain the underlying assumptions that arrive at 350MW.

1.2.2 P12 A developer of an NSIP project should be able to demonstrate effective delivery of similar type projects. Windel only states '***projects*** ranging from 10MW to 320MW'. When previously questioned in the public consultation, they could not confirm any projects actually completed.

2.1.1 P18. Given the MP have clearly identified 54 agricultural fields, the exact size of the development should be clear. It states 'approximately 900Ha'. This report is about assessment methodology based on detailed information.

2.4.2 P20. States: "The Site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability, as indicated by the EA Flood Map for Planning). The Site is predominantly located within an area of very low risk from surface water flooding. Areas of low to high surface water flood risk are located in the northern and western and central areas of the Site, associated with the West Glen River and its tributaries." Firstly, this mentions the **site**, MP should consider impacts ***outside* of the site** as well and draw upon local information from residents which can provide evidence of both pluvial and fluvial flooding. Mallard Pass has acknowledged some flood issues on site and the need to elevate panels, we would challenge this baseline information as not being representative and inclusive.

2.9.3. P25. "The solar PV Site is characterised by a high groundwater vulnerability. The northern and western extent of the solar PV Site is located within Zone II (Outer Protection) Source Protection one (SPZ)

- Figure 2.1 P26. The chart is misleading as the red/orange denote the solar PV site, when in fact those areas also include all the mitigation areas.
- Figure 2.6 P30. Water Resources and Flood extents. This chart does not show the impact on Greatford outside the site, and it only highlights 1 in 20 as worst-case scenario. As above 2.4.2 we know there is ongoing flooding In Greatford and the bottom of Essendine hill on a regular basis.

3.1.8 P33 Tracker panels could cause different levels and direction of glint and glare depending on time of day. Scoping document should include this point.

- Plate 1 and Plate 2 images of panels – can Mallard Pass ensure the pictures are representative of the panel dimensions given - they look a lot lower, especially when you consider you need to add the elevation off the ground to the panel dimensions.

3.1.12. P36 “The frames upon which the solar PV panels will be mounted will be pile driven or screw mounted into the ground to a typical depth of approximately 1.5m, subject to ground conditions. The option to install concrete blocks known as “shoes” may also be considered, avoiding the need for driven and screw anchored installation, therefore minimising ground disturbance.” This decision is key and there will be significant ground disturbance with pile driven or screw mounted frames, so this worst-case scenario must be reflected on the impacts to soil compaction increasing flood risk to bio-diversity disturbance. With the recent find of the Roman mosaic in Rutland, and the finding in 1961 of a Roman grave with human remains within the Mallard Pass site outside Braceborough, the human remains of which are held by the University of Cambridge, it is highly likely that further archaeologically significant remains will be on site. These are very likely to be disturbed by the proposed piles.

3.1.14. P36. “There are two options for inverters.” MP need to clearly state the maximum adverse effects of their choice, but importantly should be clear why there is uncertainty. Ref EN-1 2.49.17

3.1.18. P37. “The footprint of the transformers will typically be 12.5m x 2.5m and 3m in height. The configuration of equipment will depend on the iterative design process and influenced by technical as environmental factors.” As above they should specify why there is uncertainty and maximum impact scenario of a design.

3.1.21. P37 “The configuration of equipment will depend on the iterative design process as influenced by technical and environmental factors.” As above, too vague.

3.1.29. P40 “A fence will enclose the operational area of the Proposed Development. The fence is likely to be a ‘deer fence’ (wooden or metal) and approximately 2m in height. Pole mounted internal facing closed circuit television (CCTV) systems installed at a height of up to 3.5m”
What is their rationale for 2m high deer fencing, it is too low, and the deer will try and jump it, and some will be injured? Why is the CCTV so high?
“Clearances above ground, or the inclusion of mammal gates will be included permit the passage of wildlife”. Need more detail on clearance or gates and exact wildlife expected to go through.

3.1.30. P41 “For security requirements, operational lighting would include Passive Infra-red Detector (PID) systems which would be installed around the perimeter of the Proposed Development.” There is no consideration for the impact on wildlife, particularly light-sensitive animals and how night-time lighting would affect their normal habitat. How sensitive will the PID be, what animals could trigger it and affect others, how long would it stay on?

3.1.31. P41 “The lighting of the primary substation would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would be lighting, similar to street lighting that operates from dusk. Otherwise, there would be low level lighting on specific operational units that would again operate from dusk. All lighting would seek to limit any impact on sensitive receptors.”
It needs to assess the sensitive receptors and how they will be affected and whether this has a negative impact on their habitat.

3.1.37 P43 Battery Energy Storage System.
Incredibly these have not been included in the section on Risk of Major Accidents and/or Disasters. Indeed, Risk of Major Accidents and/or Disasters has been "scoped out". The type of battery has not been specified - it is highly likely that Lithium-ion batteries will be used.
Lithium-ion batteries can and have failed leading to electrochemical reactions. These reactions do not require oxygen and can spread rapidly giving rise to "thermal runaways." Normally, and incorrectly referred to as a fire. The only method of dealing with "thermal runaways" is cooling with large amounts of water until the reaction ceases. The electrochemical reaction emits toxic gases including hydrogen fluoride. Explosive gases are then emitted which can caused large explosions. There are numerous instances all over the world of serious battery fires and toxic explosions. Scoping should include design of battery containers to prevent electrochemical reactions, detection, suppression and action to be taken to cool the reaction with sufficient quantities of water. Batteries were included in the Sunnica Energy Farm Environment Impact Assessment Scoping Report and in the Cleve Hill Solar Park Environmental assessment, so there is a precedent for it to be included in the scoping report for Mallard Pass.

Table 3.1: P44 "Minimum Offsets to Landscape and Ecological Features and Designations" table. Are these just statutory minimums adopted? Would it be better to also show a maximum as these offsets do not demonstrate full acknowledgement of the importance for wider bio-diversity gains? It shows little sensitivity to many of the receptors.

3.2.3. "The existing Public Rights of Way (PRoW) that cross the Site will be retained and incorporated within multifunctional green corridors. Subject to the construction phasing and methodology there may be a requirement to temporarily divert a public right of way during the construction phase, the details of which will be sought to be agreed with the relevant key stakeholders, with an appropriate temporary alternative provided."
There would need to be a clear risk assessment of diverting or removing a PRoW during construction, understanding the consequent behavior of the walker, horse rider or cyclist. This needs to be clearly scoped due to safety and well-being issues.

3.2.4 P45 "Potential areas for mitigation and enhancement as identified on Figure 3.1 will also provide areas for green infrastructure and potentially be used to deliver a 10% net gain in biodiversity".
What does "potentially be used" suggest – further clarity required. If not the bio-diversity gain, then what? Bio-diversity gains need to be quantified and qualified and over what time period. It is not a pure volume metric; it has to be determined through its appropriateness to each habitat and should be measured on a quality index. Every mitigation area will have different needs. It will need to be proven how a bio-diversity gain is maintained through careful management. Further clarity on all this methodology is required.

3.4.1 P46. Construction. Due to start in 2026. Other published Mallard Pass documents say 2024. Can they clarify.

3.4.5 P48. AIL loads. Mallard Pass identified the potential need for temporary localised road widening, there is no mention of assessing the likely impact on biodiversity and other receptors. The road in question off the A1 between Great Casterton and Ryhall is very windy and is bounded by hedgerow. Equally there are limited options between Ryhall and Essendine.

3.4.8 P48 “it is anticipated that during the peak construction period, there could be 30 Heavy Goods Vehicles (HGV) deliveries per day, which equates to 60 two-way movements”. Looking at other solar farm NSIPs, like Sunnica and Cleve Hill, these estimates look low which will have a knock-on effect of all the assumptions made about traffic impacts, noise impacts and air pollution impacts. There should be greater clarity on the assumptions underpinning these numbers.

3.4.9. P49 “Temporary Construction Compound. During the construction phase, a primary construction compound is expected to be located onsite with one or more temporary secondary construction compound(s) provided at different locations throughout the solar PV Site, as well as temporary roadways, to facilitate access to all parts of the solar PV Site. The details of which (including location, scale and duration) will be set out and described within the ES”.
This is fundamental to the whole traffic plan; how can assumptions be made about traffic loads and routing without stating where these temporary compounds will be. More information is required upfront as they may be many significant impacts.

3.4.10 P49 Construction Reinstatement and Habitat Creation. “A programme of construction reinstatement and habitat creation will commence during the construction phase”.
The underlying grass should be established well before (at least 2 years) construction starts so as to give some resilience to the soil being run on and compacted during construction, established grass will recover far more quickly and provide more protection from flooding and sediment loss than grass established during or after construction. There is no indication of these considerations in the report. Also, the plan should consider ground conditions and work should not be undertaken on wet soils, as it will create long term compaction leading to poor water infiltration and increased flood and sediment loss.

3.5. Operation
3.5.1. P50 “The operational life of the Proposed Development is not proposed to be specified in the application and the Applicant is not seeking a time limited consent.”
Is it realistic to assume the life of a solar farm is unlimited? Surely there will be a time limit to the technology as newer more efficient technologies come on board. Equally there will be a life span of the components. They will need to be replaced every 25 years, impacting the receptors during the operational phase. If any part of the site is deemed non-operational, will it be automatically decommissioned?
The land may need to be returned to some other function deemed more important at a future date, should the planning lifespan be unlimited?

3.5.3.P50 “The land underneath and around the panels **could** be managed through a combination of sheep grazing and/or hay/silage production in order to maintain the field vegetation during the operational phase of the Proposed Development”.
“Could” is very vague. The method of management here is key to ensuring the right biodiversity is maintained and flood risk is fully mitigated by reducing unnecessary compaction. There seems little acknowledgment of needing a clear assessment of pasture management, noting all key receptors. Have they fully explored the options?

3.7.3 P53 “A series of Design Principles will be developed for the Proposed Development. The Design Principles for the Proposed Development will align with the core purposes and ambitions of the ‘Design Principles for National Infrastructure’ which are Climate, People, Places and Value.”
“Principles should act as reminders to the delivery organisation, a steer in the right direction, and a means of restoring focus to the big picture…Design Principles should be a point of departure, setting

out a common understanding [of] the issues to be addressed." (Developing Design Principles for National Infrastructure (NIC, 2018))."
Taking Value as an example:

- Provide wider economic and supply chain benefits, and a positive legacy for the communities in and around Mallard Pass Solar Farm.
- Respect the wider landscape and the intrinsic value of the countryside and natural environment.
- Respect and respond to features of heritage value.

Taking People as an example:

- Engage openly and transparently with local communities, stakeholders and neighbours, making use of local knowledge to improve our project; □ Consider feedback carefully and engage and respond meaningfully.
- Behave as a considerate neighbour through both construction and operation.
- Respect public amenity.

What method and process will they use to assess the above are delivered?

4.1.2. P57 "Consultation alongside the EIA process is critical to the development of a comprehensive and proportionate ES. The views of statutory and non-statutory consultees are important to ensure that the EIA from the outset focuses on the environmental studies and to identify specific issues where significant environmental effects are likely, and where further investigation is required".
Please check Mallard Pass's statutory and non-statutory lists. They have some errors and inconsistencies in relation to cross county (Lincs & Rutland) coverage with certain organisations.

4.2.2. P58 "All responses received during consultation are being carefully considered and taken into account in the development of the Proposed Development and a consultation summary report has been released at the same time as this EIA Scoping Request."
The Scoping request was 7th Feb, the consultation summary report booklet was received in the post 24-25th February.

5.4.7. P63 "Paragraph 4.2.2 of the NPS states that: "To consider the potential effects, including benefits, of a proposal for a project, the IPC [now PINS] will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being."
How will they demonstrate community cohesion and well-being, what methodology will they use?

5.5.5. P67 Section 2.48 of the Draft NPS EN-3 sets out key influences that developers should consider when selecting sites for solar development" e.g., Proximity of a site to dwellings – why is there no minimum agreed buffer in their offsets list?

5.5.8 P67 "Draft NPS EN-5 includes a new section on 'Environmental and Biodiversity Net Gain' at Section 2.8, which states that when planning and evaluating a projects contribution to environmental and biodiversity net gain, it will be important, for both the Applicant and examining Authority, to recognise that "the linear nature of electricity networks infrastructure allows excellent opportunities to: i) reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and/or ii) connect people to the environment, for instance via footpaths and cycleways constructed in tandem with biodiversity enhancements."
Please request clarity on how these will be delivered.

5.7.7. P71 “Policy RE1 ‘Renewable Energy Generation’ of the SKDC Local Plan states that proposals for renewable energy generation will be supported subject to meeting the criteria outlined in Appendix 3 ‘Renewable Energy’ of the Local Plan and provided that:

- The proposal does not negatively impact the district’s agricultural asset.
- The proposal can demonstrate the support of affected local communities.
- The proposal includes details of the transmission of power produces.
- The proposal details that all apparatus related to renewable energy production will be removed from the site when power production ceases.
- That the proposal complies with any other relevant Local Plan policies and national planning policy.”

It is critical this underpins SKDC’s assessment of Mallard Pass’s proposed scheme.

6.3.1. P74 “Whilst every ES should provide a full factual description of the development, the **emphasis** of Schedule 4 (of the EIA Regulations) is on the "significant" environmental effects to which a development is likely to give rise.”
Emphasis does not mean to the preclusion of other impacts. How significant is evaluated can be differently interpreted.

6.5.3. P75 “The ‘future baseline’ scenario will describe the changes from the baseline scenario as far as natural changes can be established, although it is noted without the Proposed Development that the solar PV Site would continue to be intensively managed for agricultural purposes.” The baseline should consider likely forthcoming changes as landowners diversify e.g., the land is used for bio-energy fuels, re-wilding etc

6.5.19.P80 “Cumulative effects with other schemes will be assessed as part of the EIA process.”
The other schemes need to be identified first before any areas are scoped out – this is not obvious in the recommendations of this report. The scheme might not be solar e.g., traffic impacts for new housing, quarry, water pipeline and other solar farms in the area.

6.5.27. P81 “Mitigation measures are developed as part of an **iterative** process and therefore will be developed throughout the EIA process in response to the findings of the initial assessments.”
How can so many areas in this report be scoped out if a number of mitigation measures are going to be iterative?

6.5.30. P83 “Our approach to EIA is not to undertake an assessment of environmental effects where primary or tertiary mitigation measures are sufficient to avoid a likely significant effect occurring. This approach allows the ES to be focussed solely on the likely significant environmental effects and not theoretical significant effects that will not materialise as a result of the design or standard construction practices.”
Is this wholly valid?
6.5.35. P84. Regulation 14(2)(d) of the EIA Regulations also requires that the ES should include: "A description of the reasonable alternatives studies by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment…"
This is not apparent in any documentation so far. Can this be reviewed.

7.3.2 P89 “A number of viewpoints have been identified from within and around the Site from publicly accessible locations to understand the nature of existing views towards and within the Site to inform the assessment. PLEASE SEE SEPARATE “viewpoints.doc” which has reviewed all the proposed viewpoints and the choice of locations for photomontages. As locals we are best equipped to understand the viewpoints for both transient and amenity users.

7.3.3 P90." However, the gently undulating terrain combined with woodland stands, vegetated field boundaries and roadsides act to provide a wooded backdrop to many views and, therefore, screening the Site from further afield, limiting distant views from outside of the Site."
This baseline assessment is not the case for a large proportion of the site which has open views. These statements are misleading.

7.3.15. P95 "The study area includes the settlements of Essendine, Ryhall, Belmesthorpe, and fringes of Stamford, scattered properties as well as recreational routes and PRoW (footpaths, bridleways etc.) and local roads. "The viewpoints cover a wider area than listed including the outskirts of Carlby, Braceborough, Aunby, Pickworth etc.

7.3.17 p95 Grade II* **Burley** House RPG (approximately 1.5km south), (considered as part of landscape value); - should be Burghley House – error repeated throughout.

7.3.20. P96 A preliminary assessment from desk-study and fieldwork indicates that potential landscape character and visual effects would likely be limited to the solar PV Site and its local context up to approximately 500m east and south, and 1km west and 2km north. Areas at greater distances from the Site in these respective directions are **unlikely** to experience any notable or perceptible change to their prevailing characteristics, owing to the limited intervisibility of the Proposed Development as a result of intervening vegetation, existing built development and landform.
This is a vague statement and needs to be backed up with robust data.

7.3.21. P97. "The representative viewpoints have been selected from publicly accessible locations and generally where the greatest potential effects are anticipated to be experienced. The viewpoint locations represent a wide range of receptors, providing a 'sample' of the potential effects from the locality, with locations purposefully selected to illustrate the range of visual effects; or to specifically ensure the representation of a particularly sensitive receptor." **Assessment of viewpoints covered in separate 'viewpoints.doc'.**

7.3.22 P97 "we propose to undertake rendered photomontages for years 1 and 15 of the Proposed Development from Viewpoints 1, 2, 3, 10 and 11 to demonstrate the views" **Assessment covered in separate 'viewpoints.doc'. Most of the photomontages selected by Mallard Pass do not give a representative view of the solar panels.**

7.3.27 P91 "The reversible nature of the Proposed Development means that the landscape can be returned to its former agricultural use, should it be decommissioned".
This makes a huge assumption that the soil will be capable of returning to agricultural farming. What evidence is there to underpin this assumption?

