



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Planning Statement

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Executive summary

This Planning Statement has been prepared in respect of an application for a Development Consent Order (DCO) for the construction, operation (including maintenance) and decommissioning of Mallard Pass Solar Farm (the Proposed Development). The Proposed Development consists of a solar photovoltaic (PV) array electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the National Grid.

The Proposed Development will be determined pursuant to section 105 of the PA 2008. Applications determined under this section require the Secretary of State to have regard to (a) any local impact report; (b) matters prescribed in relation to the development of the description to which the application relates, and (c) any other matters which the Secretary of State considers to be both important and relevant. This Planning Statement provides evidence of the Proposed Development's compliance with the relevant prescribed matters and relevant planning policy and other matters the Applicant considers are likely to be important and relevant, to inform the Secretary of State's decision as to whether to grant a DCO for the Proposed Development.

Although solar NSIPs are not specifically identified in the current Energy NPSs the Applicant considers that both the current Energy NPS and the draft revised NPS should be an important and relevant consideration for the Secretary of State.

As such, significant weight should be given to the Proposed Development's compliance with the policies of the Energy NPSs and the draft revised Energy NPS. The Proposed Development is also compliant with the NPPF and Local Planning Policy, although the Applicant acknowledges that less weight is able to be given to those documents owing to their focus on guiding development at regional and local levels.

The Energy NPSs, draft revised Energy NPSs, and other national energy policies set out the government's aims to provide secure and affordable energy supplies whilst decarbonising the energy system. This is in order to enable the UK to achieve its legally binding commitment to reduce carbon emissions and achieve net zero carbon emissions by 2050; as well as provide a resilient and low-cost energy network for the future. The Government recognises in policy that the need to deliver these aims and commitments is immediate and therefore renewable energy NSIPs, including large-scale solar projects need to be delivered urgently. Therefore, a critical part of the national portfolio of renewable energy generation is required to decarbonise its energy supply quickly whilst providing security and affordability to the energy supply.

The Proposed Development will deliver these policy aims, providing a significant amount of low-carbon electricity over its lifetime; and providing resilience, security and affordability of supplies due to its large scale. It is clear that there is a compelling case for the need for the Proposed Development and that it will deliver national economic and social benefits in line with the government's wider objectives of delivering sustainable development.

Therefore, the Proposed development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UK's ability to meet future Carbon Budgets and Net Zero 2050.

Sections 1 – 5 of this Planning Statement provide details on the Proposed Development, its location and the Order limits as well as details of the operation, construction and decommissioning phases of the Proposed Development.

This Planning Statement presents the background to the application, including the legislative context and pre-application consultations before discussing the Vision, Objectives and Project Principles for Mallard Pass. It then expands on the Need and Benefits of the Proposed Development and then looks at the Site Context and a detailed description of the Proposed Development. In Section 6, the legislative and policy framework is explained, looking at considerations across national and local planning policy.

In Section 7, this Planning Statement provides a detailed assessment against the key policy tests the Applicant considers likely to be important and relevant to the Secretary of State's consideration and decision, drawing on the current and revised Energy NPSs and relevant NPPF and Local Planning Policy. These are set out on a topic-by-topic basis and draw on the outputs of the Environmental Assessment [**Ref EN010127/APP/6.1**] to describe how the Proposed Development performs against the key policy tests.

In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community.

The Green Infrastructure Strategy Plan contained within the outline Landscape Environmental Management Plan [**Ref EN010127/APP7.7**] for the Proposed Development includes nature-based solutions to mitigate potential effects arising from the Proposed Development. A Biodiversity Net Gain (BNG) calculation, using Defra's Metric 3.1, has been provided with the DCO Application which demonstrates a 72% Biodiversity Net Gain for habitats. The Proposed Development would also include three new

permissive paths approximately 8.1km in total length connecting into the wider network of PRow and rural lanes as a recreation benefit. The Applicant is also committing to implementing a Skills, Supply Chain and Employment Plan for the construction of the Scheme which will include the provision of employment opportunities for local people.

In Section 8, this Planning Statement concludes with a consideration of the Planning Balance and justifies how the overwhelming national need, as demonstrated in the Statement of Need **[Ref EN010127/APP/7.1]** outweighs any potential significant adverse impacts which, as the Environmental Statement sets out, are limited.

1.0 Introduction

- 1.1.1. This Planning Statement has been prepared on behalf of Mallard Pass Solar Farm Limited (the Applicant) in relation to an application for a Development Consent Order (DCO) (the DCO Application) to be made to the Secretary of State (SoS) for the Department for Business, Energy & Industrial Strategy (BEIS), pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2. The DCO Application is a Nationally Significant Infrastructure Project (NSIP) for the installation of solar photovoltaic (PV) modules and associated infrastructure which would allow for the generation and export of electricity (the Proposed Development). Location and Order Limits Plan **[Ref EN010127/APP/2.9]** shows the Order limits for the Proposed Development, which is located on approximately 852 hectares (ha) of land within Rutland County Council (RCC) South Kesteven District Council (SKDC) and Lincolnshire County Council (LCC) (the Order limits).
- 1.1.3. The Proposed Development includes infrastructure capable of generating 350 megawatts (MW) Direct Current (DC) of renewable energy connecting to the National Electricity Transmission System (NETS) at the National Grid's Ryhall 400kV Substation.

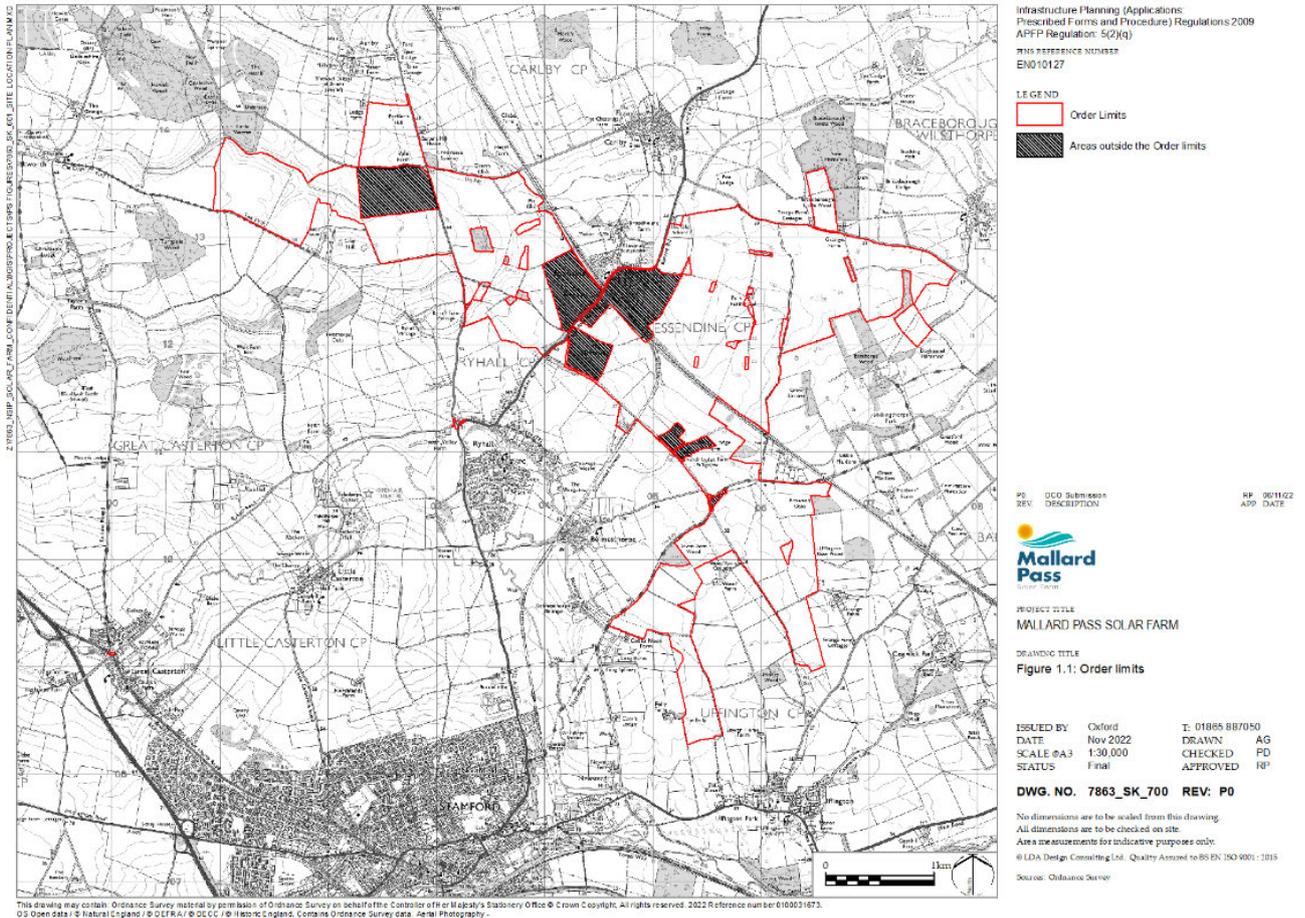


Figure 1 Order Limits

The Applicant

- 1.1.4. The Applicant is Mallard Pass Solar Farm Limited, a subsidiary of Windel Energy Ltd.
- 1.1.5. Windel Energy Ltd, founded in 2018, is a privately held company that specialises in the development and asset management of renewable energy projects and low carbon, including solar, battery energy storage systems, onshore wind and green hydrogen technologies with projects ranging from 10MW to 320MW output across England and Wales. Windel Energy Ltd works closely with landowners, giving them the opportunity to diversify their income stream by leasing their land for solar development.

1.1.6. Canadian Solar Inc is the development partner of Windel Energy Ltd. It was founded in 2001 in Canada and is one of the world's largest solar power companies. It is a leading manufacturer of PV modules and provider of solar energy solutions and has a geographically diversified pipeline of utility-scale solar power projects in various stages of development. Over the past 19 years, Canadian Solar Inc has successfully delivered over 49 GW of premium-quality, solar PV modules to customers in over 150 countries.

