

## **Mallard Pass Solar Farm**

## **Environmental Statement Volume 2 Appendix 2.3: Scoping Opinion Response Matrix**

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## **Appendix 2.3: EIA Scoping Opinion Response**

1.1.1. The table below provides a summary of the comment raised by PINS within the EIA Scoping Opinion. The purpose of the table is to demonstrate how the points raised within the Scoping Opinion have bene addressed. The table provides a clarification of where the information has been provided within the Environmental Statement (ES) and other documents which have been submitted in support of the DCO Application.



**Table 1: EIA Team Responses to the Scoping Opinion** 

ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
Overa	rching Con	nments		
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.	Environmental Statement (ES) Figure 3.1 [EN010127/APP/6.3] presents the extent of the Site, Solar PV Site, Mitigation and Enhancement Areas, Potential Highways Works Site and Grid Connection Route.  A hatch has been added to the figure to identify which areas are excluded from the Site.
2.1.1	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.	ES Figure 6.1 [EN010127/APP/6.3] presents the topography across the Site.  Figure 3.1 includes a hatch to identify which areas are excluded from the Site.  The Location, Order Limits and Grid Coordinates Plan [EN010127/APP/6.3] show the extent of the Order Limits.
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	Chapter 5: Project Description of the ES [EN010127/APP/6.1] provides the size for the primary and secondary construction compounds.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			enhance the sustainability of construction compound set up (e.g. use of renewable energy, rainwater harvesting etc).	The Works Plans [EN010127/APP/2.2] show the Limit of Deviation for the primary and secondary construction compounds.
				The outline Construction Environmental management Plan [EN010127/APP/7.6] includes details of the mitigation and enhancement measures associated with the construction phase of the Proposed Development.
2.1.4	N/A	Temporary roadways	The ES should provide details regarding the location, construction, operation, decommissioning and proposed duration of temporary roadways required and assess where significant effects are likely to occur.	Chapter 5 of the ES [EN010127/APP/6.1] provides details of the internal access strategy for the Proposed Development.
				The location of the site access junctions are shown on the Works Plans [EN010127/APP/2.2].
2.1.5	3.5.1 and 3.6.1	Operational lifespan/Decom missioning	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	Chapter 5 of the ES [EN010127/APP/6.1] explains that the Applicant is not seeking a time limited consent and that ad-hoc replacement of infrastructure is only anticipated during the operational phase of the Proposed Development.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	An outline Decommissioning Environmental Management Plan [EN010127/APP/7.8] has been submitted as part of the DCO 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 that such mitigation is secured in respect of the operation of the Proposed Development.	The land is not subject to any covenants that restrict its use during the operation of the Proposed Development.  The ES does not rely upon sheep grazing for mitigation for the loss of Best and Most Versatile land. The grass beneath and in between the PV Arrays can be managed in a number of ways that supports the agricultural industry.
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	N/A



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			summary and relied upon the information in the aspect chapters to inform this Scoping Opinion.	
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.	This Scoping Opining Responses Table presents how matters raised in the Scoping Opinion have been addressed within the within the ES.  Chapter 4: Alternatives and Design Development of the ES [EN010127/APP/6.1] describes the design evolution of the Proposed Development that have occurred between the Scoping Stage and the DCO Application.
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.	Each topic chapter of the ES provides the assessment methodology as an appendix which describes how the level of significance has been derived and what level of effect is considered to be a significant effect.  As acknowledged in the Environmental Impact Assessment Handbook, A practical guide for planners, developers and communities (ICE, 2020), the phrase 'significant in EIA terms' should be avoided.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	The Inspector's comment is noted. No further action on this required.
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.	Local Landscape Designations (Area of Particularly Attractive Countryside' and an 'Area of Local Landscape Value') have been considered within Chapter 6 Landscape and Visual of the ES [EN010127/APP/6.1], the location of these sites are presented at Figure 6.3.
3.1.3	7.3.33	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".  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.	Chapter 6 Landscape and Visual of the ES [EN010127/APP/6.1] provides an explanation that following the ZTV and fieldwork the intervening landscape features limiting potential intervisibility, potential landscape effects on the Welland Valley Landscape Character Area (LCA) are none to negligible.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	Due to the location of landscape receptors within or in close proximity to the Proposed Development, Greatford Hall and Uffington Park Registered Parks and Gardens (RPG) amongst other RPGs have been considered in Chapter 6 Landscape and Visual Impact Assessment [EN010127/APP/6.1].  The Heritage Desk Based Assessment (Appendix 8.4) of the Cultural Heritage Assessment of the ES [EN010127/APP/6.2] sets out the settings assessment of the heritage assets within 1km of the Order limits.
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	Due to the location of landscape receptors within or in close proximity to the Proposed Development, Burghley House RPG amongst other RPGs considered in Chapter 6 of the Landscape and Visual Impact Assessment [EN010127/APP/6.1].  The Heritage Desk Based Assessment (Appendix 8.4) of the Cultural Heritage Assessment of the ES [EN010127/APP/6.2] sets out the settings assessment on which are likely to be affected as a result of any change to