7.3.37. P104 "Early and continued development of the design has identified potentially affected settlement fringes and residential properties and resultantly, the proposed built solar development footprint has been set back considerably from these boundaries (e.g., around Essendine), providing a sufficient buffer between these receptors and Proposed Development, to avoid the potential risk of 'overwhelming' or 'over-bearing' visual effects to residential properties. As such, residential amenity will not be assessed within this LVIA and is scoped out of the EIA. A Residential Visual Amenity Assessment will be undertaken and submitted as part as a standalone report as part of the DCO application."
Given the level of feedback to the first consultation it is evident that residents feel their visual amenity is still heavily affected. Whether they live next to the PV site or close to it, in their day-to-day life the visual impact is significant. The level of detail on mitigation so far does not alleviate the visual concerns, so this should not be scoped out at the next stage.

Ecology

7.4.7. P106 “The details of the surveys carried out and the baseline conditions identified are set out in the Ecological Baseline report provided at Appendix 7.2”

There are concerns about the timing, range and extent of some of these surveys not being sufficiently robust to provide an accurate assessment of wildlife present. E.g.

- Great crested eDNA should be done between mid-April and end June. They took samples on 29 April, which is within the timing, but is still a bit early. Evidence of GCN in Braceborough shows they appear in May.
- Phase 1 habitat survey - end or March and end April is quite early, especially for many flowering plants.
- Wintering birds - should be monthly in Winter (Dec-Mar). Surveys only undertaken in Nov and Dec, so inadequate. No detail on weather conditions on the visits which could affect the result.
- Bats should be surveyed May - Sept, but they didn’t survey for them explicitly.
- Other protected species surveys Appendix 2.30: Surveys for foraging and commuting bats, roosting bats, hazel dormouse, reptiles, invertebrates and plants (detailed botanical survey) were not undertaken, despite some habitats on Site being suitable for these species.

7.4.23 P110 “All the hedgerows on Site are considered to meet the description of the Hedgerows HPI”.
Given hedgerows are an HPI, the solar PV should be far more sensitively positioned to enable the best biodiversity to develop. What basis has been used to set the margins?

7.4.25 P110 “The west Glen River has the potential to meet the description of the Rivers HPI (Maddock, 2011) based on the presence of aquatic species and water quality and hydrological parameters, although this was not assessed in detail.”
Should this not be further assessed given the likelihood of it being an HPI?

7.4.49.P116 “No records of polecat Mustela putorius were returned by the LRC or LRERC but this species is reportedly present on the western edge of the Site along the Drift (information supplied by Tom Tew of Naturespace). This species is an SPI.”
Polecat has been seen near Banthorpe lodge. “Further investigation required.

7.4.76. P123. Designated sites: “however, accidental damage and other direct or indirect effects may occur to the Ryhall Pasture and Little Warren Verges SSSI and Tolethorpe Road Verges SSSI, adjacent to the Site. Accidental damage will be avoided by implementing appropriate control measures during the construction stage (tertiary mitigation).”
Due to the nature of the Proposed Development, no impacts to the SSSIs are likely to occur as a result of noise or air pollution.”
Is this assumption valid? There will be pollution from the considerable number of lorries using a very narrow road not just for the new battery storage facility but for access to the PV areas on that side of the site. Also, the proposed mitigation of fencing may not be at all viable as roads are not wide enough already. The verges need to be protected and the fencing process in itself could cause damage.

7.4.77 P 123 “Potential adverse impacts to the integrity of statutory designated sites through loss of supporting habitat is scoped out of the EIA for all phases”.
That is a contradiction to the issues previously highlighted and should not be scoped out.

7.4.89. P127 “During the operational phase it is unlikely that any impact would arise on badgers and therefore is scoped out of the EI”.
There needs to be more survey work to understand the badger behaviour during operation and this should not be scoped out. Experience has shown they create new setts and move around, farmers are constantly having to be careful when using machinery. There have been issues recently close to the site, of badgers digging next to the gas pipeline. There were no surveys in the woodland, therefore limited picture of their habitats.

7.4.95. P128 “No impacts to hazel dormouse during the operational phase are likely to occur.” These are therefore scoped out of the EIA.”
Hazel dormice have been seen close to the site, should they be scoped out?

7.4.98. P129 Other mammals P128 “Due to the nature of the Proposed Development, no impacts are likely to arise during the operational phase. These are therefore scoped out of the EIA.”
The impact on brown hares and their behaviour needs to be assessed. Will the 30x30 gates provide sufficient access to the PV area or will there be significant injury/death due to fencing next to roads?

7.4.103 P130 “Therefore, impacts to birds during the operational phase of the Proposed Development is scoped out of the EIA.”
Further review needs to be done on the impact of ground nesting birds. i.e., what kind of ground cover do different ground nesting birds require to ensure a safe undisturbed habitat. What kinds of maintenance activity (sheep grazing, mowing) will disturb that habitat?

7.4.107. P131 Amphibians “The Site supports few terrestrial habitats with the potential to support amphibians and these are proposed to be retained. All ponds are also proposed to be retained and none within the Site, or adjacent to it, were found to support GCN, though common toad may be present.”
There are GCN in Braceborough and therefore likely to be in other ponds on the site, the survey was conducted at the wrong time to identify their presence, further investigation is required.

7.4.111 P132 Invertebrates. “Operational impacts to invertebrates are scoped out of the EIA.”
There is insufficient data available, no survey work was conducted. There needs to be a better understanding as the compaction impacts on the soil and how the changes from agriculture to solar PV land affects their habitat.

7.4.115. P132 “During the operational phase of the Proposed Development, no impacts to protected species are likely to occur as:

- The lighting scheme will be designed to avoid artificial lighting on linear features (including hedgerows and water courses), woodland and other retained or created habitats. This will avoid adverse effects on bats, dormice, otter, water vole, amphibians, birds and other SPIs.
- Onsite operational traffic will be minimal and limited to maintenance vehicle movements at very low intensity, with a negligible risk of accidentally injuring or killing any protected or notable species such as wild mammals, amphibians, reptiles or birds.
- No regular presence or work is envisaged onsite leading to disturbance of retained or created habitats.

The above is an assumption and a statement and not backed with clear evidence or assessment. They cannot define the impacts clearly as there is no information on the type of management activities in operation and the different impacts from each activity. Mowing under panels is different to grazing sheep to window-cleaning the panels to using machinery to take haylage - all have different impacts.

7.4.116. Consultation. P133 “The consultation process to be undertaken will involve consultation with the Ecology Officers for Leicestershire, Rutland and Lincolnshire County Councils. Non-statutory consultees such as

the Wildlife Trusts will also be approached. These stakeholders will be provided with the summary of the baseline of ecological conditions, the general proposals and the principals which will be used for the detailed design of the Proposed Development."
With so many areas scoped out of the operational EIAs, and only preliminary data and survey work so far, how can the stakeholders receive an informed baseline of information?
A report from Natural England: Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012) 2017:
"When considering site selection for utility scale solar developments it is generally agreed that protected areas should be avoided. This is reflected in the scientific literature where modelling approaches include many factors such as economic considerations and visual impact but also often avoid protected areas such as SPAs. This is echoed by organisations such as Natural England and the RSPB that recommend that solar PV developments should not be built on or near protected areas. As sensitive species and habitats are not necessarily restricted to the geographical boundaries of protected areas, it is imperative that research is undertaken into the potential interactions between solar PV arrays and biodiversity especially sensitive habitats and species."
"...concerns have been raised that solar PV developments have the potential to negatively impact a broad range of taxa including birds, bats, mammals, insects and plants. In light of this, it is highly recommended that research is undertaken into the ecological impacts of solar PV arrays across a broad range of taxa at multiple geographical scales."
Given these conclusions, it is too early in the process to suggest that so many areas are scoped out of the EIA.

Highways
7.5.39/40. P143. "The IEMA Guidelines for the Environmental Assessment of Road Traffic identifies two broad rules-of-thumb which could be used as a screening process to determine the scale and extent of assessment. These rules are summarised as follows

- Rule 1 – include highway links where traffic flows will increase by more than 30% (or the number of HGVs will increase by more than 30%).
- Rule 2 – include any other specifically sensitive areas where traffic flows have increased by 10% or more.

Any links within the study area that fall below these thresholds will be scoped out of the assessment, unless specifically requested to be incorporated by key stakeholders or the local Highway Authorities." **The fundamental question is whether the vehicles movements have been accurately forecast. This affects all associated scoping assumptions.** If you refer to Sunnica's CTMP https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-001865-SEF_ES_6.2_Appendix_13C_Framework%20Construction%20Traffic%20Management%20Plan%20and%20Travel%20Plan.pdf, you will see their level of vehicle movements for a 2400 solar PV area. Mallard Pass is disproportionately low.

7.5.42. P144 Sensitive receptors.

- Route 1: should list other drivers at this critical Great Casterton T-junction after having come off the A1; users of the villages of Ryhall & Essendine.
- Route 2. There are 2 primary schools not listed in Uffington; users of the villages of Tallington and Uffington; users of the town of Stamford.

All of these are sensitive receptors. Aside from noise, pollution, safety is a major consideration.

7.5.44. P145 "Potential Effects The potential effects to be assessed during the construction phase of the Proposed Development on those links that exceed the thresholds set out at paragraph 7.5.39 are as follows:

- Severance.
- Driver Delay.
- Pedestrian Delay.

- Pedestrian and Cyclist Amenity.
- Fear and Intimidation.
- Accidents and Road Safety.
- Hazardous Loads."

Is The IEMA the only baseline methodology for assessing these impacts? An increase in certain traffic levels may not create a linear impact on some of the affects listed above. There also needs to be some assessment which is not purely quantitative and linear but has a qualitative and local knowledge inputs. The methodology seems very unrepresentative of the reality that would be experienced if the impact was deemed medium for example.

7.5.56. P148 Hazardous or Dangerous Loads. This is scoped out of the assessment. There are hazards along all 3 routes of different descriptions. There is high potential for collision with other vehicles with articulated transport in particular due to narrow or windy roads, hills – already known accident hotspots. Given the sensitive nature of some of the loads – toxic substance contained within the solar panels, batteries etc, it seems very unwise to scope this out of the EIA.

7.5.59. P149 "it is considered that the significance of the environmental effects of the operational phase of the Proposed Development would be negligible with respect to access and highways and therefore a detailed assessment of the operational phase of the Proposed Development is proposed to be scoped out of the EIA." Given it is not clear what kind of management activities will take place, can it be clarified what has been used as a worst-case scenario to underpin the vehicle movements and scope this out?

7.6. P151 Noise and Vibration. Baseline conditions. The list is not complete, it should include the following: 1 Grange Farm Cottage, 2 Grange Farm Cottage; Grange Farm; West Barn Cottage, Lodge Cottage, Braceborough Lodge Farm

7.6.10. P153. The NPPF also notes that tranquil areas which have remained relatively undisturbed by noise, and which are prized for their recreational and amenity value should be identified and protected.

7.6.22 Desk and field study. Appendix 7.4 only highlights the locations, yet the data is only going to be provided at the ES. Given how critical this is to residents, they would want to see something in the PEIR for the public consultation in the spring. The whole PV site plan could change depending on the buffer they allow for nearby properties which could be impacted by these results. The test frequency appears very limited in 7.6.23, will it provide a representative baseline? Will any allowance be made for the impact of wind direction and to extend the 250m boundary and factor it into the noise level range (high wind, low wind etc)

7.6.31. P158. "Some construction activities, such as piling operations, drilling or vibratory rolling techniques, can generate vibration levels in close proximity to their use (less than 50m typically)".
If proximity to any residential areas is less than 50m, there should be an assessment of the wider impacts on those properties i.e., not just noise, dust etc, but importantly if older properties have no foundations what the impact of those vibrations could be. Clarity upfront on residential buffers/margins to proximity of solar PV could resolve many questions/concerns.

7.6.36. P160. "Primary mitigation will first involve adjusting the design of the Proposed Development to maximise (where possible) the distance from areas including noise-generating plant from noise-sensitive receptors. The detailed design of the Proposed Development, including final plant locations and selections, can be controlled through a requirement of the DCO that would establish suitable noise limits at the boundary of the Site".

Would it not be more helpful if Mallard Pass at the earlier stages set their noise limits and adjusted their plan accordingly, rather than it being a requirement of the DCO? They could share their mitigation measures earlier in the process.

7.6.37 P “Noise impacts from construction traffic is therefore scoped out of the EIA”.
This assumes the baseline for vehicle movements is correct which we don’t believe it is – ref 6.6.37.

Water Resources and Ground Conditions 7.7
7.7.2. “A desk-based survey was undertaken in December 2021 to understand the baseline conditions for water resources and ground conditions at the Site.” Whilst desk-based work is always a starting point, there seems to be no further assessment based on local knowledge and other available information. The report has been produced by Argyll Environmental in Brighton and contains a vast amount of data, site diagrams, flood risk areas, wildlife info, etc, gathered from the EA, Natural England, and other sources, but Argyll themselves point out this report on its own is not sufficient.

7.7.5. P162. “An initial baseline study shows that elements of the Proposed Development north of Essendine village and south of Wood Farm lie within groundwater Source Protection Zones (SPZ) 1 and 2 and outwith of the River Welland catchment Surface Water Safeguard Zone”.
Given this information it will be critical to avoid any water contamination from damaged solar panels and/or on-site battery storage faults (Fires) and mitigation needs to be clearly identified.

7.7.6 P162. This has “‘high' Impact Risk Zone associated with the SSSI at Ryhall Pasture and Little Warren Verges”.
As above there needs to be clear mitigation or re-design to avoid any contamination issues.

7.7.12. P164. “A Site walkover will be undertaken to verify the location and nature of watercourses and waterbodies within the study area likely to be affected by the Proposed Development. The Site walkover will augment the desk study.”
Depending on when the site walkover is done will significantly impact the conclusions reached. 2021/22 has been very dry. To supplement the desk and walkover studies, every parish council and flood warden where applicable should also be contacted to build the knowledge base.

7.7.13. P164. “Infiltration testing will be conducted at the Site in early 2022. The infiltration testing will comprise of test pits which will be utilised for testing to Building Research Establishment (BRE) 365 (2016) standard in order to confirm the permeability of the underlying soils and suitability for infiltration drainage.”
Is this the right testing approach?

7.7.19. P166. “Draft NPS EN-3 (BEIS, 2021) outlines the requirements for an FRA and the promotion of the use of sustainable drainage systems (SuDS).”
Mallard Pass have not detailed the use of SuDS so far, just acknowledged there are flood risk areas and will raise the height of solar panels. This does not take into account the impact of water run-off outside of the site.

7.7.21. P168. “The baseline data will be used to assess the potential effects of the Proposed Development on hydrological and hydrogeological resources within a 5km study area. This study area is based on the hydrological and hydrogeological connectivity of water bodies located downstream of the Proposed Development.”

MP need to show flood maps taking into account the 5km study area, currently Greatford is just off their map. Please note the Water Resources Sensitivity table in Appendix 7.6 – this applies to Greatford Cut (a flood plain) and is high.

7.7.28. P169 "As sections of the Site are located within Flood Zone 3a, the FRA will need to demonstrate that the Proposed Development passes the Exception and Sequential tests outlined in the NPS and NPPF. There will be a requirement to raise all electronically sensitive equipment at least 600mm above the highest modelled flood level for the 1 in 100-year (+climate change) event or have a commitment to install flood resilient measures onsite infrastructure."
As above point 7.7.19 if panels need to be raised, what criteria will they use to assess the use of SuDS?

7.7.29. P169. "The FRA will be produced and will focus on the following elements: ϒ Assessment of the introduction of new hard-standing areas on the greenfield run-off rates, using Micro Drainage software."
This needs to take into account all the new access tracks and hard-standing bases for all the battery storage on the solar PV site.

7.7.31 P170. "Construction effects" – no mention of impact of compaction of the soil, temporary access tracks etc on water run-off.
"Operational Effects ϒ Increase in surface water run-off from areas of hard-standing;" - there is no mention of the impact of run-off from the solar panels themselves. Normally rain is dispersed evenly across the ground, when it falls on solar panels up to 3.5m high, there will be a huge concentration of water run-off at the bottom of the panels, leading to water channels being created, and speeding up the flow of water if the ground is unable to absorb it. These effects need to be taken account of.

7.7.39. P172. Issues to be scoped out. "Potential transfer of chemicals to surface water resources during operation". Given the possibility of contamination from damaged panels or chemical leak from battery fire on the solar PV site, is it wise for this to be scoped out?

Agricultural Land Use
This is a key determining factor in the decision-making process with the Planning Inspectorate, so ensuring this is scoped, correctly surveyed and assessed, is critical to the outcome of the application.
7.8.5. P173 "In order to inform the assessment an Agricultural Land Classification survey will be undertaken at the Site. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the solar PV Site."
What is the baseline methodology for determining 210 locations (looks too low), and what guidelines are they using to conduct these surveys?
According to the British Society of Soil Science (BSSS) Proficiency in ALC Survey Grading of land using the ALC system is not straightforward. For individual development sites this normally involves a detailed ALC field survey, according to the MAFF 1988 ALC guidelines. Proficiency in the conduct of an ALC survey requires knowledge and experience of field soil survey and the interpretation of soil, topography and climate data. There are comparatively few experts capable of carrying out ALC to a sufficient professional standard. For this reason, BSSS has published a professional competency document4 that outlines the qualification, knowledge, skills and experience required to carry out ALC.

7.8.17. P176 "In terms of magnitude of impacts, the loss of more than 50ha of BMV land is considered to be a large/major magnitude, losses of 20-50ha are of moderate/medium magnitude and losses of less than 20ha to be of low magnitude. These thresholds are based on established practice. The 20ha threshold is the trigger point for consultation with Natural England on losses of BMV agricultural land.