Legislative context overview

1.1.7. Section 6.2 of this document sets out the legislative context, including the relationship between the Planning Act 2008, National Planning Statements (NPS), and the Proposed Development. Sections 6.3 and 6.4 outline relevant and important national and local planning policy frameworks. Section 6.5 outlines other national policy documents which are considered to be relevant.

1.1.8. In overview, the Proposed Development is classed as an NSIP as defined under section 15 of the PA 2008, as the capacity exceeds 50MW and, as such, requires a DCO to proceed. The PA 2008 prescribes that the SoS is responsible for determining the DCO Applications, with the power to appoint an Examining Authority (ExA) of appointed person(s) to manage and examine the Application. The ExA, appointed through the Planning Inspectorate, will make procedural decisions and examine the Application. The ExA will make a recommendation to the SoS who will then decide whether to grant a DCO Application. Energy NPSs have effect for decisions by the SoS on applications for energy developments that are nationally significant under the PA 2008.

1.1.9. The Applicant considers that the following NPSs are all important and relevant matters to the SoS's decision:

- Overarching National Policy Statement for Energy 2011 (EN-1) (NPS EN-1),
- National Policy Statement for Renewable Energy 2011 (EN-3) (NPS EN-3),
- National Policy Statement for Electricity Networks Infrastructure 2011 (EN-5) (NPS EN-5).

1.1.10. Where a relevant NPS is in place DCO applications are determined in line with Section 104 of the PA 2008. Presently, there is no relevant NPS in place for solar development. Where there is no relevant NPS Section 105(2) of the PA 2008 provides the basis for deciding DCO applications which includes taking into account 'important and relevant' matters.

1.1.11. A suite of Draft Revised Energy NPSs were published by BEIS following a period of engagement and consultation in September 2021. This included draft revised versions of each of the NPSs listed above, including the Draft Revised National Policy Statement for Renewable Energy (EN-3) (draft revised NPS EN-3), which includes specific policies for solar photovoltaic generation, which would bring utility scale Solar NSIPs under the coverage of the Energy NPSs. However, it is not anticipated that the draft revised NPS EN-3 would be designated prior to acceptance of the DCO Application. Section 5 of this Planning Statement describes the basis upon which the current and draft Energy NPSs are considered for this DCO Application, but in summary, the Applicant considers that these documents will be an important and relevant matter for the Secretary of State to take into account in determining the Application.

Pre-Application Consultations

1.1.12. The PA 2008 requires applicants for DCOs to carry out formal (statutory) pre-application consultation on their proposals. There are several

requirements as to how this consultation must be undertaken that are set out in the PA 2008 and related regulations.

- 1.1.13. To meet these requirements the Applicant has adopted a two-stage approach to pre-application consultation. An informal, non-statutory consultation (Stage 1) was carried out during November 2021, and statutory consultation (Stage 2) in compliance with Sections 42 and 47 of the PA 2008 was undertaken between 26 May 2022 and 4 August 2022, supported by a Preliminary Environmental Impact Report (PEIR).
- 1.1.14. In addition to the two-stage approach outlined above, the Applicant has undertaken extensive consultation with RCC, SKDC and LCC, statutory prescribed persons, relevant statutory undertakers, those with an interest in the land, as well as those who may be affected by the Proposed Development throughout the development of the proposals.
- 1.1.15. Planning Performance Agreements have been entered into with each of the local authorities to secure regular officer engagement and to facilitate third party technical consultant advice where this was not available ‘in house’ or via service level agreements.
- 1.1.16. The pre-application consultation undertaken by the Applicant, and how feedback from various consultees have informed the Proposed Development is documented within the Consultation Report [**Ref EN010127/APP/5.1**].

Supporting Documents

- 1.1.17. The Proposed Development is ‘EIA development’ as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) which means that an Environmental Impact Assessment (EIA) is required. An Environmental Statement (ES) has been prepared and is submitted with the application for a DCO.

1.1.18. The reports and plans that accompany the DCO Application are set out in the Guide to the Application [Ref EN010127/APP/1.2].

Purpose and structure of Document

1.1.19. The purpose of this document is to provide an overview of the Proposed Development, and its impacts and to demonstrate the acceptability of the proposals when assessed against the provisions of the legislation and policies relative to the nature and merits of the Proposed Development.

1.1.20. The remainder of the Planning Statement is structured as follow:

- Section 2 describes the Vision and Project Principles which have driven the design development of the Proposed Development.
- Section 3 describes the need for the Proposed Development, highlighting the urgent need for renewable energy and the benefits of the Proposed Development.
- Section 4 describes the Order limits including its surrounding areas, summarises the process of selecting the Site and relevant planning history within the Order limits.
- Section 5 outlines the components of Proposed Development along with the proposed project lifetime of the development and areas of flexibility the Applicant is seeking to secure.
- Section 6 provides an overview of the decision-making framework, legislation and policy context as well as other important and relevant considerations.
- Section 7 provides an assessment of the Proposed Development against the legislation and policy considered by the Applicant to be important and relevant.

- Section 8 presents the conclusions of the Planning Statement and planning balance.

2.0 Vision and Project Principles

2.1.1. As described in the Statement of Need [Ref EN010127/APP/7.1] and Section 3 of this document, large scale solar generation is expected to make an important contribution to achieving the Governments objectives for the UKs energy supply. As summarised in paragraph 3.2.1 of the Overarching National Policy Statement (NPS) for Energy (EN-1), these objectives include ensuring that the supply of energy always remains secure, reliable, affordable, and enables the UK to meet its carbon emission reduction commitments.

2.1.2. To support this objective, the Applicant's Vision for Mallard Pass Solar Farm is to deliver a project that:

Supports the urgent need to decarbonise our electricity system, deliver reliable and sustainable low-cost energy, enhance the local environment and be a responsible neighbour.

2.1.3. The vision is underpinned by four objectives which are to:

- Decarbonising and increase our energy supply
- Increasing the supply of low-cost energy
- Address the biodiversity crisis
- Respect and enhance features in the landscape and promoting connectivity

2.1.4. The Vision for the Mallard Pass Solar Farm was developed by the Applicant and consultant team combining the corporate mission and values of the Applicant with their aspirations for the project, whilst reflecting the urgent need for the UK to transition to low carbon energy generation.

Project Principles

- 2.1.5. The National Infrastructure Commission (NIC) provide expert impartial advice to Government on major infrastructure projects. The NIC’s Design Group has identified four principles to guide the planning and delivery of major infrastructure projects: climate, people, places and value.
- 2.1.6. The NIC define the role of principles as: “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)).
- 2.1.7. Mallard Pass Solar Farm (MPSF) has adopted the NIC Design Principles of climate, people place and value to guide the design development of the Proposed Development. These NIC Design Principles have been used to frame a set of specific Project Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy.

Mallard Pass Solar Farm Design Principles

- 2.1.8. The NIC Design Principles have been used to frame the Project Principles. **Climate – Mitigate greenhouse gas emissions and adapt to climate change.** MPSF has purposefully looked beyond the boundaries of the project when seeking opportunities to mitigate climate change; design the infrastructure with the flexibility and resilience to adapt to changes in its environment and take advantage of new technology.

People – Reflect what society wants and share benefits widely. MPSF has sought opportunities to improve the quality of life for people who live and work nearby and taken steps to mitigate negative impacts. MPSF has

sought the views of local communities throughout the project to ensure the design complements the local character and cultural and provides meaningful benefits to local communities.

Places – Provide a sense of identity and improve our environment.

MPSF has looked for opportunities to use infrastructure to benefit the natural and built environment, see how interventions can deliver improvements beyond the Order limits to sustain local ecosystems and support local plans for growth and investment.

Value – Achieve multiple benefits and solve problems well. MPSF has sought to take a ‘people and landscape led’ approach putting these at the centre of design and decision making and utilised a collaborative team problem solving approach to resolve problems and design issues.

- 2.1.9. The design development of the Proposed Development, and how the Project Principles have been applied to the DCO Application are set out in the Design and Access Statement **[Ref EN010127/APP/7.3]** and the outline Landscape Environmental Management Plan (oLEMP) **[Ref EN010127/APP/7.9]** which will be secured as part of any DCO granted.

3.0 Need for and Benefits of the Proposed Development

- 3.1.1. This section sets out the need for the Proposed Development underpinned by international and national legislation and policy. The section summarises key points from the Statement of Need [Ref **EN010127/APP/7.1**] and includes a summary of the benefits of the Proposed Development.
- 3.1.2. The Climate Change Act (2008) (CCA 2008) legally bound the UK to reduce carbon emissions by at least 80% by 2050, compared to 1990 levels.
- 3.1.3. In June 2019 legislation was passed (the Climate Change Act 2008 (2050 Target Amendment) Order 2019) to amend the CCA 2008 to set a new ambitious target requiring the UK to bring all greenhouse gas emissions to net zero (i.e., 100% reduction) by 2050, compared with the previous target of at least 80% reduction from 1990 levels.
- 3.1.4. The Energy National Policy Statements (NPSs) (2011) were established against obligations made as part of the CCA 2008. Overarching NPS for Energy (NPS EN-1) states in paragraph 1.7.2 that the energy NPSs were intended to speed up the transition to a low carbon economy. Paragraph 2.2.1, states that meeting the target set by the CCA 2008 is “*challenging, but achievable*” and requires major investment in new technologies, electrification of much of the heating, industry and transport, prioritisation of sustainable energy and cleaner power generation.
- 3.1.5. Paragraph 3.2.1 of NPS EN-1 summarises the government’s objectives for the energy system are “to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC.”