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			Proposed Development is acknowledged to exist between it and the two RPGs; the Scoping Report places reliance upon as yet 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.	their experience, as a result of the development proposals.
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.	Visual receptor groups have been identified following desk-based studies and Site visits. Effects on private residential amenity are assessed within the Residential Visual Amenity Assessment (Appendix 6.4) of the Landscape and Visual Impact Assessment of the ES [EN010127/APP/6.7].
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	The Landscape and Visual chapter (Chapter 6) of the ES [EN010127/APP/6.1] provides the assessment of impacts of the Proposed Development upon Visual receptor groups, including Public Rights of Way (PRoW), permissive footpaths and permitted access land, cycle routes, outside recreational facilities, open access land, common land, nature



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			assessment of significant effects should be presented where they are likely to occur.	reserves, public open space and water bodies used for recreation.
				Assessment of amenity and recreational effects on users of these routes area considered in a Amenity and Recreation Assessment (Appendix 6.4) of the Landscape and Visual Impact Assessment of the ES [EN010127/APP/6.2].
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 Development design, namely "layout optioneering, setting back the	The embedded mitigation measures are described within Chapter 5: Project Description of the ES [EN010127/APP/6.1].
			development footprint from sensitive receptors, and/or implementation of screening planting to limit effects on sensitive	The spatial extent of green infrastructure is shown on the Work Plans [EN010127/APP/2.2].
	mitigation measures, these should be described within the with the proposed methods by which they will be secured	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	The outline Landscape Ecological Management Plan [EN010127/APP/7.9] includes a set of plans that provides further detail on the spatial distribution of different types of green infrastructure and the associated management principles.	
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	The Landscape and Visual chapter (Chapter 6) of the ES [EN010127/APP/6.1]. explains a 2km radius has been established through the use of a ZTV and fieldwork. The Study Area has been



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			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.	agreed with stakeholders as set out in Appendix 6.3.
3.1.1	7.3.9	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 lighting 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.	The ZTV (Figure 6.6) of the Landscape and Visual Impact Assessment within the ES [EN010127/APP/6.1] has modelled the heights of the built infrastructure as described in Chapter 5 of the ES [EN010127/APP/6.1]. The heights and ZTV prepared at the EIA Scoping Stage was used to help define the study area and potential visibility of the Proposed Development. The heights within the ES have reduced slightly.
				The CCTV poles have a maximum height of 3.5m and are of such small scale (in terms of numbers and size) that they wouldn't be discernible from the PV Arrays so not to materially affect the ZTV.