Based on an approximate solar PV area of 530Ha minimum, should Natural England be involved now as more than 20Ha (3.7%) is likely to be BMV land. Also, more than 50Ha (10% of the land could be BMV) which is deemed large/major magnitude. Given these statistics it is even more important that the survey work is full, thorough, qualified and wholly independent.

7.8.18. P176. Potential Effects. "The Proposed Development has the potential to affect the agricultural land quality and use of the solar PV Site. The construction process is generally considered unlikely to significantly affect the agricultural land quality or the soil resource".
This is not the belief of local specialists who see there will be damage to the soil through compaction and drilling, putting down access tracks during the construction period. The view is the soil will not carry the nutrients necessary to return to agricultural production after 40 years. This of course will be hugely affected with how the soil is managed over the 40-year period.

Climate Change
7.10.10. P186. "The effect of the Proposed Development on climate change will be assessed by evaluation of two quantities. Firstly, the potential emissions associated with the construction and operation of the Proposed Development. This will include the construction process and the manufacture and transportation of the components of the Proposed Development, and the carbon dioxide emissions embodied within them."
This assessment does not include the carbon cost of importing more of our food as a result of the loss of agricultural land production in the UK. It also does not take account of the carbon costs of replacing and recycling panels when they are no longer efficient/redundant – it is known they will not last 40 years.

Socio-economic
7.1.20/21 Assessment of effects. It only mentions on the negative side the loss of agricultural workers, there is also the lost income to all the other businesses in the supply chain associated with agricultural farming. This impact will continue during the operational phase. This needs to be factored in.

7.11.25 P195 "it is considered that the effect on the local tourism economy will not be significant, and it is therefore proposed that this is scoped out of the EIA." The distances to Stamford and Burghley are closer than 2.3km, as outlined earlier in the report. If you start to change the character and feel for an area it could have a negative impact particularly for Stamford.

7.11.26 P195 "Significant impacts on PROW users are therefore not anticipated and are scoped out of the EIA. A Recreation and Amenity assessment will be undertaken and submitted in support of the DCO Application"
This is too late in the process and needs to be kept in scope. How has Mallard Pass come to this conclusion? The impacts on walkers, cyclists and horse-riders will be significant, with the potential for mental health impacts for those with fewer alternatives. Traversing these PRoW with panels and security fencing all around is akin to walking through an industrial plant, removing any sense of enjoyment or well-being. For horses it could prove dangerous, as the tunnel effect on the bridleway will prove very scary, unlike the norm of greenfield land. This absolutely needs to be scoped in to address the strength of public opinion. There is no assessment to show the benefits for the community – whether supporting their local economy or improving the social benefits.

8.0 Environmental Topics Scoped Out of the EIA

Heritage
8.1.13: "Furthermore, mitigation through design (avoidance) can allow any especially sensitive buried archaeological remains (such as human remains) to be safeguarded completely from any disturbance. The desk-based assessment and geophysical surveys will aid in the identification of any such locations. Thus, an assessment of buried archaeological remains can be scoped out of the EIA."

Given a geophysical survey of the site has been completed, it is asserted that any assessment of buried archaeological remains **cannot** be scoped out of the EIA until such time as the results of the geophysical survey are in the public domain and aspects requiring "mitigation through design" are adequately pinpointed. Given the roman remains findings in field 36, can the geophysical surveys confirm there are no further roman remains at risk from drilling/piling. (Ref.3.1.12).

Air Quality

8.25 P209 "it is considered likely that no exceedances of the annual mean objective will be experienced in the vicinity the Site." Given Essendine is at the epicentre for all 3 routes, has this been taken into account?

8.28/29 P211 "it is not expected that a specific air quality chapter will be required in the ES.". Surely a sensitivity analysis should be done to determine if the forecast traffic movements are wrong and considerably higher, will any of the assessment thresholds be breached? This should be explored before taking out of scope.

Risk of Major Accidents or Disasters.

8.4.2. P215 "The EIA Regulations do not include the definition of major accidents and/or disasters. For the purposes of the assessment, the following three definitions and accidents and disasters have been used within the context of the Proposed Development:

1. The Control of Major Accidents Hazard (COMAH) Regulations, 2015, defines a major accident as "an occurrence such as a major emission, fire, or explosion resulting from uncontrolled development, leading to serious danger to human health or the environment (whether immediate or delayed) inside or outside the establishment, an involving one or more dangerous substances".
2. The International Federation of Red Cross & Red Crescent Societies Disaster and Crises Management Guidance provides a useful definition for disaster, which is "a sudden calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins."; and 7863_EIA_0001 Mallard Pass EIA Scoping Report
3. The Oxford English Dictionary defines an accident as "an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury."

Are these the right and appropriate definitions – "an unfortunate incident" is not how a battery storage fire and explosion will be perceived if it happens?

8.4.10. P217 "Component and equipment of the Proposed Development will be installed in accordance with the relevant Fire regulations and guidance from the Health and Safety Executive. The operational phase of the Proposed Development would involve routine maintenance and servicing of equipment to ensure the safe operation of equipment. Fire equipment and notices will also be provided onsite for the availability of personnel and would be regularly inspected and serviced in accordance with relevant Fire Regulations. The ES will include details on the measures incorporated into the design to minimise any potential impact of Proposed Development resulting from a fire. As such, a separate ES chapter covering risk from fire accidents is not considered necessary."

The scale of this battery storage will be unprecedented in the UK and upfront design is critical to ensure the safety for the local communities is the highest priority.

8.4.11. P218 "An outline Battery Safety Management Plan (oBSMP) will be prepared and submitted with the DCO Application. The oBSMP will detail the regulatory guidance reviewed to ensure that all safety concerns

around the BESS element of the Proposed Development are addressed insofar as is **reasonably practicable**." – would that kind of comment be allowed with a nuclear power station?
This is one of the biggest concerns for residents given the evidence of fire safety events with lithium-ion batteries all over the world. The amount of time allocated in this report is negligible. It shows no understanding or respect to the impacts of such an adverse event. The lethal toxic gases, the uncontrollable fires, the environmental damage require more than just a plan, they require thorough design, and full assessment throughout the planning process and need to be scoped in.

Human Health
8.5.5 P220. Will Mallard Pass clarify there are no cable routes in close proximity to PRoW?
8.5.6. P220 "Due to interactions with human health covered elsewhere within individual topics of the ES, it is not considered necessary to provide a separate Human Health ES chapter."
There does not seem to be any recognition or assessment of mental health impacts, just physical health. Therefore, should health have been removed totally from the scope?

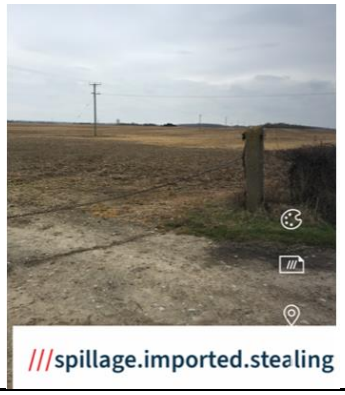
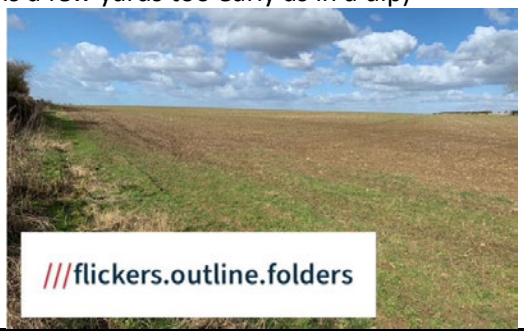
Conclusion
Table 10.1 on P230 highlights the extent of areas scoped out of the EIA. Given the unprecedented scale of this project, and the lack of full information and understanding at this early stage in the process, we would ask for a cautious approach to be exercised and for areas highlighted in this report to be recommended to be put back into scope.

28.2.22

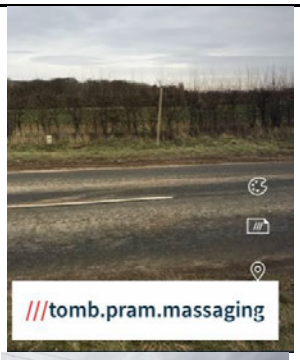
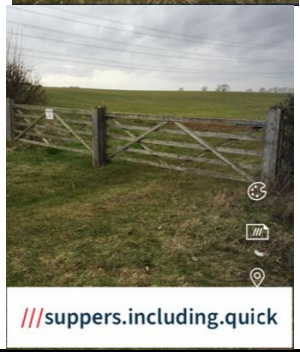
Comments From Mallard Pass Action Group

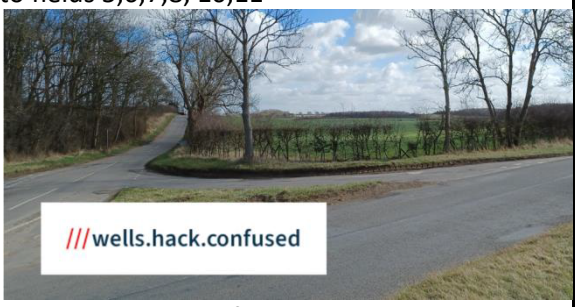
Mallard Pass Solar Farm proposed viewpoints

Viewpoint	Mallard Pass proposed viewpoint	Revised suggestions by MPAG
1	This viewpoint shows small area of field 29 beyond large mitigation area, set back from the road, so only partially visible. Not the best viewpoint for a montage, should be re-allocated to another area.	Turn left of A6121 to Greatford, just down on RHS. Views of 29,30,33, 34,36. Better montage option. 
2	This is along the A6121. There is a mitigation area in front of this, and the solar panels will be on a far higher piece of ground. Not clear how far set back the panels will be in field 29 that adjoins field 28. Not the best viewpoint for a montage, should be re-allocated to another area.	
3	This viewpoint is in a low-lying area out the back of Carlby, the panels heading west are on the other side of the elevated railway line. This viewpoint is irrelevant and should be removed. It should not be part of the montage selection.	Recommend replacing it at the top of the footpath just outside Essendine, looking east over at fields 28,29,30,33 
4	This point is next to the bridleway and is an obvious choice. However, the viewpoint opposite, still on the same bridleway, is stronger.	Just down the same bridleway a few hundred yards under the power lines. This is a 360 panoramic and should be the montage view

		
5	This looks out onto an area of mitigation on to field 39 where there will be no panels and it is not next to a footpath.	Recommend moving this further up the road towards Carlby and positioned next to the footpath sign outside Grange Farm that would provide a relevant viewpoint of the panels across field 36. 
6	This is on the wrong side of the railway line with no solar PV fields visible.	The north side of the railway, 20 yards along the bridleway adjacent to field 35 provides long distance views of the PV panels. (This pic is a few yards too early as in a dip) 
7	This is on a footpath which leaves green lane just after it starts on Newstead Lane. The point chosen is only just into the field and the current scrub land at the field edge is so high is blocks the view across to Wood Farm. The panels are to be located on this field.	These 2 viewpoints on this path are far more representative of the views.

		
8	This point shows clearly the impact of the solar panels when looking across the fields as you pass gateways. Panels will be visible all along the road from Uffington to Essendine though the hedge varies in thickness and height and will afford some screening along parts of the road particularly in summer when in full leaf. This viewpoint is OK.	
9	This viewpoint is restricted with hedgerow which is a feature down Uffington Road. I suggest the viewpoint is taken in an open gateway.	
10	This viewing point is on a footpath which leaves the village of Belmesthorpe off Castle Rise. There is no visibility of the proposed solar farm which is up an incline and on the other side of a fully hedged bridleway. There is no logic for it to be included. This should not be a montage view.	No available alternative.
11	This viewpoint is fine.	
12	This viewpoint is located on the B1176 at the point a footpath joins the road between fields 9 and 12. The viewpoint will show clearly the visual impact of the arrays when looking across the fields to Essendine, so relevant for walkers and horse riders. However, it is a low point on the road and does not necessarily give a true perspective of the panels from the	Also suggest these viewpoints at the Drift junction looking east to Essendine across field 9, and NW in field 2.

	higher points of the road when travelling from Ryhall to Little Bytham by vehicle. Could be a montage option. Also suggest the following points opposite.	 
13	The hedge is high and dense and so the fields where arrays will be mounted is not very visible at the particular point shown on the byway. It misrepresents the open coppices that flag both sides of the drift and the clear visibility field users will have where the arrays will be mounted. This by-way is very well used by walkers, horse riders, cyclists and a variety of other road users.	Alternative suggestions still adjacent to field 13. Good montage point 
14	This is located at Barbers Hill at the most northerly point of the scheme. However, the location is on a high, flat & straight piece of road which completely misrepresents the true topography of the area – the south facing slope of the field is not evident and the viewpoint does not give a true indication of the visual impact the scheme will have – this is clearly evident just a 100yds or so further south along the B1176 – see opposite	V slightly further south on B1176 looking down the hill and across towards Essendine. A good montage option. 

	More suggestions opposite:	Just south of the crossroads B1176 heading to Ryhall looking east across fields 5&6 & beyond.  Heading north on B1176 to Careby looking across field 4  B1176 crossroads looking across to Essendine to fields 5,6,7,8, 10,11  Heading west out of Carlby over the B1176 crossroad on RHS looking west into field 4.

28.2.22

Comments From Rutland County Council

Mallard Pass Solar Farm proposed viewpoints

Officers of Rutland County Council visited the viewpoints on 4th March 2022 and have the following comments to make.

Viewpoint number	LPA Comments
1	Mallard Pass proposed viewpoint is considered acceptable. The alternative suggested by the Mallard Pass Action Group (MPAG) doesn't give the same longer-distance views.
2	This viewpoint gives a good, wide view out across the countryside in this location and should be used to demonstrate the impact of the proposal with and without mitigation.
3	This viewpoint doesn't appear to provide any benefit to understanding of the scheme and should be replaced with a more appropriate alternative – see the following section regarding additional suggested viewpoints.
4	The LPA agrees with the comments of the MPAG but would also recommend a second viewpoint is considered midway between viewpoint 4 and the railway line due to the presence of Carlby Church within the wider setting. Views from this area form part of the appreciation of this historic building from the wider area. See the following section regarding additional suggested viewpoints.
5	The viewpoint provides good field of view across the countryside in this location but note that the illustrative layout plan shows the adjacent land as an area of mitigation and enhancement and therefore a viewpoint here may not be the most helpful if the layout remains as per the illustrative plan.
6	Note the comments of the MPAG, however this viewpoint provides significant views of the proposed development to the south and is therefore acceptable in the LPA's opinion. It should be considered to provide views of the development to the north.
7	The LPA considers this viewpoint to be acceptable.
8	The LPA considers this viewpoint to be acceptable.
9	The LPA considers this viewpoint to be acceptable, providing micro siting ensures it is taken from an open gateway – there is an ideal position directly opposite the entrance to the Ryhall 400kV substation.
10	There appears to be no benefit to this viewpoint, as it does not appear to have views of the site.
11	The LPA considers this viewpoint to be acceptable.
12	The LPA concurs with the comments of the MPAG with regard to this viewpoint.
13	Recommend this viewpoint is moved to the west of the site so that it looks east back towards the proposals. More open views across the site are possible from such a location whereas the indicated location is flanked on both sides by tall hedgerows.
14	Agree with the comments of the MPAG. A better viewpoint and location for a 360° montage would be the crossroads of the B1176 Stamford Road with Holywell Road/Witham Road to the south of the proposed viewpoint 14.
The LPA would suggest the following additional viewpoints are considered.	
LPA1	Holywell Road looking southwest across fields 1 and 3.
LPA2	Witham Road to the north of the site looking southwest over fields 7, 5, 8 and 6.

LPA3	Noted above – part way along bridleway BrAW/1/1 between viewpoints 4 and 6. A 360^{o} montage is suggested but of prime importance is the need to capture the impact on the setting of Carlby Church.
LPA4	View from part way along public right of way E169 to ascertain the impact on users of the PROW – around the junction of fields 13, 14, 15 & 16.

Environmental Services
Central Operations
Temple Quay House
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Bristol.
BS1 6PN

Our Ref: S22/0314
Your Ref: EN010127

7 March 2021

SCOPING OPINION REQUEST BY MALLARD PASS SOLAR FARM LIMITED IN RELATION TO AN APPLICATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE MALLARD PASS SOLAR PROJECT

Dear Katherine,

Thank you for your letter dated 7 February 2022 seeking South Kesteven District Council's (SKDC) views and comments on the Scoping Report produced by LDA Design on behalf of Mallard Pass Solar Farm Ltd and the content of the Environmental Statement for the above proposal.

SKDC has reviewed the information contained within the Scoping Report and offers the following comments which we request the Inspectorate considers in preparation of its final Opinion. Also attached are comments from the SKDC's ecological advisor (Appendix A) and archaeological advisor (Appendix B) which should be taken to represent the SKDC's views on those topics. A comprehensive response provided by the Mallard Pass Action Group which has been provided independently to the SKDC's response is included at Appendix C.

The request is considered to comply with the

Comments on topics scoped into the ES

Landscape and Visual Effects	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • The viewpoint locations have not been agreed with SKDC. SKDC would expect to be involved and agree the final location of these viewpoints prior to the submission of any formal application. • The attached comments on the viewpoints provided by the Mallard Pass Action Group should also be taken into consideration when considering potential viewpoints. • 7.3.14 – the study area has not yet been agreed with SKDC which should be done before any detailed landscape and visual impact assessment work is carried out. This is likely to be greater than the 2km suggested.