3.1.6. Paragraph 3.2.3 of NPS EN-1 states that “without significant amounts of new large-scale energy infrastructure, the objectives of its energy and climate change policy cannot be fulfilled” which in turn means that “there is an urgent need for new electricity NSIPs”

3.1.7. The Statement of Need **[Ref EN010127/APP/7.1]** describes the contribution the Proposed Development will make to national energy policy objectives as follows:

- Decarbonisation – through supporting the need to achieve Net Zero carbon emissions by 2050, which requires the deployment of zero-carbon electricity generation at scale.
- Security of supply – through delivering geographically and technologically diverse energy supplies.
- Affordability – through the provision of large-scale generation at low cost providing value for money for end-use consumers and reducing our dependence on imported oil and gas

3.1.8. The Statement of Need **[Ref EN010127/APP/7.1]** accompanying the DCO Application sets out a detailed case for why the Proposed Development is urgently required, concluding that it will be a critical part of the development of the UK’s portfolio of renewable energy generation, and required to decarbonise its energy supply quickly and provide secure and affordable energy supplies. The Proposed Development is of a scale which makes a meaningful contribution to decarbonisation. The Proposed Development makes use of existing available capacity on the National Electricity Transmission which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the development delivers as much low-carbon power as possible in the most affordable way.

3.1.9. This section of the Planning Statement summarises the need for the Scheme and the wider benefits it will bring.

3.2. Policy Context

3.2.1. As explained in Section 6 of this Planning Statement, and summarised in section 1.4 above, this DCO Application is to be determined under Section 105(2) of the PA 2008 as solar photovoltaic energy generation is not a technology covered in the current Energy NPSs.

3.2.2. The NPS EN-3 for renewable energy infrastructure covers those technologies which, at the time of publication in 2011, were technically viable at generation capacities of over 50MW onshore and 100MW offshore. Solar generation is not specifically referred to in the NPS EN-1 and NPS EN-3 (which deals with specific policies for renewable energy projects) as at that time it was not proven at scale.

3.2.3. The Statement of Need [**Ref EN010127/APP/7.1**] in section 3 explains that, while not specifically referenced in the current NPSs, solar photovoltaic development is now technologically and economically viable at scale, and its deployment is vital in allowing the government to achieve its policy objectives for the UKs energy system.

3.2.4. Part 3 of the NPS EN-1 sets out the need for new energy infrastructure. Paragraph 3.1 states that applications for development consent for the types of infrastructure covered by the energy NPSs should be assessed on the basis that the Government has demonstrated there is a need for those types of infrastructure. NPS EN-1 then states at paragraph 3.1.4 states that the SoS should give substantial weight to the contribution that projects would make toward satisfying this need when considering applications for development consent.

3.2.5. The Statement of Need [**Ref EN010127/APP/7.1**] also identifies how solar has formed part of the Government's future energy generation mix in

subsequent policy development. For example, solar was included in the 2021/22 Contracts for Difference Allocation Round (AR4) to help "*deliver a diverse generation mix at low cost*" and to realise "*the rate and scale of new projects needed in the near-term to support decarbonisation of the power sector and meet the Net Zero commitment*" while providing other benefits such as diversity of supply through different resource requirements and a geographical separation from other significant renewable technologies.

- 3.2.6. The Government's Energy White Paper: Powering our Net Zero Future (published in 2020), identifies the Government's aim for a fully decarbonised, reliable, and low-cost power system by 2050, which builds upon the Clean Growth Strategy and is consistent with other energy publications such as British energy security strategy. The Energy White Paper specifically states that the future energy generation mix for the UK system is "*likely to be composed predominantly of wind and solar*".
- 3.2.7. As part of the Energy NPS review process as set out in the Energy White Paper (2020) a suite of draft revised Energy NPSs were issued for consultation on 6 September 2021.
- 3.2.8. The structure of the NPS suite has not changed in the latest draft revised documents. Draft revised NPS EN-1 sets out the Government's policy for the delivery of major energy infrastructure. Paragraph 3.3.22 sets out the role of wind and solar development and outlines "*the requirement for sustained growth in the capacity of onshore wind and solar in the next decade*".
- 3.2.9. Draft revised NPS EN-3 covers both onshore and offshore renewable electricity generation and includes specific policies for solar photovoltaic generation NSIPs. Paragraph 2.1.2 of the draft revised NPS EN-3 states

that the SoS should act on the basis that the need for infrastructure covered by EN-3 has been demonstrated.

- 3.2.10. The draft revised NPS EN-3 states the contribution that solar generation is expected to make to achieving Net Zero targets at Paragraph 2.47.1:

“Solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide. Solar farms can be built quickly and coupled with consistent reductions in the cost of materials and improvements in the efficiency of panels, large-scale solar is now viable in some cases to deploy subsidy-free and at little to no extra cost to the consumer. The government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet Net Zero emissions. As such solar is a key part of the government’s strategy for low-cost decarbonisation of the energy sector.”

- 3.2.11. Chapter 5 of the Statement of Need [Ref EN010127/APP/7.1] describes the progress made in decarbonisation in the UK to date and demonstrates that many of the foreseen technologies covered by the 2011 NPSs, due either to technological reasons or project development timescales, will not contribute significantly to decarbonisation through the 2020s, a critical period in the pathway to achieving 2050 targets.

- 3.2.12. The House of Commons BEIS Committee reported on the Revised (Draft) National Policy Statement for Energy on 22nd February 2022, providing recommendations in relation to the suite of revised draft NPSs. The report contains a number of recommendations on the revised draft energy NPSs. A strong and clear recommendation is that the draft NPSs need to go further given the urgency of the need. Recommendation 2 states: “As currently drafted, revised (draft) EN-1 does not provide the “step change” needed to deliver the required scale of new NSIPs at a sufficiently rapid

pace to deliver the Government's net zero aims. This is largely due to ambiguity in the drafting about the relative weight of 'climate change' relative to local impacts to be taken into account in making planning decisions. We recommend that revised (draft) EN-1 be further amended to make the Government's commitment to net zero more explicit and to provide a clear and unambiguous direction to the Secretary of State to prioritise the importance of climate change in decision-making. (Paragraph 24).

- 3.2.13. Substantial weight should therefore be given to projects that would make contributions towards satisfying this need when considering applications for development consent under the Planning Act 2008.
- 3.2.14. Given this context, the draft revised NPS EN-1 and draft revised NPS EN-3 are considered important and relevant to applications for development consent for renewable generation infrastructure and in particular solar projects. It is considered that applications should be assessed on the basis that there is a need for such infrastructure and that the scale and urgency of that need are as described within the draft revised NPS EN-1 Part 3, which reflects the requirements for meeting statutory carbon budgets.

3.3. Meeting policy objectives

- 3.3.1. The draft revised NPS EN-1 sums up in paragraph 3.3.43 that NSIP solar PV (as a generating technology in the scope of the policy) is urgently needed to meet the Government's energy objectives by:
- providing security of supply (by avoiding concentration risk and not relying on one fuel or generation type)
 - providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)

- ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation and technology scenarios, including where there are difficulties with delivering any technology).

Security of supply

- 3.3.2. Paragraph 3.3.4 of NPS EN-1 identifies the benefits of having a diverse mix of all types of power generation, reducing dependency on any one type of generation or one source of fuel or power helps to ensure the security of supply.
- 3.3.3. Paragraph 3.3.2 of NPS EN-1 explains that the Government needs to ensure sufficient electricity generating capacity is available to meet maximum peak demand, with a safety margin or spare capacity to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events. It continues at paragraph 3.3.3 that *“the larger the difference between available capacity and demand ... the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption”*.
- 3.3.4. Paragraph 3.3.8 of the draft revised NPS EN-1 states “Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system in 2050 for a wide range of demand, decarbonisation, and technology scenarios.”
- 3.3.5. Paragraph 3.3.11 of NPS EN-1 notes the multiple benefits that an increase in renewable electricity brings, including improving energy security by reducing dependence on imported fossil fuels, decreasing greenhouse gas emissions and providing economic opportunities.

- 3.3.6. The Statement of Need **[Ref EN010127/APP/7.1]** concludes that although individual renewable energy generation assets can be variable in terms of output due to seasonal conditions, this is mitigated through the development of a portfolio which consists of different renewable technologies across a diverse geographical area. A large portfolio of interconnected assets from as broad as possible a range of technologies and geography helps to deliver security of supply.
- 3.3.7. Seasonal variation is also mitigated at the local level through delivering development at scale, and the Statement of Need confirms that connecting a large-scale solar scheme at the proposed Point of Connection will enable the National Grid Electricity System Operator (NGESO) to increase the level of dependence they can place on expected renewable generation output nationally, supplying low-carbon generation to consumers both in the area local and nationally.
- 3.3.8. The Point of Connection for the Proposed Development is at the National Grid's Ryhall 400kV Substation, which is part of the National Electricity Transmission System (NETS).
- 3.3.9. As explained in section 7 of the Statement of Need **[Ref EN010127/APP/7.1]** The Ryhall Substation is an existing substation on an important artery of the NETS, located between the demand centres of the south and the northern generation zones. The Ryhall Substation and local NETS also have sufficient transfer capacity to be able to incorporate the Proposed Development without requirement for upgrades specifically to enable its connection.
- 3.3.10. The draft revised NPS EN-3 states at paragraph 2.48.10 that the connection of a proposed solar farm into the relevant electricity network will be an important consideration for applicants of solar development. Paragraph 2.48.11 continues that larger developments may seek

connection to the transmission network if there is available network capacity. Paragraph 2.48.12 states that locating solar farms at places with grid connection capacity enables the applicant to maximise existing grid infrastructure, minimise disruption to local community infrastructure or biodiversity and reduce overall costs.