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				The PV Arrays have been removed from areas of flood that would require the height of the PV Modules to be increased.
				Solar Stations are not located within Flood Zones 2 or 3 so do not require to be raised.
3.1.1	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.	Chapter 6 Landscape and Visual [EN010127/APP/6.1] assesses night time effects.  Chapter 5: Project Description of the ES [EN010127/APP/6.1] describes the lighting requirements of the Proposed Development.  The outline Operational Environmental Management Plan sets out the operational lighting requirements [EN010127/APP/7.7].
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	The Ecology Baseline Assessment at Appendix 7.4 of the ES [EN010127/APP/6.2] provides the results of the wintering bird surveys which confirms that none of the species for which the Rutland SPA is notified occur within the Site on a sufficiently regular basis or in significant enough numbers for the Site to be considered functionally linked to the SPA and Ramsar sites.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	A Shadow Habitats Regulation Assessment (Appendix 7.5) of the ES [EN010127/APP/6.2] has been undertaken.
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.  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.	Chapter 7 of the ES and the Shadow Habitats Regulation Assessment [EN010127/APP/6.2] assess the potential impacts nationally designated sites. Measures to control accidental damage are set out in the draft Construction Environmental Management Plan (oCEMP) [EN010127/APP/7.6] and outline Decommissioning Management Plan (oDEMP) [EN010127/APP/7.8].



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	The Ecology and Biodiversity chapter (Chapter 7) of the ES [EN010127/APP/6.1] assess the impacts on Local Wildlife Sites.
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 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	Chapter 7 of the ES [EN010127/APP/6.1] assesses the impact on protected and notable species including bats, badgers, water vole and otter, hazel dormouse, other mammals, birds, reptiles, amphibians, invertebrates during the construction, operation and decommissioning phases.  The oLEMP [EN010127/APP/7.9] which includes the Green Infrastructure Strategy plans provides a description of the proposed habitats



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	within the Order limits along with their associated management principles.
3.2.5	7.4.105	Effects on wintering birds during decommissionin g	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.	Chapter 7 Ecology and Biodiversity of the ES [EN010127/APP/6.8] identifies that none of the species for which the Rutland SPA is notified occur within the Site on a sufficiently regular basis or in significant enough numbers for the Site to be considered functionally linked to the SPA and Ramsar sites. The Proposed Development includes the retention of large sections of arable land within the Mitigation and Enhancement Areas, including where golden plover were recorded. As such likely significant adverse effect to wintering birds are not anticipated.
				The chapter also assesses the impact of the decommissioning phase on certain wintering species (i.e. those which use hedgerows and woodland).



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	Chapter 7 also confirms that there are no internationally important sites designated for bats present within 30 km of the Site.
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.	Fish and aquatic invertebrate surveys were not carried out as the Proposed Development will not result in hydrological changes. The oCEMP [EN010127/APP/7.6] and oDEMP [EN010127/APP/7.8] include measures to avoid or reduce the risk of accidental encroachment and degradation to the West Glen River and therefore likely significant effects to fish and aquatic invertebrate species are not anticipated.
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.	Chapter 7 of the ES [EN010127/APP/6.1] assesses the impacts to plants within the habitats assessment.
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	Chapter 5 of the ES [EN010127/APP/6.1] describes the two types of technology being considered for the Proposed Development



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			designed to avoid shading of vegetation and effects on LWSs that are located within the site.	(Single Axis Trackers and Fixed South Facing). A minimum pitch has established that allows for sufficient space between the PV Tables for management and maintenance purposes. The space between the PV Tables will allow sufficient light penetration to allow for vegetation growth.
				The establishment and management principles of the vegetation between and beneath the PV Tables is set out within the oLEMP [EN010127/APP/7.9].
				As set out on the Works Plans [EN010127/APP/2.2] no PV Arrays will be placed within at least 15m or over Local Wildlife Sites (LWS), therefore, no shading will occur which would significantly affect these features.
3.2.1 0	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.	The oLEMP [EN010127/APP/7.9] sets out the management principles of the retained and proposed habiats within the Order limits.
3.2.1 1	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	There is no ancient woodland located within the Order limits.  An Aboricultural Impact Assessment has been undertaken and forms <i>Appendix 15.2</i> of



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			immediately adjacent to the north-east site boundary. The ES should identify any veteran trees outside these ancient woodland areas.	Chapter 15 Other Environmental Topics [EN010127/APP/6.2]
3.2.1	N/A	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.	No further action required.
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.	No further action required.
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	An oCEMP [EN010127/APP/7.6] and outline Construction Traffic Management Plan