	• No details are provided on the proposed green infrastructure. SKDC would expect details of the green infrastructure to be included in the supporting ES. • The ES must consider battery storage and substation final layout in relation to LVIA • 7.3.27 discusses the reversible nature of the proposal, but a temporary consent is not being proposed. If this is the case then the ES will need to assess the impacts of the development as a permanent feature in the landscape • Residential and recreational amenity should not be scoped out and should form part of the LVIA contained in the ES.
Ecology and Biodiversity	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • See detailed comments from Lincolnshire Wildlife Trust. • Statutory designated sites - adverse impacts to site integrity through loss of supporting habitat should be in scope for the construction phase and decommissioning phases in order to account for risks to ecological corridor functionality • Breeding birds (skylark, lapwing and yellow wagtail) – Habitat loss should be within scope for the operational phase
Access and Highways	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • It is considered likely to be reasonable to scope out operational road traffic effects, but no access routes have been identified in the Scoping Report to confirm this approach. • It is unclear how decommissioning can be scoped out (paragraph 7.5.61) if construction road traffic effects have been scoped in given the likely same traffic volumes. • 7.3.31 indicates that three potential access routes are being considered. Route 1 is considered to be the preferable route from a highway perspective since this provides the shortest distance to the strategic road network. However, unless the applicant confirms the route prior to submission the ES must consider all proposed routes and any mitigation necessary.
Noise and Vibration	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • Noise monitoring of construction traffic routes should be carried out. No monitoring locations on these routes appears to have been included in the plan at Appendix 7.4. • Paragraph 7.6.20 states that dwellings on construction routes will be considered in the assessment but paragraph 7.6.37 notes that construction traffic noise and vibration effects have been scoped out of the assessment. Given the unconfirmed

	routing strategy and the likely volume of construction traffic it does not appear that sufficient information has been provided to confidently conclude that there would be no significant noise and vibration effects on receptors and this should therefore be scoped into the ES. • The baseline noise surveys (paragraph 7.6.6) appear to have been Mallard Pass Solar Farm EIA Scoping Review, Review Tables 33848/A5/Scoping Review Report 4 February 2022 TOPIC Comments undertaken in January, if this was during the Government's Covid Work from Home order which expired on 26th January 2022 then the accuracy of the baseline information would not be considered robust. Additional baseline survey work will therefore be required to accurately reflect an accurate baseline. • Noise from traffic during decommissioning has been scoped out but given that traffic volumes could be similar to during construction, this could also have significant effects and it is considered that this sub-topic should be scoped in. • 7.6.43 engagement with SKDC environmental protection service re. noise assessment methodology welcomed and discussions should be on-going.
Water Resources and Ground Conditions	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • South Kesteven District Council should be added to consultees list at paragraph 7.7.40 • 7.7.40 Relevant Internal Drainage Boards should be added to list of consultees to agree any stand-off distances to board watercourses
Agricultural Land Use	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • Land and Soils in EIA Guide published by IEMA on 17th February 2022 should be considered in the assessment. • The methodology for assessing agricultural land quality should be agreed with SKDC. • Having considered the above scoping opinion SKDC 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. These include sites at Heckington in North Kesteven and Cottam, West Burton, Gate Burton in West

	Lindsey. these collectively cover an area 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 therefore needs to be assessed. • Whilst Lincolnshire has a large quantity and high relative proportion of BMV agricultural land, the potential development of 5 substantial NSIP-scaled solar farms (as currently registered with PINS) has the potential to result in a degree of cumulative adverse impact stemming from temporary loss of opportunity for the continued cultivation of potential BMV land across the County. We would therefore request that the Planning Inspectorate give consideration to this issue being scoped in to the Land Use chapter of the ES and that cumulative agricultural land impacts are considered across the registered projects, adhering to ALC Best Practice published by Natural England.
Glint and Glare	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • Chapter method is contradictory. The quote from EN3 at paragraph 7.9.8 states that there would be no effects on aviation, however paragraph 7.9.18 includes potential for aviation effects. • The CAA and Ministry of Defence should be added to list of consultees. • The Glint and Glare assessment makes no reference to potential impacts with fixed panels vs tilting panels given that the scheme design yet to be confirmed. The ES should therefore incorporate a full comparison of effects of tilting panels vs fixed panels at the site unless the detailed design has reached a point where the proposed panel type is confirmed.
Climate Change Impact Assessment	• SKDC agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. • Second Edition of the IEMA GHG in EIA Guide to be issued week commencing 28th February and should be used in the assessment.
Socio Economics	• SKDC considers this matter should be 'scoped in' and appropriate assessments included as part of the ES. • Report is ambiguous as to whether this topic is scoped in or not. Not included in the list at paragraph 7.2.1 but is included at section 7.11 as scoped in.

Comments on topics scoped out of the ES

Cultural Heritage	• Insufficient evidence has been provided in the report to justify scoping out effects on archaeology. The site is 900 hectares in area and has not been previously substantially developed. Whilst a search of the HER has been undertaken the Scoping Report acknowledges ongoing geophysical survey work but no detail has been provided in the report to support the claim that there would not be significant effects.
Air Quality	• 8.2.8 Dust from lorries during the construction period will be difficult to mitigate and should be scoped into the ES.
Arboriculture	• No comments.
Risks of Major Accidents or Disasters	• It is considered that insufficient information has been provided on the proposed battery storage facility to justify scoping out of accidents and disasters.
Human Health	• No comments.
Waste	• No comments.

In addition to the above comments, it is considered that the following matters should be scoped into the Environmental Statement:

- Inclusion of construction road traffic noise effects;
- Inclusion of further information on the risks of accidents and disasters associated with the battery storage elements of the scheme; and
- Inclusion of an assessment of the effects of the development on archaeology (see detailed comments from Heritage Lincolnshire at appendix B)

Please do not hesitate to contact me should you need clarification on any of the points raised in this response.

Yours sincerely

Phil Jordan
Principal Planning Officer
[redacted]

Appendix A – comments from Lincolnshire Wildlife Trust

These comments are in response to the EIA Scoping Report and Technical Appendices (February 2022) and are to be taken in conjunction with Lincolnshire Wildlife Trust's comments sent on 16th December 2021.

The Mallard Pass EIA Scoping Report (February 2022) appears to make a thorough reference to relevant law and policies and outlines an appropriate ES structure and EIA methodology. However, in the time available and in light of resources available I should clarify that the Lincolnshire Wildlife Trust cannot provide a comprehensive appraisal of completeness and legal fitness for purpose of this Scoping Report. If this is required, I strongly recommend that SKDC undertake to hire the consultancy services of an independent ecological consultancy. I would be keen to highlight the observation made in Section 5.5.8. concerning a new section on 'Environmental and Biodiversity Net Gain' in Draft NPS EN-5.

I note that no fewer than 98 ecological site designations are considered within, adjacent to or near to the site boundary. These should be checked with local environmental records centres. It will be important to co-ordinate between the Lincolnshire ERC and the Leicestershire and Rutland ERC in order to ensure that the project is working with a fully up-to-date list and map of designations and access to citations. This has importance with regard to route planning for construction phase traffic with regard to the risk of negative impacts on locally and nationally designated road verges. Generally speaking, all construction traffic should avoid roads with designated verges and should avoid Holywell and all 'Roadside Nature Reserves' (Lincolnshire) and 'Roadside Verge Nature Reserves' (Rutland). Although lorries may be able to remain on surfaced carriageways, increased passing by a range of vehicles could cause significant verge habitat damage, especially during wet ground conditions. With this in mind I have looked at Figures 7.1-7.4 'Construction Access Routes and Vehicular Restrictions' and Routes 1-3 Traffic Data Overviews (pages 197-200 of the Scoping Report pdf). It appears that Routes 2 and 3 avoid roads which have designated verges. Route 1 however may have negative impacts on both Tolethorpe, Ryhall Road Verge LWS and Tolethorpe Mill Verge LWS.

In the Illustrative Layout Fig 3.1 page 55 of the Scoping Report and subsequent amended versions and ultimately in the Landscape and Ecological Management Plan (LEMP) we would look for buffers and 'Potential Mitigation and Enhancement Areas' to be configured in connection with (roughly in priority order):

• designated sites (as shown in Figure 1: Site boundary and location of designated sites maps 1 and 2 Pdf pages 41 and 42 of the Appendices) such as: Ancient Woodland, SSSIs, LWS
• the West Glen channel and associated flood plain and drainage ditches and land at higher risk of flooding shown in Water Resources and Flood Extents Figure 2.5 in the EIA Scoping Report on page 30 of the pdf. These areas could accommodate aquatic, marginal and seasonal wetland features as part of multi-functional drainage systems
• connective habitat corridor potential such as hedgerows and other linear green/blue infrastructure centred on trees with bat potential
• higher value habitat features as identified by the Phase 1 Habitat Survey such as J2.1.1 - Intact hedge - native species-rich; J2.3.1 - Hedge with trees - native

species-rich; A1.1.1 - Broadleaved woodland - semi-natural; B2.2 – Neutral grassland - semi-improved.

We would expect to see higher pre-intervention habitat unit scores in the Biodiversity Metric associated with the above features when a Biodiversity Net Gain feasibility study is undertaken and this should be reflected in consequent recommendations for retention and buffering in an Ecological Impact Assessment and made clear in the Environmental Statement.

In addition, we will be looking for habitat enhancement proposals for less ecologically valuable elements along land parcel boundaries through augmentation of native and locally occurring species and improved habitat connectivity to reduced habitat fragmentation of isolated habitat e.g. ponds and woodland.

The surface water flooding maps for each farm provided in the Ecology Baseline Report (Appendix) can be used to indicate where best permanent and temporary wetland habitat could be created / enhanced / extended much in the same way as multi-functional SUDs (retaining / detaining / attenuating) water run-off. These need not conflict with panel string layout if designed to be mainly linear in form with buffering habitat and graded draw-down zones.

See:

• Appendix 7.5a: Argyll Environmental Report - Braceborough Grange February 2022; Surface flooding risk map page 63 of report (p378 of pdf); Surface Water Flooding (1:200-year rainfall event); AEL-4305-PSF-1022716
• Appendix 7.5b: Argyll Environmental Report - Wood Farm February 2022 Surface flooding risk map; page 45 of report (page 442 of pdf); AEL-4300-LSF-1023627
• Appendix 7.5c: Argyll Environmental Report - Land at Manor Farm February 2022; Flood Risk: Surface Water (1:75-year event) Report Reference: 287311656; Page 42 of report (page 501 of pdf)
• Appendix 7.5d: Argyll Environmental Report - Land at North Lodge Farm February 2022; Flood Risk: Surface Water (1:75-year event); Report Reference: 287321850; p40 of report (page 591 of pdf)

Maps of Environmental Stewardship Scheme agreements may give some indication of where we might expect to find higher scoring pre-intervention habitat unit baselines scores for grassland, hedgerows and field margins.

Agricultural Land Classification (ALC) maps, where they describe lower quality land of e.g. 3b or worse, could provide a basis for assessing opportunity for the perpetuity of habitat that is created / enhanced as a result of this proposed scheme beyond its operational lifespan. We understand that the ALC maps do not differentiate between 3a and 3b, but 3 with e.g. higher flood risk might offer good enough guidance.

As a Wildlife Trust we would not take a position on landscape and visual impact and assessment. With regard to those aspects listed in Section 8 which are proposed to be scoped out of the EIA, LWT would not take a position on air quality, heritage assets,

arboriculture beyond ecological implications, risks for major accidents / disasters, human health, electromagnetic fields or waste.

In line with the Lincolnshire Wildlife Trust's comments sent on 16th December 2021, we contest some elements of the EIA scope proposed with regard to ecology and biodiversity as listed in Table 10.1.

"Statutory designated sites - adverse impacts to site integrity through loss of supporting habitat" should be in scope for the construction phase and decommissioning phases in order to account for risks to ecological corridor functionality and therefore structural and functional habitat connectivity. This is however addressed partly and significantly by the scope for bats. The permeability of security fencing for a range of species should also be considered.

"Breeding birds (skylark, lapwing and yellow wagtail) – Habitat loss" should be within scope for the operational phase. This is so that 'skylark plots' can be entertained as part of enhanced habitat provision for this impacted guild of arable, ground-nesting birds. Arguably, their foraging habitat will stand high potential for enhancement; but nesting habitat will be diminished. Figure 6 of the Ecology Baseline Report in the Scoping Report Appendices showing Maps 1-5 of 'Breeding bird indicative territory maps' show 59 Skylark territories and 2 Yellow Wagtail territories. While in an arable context these are not likely to be under optimal management for breeding success, these would nevertheless be displaced and LWT would want to see measures in place to secure territory for these species as part of the proposed panel layout.

Injury or death to various species should be factored into the operational phase if moving parts of tracker arrays are to be included into the design. We would also want to see consultation undertaken from professional ecologists such as the RSPB to develop a reasonable understanding and range of mitigating options if thought necessary for any potential collision risks for birds associated with reflective solar panels. This is due to the currently unclear potential for solar panels to appear like the surface of a water body under some conditions to passage migrant birds.

We would want to see retention of all trees showing bat roost potential as shown in Maps 1 and 2 of Figure 4 of the Ecology Baseline Report in the Scoping Report Appendices (pdf pages 48 and 49). The distribution of these trees should form the basis of a 'core network' of bat corridors throughout the site for retention, enhancement and connection. This should include the planting of 'successor trees' to secure perpetuity of connectivity and habitat provision. Retention of ivy on trees should be standard practice as should retention of dead wood standing if safe, even as monoliths, and retained if felled in margins.

We note that Figure 5 shows the map of water vole evidence. We strongly recommend that watercourse stretches where water vole evidence is currently present as well as connected favourable habitat lacking field signs should be managed with wide buffers and in a way to maintain a diverse native herbaceous flora with only intermittent shading of the watercourse. I hope these comments are helpful at this stage. The Lincolnshire Wildlife Trust welcomes further related consultation and wishes to be involved in the statutory consultation phase.

Lincolnshire Wildlife Trust 16 December response

The Lincolnshire Wildlife Trust would like to make some general comments on the Mallard Pass Solar Farm Proposal as part of the Stage One Consultation. We base our response on the summary information provided in the Mallard Pass Solar Farm Stage One Consultation Main Document (Nov 2021), the Community Consultation Leaflet (Nov 2021) and the Illustrative Layout Drawing No. 7863_000 (Dec 2021). We appreciate that environmental surveys are ongoing and that the Preliminary Environmental Information Report (PEIR) will be made available as part of the statutory Stage Two Community Consultation. For this reason, we can only offer high level guidance at this point in advance of being able to see the detailed ecological assessments that will be forthcoming.

The following comments are informed by BRE (2014) Biodiversity Guidance for Solar Developments. Eds G E Parker and L Green and Natural England Technical Information Note TIN101 © Natural England 2011 First edition 9 September 2011 - Solar parks: maximising environmental benefits. We also would refer readers of these comments to National Policy Statements EN-1, EN-3 and EN-5, NPPF (2021) paragraphs 8c, 174, 180, 182 and the SKDC Local Plan (Jan 2020) Policy EN2: Protecting Biodiversity and Geodiversity.

The Lincolnshire Wildlife Trust acknowledges that you describe your vision as addressing the biodiversity crisis and that it is your aim to “deliver a project that maximises opportunities for nature recovery and minimises environmental impacts, wherever possible.” LWT would refer to the rates of national habitat loss and species decline listed in the State of Nature Reports 2019. It has been estimated that between 1930 and 1983, 97% of wildflower-rich grasslands were lost in England and Wales (Fuller RM (1987). The conservation of existing and creation of new wildflower meadows is considered to be of national importance (Natural England). Furthermore, Lincolnshire Environmental Records Centre (2018) has recorded that over 900 species of wildlife have not been re-found within the county since 1960 and Lincolnshire as a whole has been losing approximately 1 species of wildflower every 2 years since 1950 (‘Our Vanishing Flora’ - Plantlife 2012).

Based on the Illustrative Layout Drawing No. 7863_000 (Dec 2021) and a superficial cross-check with satellite imagery, the large majority of land use within the proposed site boundary would appear to be under arable cultivation and would therefore represent a relatively low baseline ecological value. Under this assumption, we would not challenge the statement made in the Vision that ‘solar farms can provide net gains in biodiversity’ and we would not contest the possibility that this scheme, as it is described, could ‘deliver a project-wide biodiversity net gain’ as stated in your Project Design Principles. We would, however, make clear that the delivery of Biodiversity Net Gain would be contingent upon the appropriate treatment of land designated for wildlife habitat value (whether international, national or local, statutory SSSIs or nonstatutory Local Sites) as outlined in SKDC Local Plan (Jan 2020) Policy EN2.

It is essential that the Applicant should in the first instance undertake a desk-based

data search of environmental records and site designations. In this case we would refer them to the Lincolnshire Environmental Records Centre (LERC) hosted by the Greater Lincolnshire Nature Partnership (GLNP). We note that a number of designated sites have been identified in close proximity to or neighbouring the proposed Solar Farm including Ryhall Pasture and Little Warren Verges (Roadside Nature Reserve and Site of Special Scientific Interest), Carlby to Aunby Road Verges (Local Wildlife Site), Braceborough Great Wood (Ancient Woodland and Local Wildlife Site), New Plantation, Braceborough LWS (Ancient Woodland and Local Wildlife Site), Braceborough Little Wood LWS (Ancient Woodland and Local Wildlife Site) and Banthorpe Wood LWS (Local Wildlife Site). We see from the Illustrative Layout that these have been noted but we would wish to see a comprehensive geo-referenced assessment of all nearby site designations, with an assessment of proximity and biodiversity risk posed by the proposed development in each case.