- 3.3.11. The Point of Connection for the Proposed Development provides multiple benefits in terms of cost of implementation, environmental impact and timeframes for connection, in preference to building new connections or increasing the available connection capacity at existing locations.
- 3.3.12. By proposing this Point of Connection, the Proposed Development is making use of an existing connection point and existing transmission infrastructure in a way which does not present the risk of overload or congestion on the NETS during any period of foreseen operation.
- 3.3.13. The Ryhall Substation Links to the local distribution networks in proximity Point of Connection through Grid Supply Points (GSPs) at Cottam, Eaton Socon and Wymondley which are all connected to the same network “artery” as Ryhall. This means that low carbon power generated from the Proposed Development will be transmittable for use by local residents and businesses without significant transmission losses, as well as being transmittable more widely across the NETS and to wherever electricity is demanded and provides resilience through strength in depth to the NETS to enable very high levels of reliability to all users.
- 3.3.14. The Statement of Need **[Ref EN010127/APP/7.1]** confirms that the Proposed Development, which consists of a large-scale solar generation asset, supports UK decarbonisation; supports GB electricity supply adequacy and provides much needed system services in support of GB electricity system operation.

Affordability

- 3.3.15. Referencing the Energy White paper (December 2020) paragraph 3.3.4 of the draft revised NPS EN-1 states that “The white paper made clear the commitment that the cost of the transition to net zero is fair and affordable.... Government will work to ensure there are market frameworks which promote effective competition and deliver an affordable, secure and reliable energy system and government support for specific technologies and projects will be dependent on clear value for money for consumers and taxpayers”.
- 3.3.16. Paragraph 3.3.21 of the draft revised NPS EN-1 confirms that “Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar”.
- 3.3.17. As set out in the Statement of Need [**Ref EN010127/APP/7.1**] There is a clear trend of large-scale solar generation assets becoming more economically viable in the UK. An important measure of the lifetime cost of solar generation, is its Levelised Cost of Energy (LCOE). LCOE is calculated using a discounting methodology and is a measure of the lifetime unit cost of generation from an asset, including capital and operating costs as well as anticipated in-life capital and operating expenditure. **Figure 3** shows a UK-specific analysis based on data sourced from BEIS’ Electricity Generation Costs report, 2020 with the range of values representative of different complexities of technical solution. The Statement of Need confirms that due to technological advances, power generated by solar plants is already at or below grid parity cost in the UK.

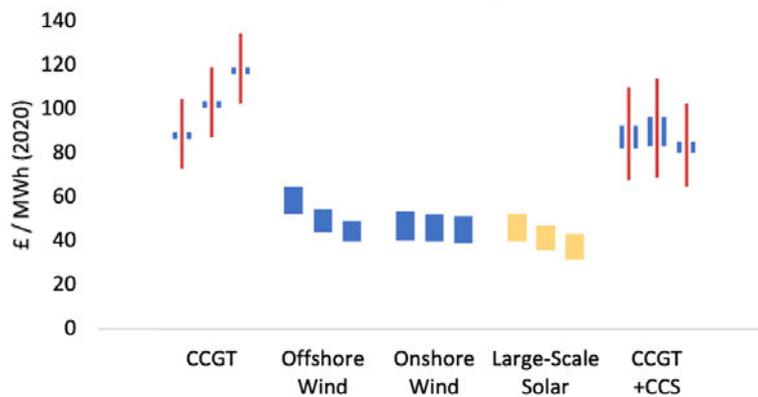


Figure 2 Levelised Cost of Energy Comparison – (CCGT Combined Cycle Gas Turbine, CCS Carbon capture and Storage).

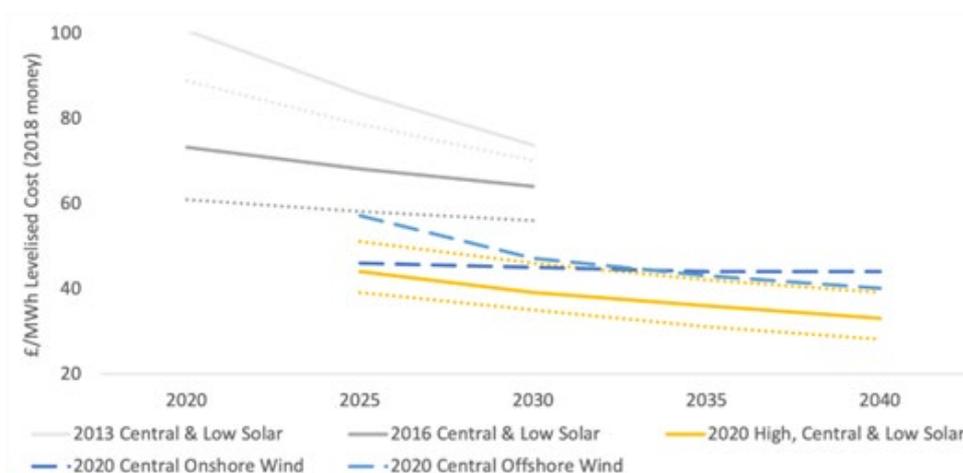


Figure 3 BEIS Cost of Generation. An evolution of Levelised Cost forecasts.

- 3.3.18. The Statement of Need [Ref EN010127/APP/7.1]. also confirms that Solar power reduces the market price of electricity by displacing more expensive forms of generation. This delivers benefits for electricity consumers.
- 3.3.19. Other conventional low-carbon generation (e.g. tidal, nuclear or conventional carbon with Carbon Capture Underground Storage) remain important contributors to achieving the 2050 Net Zero obligation, but their contributions in the important 2020s will be very low the cost of solar generation is already very competitive against the cost of other forms of conventional and low-carbon generation, both in Great Britain and more

widely as noted in section 12 of the Statement of Need [Ref **EN010127/APP/7.1**].

3.3.20. Scale of development is an important factor and maximising the generating capacity of schemes improves their economic efficiency, bringing power to market at the lowest cost possible. **Figure 4** confirms that larger solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reduction and economic benefits in line with government policy.

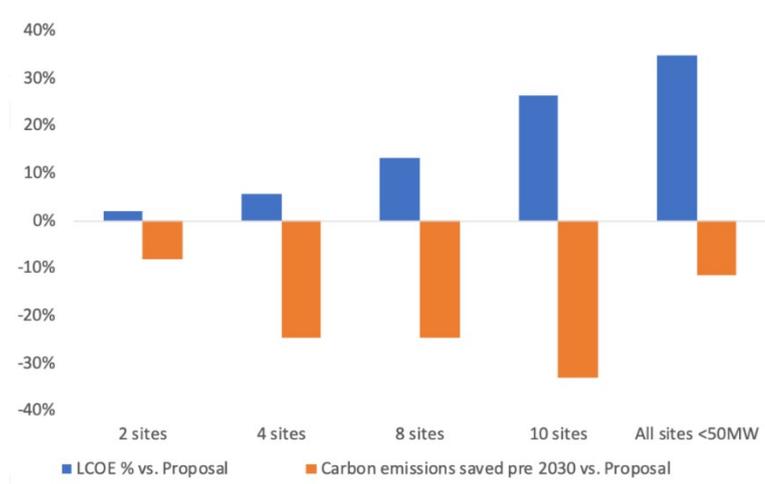


Figure 4 Levelised Cost of Energy and carbon emissions savings at large-scale single-site solar, versus developing the same total capacity across multiple projects

3.3.21. The Proposed Development delivers a substantial infrastructure asset, which if consented will deliver large amounts of cheap, low-carbon electricity both during and beyond the critical 2020s timeframe.

Decarbonisation

3.3.22. Electricity meets a significant proportion of the UK’s overall energy needs and NPS EN-1 in paragraph 3.3.1 confirms the reliance on electricity is likely to increase as the UK moves towards its 2050 greenhouse gas emission reduction goals.

- 3.3.23. Paragraph 3.3.5 of NPS EN-1 notes that “The UK is choosing to largely decarbonise its power sector by adopting low carbon sources quickly. There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology (avoiding dependency on a particular fuel or technology type).”
- 3.3.24. The Statement of Need [Ref EN010127/APP/7.1] in section 5 states that to address the ongoing climate emergency, it is critical that the UK develops a large capacity of low carbon generation, and it is critical that this development occurs urgently – in the near-term – to facilitate wider decarbonisation.
- 3.3.25. Schemes with the proven ability to achieve savings in this decade must be consented. It is these schemes which are most critical to keeping the UK to its required carbon reduction path.
- 3.3.26. The Proposed Development involves the deployment of a viable technology, with a strong likelihood of near-term deliverability, which will achieve significant carbon reduction benefits through the deployment of proven, low-cost technology in a very suitable location.
- 3.3.27. As such, the Proposed Development possesses exactly those attributes identified in both the current and draft Energy NPSs as being required in the near-term and in the future to continue to make material gains in carbon reduction.

3.4. Summary of need case

- 3.4.1. Section 13 of the Statement of Need provides the summary points which support the need for large-scale solar developments:
- Large-scale solar generation is essential to support the urgent decarbonisation of the GB electricity sector. Large-scale solar is important not only to reduce power-related carbon emissions but

also to provide a timely next step contribution to a future generation portfolio which is capable of supporting the electrification and therefore decarbonisation of transport, heat and industrial demand.

- As part of a diverse generation mix, solar generation contributes to improving the stability of capacity utilisations among renewable generators.
- Other conventional low-carbon generation (e.g., tidal, nuclear or conventional carbon with CCUS) remain important contributors to achieving the 2050 Net Zero obligation, but their contributions in the important 2020s will be very low.
- Large-scale solar generation can and will play an important role in the resilience of the GB electricity system from an adequacy and system operation perspective.
- Large-scale solar generation also supports the security of supply by helping reduce the national dependency on imported hydrocarbon source fuels, e.g., coal and gas.
- The cost of solar generation is already competitive against the cost of other forms of conventional and low-carbon generation, both in GB and more widely.
- Internationally, and importantly for GB in this regard, is the ongoing trend of solar generation assets becoming larger and more affordable, each subsequent project providing a real-life demonstration that solar schemes of similar size and scale as Mallard Pass Solar Farm can be developed in GB. The development of such schemes will provide decarbonisation and commercial benefits to consumers.

- Single large-scale solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reductions and more affordable electricity, in line with government policy.