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			Management Plan and/or outline Construction Transport Management Plan.	(oCTMP) [EN010127/APP/7.11] have been prepared, which consider abnormal loads.
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.	Chapter 9 Highways and Access of the ES [EN010127/APP/6.1] confirms the anticipated trip generation during the operational phase.
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.	The scope of traffic surveys has been agreed with National Highways, LCC and SKDC, as set out in Chapter 9 and Appendix 9.3 of the ES [EN010127/APP/6.2]
3.4.1	N/A	Noise and vibration from traffic movements during construction and decommissionin g	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.	Chapter 9 of the ES [EN010127/APP/6.1], the outline Construction Traffic Management Plan [EN010127/APP/7.11] and outline Travel Plan [EN010127/APP/7.14] provide details of the construction traffic routing and management measures.  Appendix 9.4 [EN010127/APP/6.2], includes information on trip generation.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	The oCEMP [EN010127/APP/7.6], oOEMP [EN010127/APP/7.7] and oDEMP [EN010127/APP/7.8] provide details on measures that are to be secured to avoid or reduce likely significant effects as result of noise emissions associated with the construction, operation and decommissioning of the Proposed Development.  Chapter 9 Highways and Access of the ES [EN010127/APP/6.1] assesses the impact of construction traffic on receptors located along the construction access route.
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.	Chapter 9 Highways and Access of the ES [EN010127/APP/6.1] confirms the anticipated trip generation during the operational phase.
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 2021 is representative and/or whether historic data should be used to validate, supplement, or replace such data.	The scope of traffic surveys has been agreed with National Highways, LCC and SKDC, as set out in Chapter 9 and Appendix 9.3 of the ES [EN010127/APP/6.2]  The scope of the noise surveys has been agreed with the Environmental Health



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
				Departments of South Kesteven District Council (SKDC), Rutland County Council (RCC) and Lincolnshire County Council (LCC) as set out in <i>Chapter 10 Noise and Vibration</i> of the ES and Appendix 10.3 of the ES [EN010127/APP/6.2].
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.	As set out in Chapter 10 [EN010127/APP/6.1] noise from the Single Axis Tracker motors has been considered.
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.	Chapter 11 Water Resources and Ground Conditions of the ES [EN010127/APP/6.1] considers the potential impact of chemical pollution during the operation phases.  The outline Water Management Plan (oWMP) [EN010127/APP/7.13] sets out water management measures to be adopted to control surface water runoff and drain hardstanding and other structures during the construction, operation and decommissioning of the Proposed Development.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	Chapter 11 of the ES [EN010127/APP/6.1]. assesses the potential impact of the metals piles on soil interflow patterns as a result of the piled foundations.  Chapter 11 of the ES [EN010127/APP/6.1]. assesses the potential impact of changes in surface water run off.
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.	Chapter 11 of the ES [EN010127/APP/6.1]. assesses the potential impact of impediments to flow.
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.	Appendix 11.4 of the ES provides the Envirocheck dataset that has been used to inform the baseline conditions across the Order limits.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	As set out in Appendix 12.3 of the ES [EN010127/APP/6.2], the ALC survey methodology, consisting of a semi detailed and detailed survey has been agreed with Natural England.
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.	The assessment of magnitude of impact set out within Appendix 12.2 of the ES  [EN010127/APP/6.2] is in accordance with the IEMA Guide 'A New Perspective on Land and Soil in Environmental Impact Assessment'.
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.	The cumulative impacts at a regional scale with other plans and projects in relation to the reduction of BMV land is provided within Chapter 12 Land Use and Soils, and summarised within Chapter 16 Cumulative Effects of this ES [EN010127/APP/6.1].
3.7.1	7.9.20	Effects during decommissionin	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.	No further action required.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
		g phase	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.	
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.	The Glint and Glare Study (Appendix 15.3 of the ES) [EN010127/APP/6.2] assesses both fixed and tracker mounting structures for the PV Arrays during the operational phase of the Proposed Development as this is considered to be the 'worst case' scenario.
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.	The justification for the study area is set out within the Glint and Glare Study (Appendix 15.3 of the ES) [EN010127/APP/6.2].
3.8.1	7.10.19	Climate change effects on decommissionin g 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.	The Works Plans [EN010127/APP/2.2]. prevent the construction of PV Arrays and Solar Stations within Flood Zone 3. The location of the Solar Stations are restricted to Flood Zone 1.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	No further action required.
3.8.3	7.10.15	Carbon emissions associated with decommissionin g 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.	Chapter 13 Climate Change of the ES [EN010127/APP/6.1]. considers GHG emissions for 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 emissions associated with the operational phase of the Proposed Development.	Chapter 13 of the ES [EN010127/APP/6.1]. considers GHG emissions for 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.	No further action required.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
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.	Chapter 8 Cultural Heritage of the ES [EN010127/APP/6.1] concludes that the form of the Proposed Development and the distance between it and Burghley House, that no material views or experiences of this asset would be changed and certainly not affected.
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.	An Amenity and Recreation Assessment (Appendix 6.5 of the ES [EN010127/APP/6.2] has been undertaken.  The implementation of the oCEMP [EN010127/APP/7.6], oLEMP [EN010127/APP/7.9], and oDEMP [EN010127/APP/7.8], will ensure disturbance to the A&R resource for the construction, operation and decommissioning of the Proposed Development are reduced as far as is practically possible.  The Works Plan [EN010127/APP/2.2] secure a 30m green infrastructure corridor within which