We support that the Concept Plan incorporates 'landscape enhancement opportunities' which include achieving greater habitat connectivity by utilising landscape features such as the East Coast Main Line, the dismantled railway line between Essendine and Ryhall, PRoWs and road verges across the project area and the West Glen River corridor.

The Lincolnshire Wildlife Trust would call for a minimum of 10% Biodiversity Net Gain under the requirements of the Environment Act 2021. This is applicable to NSIPs and would need to be determined by UK Habitats Assessment methodology, scored by the latest version of the DEFRA Biodiversity Metric and supported by appropriate postintervention habitat monitoring and management for a minimum 30-year period in full compliance with guidelines in BS 8683 'Process for designing and implementing Biodiversity Net Gain'. Although Biodiversity Net Gain will require further regulations by the Secretary of State before becoming a legal and mandatory requirement (likely to be in late 2023), LWT would assert that schemes of this size with a probable commencement of construction beyond 2023 must reflect this direction of travel and the spirit of Central Government policy. We would insist that for the purposes of assessment, the worst-case scenario would be considered.

Furthermore, based on the limited information provided at this stage, we believe strongly that it would be very reasonable to expect much more than 10% Biodiversity Net Gain to be a direct result on site for this proposed development with additionally beneficial externalities. We would seek to encourage the Local Planning Authority to treat planning applications more favourably if clear and robust evidence were submitted for substantially more than 10% net gain; as we would argue this would be in keeping with the spirit of NPPF paragraph 180d which provides incentive for Biodiversity Net Gain. We would encourage the Applicant to see the strength and business value in delivering substantially more than 10% BNG in order to be seen to be setting a leading example in the sector and in order to position themselves well for green investment and the determination of future DCO applications.

We appreciate that although national and local planning policies constitute material considerations, they do not override National Policy Statements EN-1, EN-3 and EN-5 with regard to the consideration of NSIPs by the Secretary of State. We would

therefore highlight the aim within Draft EN-3 Section 2.50.10 to 'achieve environmental and Biodiversity Net Gain in line with the ambition set out in the 25 Year Environment Plan'.

In its 'Description of Development and Flexibility', the Draft Revised National Policy Statement EN-3 Renewable Energy Infrastructure states that 'some flexibility should be provided in the consent' and that 'In the case of solar farms, it is likely that this flexibility will be needed in relation to the dimensions of the panels and their layout and spacing.' LWT takes the position that apart from boundary feature retention, buffers and enhancements, it is the margins to panel arrays and panel spacing that would dictate the capacity for this scheme to deliver meaningful Biodiversity Net Gain and improved ecological function and connectivity on a landscape scale. We therefore seek assurance that flexibilities built into any consent if given, would be limited by constraints understood to enable practicable and effective species-rich grassland habitat creation and management around and between panels.

With regard to accessibility, Draft EN-3 outlines that 'Applicants will need to consider the suitability of the access routes to the proposed site for both the construction and operation of the solar farm with the former likely to raise more issues.' We highlight this as being especially relevant to the mitigation of any potential damage to Roadside Nature Reserves, SSSIs and Local Wildlife Site designations on road verges within the vicinity of the proposed schemes.

Draft EN-3 section 2.50 outlines considerations for ecology and biodiversity. The involvement of a consultant ecologist and the undertaking of a desk study informed by ecological record data is mentioned only as guidance and not stated to be a requirement. LWT would insist that professional ecological consultancy is employed at every stage with full transparency of methodologies used and guidelines followed; that geo-referenced data searches of historical ecological records are requested from the Lincolnshire Environmental Records Centre and that a strategic approach to mitigating biodiversity risk and maximising opportunity for Biodiversity Net Gain delivery is based on Biodiversity Opportunity Mapping undertaken by the Greater Lincolnshire Nature Partnership (GLNP). We hope to see the Applicant work closely with the GLNP in order to contribute to the delivery of the aims of the Local Nature Recovery Strategy (LNRS) as it is developed. We highlight within the same section of the Draft EN-3 that ecological effects of lighting, suitable permeability of fencing for wildlife and consideration of entrapment and injury by moving parts of tracker arrays should all be part of ecological risk assessment.

We will welcome the opportunity to comment on the Environmental Statement which we anticipate will include an Ecological Impact Assessment; outcomes of a Biodiversity Net Gain feasibility study; Landscape and Ecological Management Plans (LEMPs) and Construction Environmental Management Plans (CEMPs) for each phase. We would insist that periodic ecological monitoring appropriate to each habitat type should be set out in the respective Landscape and Ecological Management Plans. We would request that we are also given the opportunity to review the UK Habitat Assessments and full spreadsheet workings of the Biodiversity Metric which underpin the BNG

analysis and that we also have the opportunity to contribute to the discussion regarding additional ecological enhancement measures. We would also call for early consultation with local authorities, Natural England and LWT with regard to protected and notable species.

Despite the likely lower habitat unit values within the proposed site associated with arable habitat classification, we would nevertheless call for consideration of arable specialist species. We would expect to see a presence of ground nesting birds on most of the site including skylark, yellow wagtail, quail and grey partridge with highest counts for skylark in fields where spring cereals had been sown in that year due to the delayed height of crop plant growth during the breeding season. We see that it is principally these open habitat bird species that stand to be most affected by the installation of solar arrays. Although their foraging habitat could be improved as a result of this proposed development if it incorporates substantial species-rich grassland creation and favourable management, these species would nevertheless be displaced due to lack of predator visibility when selecting nesting sites. We therefore call for optimal ground-nesting habitat of sufficient size or 'skylark plots' to be incorporated into layout plans as mitigation in the form of species-rich grassland and managed in close proximity to more species rich grassland among arrays which would provide additional, higher quality foraging habitat.

Based on the information available, we would expect to learn that the principal existing ecological value (including wildlife corridor functionality) within the site would constituted by the vegetation, watercourses and drainage features of the land parcel boundaries. We would strongly support any recommendations for native hedgerow and tree retention; hedgerow enhancement with diverse, native and locally occurring species; minimum heights in excess of 2m, minimum widths in excess of 3m; minimum widths of 10m for buffer zone creation and hedgerow management based on trimming once every 3 years on rotation in order to maximise flowering for pollinators and fruit production for winter birds. Boundaries should ideally feature occasional standard trees and more trees or woodland strips on northern boundaries where appropriate. Trees should be allowed to mature and senesce as safety permits. We would recommend that where possible, standing dead wood should be retained, even as monoliths. If felling must be undertaken for safety, this should be minimised and we would call for dead wood to be retained in boundaries as habitat. Successor trees for Ash replacement should be of UK provenance and should be locally occurring species, ideally sourced locally.

We accept that in terms of habitat extent and type, suitable habitat for Otter and Water Vole would be restricted to river corridors, wet ditches and streams present on or adjacent to the proposed sites. Consequently, we expect any mitigations for Water Voles and Otters would relate to protection of river banks and margins from disturbance and damage by buffering and avoidance of pollution events. We will expect these to be built into CEMPs for each phase. As a reasonable approach, we would call for a minimum stand-off of 5m from any ditch and 10m from any larger or natural watercourse and wider buffering where habitat is most suitable or field signs are detected. We would also want to see opportunities taken to enhance wet

boundaries with native herbaceous vegetation and to maintain high light levels in the majority of watercourse sections to maintain and enhance herbaceous riparian and aquatic habitat. We note that the West Glen River runs through and adjacent to the project. We also note that no evidence of otter holts has been identified within the river bank habitat along the River Glen within the project area. We would like to see these results presented with full methodology as part of the PEIR.

We would want to see GCN eDNA surveys undertaken between April and June of all accessible ponds within red line boundaries and land within 250m. We would expect to see Natural England consulted concerning GCN. We accept that the Low Impact Class Licence approach may be valid if sufficient precautions are taken closer to suitable habitats. We acknowledge that a District Licence scheme for GCN mitigation may apply to Lincolnshire during the application process. We would nevertheless stress that best practice should be adhered to at all times and we will look to consult where appropriate if matters progress under mitigation licence or under a District Licence Scheme where applicable. We would recommend the concept of linear pond and seasonal wetland creation as this would be a key opportunity for Biodiversity Net Gain. We note that the onsite ponds were found not to support great crested newts but that a number of offsite ponds, within 250 metres of the project boundary have been identified which will be surveyed in spring 2022. We would like to see these results presented with full methodology as part of the PEIR.

The Lincolnshire Wildlife Trust would stress the importance of limiting seeds and plants to UK native, locally occurring and ideally locally sourced species within the Landscape and Ecological Management Plans. The only exception to this could be bird seed strips. We advocate strongly that the provenance of wildflower seeds and plants should be carefully controlled in order to deliver ecologically functional habitat enhancement and remove the risk of introducing potentially invasive genomes and/or reduced ecological function. We refer to Plantlife's guidance on this and our own. We would be happy to offer guidance on seed sourcing based on providers we have worked with successfully in the past and would recommend that the sourcing of green hay from nearby roadside Local Wildlife Sites and nature reserves with agreement from local landowners and the Lincolnshire Wildlife Trust could form an excellent source of seed to augment appropriate, commercially available seed mixes.
We would recommend strongly that species-rich grassland habitat creation and enhancement should have priority away from land parcel margins. We would advocate that the establishment of an extensive network of species-rich meadow within the ongoing site management would help to realise especially significant biodiversity net gain. Species-rich grassland management could incorporate conservation grazing at low stocking levels with primitive or upland breeds of sheep or aftermath grazing following late season cut-and-collect management. The Lincolnshire Wildlife Trust would be keen to provide guidance on ground preparation and establishment of species-rich grassland habitat. We appreciate that shading of panels must be avoided and that, depending upon panel height, this may necessitate a close and more frequent cut along the base of each panel string. However, we believe that this can be undertaken in conjunction with meadow management alongside, thereby enabling less frequent cutting for the remainder of the grassland. Where 'shade-cuts' might be

required for panel arrays, we would highlight this as opportunity to maintain 'flowering lawns' which would incorporate only native species including butterfly foodplants such as Common Sorrel and Common Bird's-foot Trefoil together with other mowing/grazing resistant species such as Red Clover, Selfheal, Lady's Bedstraw, Black Medick and Yarrow while avoiding Perennial Rye-grass and White Clover due to their tendency to be invasive. This would result in extending the flowering season of these strips and maximizing native species-rich grassland area.

It is suggested that areas of existing higher grassland diversity should be placed into more favourable meadow management primarily to enable the regeneration of species-richness and to increase the relative abundance of scarcer grassland specialists. This approach can be coupled with augmentation by introduction of plants (either by plug planting or over-seeding localised scarified patches) with strictly controlled local provenance and appropriate biosecurity.

Where initial species richness is relatively low but phosphate levels in soil are also reasonably low, appropriately sourced species-rich seed mixes and green hay would best be used to establish grassland from prepared bare ground (according to our guidance online). Where phosphate levels are higher, we would advise the use of only 'general purpose' grassland seed mixes. Please note, this does not mean 'amenity' mixes but a reduced diversity of native meadow wildflowers and grasses selected for their robustness and wide ecological tolerances but low competitiveness. These would ensure better success of seed used and ground cover to exclude invasive species. These 'general purpose' mixes would be cheaper to use in bulk. However, we would advocate that after 3-5 years of cutting and removing cuttings, these areas of lower species diversity could then be diversified subsequently through scarification and oversowing and/or green hay strewing as soil conditions become less fertile andconsequently more favourable to supporting greater grassland biodiversity. To this end we would recommend the cost-effective and provenance-controlled approach that species rich areas within the sites could be established in the first few years of the scheme which could then be used subsequently as seed and/or green hay resources for the rest of the species-rich grassland creation.

Local Roadside Nature Reserves are important reference sites for local grassland biodiversity. We would advocate that favourable management of these sites could be supported by these proposed schemes and utilised with ecological guidance to provide green hay on rotation for onsite habitat creation and enhancement. Given their existing ecological value and value to the scheme's BNG delivery, we would highlight that the CEMP should make clear and detailed provisions for mitigation of any risk of damage to these roadside sites.

We would strongly support the concept of establishing a habitat mosaic within each land parcel. This would comprise 'structural grassland' managed only on long rotation once every 2-3 years to prevent scrub encroachment and 'scrub mosaic' managed on longer rotation every 5-10 years to maintain low-moderate density scrub set in rough grassland. We see great ecological value in providing this lower-intervention habitat adjacent to species rich grassland that would be managed annually as their

juxtaposition would be complementary – providing niches for full invertebrate lifecycles as well as being beneficial to a wider range of fauna. Robust herbs often listed in 'hedgerow' or 'tussock' mixes from reputable wildflower seed suppliers could be plug planted into tussocky areas to provide extra ecological resource.

Where south-facing bunds or micro-topography is present or can be created and managed to maintain early successional flora and bare soil this would be especially beneficial for fossorial invertebrates and stress-tolerant plant colonisers especially on freer-draining soils. However, we would recommend avoiding agricultural 'pollen and nectar strips' because these often comprise non-native/cultivated species which require regular ground cultivation or graminicide application to maintain.

If Badger setts and/or Badger activity has been identified on or close to any part of the site, LWT would expect to see Natural England consulted on the need for a licence and full measures for Badger mitigation proposed within the PEIR, LEMP(s) and CEMP(s). We would insist that any fencing would not extend below the ground surface where this would conflict with Badger activity and that 'Badger gates' would be considered for ensuring site boundary permeability for this species.

We broadly accept the assumption that arrays would generally have a neutral effect on foraging and commuting bats with the potential to offer enhancement where commuting and foraging habitat can be better connected and invertebrate populations can be better supported than in the pre-intervention, arable context. We await detailed results from walk-overs, static detector surveys and inspections of older trees for bat potential and we would expect generous buffering of field boundaries and mitigation of light spill through lighting design. We note the current intention to not undertake targeted species surveys for reptiles and bats but would assert that any concentrations of activity should be surveyed for so that risks, especially during the construction phase, can be mitigated accordingly.

We would be prepared to accept that well-spaced solar arrays with species-rich grassland cover and structural grassland margins would be better habitat for brown hare when compared with arable or intensively grazed pasture with minimal margins. We would be keen to see reasonable evidence of fence line permeability for this species.

We see the retention, buffering, enhancement and connection of existing native woodland as a key element of Biodiversity Net Gain delivery and would insist that where woodland includes ancient woodland indicator species and other ancient woodland characters, whether or not it is designated as ancient woodland, this habitat should be buffered more generously and maintained as such. We would call for measures that would target hedgerow and tree belt creation and enhancement to improve the ecological connectivity of woodland fragments thereby enhancing their ecological function at a landscape scale and the use of structural grassland and scrub mosaic margins to create 'soft' woodland edges.

The Lincolnshire Wildlife Trust hopes these comments are helpful at this stage and

welcomes further discussion relating to the points covered. We also look forward to the opportunity to make further comments on the findings of the Preliminary Environmental Information Report (PEIR) and Environmental Statement including an Ecological Impact Assessment and Biodiversity Net Gain analysis as part of the Stage Two Consultation.

Appendix B – comments from Heritage Lincolnshire

The Scoping Report proposes that cultural heritage (section 8.1) is scoped out of the EIA, stating that 'significant effects on the archaeological interest (significance) of any potentially surviving remains onsite is very unlikely.' …. and 'the minimal nature of ground disturbing activities, associated with the construction and decommissioning of the Proposed Development, means that significant effects on buried archaeological remains are not anticipated.'

However, the evidence base for this is not presented within the document or appendices although it states that a desk-based assessment has been carried out and identifies the potential for archaeological remains to be present within the site. The report states 'The potential extent and heritage significance of buried archaeological remains is being investigated by additional desk-based research (including further examination of aerial photographic records) and geophysical survey, which have commenced onsite.'

I am unclear why cultural heritage is scoped out of the EIA when the baseline conditions have yet to be established. Until the potential for, and nature of, archaeological remains present at the site has been assessed it is not possible to determine the likely impact on any buried archaeological deposits.

Archaeological comment:
It is considered that the site offers potential for archaeological remains to be present. 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. Further, the decommissioning phase is likely to have as high, if not greater, impact as the construction phase and will also need to be considered prior to development.

Therefore, further information should be provided in order to make an assessment of the likely impact of the proposals on any buried archaeological remains. This should include an archaeological desk-based assessment, which should be supported by a geophysical survey. The results of this work will inform the scope of a programme of trial trench evaluation to determine the presence, character, date and significance of any archaeological deposits present at the site.

The information in the heritage 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.

Appendix C – Comments from Mallard Pass Action Group

Mallard Pass Scoping Request – review by the committee of Mallard Pass Action Group
We have paid particular attention to the objectives of this scoping exercise, notably:

- The potential significant environmental effects which require assessment
- The assessment methodology for each environmental topic proposed to be scoped into the EIA process
- Sources of information
- Issues of perceived concern
- Any other areas which should be addressed in the assessment

Overall our concerns relate to the number of areas that are to be scoped out of the EIA. In some cases there is insufficient early data, and/or an underestimated impact of the issues on receptors. Given the scale of this NSIP project, it is essential nothing is scoped out too early in the process.

1.1.1. P11. States the generation of an anticipated 350MW. Should it not be more definitive and explain the underlying assumptions that arrive at 350MW.

1.2.2 P12 A developer of an NSIP project should be able to demonstrate effective delivery of similar type projects. Windel only states 'projects ranging from 10MW to 320MW'. When previously questioned in the public consultation, they could not confirm any projects actually completed.