- 3.4.2. The current NPSs conclude that the UK needs sufficient electricity capacity from a diverse mix of technologies and fuels, and therefore the UK also needs all the types of energy infrastructure covered by the NPSs in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions. This position is restated in the revised draft NPSs, where the role of utility scale solar development is identified.
- 3.4.3. To hit the target of UK commitments to largely decarbonise the power sector, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent.
- 3.4.4. Decarbonisation is a UK legal requirement and is of global significance. It cannot be allowed to fail, and urgent actions are required in the UK and abroad, to keep decarbonisation on track to limit global warming.
- 3.4.5. In conclusion, the meaningful and timely contributions offered by the Proposed Development to UK decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life and will be critical on the path to Net Zero. The Proposed Development is located on suitable ground in an area of high solar irradiation. The Proposed Development is located adjacent to an existing National Grid substation, with the capacity required to enable the export of the power the Proposed Development will generate, for consumption nationally, already available. Without the Proposed Development, not only would the available grid connection capacity be wasted, but a significant and vital opportunity to develop a large-scale low-carbon generation scheme will have been

passed over thereby materially increasing the risk that future Carbon Budgets and Net Zero 2050 will not be achieved.

3.5. Benefits of the scheme

- 3.5.1. The Proposed Development will deliver 350 MW DC (providing enough electricity to power an equivalent of 92,000 homes annually¹) of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System from 2028. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community.
- 3.5.2. The Vision and Project Principles described in the Design and Access Statement [**Ref EN010127/APP/7.3**] and summarised in Section 2 of the Planning Statement have shaped the design of the Proposed Development to date to ensure that embedded mitigation provided through the design and layout of the proposals, also delivers wider environmental and community benefits, which will be carried forward through the application of the Project Parameters and Design Guidance.
- 3.5.3. The Green Infrastructure Strategy Plan for the Proposed Development has been prepared to consider opportunities for connecting habitats within that would deliver environmental and/or biodiversity net gain and consider other community enhancements. The evolution of the strategy and how the embedded mitigation creates multifunctional green spaces to deliver both

¹ 350MW site capacity based on 350,000 kW (installed capacity (350 MW * 1,000)) * 8,760 (number of hours in a year) * 0.114 (solar load factor estimated based on East Midlands history plus uplift for newer, more efficient solar panels) = 349,524,000 kWh. Number of homes powered based on 349,524,000 kWh (annual production (kWh)) / 3,760 kWh (average household consumption) = 92,958.51. Note, Chapter 13 (Climate Change) of the Environmental Statement (**EN010127/APP/6.1**) uses a more conservative capacity factor of 10% to assess Greenhouse Gas offsetting

project mitigation and enhancements is described in the Design and Access Statement [Ref EN010127/APP/7.3]. The quantum of habitats and new structural planting the Green Infrastructure Strategy, secured through the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], delivers is summarised below:

- Proposed Tussock Grassland with Wildflowers – 112 Hectares
- Proposed Wildflower Grassland with Calcareous Species - 43 Hectares
- Proposed Grazed Grassland (species diverse) within the fenced areas of Solar PV Arrays) - 419 Hectares
- Proposed Scattered Wet Woodland Planting – 3.7 Hectares
- Proposed Screening/ Structure Planting Tree Belt – 7.5 kilometres
- Proposed Screening/ Structure Planting Hedgerows – 13.9 kilometers

3.5.4. The habitat creation and enhancement works being proposed within the Order limits will provide a high net gain in biodiversity value for the area within it. This has been shown to be just over 72% for habitats with the use of the Biodiversity Metric 3.1. this is described in more detail in the Biodiversity Net Gain calculation at Appendix 7.6 of the ES [Ref EN010127/APP/6.2], and in section 7.1 below.

3.5.5. The existing PRow would be retained within hedge-lined corridors with wildflower meadow margins including a minimum standoff distance of 15 metres from the Solar PV Site to limit the perceived channelling of visual effects along the routes. The Proposed Development would also include three new permissive paths approximately 8.1km in total length connecting

into the wider network of PRow and rural lanes as a recreation benefit.

These permissive routes would include:

- Essendine Western Loop – A circa 1.7km permissive path route creating a loop running northwest of Essendine linking back to the existing bridleway E169 and Carlby High Street and taking in the West Glen River to the north of Essendine;
- West Glen River – A circa 2.9km permissive path link from Stamford Road south-eastward along river corridor to join the Macmillan Way. The route would include a low key nature area, interpretation and seating;
- Essendine Eastern Loop – a circa 3.2km permissive path route linking Essendine to the northern and southern ends of Bridleway E182 (BrAW/1/1); and
- The Drift Link – a circa 300m link from existing bridleway E169 running north parallel to the B1176 providing an offroad link to The Drift.

3.5.6. Economic benefits will arise from the provision of temporary jobs over the anticipated 24-month construction phase of the Proposed Development.

3.5.7. The Applicant estimates that an average of 150 Full Time Equivalent (FTE) gross temporary jobs will be created over the 24 month construction period. It is estimated that 50% of these could be sourced from the local area.

3.5.8. It is estimated that 74.5 additional direct and indirect jobs would be supported through the construction phase based on research undertaken by the Centre of Economics and Business Research on the economic impact of large-scale solar developments.

- 3.5.9. It is estimated that a net gain of 4.5 FTE jobs would be created by the Proposed Development would be created during the operational phase. The Applicant is also committing to implementing a Skills, Supply Chain and Employment Plan for the construction of the Proposed Development which will include the provision of employment opportunities for local people. The objectives of the plan are to focus on the opportunities for the involvement of local companies in the construction and operation supply chain; the ability of local residents to access employment opportunities associated with the construction and operation of the Development; and the ability of research organisations to use the site to enable research and innovation in the renewable energy sector.
- 3.5.10. An Employment, Skills and Supply Chain Plan will be agreed with local stakeholders prior to the commencement of construction which will set out measures the Applicant will implement in order to promote and enable access to the employment and supply chain opportunities associated with the construction phase locally in order to help capture as many of the benefits for study area residents as possible. The objectives of the plan are to focus on the opportunities for the involvement of local companies in the construction and operation supply chain; the ability of local residents to access employment opportunities associated with the construction and operation of the Development; and the ability of research organisations to use the site to enable research and innovation in the renewable energy sector. The plan includes a proposed Requirement to help secure these objectives.
- 3.5.11. An outline Employment, Skills and Supply Chain Plan **[Ref EN010127/APP/7.10]** is submitted as part of the DCO application.

4.0 Site Context

- 4.1.1. This section provides a summary of the physical characteristics of the Site and its surrounding context, including policy allocations and designations.
- 4.1.2. The Order limits (shown on **Figure 1**) is located at OS grid reference TF052115 (approximate centre of the Order limits).
- 4.1.3. The Order limits comprises approximately 852ha of land located within the administrative areas of Rutland County Council (RCC) and South Kesteven District Council (SKDC) and Lincolnshire County Council (LCC) (see **Figure 5** below). 524.7 ha of the Order limits is located within RCC's administrative boundary and the remaining 327.4 ha of is within SKDC and LCCs administrative boundary.