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
				the existing PRoWs within the Order limits are located
				The temporary diversion of PRoWs during the construction and decommissioning phase will be managed through the implementation of the oCEMP [EN010127/APP/7.6], and oDEMP [EN010127/APP/67.8.
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 effects on Cultural Heritage have been scoped into the ES and are presented within Chapter 8 of the ES [EN010127/APP/6.1].
			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.	A Desk Based Assessment, Geophysical Survey and trial trenching has been undertaken in order to inform the assessment.
			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 deskbased researchand geophysical survey".	Consultation with the relevant stakeholders regarding the results and survey methods has taken place and is described within Chapter 8 of the ES and Appendix 8.3 [EN010127/APP/6.2].
			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	



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	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 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.	The Heritage Desk Based Assessment as presented in Appendix 8.4 of the ES [EN010127/APP/6.2].  The effect of the construction and decommissioning phases of the Proposed Development upon potentially effected heritage assets is presented within Chapter 8 of the ES [EN010127/APP/6.1].
3.10.	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	Chapter 15 of the ES [EN010127/APP/6.1] assesses the impact of construction traffic upon Air Quality. Chapter 15 provides further information regarding the levels of traffic movements with



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			potential for likely significant effects on human and non-human receptors during construction.	reference to the relevant thresholds, and considers the potential for effects on both human and non-human receptors during the construction phase.
				The oCTMP [EN010127/APP/7.11], and oCEMP [EN010127/APP/7.6], are considered sufficient to minimise impacts to air quality from emissions associated with construction traffic and Non-Road Mobile Machinery (NRMM).
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.	An Arboricultural Impact Assessment has been included within the ES at Appendix 15 [EN010127/APP/6.1].
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 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	Batteries no longer form part of the Proposed Development, therefore the risk of battery fire/explosion has not been considered and a Battery Safety Management Plan is no longer required.



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
			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.	No further action required.
3.10.	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.	Chapter 5: Project Description of the ES [EN010127/APP/6.1], provides information on the design requirements for the export cable to minimise the potential for magnetic field effects. Chapter 5 of the ES [EN010127/APP/6.1], describes that the Onsite Substation will be set back from Uffington Lane and surrounded by a metal fence that will reduce electromagnetic fields so that they are in line with relevant guidance (DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012).



ID	Ref	Description	PINS Comment	How has this been addressed within the ES?
3.10.	8.6	Waste	Solar developments are typically considered to be 30 to 40 year developments with panel degradation cited as a limiting factor on 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.	Chapter 5 of the ES [EN010127/APP/6.1], provides details on component replacement during the operational phase.  Chapter 15 of the ES [EN010127/APP/6.1], considers the waste implications of the Proposed Development.  The oOEMP [EN010127/APP/7.6], sets out measures on how waste arising during the operational phase will managed.