2.1.1 P18. Given the MP have clearly identified 54 agricultural fields, the exact size of the development should be clear. It states 'approximately 900Ha'. This report is about assessment methodology based on detailed information.

2.4.2 P20. States: "The Site is predominantly located in Flood Zone 1, which is an area classed as having a low risk from fluvial and tidal flooding (less than 1 in 1,000 annual probability, as indicated by the EA Flood Map for Planning). The Site is predominantly located within an area of very low risk from surface water flooding. Areas of low to high surface water flood risk are located in the northern and western and central areas of the Site, associated with the West Glen River and its tributaries."
Firstly this mentions the site, MP should consider impacts outside of the site as well and draw upon local information from residents which can provide evidence of both pluvial and fluvial flooding. Mallard Pass has acknowledged some flood issues on site and the need to elevate panels, we would challenge this baseline information as not being representative and inclusive.

2.9.3. P25. "The solar PV Site is characterised by a high groundwater vulnerability. The northern and western extent of the solar PV Site is located within Zone II (Outer Protection) Source Protection one (SPZ)

- Figure 2.1 P26. The chart is misleading as the red/orange denote the solar PV site, when it fact those areas also include all the mitigation areas.
- Figure 2.6 P30. Water Resources and Flood extents. This chart does not show the impact on Greatford outside the site, and it only highlights 1 in 20 as worst case scenario. As above 2.4.2 we know there is ongoing flooding In Greatford and the bottom of Essendine hill on a regular basis.

3.1.8 P33 Tracker panels could cause different levels and direction of glint and glare depending on time of day. Scoping document should include this point.

- Plate 1 and Plate 2 images of panels – can Mallard Pass ensure the pictures are representative of the panel dimensions given - they look a lot lower, especially when you consider you need to add the elevation off the ground to the panel dimensions.

3.1.12. P36 “The frames upon which the solar PV panels will be mounted will be pile driven or screw mounted into the ground to a typical depth of approximately 1.5m, subject to ground conditions. The option to install concrete blocks known as “shoes” may also be considered, avoiding the need for driven and screw anchored installation, therefore minimising ground disturbance.” This decision is key and there will be significant ground disturbance with pile driven or screw mounted frames, so this worst case scenario must be reflected on the impacts to soil compaction increasing flood risk to bio-diversity disturbance. With the recent find of the Roman mosaic in Rutland, and the finding in 1961 of a Roman grave with human remains within the Mallard Pass site outside Braceborough, the human remains of which are held by the University of Cambridge, it is highly likely that further archaeologically significant remains will be on site. These are very likely to be disturbed by the proposed piles.
3.1.14. P36. “There are two options for inverters.” MP need to clearly state the maximum adverse effects of their choice, but importantly should be clear why there is uncertainty. Ref EN-1 2.49.17

3.1.18. P37. “The footprint of the transformers will typically be 12.5m x 2.5m and 3m in height. The configuration of equipment will depend on the iterative design process and influenced by technical as environmental factors.” As above they should specify why there is uncertainty and maximum impact scenario of a design.

3.1.21. P37 “The configuration of equipment will depend on the iterative design process as influenced by technical and environmental factors.” As above, too vague.

3.1.29. P40 “A fence will enclose the operational area of the Proposed Development. The fence is likely to be a ‘deer fence’ (wooden or metal) and approximately 2m in height. Pole mounted internal facing closed circuit television (CCTV) systems installed at a height of up to 3.5m”
What is their rationale for 2m high deer fencing, it is too low and the deer will try and jump it and some will be injured. Why is the CCTV so high?
“Clearances above ground, or the inclusion of mammal gates will be included permit the passage of wildlife”. Need more detail on clearance or gates and exact wildlife expected to go through.

3.1.30. P41 “For security requirements, operational lighting would include Passive Infra-red Detector (PID) systems which would be installed around the perimeter of the Proposed Development.” There is no consideration for the impact on wildlife, particularly light-sensitive animals and how night-time lighting would affect their normal habitat. How sensitive will the PID be, what animals could trigger it and affect others, how long would it stay on?

3.1.31. P41 “The lighting of the primary substation would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would

be lighting, similar to street lighting that operates from dusk. Otherwise there would be low level lighting on specific operational units that would again operate from dusk. All lighting would seek to limit any impact on sensitive receptors."
It needs to assess the sensitive receptors and how they will be affected and whether this has a negative impact on their habitat.

3.1.37 P43 Battery Energy Storage System.
Incredibly these have not been included in the section on Risk of Major Accidents and/or Disasters. Indeed Risk of Major Accidents and/or Disasters has been "scoped out" .The type of battery has not been specified - it is highly likely that Lithium-ion batteries will be used.
Lithium-ion batteries can and have failed leading to electrochemical reactions. These reactions do not require oxygen and can spread rapidly giving rise to "thermal runaways." Normally, and incorrectly referred to as a fire. The only method of dealing with "thermal runaways" is cooling with large amounts of water until the reaction ceases. The electrochemical reaction emits toxic gases including hydrogen fluoride.Explosive gases are then emitted which can caused large explosions. There are numerous instances all over the world of serious battery fires and toxic explosions.
Scoping should include design of battery containers to prevent electrochemical reactions, detection, suppression and action to be taken to cool the reaction with sufficient quantities of water. Batteries were included in the Sunnica Energy Farm Environment Impact Assessment Scoping Report and in the Cleve Hill Solar Park Environmental assessment, so there is a precedent for it to be included in the scoping report for Mallard Pass.

Table 3.1: P44 "Minimum Offsets to Landscape and Ecological Features and Designations" table. Are these just statutory minimums adopted? Would it be better to also show a maximum as these offsets do not demonstrate full acknowledgement of the importance for wider bio-diversity gains. It shows little sensitivity to many of the receptors.

3.2.3. "The existing Public Rights of Way (ProW) that cross the Site will be retained and incorporated within multifunctional green corridors. Subject to the construction phasing and methodology there may be a requirement to temporarily divert a public right of way during the construction phase, the details of which will be sought to be agreed with the relevant key stakeholders, with an appropriate temporary alternative provided."
There would need to be a clear risk assessment of diverting or removing a PRoW during construction, understanding the consequent behavior of the walker, horse rider or cyclist. This needs to be clearly scoped due to safety and well-being issues.

3.2.4 P45 "Potential areas for mitigation and enhancement as identified on Figure 3.1 will also provide areas for green infrastructure and potentially be used to deliver a 10% net gain in biodiversity".
What does "potentially be used" suggest – further clarity required. If not the bio-diversity gain, then what? Bio-diversity gains need to be quantified and qualified and over what time period. It is not a pure volume metric, it has to be determined through its appropriateness to each habitat and should be measured on a quality index. Every mitigation area will have different needs. It will need to be proven how a bio-diversity gain is maintained through careful management. Further clarity on all this methodology is required.

3.4.1 P46. Construction. Due to start in 2026. Other published Mallard Pass documents say 2024. Can they clarify.

3.4.5 P48. AIL loads. Mallard Pass identified the potential need for temporary localised road widening, there is no mention of assessing the likely impact on bio-diversity and other receptors. The road in question off the A1 between Great Casterton and Ryhall is very windy and is bounded by hedgerow. Equally there are limited options between Ryhall and Essendine.

3.4.8 P48 “it is anticipated that during the peak construction period, there could be 30 Heavy Goods Vehicles (HGV) deliveries per day, which equates to 60 two-way movements”. Looking at other solar farm NSIPs, like Sunnica and Cleve Hill, these estimates look low which will have a knock-on effect of all the assumptions made about traffic impacts, noise impacts and air pollution impacts. There should be greater clarity on the assumptions underpinning these numbers.

3.4.9. P49 “Temporary Construction Compound. During the construction phase, a primary construction compound is expected to be located onsite with one or more temporary secondary construction compound(s) provided at different locations throughout the solar PV Site, as well as temporary roadways, to facilitate access to all parts of the solar PV Site. The details of which (including location, scale and duration) will be set out and described within the ES”.
This is fundamental to the whole traffic plan, how can assumptions be made about traffic loads and routing without stating where these temporary compounds will be. More information is required upfront as they may be many significant impacts.

3.4.10 P49 Construction Reinstatement and Habitat Creation . “A programme of construction reinstatement and habitat creation will commence during the construction phase”.
The underlying grass should be established well before (at least 2 years) construction starts so as to give some resilience to the soil being run on and compacted during construction, established grass will recover far more quickly and provide more protection from flooding and sediment loss than grass established during or after construction. There is no indication of these considerations in the report. Also the plan should consider ground conditions and work should not be undertaken on wet soils, as it will create long term compaction leading to poor water infiltration and increased flood and sediment loss.

3.5. Operation
3.5.1. P50 “The operational life of the Proposed Development is not proposed to be specified in the application and the Applicant is not seeking a time limited consent.”
Is it realistic to assume the life of a solar farm is unlimited. Surely there will be a time limit to the technology as newer more efficient technologies come on board. Equally there will be a life span of the components. They will need to be replaced every 25 years, impacting the receptors during the operational phase. If any part of the site is deemed non-operational, will it be automatically decommissioned?
The land may need to be returned to some other function deemed more important at a future date, should the planning lifespan be unlimited?

3.5.3.P50 “The land underneath and around the panels could be managed through a combination of sheep grazing and/or hay/silage production in order to maintain the field vegetation during the operational phase of the Proposed Development”.
“Could” is very vague. The method of management here is key to ensuring the right bio-diversity is maintained and flood risk is fully mitigated by reducing unnecessary compaction. There seems little acknowledgment of needing a clear assessment of pasture management, noting all key receptors. Have they fully explored the options?

3.7.3 P53 “A series of Design Principles will be developed for the Proposed Development. The Design Principles for the Proposed Development will align with the core purposes and ambitions of the ‘Design Principles for National Infrastructure’ which are Climate, People, Places and Value.”
“Principles should act as reminders to the delivery organisation, a steer in the right direction, and a means of restoring focus to the big picture…Design Principles should be a point of departure, setting out a common understanding [of] the issues to be addressed.” (Developing Design Principles for National Infrastructure (NIC, 2018)).”
Taking Value as an example:
- Provide wider economic and supply chain benefits, and a positive legacy for the communities in and around Mallard Pass Solar Farm;
- Respect the wider landscape and the intrinsic value of the countryside and natural environment;
- Respect and respond to features of heritage value.

Taking People as an example:
- Engage openly and transparently with local communities, stakeholders and neighbours, making use of local knowledge to improve our project; Consider feedback carefully and engage and respond meaningfully;
- Behave as a considerate neighbour through both construction and operation;
- Respect public amenity.

What method and process will they use to assess the above are delivered?

4.1.2. P57 “Consultation alongside the EIA process is critical to the development of a comprehensive and proportionate ES. The views of statutory and non statutory consultees are important to ensure that the EIA from the outset focuses on the environmental studies and to identify specific issues where significant environmental effects are likely, and where further investigation is required”.
Please check Mallard Pass’s statutory and non-statutory lists. They have some errors and inconsistencies in relation to cross county (Lincs & Rutland) coverage with certain organisations.
4.2.2. P58 “All responses received during consultation are being carefully considered and taken into account in the development of the Proposed Development and a consultation summary report has been released at the same time as this EIA Scoping Request.”
The Scoping request was 7th Feb, the consultation summary report booklet was received in the post 24-25th February.
5.4.7. P63 “Paragraph 4.2.2 of the NPS states that: “To consider the potential effects, including benefits, of a proposal for a project, the IPC [now PINS] will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated.

This information could include matters such as employment, equality, community cohesion and well-being."
How will they demonstrate community cohesion and well-being, what methodology will they use?
5.5.5. P67 Section 2.48 of the Draft NPS EN-3 sets out key influences that developers should consider when selecting sites for solar development" eg. Proximity of a site to dwellings – why is there no minimum agreed buffer in their offsets list?
5.5.8 P67 "Draft NPS EN-5 includes a new section on 'Environmental and Biodiversity Net Gain' at Section 2.8, which states that when planning and evaluating a projects contribution to environmental and biodiversity net gain, it will be important, for both the Applicant and examining Authority, to recognise that "the linear nature of electricity networks infrastructure allows excellent opportunities to: i) reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and/or ii) connect people to the environment, for instance via footpaths and cycleways constructed in tandem with biodiversity enhancements."
Please request clarity on how these will be delivered.
5.7.7. P71 "Policy RE1 'Renewable Energy Generation' of the SKDC Local Plan states that proposals for renewable energy generation will be supported subject to meeting the criteria outlined in Appendix 3 'Renewable Energy' of the Local Plan and provided that:

- The proposal does not negatively impact the district's agricultural asset;
- The proposal can demonstrate the support of affected local communities;
- The proposal includes details of the transmission of power produces;
- The proposal details that all apparatus related to renewable energy production will be removed from the site when power production ceases;
- That the proposal complies with any other relevant Local Plan policies and national planning policy."

It is critical this underpins SKDC's assessment of Mallard Pass's proposed scheme.

6.3.1. P74 "Whilst every ES should provide a full factual description of the development, the emphasis of Schedule 4 (of the EIA Regulations) is on the "significant" environmental effects to which a development is likely to give rise."
Emphasis does not mean to the preclusion of other impacts. How significant is evaluated can be differently interpreted.
6.5.3. P75 "The 'future baseline' scenario will describe the changes from the baseline scenario as far as natural changes can be established, although it is noted without the Proposed Development that the solar PV Site would continue to be intensively managed for agricultural purposes." The baseline should consider likely forthcoming changes as landowners diversify eg. the and is used for bio-energy fuels, re-wilding.etc
6.5.19.P80 "Cumulative effects with other schemes will be assessed as part of the EIA process."
The other schemes need to be identified first before any areas are scoped out – this is not obvious in the recommendations of this report. The scheme might not be solar eg. traffic impacts for new housing, quarry, water pipeline and other solar farms in the area.
6.5.27. P81 "Mitigation measures are developed as part of an iterative process and therefore will be developed throughout the EIA process in response to the findings of the initial assessments."

How can so many areas in this report be scoped out if a number of mitigation measures are going to be iterative?

6.5.30. P83 “Our approach to EIA is not to undertake an assessment of environmental effects where primary or tertiary mitigation measures are sufficient to avoid a likely significant effect occurring. This approach allows the ES to be focussed solely on the likely significant environmental effects and not theoretical significant effects that will not materialise as a result of the design or standard construction practices.”
Is this wholly valid?
6.5.35. P84. Regulation 14(2)(d) of the EIA Regulations also requires that the ES should include: "A description of the reasonable alternatives studies by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment…"
This is not apparent in any documentation so far. Can this be reviewed.
7.3.2 P89 “A number of viewpoints have been identified from within and around the Site from publicly accessible locations to understand the nature of existing views towards and within the Site to inform the assessment. PLESSE SEE SEPARATE “viewpoints.doc” which has reviewed all the proposed viewpoints and the choice of locations for photomontages. As locals we are best equipped to understand the viewpoints for both transient and amenity users.
7.3.3 P90.”However, the gently undulating terrain combined with woodland stands, vegetated field boundaries and roadsides act to provide a wooded backdrop to many views and, therefore, screening the Site from further afield, limiting distant views from outside of the Site.”
This baseline assessment is not the case for a large proportion of the site which has open views. These statements are misleading.
7.3.15. P95 “The study area includes the settlements of Essendine, Ryhall, Belmesthorpe, and fringes of Stamford, scattered properties as well as recreational routes and PRoW (footpaths, bridleways etc.) and local roads.”The viewpoints cover a wider area than listed including the outskirts of Carlby, Braceborough, Aunby, Pickworth etc.

7.3.17 p95 Grade II* Burley House RPG (approximately 1.5km south), (considered as part of landscape value); - should be Burghley House – error repeated throughout.
7.3.20. P96 A preliminary assessment from desk-study and fieldwork indicates that potential landscape character and visual effects would likely be limited to the solar PV Site and its local context up to approximately 500m east and south, and 1km west and 2km north. Areas at greater distances from the Site in these respective directions are unlikely to experience any notable or perceptible change to their prevailing characteristics, owing to the limited intervisibility of the Proposed Development as a result of intervening vegetation, existing built development and landform.
This is a vague statement and needs to be backed up with robust data.

7.3.21. P97. “The representative viewpoints have been selected from publicly accessible locations and generally where the greatest potential effects are anticipated to be experienced. The viewpoint locations represent a wide range of receptors, providing a 'sample' of the potential effects from the locality, with locations purposefully selected to illustrate the range of visual effects; or to specifically ensure the representation of a particularly sensitive receptor. ” Assessment of viewpoints covered in separate ‘viewpoints.doc’.

7.3.22 P97 “we propose to undertake rendered photomontages for years 1 and 15 of the Proposed Development from Viewpoints 1, 2, 3, 10 and 11 to demonstrate the views” Assessment covered in separate ‘viewpoints.doc’. Most of the photomontages selected by Mallard Pass do not give a representative view of the solar panels.
7.3.27 P91 “The reversible nature of the Proposed Development means that the landscape can be returned to its former agricultural use, should it be decommissioned”.
This makes a huge assumption that the soil will capable of returning to agricultural farming. What evidence is there to underpin this assumption?

7.3.37. P104 “Early and continued development of the design has identified potentially affected settlement fringes and residential properties and resultantly, the proposed built solar development footprint has been set back considerably from these boundaries (e.g. around Essendine), providing a sufficient buffer between these receptors and Proposed Development, to avoid the potential risk of 'overwhelming' or 'over-bearing' visual effects to residential properties. As such, residential amenity will not be assessed within this LVIA and is scoped out of the EIA. A Residential Visual Amenity Assessment will be undertaken and submitted as part as a standalone report as part of the DCO application.”
Given the level of feedback to the first consultation it is evident that residents feel their visual amenity is still heavily affected. Whether they live next to the PV site or close to it, in their day to day life the visual impact is significant. The level of detail on mitigation so far does not alleviate the visual concerns, so this should not be scoped out at the next stage.