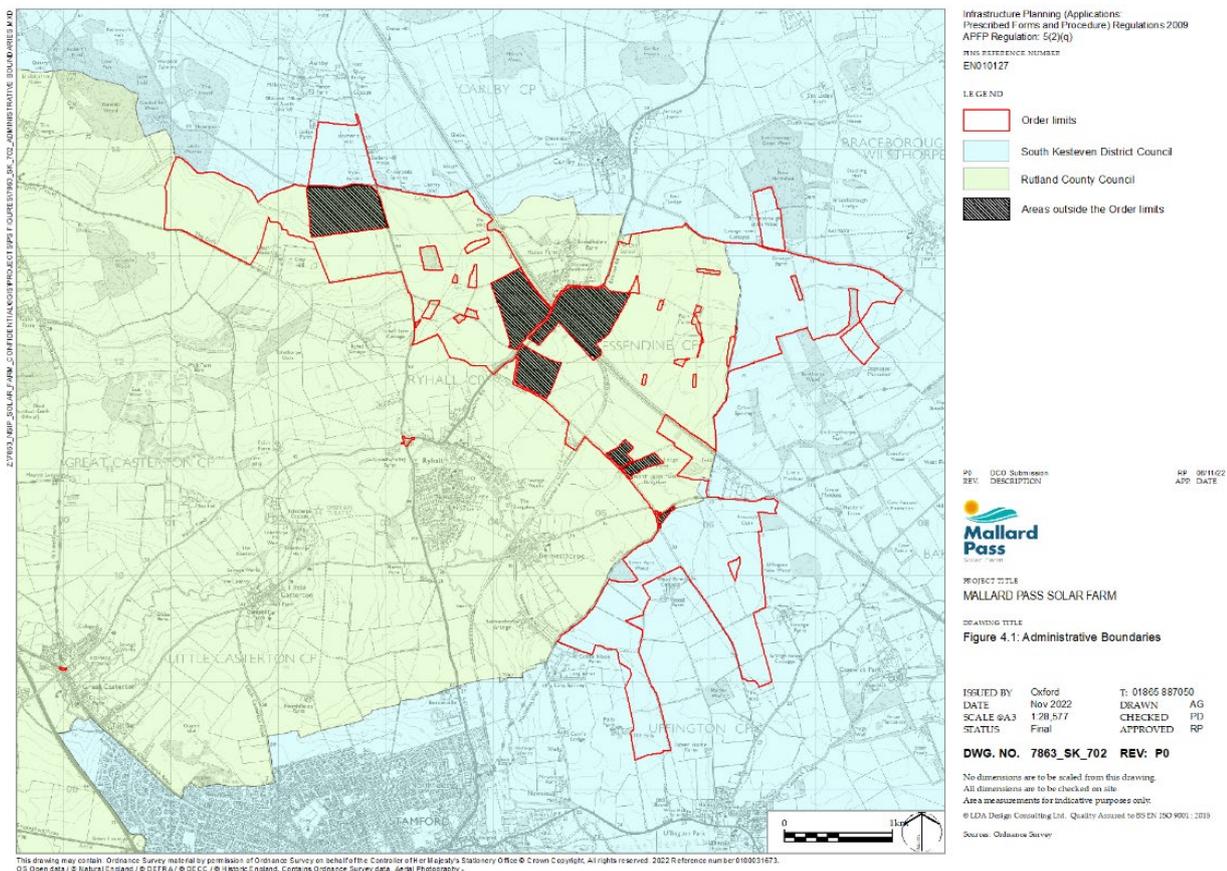


Figure 5 Administrative Boundaries

- 4.1.4. Within the Order limits the area that is being considered for potential PV Arrays, Solar Stations (central inverters, transformers and switchgear) and the Onsite Substation, referred to as the 'Solar PV Site' is 426ha.
- 4.1.5. The Grantham - Peterborough (East Coast Main Line) railway line dissects the Site on a general north-west to south-east alignment. The Site is located to the immediate south, east and west of Essendine and approximately 700m north-east of Ryhall. The north-eastern most edge of Stamford is located approximately 1.4km south-west of the Site at its nearest point. The centre of Peterborough is located approximately 16km south-east of the Site.
- 4.1.6. The National Grid's Ryhall 400kV Substation is located approximately 700m to the south and west of the East Coast Main Line.
- 4.1.7. The A6121, which connects Ryhall, Essendine and Carlby, separates the north-western extent of the Site from the remainder, routing on a general north-east to south-west alignment. The A6121 provides connection to the A1 via Stamford to the south-west of the Site and to the A15 via Bourne to the north-east of the Site. The B1176 segments the north-westernmost extent of the Site and is routed on a general north-south direction between Little Bytham to the north and Ryhall to the south. The B1176 connects to the A6121 at Ryhall.

4.2. Site Description

- 4.2.1. The full description of the Order limits is included in Chapter 3 of the Environmental Statement (ES) [Ref EN010127/APP/6.1] The Order limits comprises predominantly arable agricultural fields with a network of hedgerows, scattered woodland, drains and ditches and field margin habitats. Blocks of woodland are scattered across the Site but are excluded from the Order limits. There are ancient woodlands located outside of the Order limits adjacent to the northern, southern and north-

western boundaries of the Order limits A full description of the landscape structure and habits across the Order limits are included in Chapter 6 of the ES.

4.2.2. The Order limits are located on lands ranging from 16-67m AOD. The lowest elevation runs along the route of the East Coast Mainline, while the highest elevation is present in the north-western extent of the Site.

4.2.3. The West Glen River (Environment Agency Waterbody ID: GB105031055510) runs through the Order limits on a general north-west to south-east alignment. A network of drains, ditches and streams, which follow field boundaries, are also present across the Order limits. A pond is located in the central-eastern area of the Solar PV Site.

4.2.4. There are six Public Rights of Way (PRoW) which cross the Order limits and are described as follows:

- Footpath BrAW/7/1: the footpath routes through the easternmost extent of the Solar PV Site in a general north-east to south-west alignment
- Footpath BrAW/3/1: the footpath crosses into the north-eastern extent on the Mitigation and Enhancement Areas in the vicinity of Grange Farm
- Footpath BrAW/9/1: the footpath routes parallel to the north of PRoW footpath BrAW/3/1 crosses the Mitigation and Enhancement Area east-west into the Open Access Land of Braceborough Wood, which is located immediately adjacent to the north-eastern boundary of the Solar PV Site
- Footpath Uffi/5/1: the footpath follows the south-western boundary of the Solar PV Site in an east-west direction

- Bridleway BrAW/1/1: the bridleway crosses the eastern extent of the Solar PV Site north-south, between the local road to the north and the railway line to the south
- Bridleway E169/1: the bridleway routes through the north-western extent of the Solar PV Site between the A6121 and B1176 in a general north-west to south-east alignment.

4.3. Designations and Allocations

4.3.1. The Order limits have been selected and designed to avoid designated areas. There are no listed buildings, Scheduled Monuments or registered parks and gardens within the Order limits. None of the land within the Order limits are covered by any statutory landscape designations, i.e., National Parks, or Areas of Outstanding Natural Beauty (AONB).

4.3.2. Allocations and Designations within the Order limits comprise those listed below.

- Minerals Safeguarding Area (MSA) for limestone and clay designated in the RCC Minerals Core Strategy & DCP, and MAS for limestone designated within the LCC Minerals and Waste Local Plan. This covers the majority of land within the Order limits.
- Local Wildlife Sites (LWS) – a total of 16 are located within the Order limits, these are listed in Chapter 3 of the ES **[Ref EN010127/APP/6.1]**.
- The Site is predominately located in Flood Zone 1 with smaller areas within Flood Zone 2 and 3 along the alignment of the West Glen River.

4.3.3. There are no other allocations or designations within the Site. The following paragraphs outline allocations and designations in the vicinity of the Order limits.

- 4.3.4. There are eight statutory designated sites within 10km of the Order limits boundary, including: Ryhall Pasture and Little Warren Verges SSSI, Newell Wood SSSI, the Rutland Water SPA and Ramsar site. The Ryhall Pasture and Little Warren Verges SSSI are located adjacent to the north-western boundary of the Order limits.
- 4.3.5. A total of 71 non-statutory LWS are present within 2km of the Order limits boundary (including the 16 referred to above). The majority of these are designated for habitats (predominantly hedgerows, grassland and woodland) with many also featuring locally or nationally scarce.
- 4.3.6. There is one Scheduled Monument within proximity of the Order limits, Essendine Castle, along with the Grade II* Listed Building Church of St Mary, which are located approximately 300m west of the Site. A total of approximately 112 designated heritage assets are located within a 1km study area around the Order limits.
- 4.3.7. The Order limits are not located within an Air Quality Management Area (AQMA). The nearest AQMA, declared for one-hour and annual mean concentrations of Nitrogen Dioxide (NO₂) by SKDC, is located approximately 23km north-west of the Site in Grantham.
- 4.3.8. Land circa 3km to the west of the Order limits is allocated in the SKDC Local Plan for North Stamford urban extension. The emerging masterplan for this allocation shows approximately 1,300 dwellings, a new primary school, appropriate transport infrastructure and a new local centre.

4.4. Relevant Planning History

- 4.4.1. As a largely agricultural site, the relevant planning history of the land within the Order limits is very limited. A schedule of planning history is provided in Appendix 2. This indicates that there are no pending or extant planning permission across the Order limits.

4.5. Site Selection

- 4.5.1. The Site Selection Report (Appendix 1) provides an overview of the site selection process undertaken to identify the Order limits. It also provides a description of the development design evaluation undertaken and the main alternatives considered.
- 4.5.2. The draft revised NPS EN-3 refers to alternatives and factors affecting site selection at paragraph 4.28. The Applicant has been guided by the principles described there and by the technical and environmental baseline and the technical and environmental requirements of a large-scale solar farm development project. The sections below refer to the matters set out in Section 4.28 of draft revised NPS EN-3, “Solar photovoltaic generation: factors influencing site selection by applicant” which is broken up into the following parts.

Irradiance and topography

- 4.5.3. Lincolnshire is generally flat, with gently undulating topography, which is suitable and beneficial for solar, increasing the likelihood of being able to identify a suitable site that is capable of producing a large amount of electricity. Therefore, this influenced the location of the Order limits within proximity to the Ryhall substation. The general topography of the area immediately surrounding the substation is gently undulating and therefore this makes it particularly suitable for solar. The Applicant, therefore, sought a suitable generation site and Point of Connection to the electricity network in this area.

Proximity of site to dwellings

- 4.5.4. The Order limits was chosen as although it is located in relatively close proximity to Essendine, there are opportunities to significantly reduce its impact through a combination of setbacks, natural screening through

topography and existing landscape and proposed landscape improvements.

- 4.5.5. There are also relatively limited individual dwellings in close proximity to the Proposed Development and this has been reduced further throughout the design evolution of the Proposed Development. Through this evolution of the design, the visual impact on residential receptors has been taken into account and strategic setbacks from receptors to the above ground infrastructure have been employed to limit visual impacts and the impact of glint and glare on residential receptors.

Capacity of site

- 4.5.6. The Proposed Development would contribute substantially to the need to supply low carbon energy, in order for the government to meet its objectives and commitments as mentioned above. Following site selection, the proposed development has been designed to optimise physical characteristics of the site, taking into account the site elevation as well as seeking to provide environmental enhancement and mitigation within the area.

Grid Connection

- 4.5.7. The site location was based on the availability of a suitable grid connection, with sufficient capacity to enable the power generated from the solar farm to feedback into the National Grid. The Applicant considered the availability of grid connections, in discussions with National Grid and using the information on the Transmission Entry Capacity (TEC) Register and identified that the National Grid Ryhall Substation had sufficient available capacity to enable the delivery and connection of a solar farm of up to 350MW. Having this level of capacity without requiring an upgrade to the substation is relatively unusual – all substations are built in three phases, but in this case only two are currently being used (to power the

East Coast Mainline), leaving the third phase available to enable the connection of clean renewable energy generation schemes.

Agriculture land classification and land type

- 4.5.8. The applicant has taken into account the above when identifying the Order Limits and the Solar PV Site within it, based on the publicly available national level data, field surveys, and along initial conversations with the landowners regarding the quality and viability of the land for agriculture.
- 4.5.9. The Order limits was selected on the basis that it was predominantly Grade 3, offering the potential for Grade 3b land subject to further survey, with small pockets of Grade 2. Following further analysis, some additional Grade 2 land was identified and where this was in single fields (i.e., individual agricultural units), this was removed from the areas proposed for PV Arrays. A detailed survey for agricultural land quality has subsequently been undertaken and presented in the Environmental Statement which confirms that the majority of the land within the Order limits is classified as grade 3b, which is not BMV. Further information on Agricultural Land Classification (ALC) is provided in Chapter 13 of this ES [Ref **EN010127/APP/6.1**].