Ecology
7.4.7. P106 “The details of the surveys carried out and the baseline conditions identified are set out in the Ecological Baseline report provided at Appendix 7.2”
There are concerns about the timing, range and extent of some of these surveys not being sufficiently robust to provide an accurate assessment of wildlife present. Eg.

- Great crested eDNA should be done between mid April and end June. They took samples on 29 April, which is within the timing, but is still a bit early. Evidence of GCN in Braceborough shows they appear in May.
- Phase 1 habitat survey - end or March and end April is quite early, especially for many flowering plants.
- Wintering birds - should be monthly in Winter (Dec-Mar). Surveys only undertaken in Nov and Dec, so inadequate. No detail on weather conditions on the visits which could affect the result.
- Bats should be surveyed May - Sept, but they didn’t survey for them explicitly.
- Other protected species surveys Appendix 2.30: Surveys for foraging and commuting bats, roosting bats, hazel dormouse, reptiles, invertebrates and plants (detailed botanical survey) were not undertaken, despite some habitats on Site being suitable for these species.

7.4.23 P110 “All the hedgerows on Site are considered to meet the description of the Hedgerows HPI”.
Given hedgerows are an HPI, the solar PV should be far more sensitively positioned to enable the best bio-diversity to develop. What basis has been used to set the margins?

7.4.25 P110 “The west Glen river has the potential to meet the description of the Rivers HPI (Maddock, 2011) based on the presence of aquatic species and water quality and hydrological parameters, although this was not assessed in detail.”

Should this not be further assessed given the likelihood of it being an HPI?

7.4.49.P116 "No records of polecat Mustela putorius were returned by the LRC or LRERC but this species is reportedly present on the western edge of the Site along the Drift (information supplied by Tom Tew of Naturespace). This species is an SPI."
Polecat has been seen near Banthorpe lodge. " Further investigation required.

7.4.76. P123. Designated sites: " however, accidental damage and other direct or indirect effects may occur to the the Ryhall Pasture and Little Warren Verges SSSI and Tolethorpe Road Verges SSSI, adjacent to the Site. Accidental damage will be avoided by implementing appropriate control measures during the construction stage (tertiary mitigation)."
Due to the nature of the Proposed Development, no impacts to the SSSIs are likely to occur as a result of noise or air pollution."
Is this assumption valid? There will be pollution from the considerable amount of lorries using a very narrow road not just for the new battery storage facility but for access to the PV areas on that side of the site. Also the proposed mitigation of fencing may not be at all viable as roads are not wide enough already. The verges need to be protected and the fencing process in itself could cause damage.

7.4.77 P 123 "Potential adverse impacts to the integrity of statutory designated sites through loss of supporting habitat is scoped out of the EIA for all phases".
That is a contradiction to the issues previously highlighted and should not be scoped out.

7.4.89. P127 "During the operational phase it is unlikely that any impact would arise on badgers and therefore is scoped out of the EI".
There needs to be more survey work to understand the badger behaviour during operation and this should not be scoped out. Experience has shown they create new setts and move around, farmers are constantly having to be careful when using machinery. There have been issues recently close to the site, of badgers digging next to the gas pipeline. There were no surveys in the woodland, therefore limited picture of their habitats.

7.4.95. P128 "No impacts to hazel dormouse during the operational phase are likely to occur."
These are therefore scoped out of the EIA."
Hazel dormice have been seen close to the site, should they be scoped out?

7.4.98. P129 Other mammals P128 "Due to the nature of the Proposed Development, no impacts are likely to arise during the operational phase. These are therefore scoped out of the EIA."
The impact on brown hares and their behaviour needs to be assessed. Will the 30x30 gates provide sufficient access to the PV area or will there be significant injury/death due to fencing next to roads?

7.4.103 P130 "Therefore, impacts to birds during the operational phase of the Proposed Development is scoped out of the EIA."
Further review needs to be done on the impact of ground nesting birds. ie. what kind of ground cover do different ground nesting birds require to ensure a safe undisturbed habitat. What kinds of maintenance activity (sheep grazing, mowing) will disturb that habitat?

7.4.107. P131 Amphibians “The Site supports few terrestrial habitats with the potential to support amphibians and these are proposed to be retained. All ponds are also proposed to be retained and none within the Site, or adjacent to it, were found to support GCN, though common toad may be present.”
There are GCN in Braceborough and therefore likely to be in other ponds on the site, the survey was conducted at the wrong time to identify their presence, further investigation is required.

7.4.111 P132 Invertebrates. “Operational impacts to invertebrates are scoped out of the EIA.”
There is insufficient data available, no survey work was conducted. There needs to be a better understanding as the compaction impacts on the soil and how the changes from agriculture to solar PV land affects their habitat.

7.4.115. P132 “During the operational phase of the Proposed Development, no impacts to protected species are likely to occur as:
- The lighting scheme will be designed to avoid artificial lighting on linear features (including hedgerows and water courses), woodland and other retained or created habitats. This will avoid adverse effects on bats, dormice, otter, water vole, amphibians, birds and other SPIs.
- Onsite operational traffic will be minimal and limited to maintenance vehicle movements at very low intensity, with a negligible risk of accidentally injuring or killing any protected or notable species such as wild mammals, amphibians, reptiles or birds.
- No regular presence or work is envisaged onsite leading to disturbance of retained or created habitats.

The above is an assumption and a statement and not backed with clear evidence or assessment. They cannot define the impacts clearly as there is no information on the type of management activities in operation and the different impacts from each activity. Mowing under panels is different to grazing sheep to window-cleaning the panels to using machiney to take haylage - all have different impacts.
7.4.116. Consultation. P133 “The consultation process to be undertaken will involve consultation with the Ecology Officers for Leicestershire, Rutland and Lincolnshire County Councils. Non-statutory consultees such as the Wildlife Trusts will also be approached. These stakeholders will be provided with the summary of the baseline of ecological conditions, the general proposals and the principals which will be used for the detailed design of the Proposed Development.”
With so many areas scoped out of the operational EIAs, and only preliminary data and survey work so far, how can the stakeholders receive an informed baseline of information?
A report from Natural England: Evidence review of the impact of solar farms on birds, bats and general ecology (NEER012) 2017:
“When considering site selection for utility scale solar developments it is generally agreed that protected areas should be avoided. This is reflected in the scientific literature where modelling approaches include many factors such as economic considerations and visual impact but also often avoid protected areas such as SPAs. This is echoed by organisations such as Natural England and the RSPB that recommend that solar PV developments should not be built on or near protected areas. As sensitive species and habitats are not necessarily restricted to the geographical boundaries of protected areas, it is imperative that research is undertaken

into the potential interactions between solar PV arrays and biodiversity especially sensitive habitats and species."
"...concerns have been raised that solar PV developments have the potential to negatively impact a broad range of taxa including birds, bats, mammals, insects and plants. In light of this, it is highly recommended that research is undertaken into the ecological impacts of solar PV arrays across a broad range of taxa at multiple geographical scales."
Given these conclusions, it is too early in the process to suggest that so many areas are scoped out of the EIA.
Highways
7.5.39/40. P143. "The IEMA Guidelines for the Environmental Assessment of Road Traffic identifies two broad rules-of-thumb which could be used as a screening process to determine the scale and extent of assessment. These rules are summarised as follows

- Rule 1 – include highway links where traffic flows will increase by more than 30% (or the number of HGVs will increase by more than 30%).
- Rule 2 – include any other specifically sensitive areas where traffic flows have increased by 10% or more.

Any links within the study area that fall below these thresholds will be scoped out of the assessment, unless specifically requested to be incorporated by key stakeholders or the local Highway Authorities." The fundamental question is whether the vehicles movements have been accurately forecast. This affects all associated scoping assumptions. If you refer to Sunnica's CTMP https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010106/EN010106-001865-SEF_ES_6.2_Appendix_13C_Framework%20Construction%20Traffic%20Management%20Plan%20and%20Travel%20Plan.pdf, you will see their level of vehicle movements for a 2400 solar PV area. Mallard Pass is disproportionately low.
7.5.42. P144 Sensitive receptors.

- Route 1: should list other drivers at this critical Great Casterton T-junction after having come off the A1; users of the villages of Ryhall & Essendine.
- Route 2. There are 2 primary schools not listed in Uffington; users of the villages of Tallington and Uffington; users of the town of Stamford.

All of these are sensitive receptors. Aside from noise, pollution, safety is a major consideration.
7.5.44. P145 "Potential Effects The potential effects to be assessed during the construction phase of the Proposed Development on those links that exceed the thresholds set out at paragraph 7.5.39 are as follows:

- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian and Cyclist Amenity;
- Fear and Intimidation;
- Accidents and Road Safety;
- Hazardous Loads."

Is The IEMA the only baseline methodology for assessing these impacts? An increase in certain traffic levels may not create a linear impact on some of the affects listed above. There also needs to be some assessment which is not purely quantitative and linear, but has a qualitative and local knowledge inputs. The methodology seems very unrepresentative of the reality that would be experienced if the impact was deemed medium for example.

7.5.56. P148 Hazardous or Dangerous Loads. This is scoped out of the assessment. There are hazards along all 3 routes of different descriptions. There is high potential for collision with other vehicles with articulated transport in particular due to narrow or windy roads, hills – already known accident hotspots. Given the sensitive nature of some of the loads – toxic substance contained within the solar panels, batteries etc, it seems very unwise to scope this out of the EIA..
7.5.59. P149 “it is considered that the significance of the environmental effects of the operational phase of the Proposed Development would be negligible with respect to access and highways and therefore a detailed assessment of the operational phase of the Proposed Development is proposed to be scoped out of the EIA.”
Given it is not clear what kind of management activities will take place, can it be clarified what has been used as a worst case scenario to underpin the vehicle movements and scope this out?
7.6. P151 Noise and Vibration. Baseline conditions. The list is not complete, it should include the following: 1 Grange Farm Cottage, 2 Grange Farm Cottage; Grange Farm; West Barn Cottage, Lodge Cottage, Braceborough Lodge Farm

7.6.10. P153. The NPPF also notes that tranquil areas which have remained relatively undisturbed by noise and which are prized for their recreational and amenity value should be identified and protected.
7.6.22 Desk and field study. Appendix 7.4 only highlights the locations, yet the data is only going to be provided at the ES. Given how critical this is to residents, they would want to see something in the PEIR for the public consultation in the spring. The whole PV site plan could change depending on the buffer they allow for nearby properties which could be impacted by these results. The test frequency appears very limited in 7.6.23, will it provide a representative baseline? Will any allowance be made for the impact of wind direction and to extend the 250m boundary and factor it into the noise level range (high wind, low wind etc)
7.6.31. P158. “Some construction activities, such as piling operations, drilling or vibratory rolling techniques, can generate vibration levels in close proximity to their use (less than 50m typically)”.
If proximity to any residential areas is less than 50m, there should be an assessment of the wider impacts on those properties ie. not just noise, dust etc, but importantly if older properties have no foundations what could be the impact of those vibrations. Clarity upfront on residential buffers/margins to proximity of solar PV could resolve many questions/concerns.

7.6.36. P160. “Primary mitigation will first involve adjusting the design of the Proposed Development to maximise (where possible) the distance from areas including noise-generating plant from noise-sensitive receptors. The detailed design of the Proposed Development, including final plant locations and selections, can be controlled through a requirement of the DCO that would establish suitable noise limits at the boundary of the Site”.
Would it not be more helpful if Mallard Pass at the earlier stages set their noise limits and adjusted their plan accordingly, rather than it being a requirement of the DCO? They could share their mitigation measures earlier in the process.

7.6.37 P “Noise impacts from construction traffic is therefore scoped out of the EIA”.
This assumes the baseline for vehicle movements is correct which we don’t believe it is – ref 6.6.37.

Water Resources and Ground Conditions 7.7
7.7.2. “A desk-based survey was undertaken in December 2021 to understand the baseline conditions for water resources and ground conditions at the Site.” Whilst desk-based work is always a starting point, there seems to be no further assessment based on local knowledge and other available information. The report has been produced by Argyll Environmental in Brighton and contains a vast amount of data, site diagrams, flood risk areas, wildlife info, etc, gathered from the EA, Natural England, and other sources, but Argyll themselves point out this report on its own is not sufficient.

7.7.5. P162. “An initial baseline study shows that elements of the Proposed Development north of Essendine village and south of Wood Farm lie within groundwater Source Protection Zones (SPZ) 1 and 2 and outwith of the River Welland catchment Surface Water Safeguard Zone”.
Given this information it will be critical to avoid any water contamination from damaged solar panels and/or on-site battery storage faults (Fires) and mitigation needs to be clearly identified.

7.7.6 P162. This has “ 'high' Impact Risk Zone associated with the SSSI at Ryhall Pasture and Little Warren Verges”.
As above there needs to be clear mitigation or re-design to avoid any contamination issues.

7.7.12. P164. “A Site walkover will be undertaken to verify the location and nature of watercourses and waterbodies within the study area likely to be affected by the Proposed Development. The Site walkover will augment the desk study.”
Depending on when the site walkover is done will significantly impact the conclusions reached. 2021/22 has been very dry. To supplement the desk and walkover studies, every parish council and flood warden where applicable should also be contacted to build the knowledge base.

7.7.13. P164. “Infiltration testing will be conducted at the Site in early 2022. The infiltration testing will comprise of test pits which will be utilised for testing to Building Research Establishment (BRE) 365 (2016) standard in order to confirm the permeability of the underlying soils and suitability for infiltration drainage.”
Is this the right testing approach?

7.7.19. P166. “Draft NPS EN-3 (BEIS, 2021) outlines the requirements for an FRA and the promotion of the use of sustainable drainage systems (SuDS).”
Mallard Pass have not detailed the use of SuDs so far, just acknowledged there are flood risk areas and will raise the height of solar panels. This does not take into account the impact of water run-off outside of the site.

7.7.21. P168. “The baseline data will be used to assess the potential effects of the Proposed Development on hydrological and hydrogeological resources within a 5km study area. This study area is based on the hydrological and hydrogeological connectivity of water bodies located downstream of the Proposed Development.”
MP need to show flood maps taking into account the 5km study area, currently Greatford is just off their map. Please note the Water Resources Sensitivity table in Appendix 7.6 –
this applies to Greatford Cut (a flood plain) and is high.

7.7.28. P169 “As sections of the Site are located within Flood Zone 3a, the FRA will need to demonstrate that the Proposed Development passes the Exception and Sequential tests outlined in the NPS and NPPF. There will be a requirement to raise all electronically sensitive equipment at least 600mm above the highest modelled flood level for the 1 in 100-year (+climate change) event, or have a commitment to install flood resilient measures onsite infrastructure.”
As above point 7.7.19 if panels need to be raised, what criteria will they use to assess the use of SuDs?

7.7.29. P169. “The FRA will be produced and will focus on the following elements: Assessment of the introduction of new hard-standing areas on the greenfield run-off rates, using Micro Drainage software.”
This needs to take into account all the new access tracks and hard-standing bases for all the battery storage on the solar PV site.

7.7.31 P170
“Construction effects” – no mention of impact of compaction of the soil, temporary access tracks etc on water run-off.
“Operational Effects Increase in surface water run-off from areas of hard-standing;” - there is no mention of the impact of run-off from the solar panels themselves. Normally rain is dispersed evenly across the ground, when it falls on solar panels up to 3.5m high, there will be a huge concentration of water run-off at the bottom of the panels, leading to water channels being created, and speeding up the flow of water if the ground is unable to absorb it. These effects need to be taken account of.

7.7.39. P172. Issues to be scoped out. “Potential transfer of chemicals to surface water resources during operation”. Given the possibility of contamination from damaged panels or chemical leak from battery fire on the solar PV site, is it wise for this to be scoped out?

Agricultural Land Use
This is a key determining factor in the decision making process with the Planning Inspectorate, so ensuring this is scoped, correctly surveyed and assessed, is critical to the outcome of the application.
7.8.5. P173 “In order to inform the assessment an Agricultural Land Classification survey will be undertaken at the Site. Given the size of the Site the survey will be carried out at a semi-detailed scale. This will involve in the order of 210 auger locations on a regular 200 metre grid across the solar PV Site.”
What is the baseline methodology for determining 210 locations (looks too low), and what guidelines are they using to conduct these surveys?
According to the Bristish Society of Soil Science (BSSS) Proficiency in ALC Survey Grading of land using the ALC system is not straightforward. For individual development sites this normally involves a detailed ALC field survey, according to the MAFF 1988 ALC guidelines. Proficiency in the conduct of an ALC survey requires knowledge and experience of field soil survey and the interpretation of soil, topography and climate data. There are comparatively few experts capable of carrying out ALC to a sufficient professional standard. For this reason, BSSS

has published a professional competency document4 that outlines the qualification, knowledge, skills and experience required to carry out ALC.
7.8.17. P176 "In terms of magnitude of impacts, the loss of more than 50ha of BMV land is considered to be a large/major magnitude, losses of 20-50ha are of moderate/medium magnitude and losses of less than 20ha to be of low magnitude. These thresholds are based on established practice. The 20ha threshold is the trigger point for consultation with Natural England on losses of BMV agricultural land.
Based on an approximate solar PV area of 530Ha minimum, should Natural England be involved now as more than 20Ha (3.7%) is likely to be BMV land. Also more than 50Ha (10% of the land could be BMV) which is deemed large/major magnitude. Given these statistics it is even more important that the survey work is full, thorough, qualified and wholly independent.