Accessibility

- 4.5.10. The Proposed Development is accessible by the Local Road Network (LRN), but in relatively close proximity to the Strategic Road Network (SRN) by virtue of the A1, a major dual carriageway, which is approximately 5.5km to the west of the Order limits. Internal access within the Order Limits provides access to the construction phase and the operational phase of the project.
- 4.5.11. Access routes to the Order limits are assessed in Chapter 9 of the ES [Ref **EN010127/APP/6.1**]. Given the assessment findings it is considered that

there are no obviously more suitable locations within the surrounding area than the proposed Site for Mallard Pass Solar Farm.

- 4.5.12. As concluded in the Site Selection Report at Appendix 1, the Proposed Development location is assessed to be suitable for the scale of solar development proposed and the basis on which the Applicant has selected the Site accords with the approach to the consideration of alternatives set out NPS EN-1 and draft NPS EN-3.

5.0 The Proposed Development

5.1.1. This section provides an overview description of the Proposed Development. Section 5.2 describes the components of the proposed development. Section 5.3 describes areas of flexibility the Applicant is seeking to secure, the generating capacity of the Solar PV Site and the proposed project lifetime of the development. Section 5.4 briefly describes proposed construction, operation and decommissioning activities. The full project description is contained within Chapter 5 of the ES **[Ref EN010127/APP/6.1]**.

5.2. Components of the Site

5.2.1. The Proposed Development comprises the construction, operation and maintenance, and decommissioning of a solar photovoltaic (PV) array electricity generating facility with a total capacity in excess of 50 megawatts (MW) direct current (DC) and export connection to the National Grid. The Proposed Development will be located within the 'Order limits' (the land shown on the Works Plans **[Ref EN010127/APP/2.2]** within which the Proposed Development can be carried out).

5.2.2. The Proposed Development will comprise the installation of PV Modules and associated infrastructure including an onsite Substation and a Grid Connection Route as defined in the Glossary in Chapter 1 of the ES **[Ref EN010127/APP/6.1]**. The principal components of the Proposed Development comprise the following:

- PV Modules;
- Mounting Structures;
- Inverters;
- Transformers;
- Switchgear;

- Onsite Substation and ancillary buildings;
- Low Voltage Distribution Cables;
- Grid Connection Cables;
- Fencing, security and ancillary infrastructure;
- Access tracks; and
- Green infrastructure (GI).

5.2.3. The Order limits comprises five different areas, which are broadly defined below and described on **Figure 7**.

- The Solar PV Site - the area within the Order limits that is being proposed for PV Arrays, Solar Stations and the Onsite Substation.
- Onsite Substation - comprising electrical infrastructure such as the transformers, switchgear and metering equipment required to facilitate the export of electricity from the Proposed Development to the National Grid. The Onsite Substation will convert the electricity to 400kV for onward transmission to the Ryhall Substation via the Grid Connection Cables.
- Mitigation and Enhancement Areas - the area within the Order limits that is being proposed for mitigation and enhancement.
- Highway Works Site - the areas that are being proposed for improvement works to facilitate access to the Solar PV Site
- Grid Connection Corridor - the proposed corridor for the Grid Connection Cables between the Onsite Substation and the National Grid Ryhall Substation.

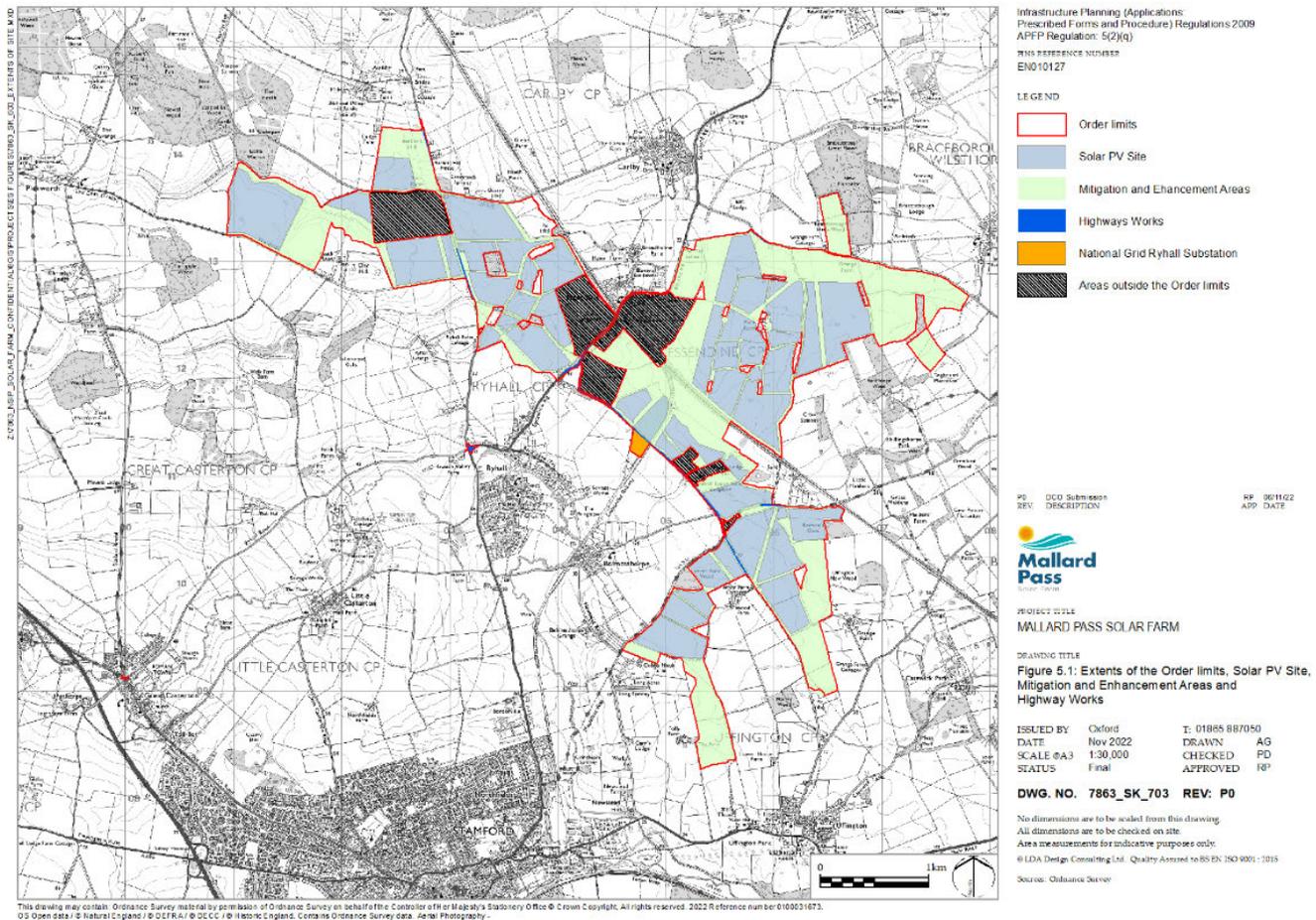


Figure 6 Extents of Order Limits

5.2.4. The extents of the Solar PV Site, Mitigation and Enhancement Areas, Potential Highway Works Site, Onsite Substation and the Grid Connection Corridor are shown on **Figure 6** and are described in full in Chapter 5 of the ES [Ref EN010127/APP/6.1]. Illustrative layouts are prepared showing one way in which the different areas of the Proposed Development can be accommodated within the Order limits, within the limits of deviation shown on the Works Plans and in accordance with the Design Guidance and the Project Parameters. These are shown in **Figure 7**. It is important to note that these layouts do not form the basis of the application for the Proposed Development, or the assessments of it contained within the Environmental Statement.