7.8.18. P176. Potential Effects. "The Proposed Development has the potential to affect the agricultural land quality and use of the solar PV Site. The construction process is generally considered unlikely to significantly affect the agricultural land quality or the soil resource".
This is not the belief of local specialists who see there will be damage to the soil through compaction and drilling, putting down access tracks during the construction period. The view is the soil will not carry the nutrients necessary to return to agricultural production after 40 years. This of course will be hugely affected with how the soil is managed over the 40 year period.

Climate Change
7.10.10. P186. "The effect of the Proposed Development on climate change will be assessed by evaluation of two quantities. Firstly, the potential emissions associated with the construction and operation of the Proposed Development. This will include the construction process and the manufacture and transportation of the components of the Proposed Development, and the carbon dioxide emissions embodied within them."
This assessment does not include the carbon cost of importing more of our food as a result of the loss of agricultural land production in the UK. It also does not take account of the carbon costs of replacing and recycling panels when they are no longer efficient/redundant – it is known they will not last 40 years.
Socio-economic
7.1..20/21 Assessment of effects. It only mentions on the negative side the loss of agricultural workers, there is also the lost income to all the other businesses in the supply chain associated with agricultural farming. This impact will continue during the operational phase. This needs to be factored in.

7.11.25 P195 "it is considered that the effect on the local tourism economy will not be significant and it is therefore proposed that this is scoped out of the EIA." The distances to Stamford and Burghley are closer than 2.3km, as outlined earlier in the report. If you start to change the character and feel for an area it could have a negative impact particularly for Stamford.

7.11.26 P195 "Significant impacts on PROW users are therefore not anticipated and are scoped out of the EIA. A Recreation and Amenity assessment will be undertaken and submitted in support of the DCO Application"
This is too late in the process and needs to be kept in scope. How has Mallard Pass come to this conclusion? The impacts on walkers, cyclists and horse-riders will be significant,

with the potential for mental health impacts for those with fewer alternatives. Traversing these PRoW with panels and security fencing all around is akin to walking through an industrial plant, removing any sense of enjoyment or well-being. For horses it could prove dangerous, as the tunnel effect on the bridleway will prove very scary, unlike the norm of greenfield land. This absolutely needs to be scoped in to address the strength of public opinion.There is no assessment to show the benefits for the community – whether supporting their local economy or improving the social benefits.

8.0 Environmental Topics Scoped Out of the EIA

Heritage

8.1.13: "Furthermore, mitigation through design (avoidance) can allow any especially sensitive buried archaeological remains (such as human remains) to be safeguarded completely from any disturbance. The desk based assessment and geophysical surveys will aid in the identification of any such locations. Thus, an assessment of buried archaeological remains can be scoped out of the EIA."

Given a geophysical survey of the site has been completed, it is asserted that any assessment of buried archaeological remains cannot be scoped out of the EIA until such time as the results of the geophysical survey are in the public domain and aspects requiring "mitigation through design" are adequately pinpointed. Given the roman remains findings in field 36, can the geophysical surveys confirm there are no further roman remains at risk from drilling/piling. (Ref.3.1.12).

Air Quality

8.25 P209 "it is considered likely that no exceedances of the annual mean objective will be experienced in the vicinity the Site." Given Essendine is at the epi-centre for all 3 routes, has this been taken into account?

8.28/29 P211 "it is not expected that a specific air quality chapter will be required in the ES.". Surely a sensitivity analysis should be done to determine if the forecast traffic movements are wrong and considerably higher, will any of the assessment thresholds be breached? This should be explored before taking out of scope.

Risk of Major Accidents or Disasters.

8.4.2. P215 "The EIA Regulations do not include the definition of major accidents and/or disasters. For the purposes of the assessment, the following three definitions and accidents and disasters have been used within the context of the Proposed Development:

1. The Control of Major Accidents Hazard (COMAH) Regulations, 2015, defines a major accident as "an occurrence such as a major emission, fire, or explosion resulting from uncontrolled development, leading to serious danger to human health or the environment (whether immediate or delayed) inside or outside the establishment, an involving one or more dangerous substances".
2. The International Federation of Red Cross & Red Crescent Societies Disaster and Crises Management Guidance provides a useful definition for disaster, which is "a sudden calamitous event that seriously disrupts the functioning of a community or society and causes human, material, and economic or environmental losses that exceed the community's or society's ability to cope using its own resources. Though often caused by nature, disasters can have human origins."; and 7863_EIA_0001 Mallard Pass EIA Scoping Report

3. The Oxford English Dictionary defines an accident as “an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury.”

Are these the right and appropriate definitions – “an unfortunate incident” is not how a battery storage fire and explosion will be perceived if it happens?

8.4.10. P217 “Component and equipment of the Proposed Development will be installed in accordance with the relevant Fire regulations and guidance from the Health and Safety Executive. The operational phase of the Proposed Development would involve routine maintenance and servicing of equipment to ensure the safe operation of equipment. Fire equipment and notices will also be provided onsite for the availability of personnel and would be regularly inspected and serviced in accordance with relevant Fire Regulations. The ES will include details on the measures incorporated into the design to minimise any potential impact of Proposed Development resulting from a fire. As such, a separate ES chapter covering risk from fire accidents is not considered necessary.”
The scale of this battery storage will be unprecedented in the UK and upfront design is critical to ensure the safety for the local communities is the highest priority.

8.4.11. P218 “An outline Battery Safety Management Plan (oBSMP) will be prepared and submitted with the DCO Application. The oBSMP will detail the regulatory guidance reviewed to ensure that all safety concerns around the BESS element of the Proposed Development are addressed in so far as is reasonably practicable.” – would that kind of comment be allowed with a nuclear power station?
This is one of the biggest concerns for residents given the evidence of fire safety events with lithium-ion batteries all over the world. The amount of time allocated in this report is negligible. It shows no understanding or respect to the impacts of such an adverse event. The lethal toxic gases, the uncontrollable fires, the environmental damage require more than just a plan, they require thorough design, and full assessment throughout the planning process and need to be scoped in.

Human Health
8.5.5 P220. Will Mallard Pass clarify there are no cable routes in close proximity to PRoW?
8.5.6. P220 “Due to interactions with human health covered elsewhere within individual topics of the ES, it is not considered necessary to provide a separate Human Health ES chapter.”
There does not seem to be any recognition or assessment of mental health impacts, just physical health. Therefore should health have been removed totally from the scope?

Conclusion
Table 10.1 on P230 highlights the extent of areas scoped out of the EIA. Given the unprecedented scale of this project, and the lack of full information and understanding at this early stage in the process, we would ask for a cautious approach to be exercised and for areas highlighted in this report to be recommended to be put back into scope.

28.2.22

Mallard Pass Solar Farm proposed viewpoints

Viewpoint Mallard Pass proposed viewpoint Revised suggestions by MPAG

1 This viewpoint shows small area of field 29 beyond large mitigation area, set back from the road, so only partially visible. Not the best viewpoint for a montage, should be re-allocated to another area. Turn left of A6121 to Greatford, just down on RHS. Views of 29,30,33, 34,36. Better montage option.

2 This is along the A6121. There is a mitigation area in front of this, and the solar panels will be on a far higher piece of ground. Not clear how far set back the panels will be in field 29 that adjoins field 28. Not the best viewpoint for a montage, should be re-allocated to another area.

3 This viewpoint is in a low lying area out the back of Carlby, the panels heading west are on the other side of the elevated railway line. This viewpoint is irrelevant and should be removed. It should not be part of the montage selection. Recommend replacing it at the top of the footpath just outside Essendine, looking east over at fields 28,29,30,33

4 This point is next to the bridleway and is an obvious choice. However the viewpoint opposite, still on the same bridleway, is stronger. Just down the same bridleway a few hundred yards under the power lines. This is a 360 panoramic and should be the montage view

5 This looks out onto an area of mitigation on to field 39 where there will be no panels and it is not next to a footpath. Recommend moving this further up the road towards Carlby and positioned next to the footpath sign outside Grange Farm that would provide a relevant viewpoint of the panels across field 36.

6 This is on the wrong side of the railway line with no solar PV fields visible. The north side of the railway, 20 yards along the bridleway adjacent to field 35 provides long distance views of the PV panels.(This pic is a few yards too early as in a dip)

7 This is on a footpath which leaves green lane just after it starts on Newstead Lane. The point chosen is only just into the field and the current scrub land at the field edge is so high is blocks the view across to Wood Farm. The panels are to be located on this field. These 2 viewpoints on this path are far more representative of the views.

8 This point shows clearly the impact of the solar panels when looking across the fields as you pass gateways. Panels will be visible all along the road from Uffington to Essendine though the hedge varies in thickness and height and will afford some screening along parts of the road particularly in summer when in full leaf. This viewpoint is OK.

9 This viewpoint is restricted with hedgerow which is a feature down Uffington road. I suggest the viewpoint is taken in an open gateway.

10 This viewing point is on a footpath which leaves the village of Belmesthorpe off Castle Rise. There is no visibility of the proposed solar farm which is up an incline and on the other side of a fully hedged bridleway. There is no logic for it to be included.
This should not be a montage view. No available alternative.

11 This viewpoint is fine.

12 This view point is located on the B1176 at the point a footpath joins the road between fields 9 and 12. The view point will show clearly the visual impact of the arrays when looking across the fields to Essendine, so relevant for walkers and horseriders. However it is a low point on the road and does not necessarily give a true perspective of the panels from the higher points of the road when travelling from Ryhall to Little Bytham by vehicle. Could be a montage option. Also suggest the following points opposite. Also suggest these viewpoints at the Drift junction looking east to Essendine across field 9, and NW in field 2.

13 The hedge is high and dense and so the fields where arrays will be mounted is not very visible at the particular point shown on the byway. It misrepresents the open coppices that flag both sides of the drift and the clear visibility field users will have where the arrays will be mounted. This by-way is very well used by walkers, horse riders, cyclists and a variety of other road users. Alternative suggestions still adjacent to field 13. Good montage point

14 This is located at Barbers Hill at the most northerly point of the scheme. However the location is on a high, flat & straight piece of road which completely misrepresents the true topography of the area – the south facing slope of the field is not evident and the view point does not give a true indication of the visual impact the scheme will have – this is clearly evident just a 100yds or so further south along the B1176 – see opposite V slightly further south on B1176 looking down the hill and across towards Essendine. A good montage option.

More suggestions opposite: Just south of the crossroads B1176 heading to Ryhall looking east across fields 5&6 & beyond.

Heading north on B1176 to Careby looking across field 4

B1176 crossroads looking across to Essendine to fields 5,6,7,8, 10,11

Heading west out of Carlby over the B1176 crossroad on RHS looking west into field 4.

28.2.22

Comments on the Mallard Pass Scoping documentation by Uffington Parish Council, Lincolnshire

Introduction

We accept that distributed green power sources need to be provided around the UK. Our comments do not consider the very detailed technical reports by specialists upon which it is assumed other specialist persons will analyse.

Comments

1 The comments made are in answer to the following:

Invite consultees to comment on the proposed EIA, in terms of:

1a The potential significant environmental effects which require assessment;

1b The assessment methodology for each environmental topic proposed to be scoped into the EIA process;

1c Sources of information;

1d Issues of perceived concern; and

1e Any other areas which should be addressed in the assessment.

It has to be remembered the duty of the applicant is as follows

This Scoping Request has been prepared to provide an overview of the likely significant environmental effects that have been considered in scoping the EIA for the Proposed Development.

As an overview it is not required to be detailed in all respects of the physical design and construction.

The scoping document also aims to show what items are not thought to be relevant

This Scoping Request also provides the justification and rationale for scoping out environmental topics or receptors where it is considered that significant effects are unlikely to arise as a result of the Proposed Development.

Some of the items being scoped out may require to be reconsidered later as the results of surveys could change with the seasons.

2 in response to the issues

1a The potential significant environmental effects which require assessment;

The environment changes from season to season and from year to year. Worst case scenarios need to be considered including wind, snow and rain. Wildlife will also change from the dates of the surveys. There is some doubt that all the buried artifacts in the area including graves have not been discovered or considered.

There is much worry about the impact of the site traffic on the area and the narrow roads. There is mention of many hundreds of site staff that will all require transport to site but we can find no consideration of their impact on the community as a whole.

There is mention of 60 traffic movements per day of heavy vehicles but nothing of lighter vehicles or of heavy lifting gear to unload and erect the structures. There is no mention of whether the communities are to be exposed to inconvenience 5 or 7 days per week? The use of the A1175 involves crossing the rail line at Tallington, a location with low overhead wires and great traffic delays. We fear that delays will be far worse with slow HGV traffic for the site. There is then the roll-on effect of nuisance to properties fronting the A1175.

1b the assessment methodology for each environmental topic proposed to be scoped into the EIA process;

This is a specialised topic and the concerns are mentioned above. There is little mention of how the land within the project could be used for agricultural purposes that mitigate the loss of the land for arable uses. For example, what would be the equivalent land area be made available as % of the overall area.

1d Issues of perceived concern;

The list includes, noise, traffic movements, physical size of the project, damage to roads and bridleways etc, visual impact, proximity to housing, local flooding, dangers of solar panels dislodged in gales, reflected glare at road or rail levels, traffic levels after construction for maintenance and repair, supply of products within the UK, the use of local labour and suppliers.

We are confused by greatly differing statements regarding the site output. In past information the advice was 50MWe but in later distributed information it is 350MWe.

It is claimed that other UK sites with similar capacities occupy a smaller footprint. If this is true why is the MP site so large at approximately 900ha?

Pegasus Group last year submitted plans on behalf of Branston Solar Extension for a 49.9 MW solar photovoltaics (PV) scheme in Lincolnshire, eastern England.
The scheme has received approvals from North Kesteven District Council, making it the latest in a number of large-scale solar developments proposed by developers since the UK withdrew subsidy support for solar schemes.
According to Pegasus, the solar scheme will be built on 97 ha of land.

There is worry in some quarters about the safety issues relating to battery storage sites. It is assumed that these will be distributed around the sites but no information is provided about the proximity to other buildings and how safety is to be attained. In the event of an issue, it is assumed there will be serious air quality issues. How will this be controlled?

There is mention of decommissioning after year 40. We would like to see secure funds set aside to ensure the work takes place in the event of failure of the Company.

Katie Turner

Clerk - On behalf of Uffington Parish Council

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
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Your Ref: EN010127
Our Ref: CIRIS58885

Ms Katherine King
Senior EIA Advisor
The Planning Inspectorate
Temple Quay House,
2 The Square
Bristol BS1 6PN

7th March 2022

Dear Ms King

Nationally Significant Infrastructure Project
Mallard Pass Solar Farm Limited
Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response 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
We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be

covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. 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*', setting out aspects to be addressed within the Environmental Statement[1]. 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.

- The developer scopes out an assessment of air quality impacts. We recognise that the construction phase will be managed using a CEMP, to mitigate impacts on air quality however we would expect air quality impacts to be evaluated in some detail.

Recommendation
We recommend that the developer provides further justification for the scoping out of air quality during the construction phase.

- The developer scopes out the impact from accidents on air quality. In the event of a fire a number of substances will be produced by the combustion process. Nearby residents are likely to be concerned about what is burning in the fire and what substances are likely to be produced. An air quality assessment in relation to a fire scenario should therefore identify an inventory of hazardous chemicals expected to be present on site, in terms of quantities and likely products of combustion. Particulate matter emissions from a fire should also be considered.

Recommendation
We would welcome an assessment of air quality impacts from a fire scenario, to consider the hazardous chemicals associated with the development and what they would produce when undergoing combustion, which would include particulate matter.

Recommendation

1 [redacted]

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.

Electromagnetic Fields (EMFs)

The applicant should assess the potential public health impact of EMFs arising from any electrical equipment associated with the development. Alternatively, a statement should be provide explaining why EMFs can be scoped out. For more information on how to carry out the assessment, please see the accompanying reference for details[1].

Human Health and Wellbeing

This section of OHIDs 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.

Assessment of significance

Table 6.1 identifies the degrees of significance but does not identify which will be considered to be significant for the purpose of the assessment. It is anticipated that moderate and major effects would be significant. Any deviation within individual chapters relating to population or human health should be identified and justified.

Recommendation

The ES should identify which levels of significance in Table 6.1 are to be considered significant. It is expected that moderate and major will be considered significant.

Socio-economics - Housing affordability and availability

The scoping report identifies the potential number of peak construction workforce (400 peak), but does not estimate the number of non-home based workers which will require local accommodation.

The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing and tourist accommodation, particularly that of short term tenancies and affordable homes for certain communities.

This may lead to a lack of affordable local accommodation for vulnerable 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 seeking the same lower-cost accommodation).

Recommendation

The peak numbers of 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 effect 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.

The assessment should also include potential impacts on tourist accommodation within the socio-economic assessment.

Socio-economics – Public Rights of Way (PRoW)

The scoping report proposes to scope out PRoW (para 7.11.26) yet both the landscape and transport chapters both include PRoW within their scope. Given the Environmental Impact Assessment will scope in PRoW within the other chapters the socio-economics chapter should cross reference to any significant findings in relation to PRoW.

Recommendation

The socio-economics chapter should cross reference to any significant findings in relation to PRoW.

Yours sincerely

On behalf of UK Health Security Agency
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Please mark any correspondence for the attention of National Infrastructure Planning Administration.