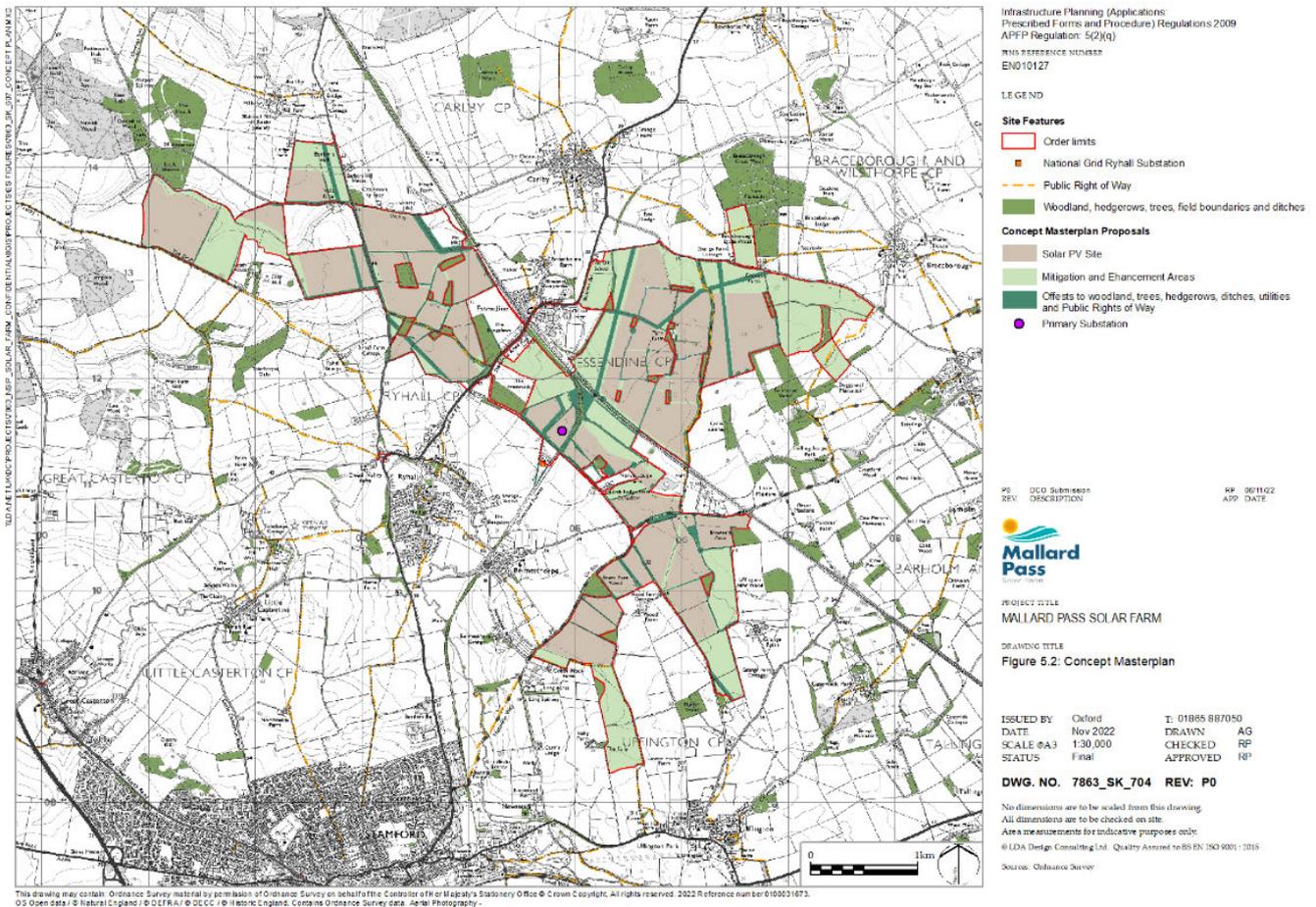


Figure 7 Concept Masterplan

Existing site features

- 5.2.5. The existing hedgerows, woodland, ditches, ponds and field margins across the Site will be retained within the layout of the PV Arrays, with the exception of small breaks and/or crossings required for new access tracks, security fencing and cable routes. Any breaks or crossing will be designed to use existing agricultural gateways/tracks between the fields and the width of any new breaks will be kept to a minimum.
- 5.2.6. The existing Public Rights of Way (PRoW) that cross the Solar PV Site and Mitigation and Enhancement Areas have been retained and incorporated within multifunctional green corridors. Subject to the construction phasing

and methodology there are requirements to temporarily divert or close a PRoW for a period during the construction phase, which will be managed through the provisions of the CEMP.

- 5.2.7. A network of new permissive paths is proposed across the Order limits, linking to existing PRoW and walking routes in the vicinity of the Site to create new recreational walking circuits.
- 5.2.8. The Mitigation and Enhancement Areas will provide areas for green infrastructure, including the creation of wildflower grassland adjacent to the West Glen River and the small valley in the north-west of the Order limits. The majority of the fields within the Mitigation and Enhancement Areas will continue to be farmed under arable rotation with additional measures to support skylarks.
- 5.2.9. The existing above and below ground utilities across the Solar PV Site are not proposed to be altered by the Proposed Development. The offsets to these assets have been discussed with the Statutory Undertakers as part of the design process and are shown on the Illustrative Site Layouts and secured pursuant to the relevant Protective Provisions in the draft Development Consent Order.

5.3. Flexibility, development capacity and project lifetime

- 5.3.1. Paragraph 4.2.7 of EN-1 recognises that in some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Paragraph 4.2.8 continues that where some details are still to be finalised, the ES should set out to the best of the applicant's knowledge, what the likely worst-case environmental, social and economic effects of the proposed development may be and assess on that basis to ensure that the impacts of the project as it may be constructed have been properly assessed.

- 5.3.2. The draft EN-3 states in paragraph 2.49.15 that solar farm operators may have multiple commercial agreements under consideration and may not know precisely which panels will be procured for the Proposed Development until sometime after any consent has been granted. It continues that the applicant should assess the worst-case effects that the project could have (as per section 4.2 of EN-1), and that some flexibility should be provided in the consent should this be granted.
- 5.3.3. Paragraph 2.49.16 of the draft EN-3 states that it is likely that flexibility will be needed in relation to the dimension, layout and spacing of panels and energy storage. It continues to state that applications may include a range of options based on different panel numbers, types and layout, with and without storage. Paragraph 4.49.17 of the draft EN-3 states that where other specific details of the design of the site are uncertain at the time of application, this should be made clear by the applicant with the reasons for the uncertainty given.
- 5.3.4. The exact design details of the Proposed Development cannot be confirmed until the tendering process for the design has been completed and the detailed design has been approved by the local planning authorities in advance of the Proposed Development commencing (or phase thereof).
- 5.3.5. The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development, as is acknowledged in EN-1 Part 4.2 and Part 2.49 of the draft EN-3. The extent of flexibility sought by the Applicant is described in Chapter 5 of the ES and summarised below.
- 5.3.6. There are two options for the solar PV mounting structures which the applicant wishes to secure. These include:

- Fixed South Facing (FSF) Arrays - mounting structures will be orientated east / west and would be installed between 18 and 25 degrees to the horizontal, facing south to optimise daylight absorption.
- Single Axis Tracker (SAT) Arrays - mounting structures will be orientated north / south and would operate between 60 degrees from the horizontal (facing east in the morning) moving toward 0 degrees (horizontal) at midday, and up to 60 degrees from the horizontal (facing west in the evening). The PV Modules would track from east to west throughout the day and would return to their resting position 60 degrees (facing east) over night.

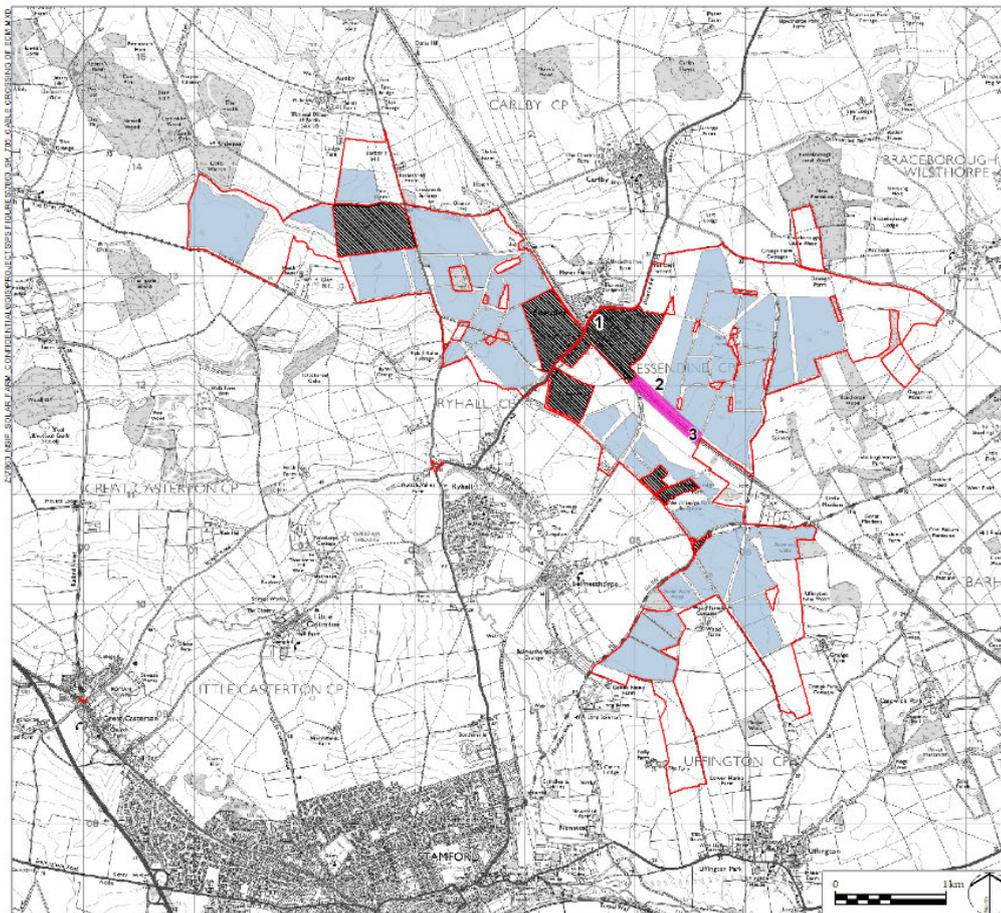
5.3.7. Further flexibility is sought for the choice of Inverters, Transformers, the design and layout of PV modules, Solar Stations and enclosures. Building sizes may also vary depending on the contractor selected and their specific configuration and selection of plant.

5.3.8. Onsite cabling will be required to connect the Inverters and/or Transformer (subject to which technology is chosen) to the Onsite Substation which is located to the west of the East Coast Main Line.

Three cable routes / methods are being considered:

- Option 1 - cables would be run through the existing brick culverts underneath the East-Coast mainline;
- Option 2 - Horizontal directional drilling (HDD) underneath the East Coast mainline; or
- Option 3 - cables to be routed within the adopted highway along the A6121 and Uffington Lane.

The location of the above options is shown on **Figure 8** below.



Infrastructure Planning (Applications Prescribed Forms and Procedure) Regulations 2009
 APFEP Regulation: 5(2)(g)
 THIS REFERENCE NUMBER:
 EN010127

LEGEND

- Order limits
- Solar PV Site
- Zone for Horizontal Directional Drilling
- Areas outside the Order limits

Locations of Potential Railway Cable Crossings:

- 1 Road Bridge through Essendine
- 2 Existing culverts/arches
- 3 Horizontal Directional Drilling

ISS DCO Submission
 REV DESCRIPTION

APP 2011/22
 DATE



PROJECT TITLE
 MALLARD PASS SOLAR FARM

DRAWING TITLE
 Figure 8.3: Cable Crossing Options of the East Coast Mainline Railway

ISSUED BY: Oxford	E: 01085 887050
DATE: Nov 2022	DRAWN: AG
SCALE @A3: 1:30,000	CHECKED: PD
STATUS: Final	APPROVED: RP

DWG. NO. 7863_SK_705 REV: P0

No dimensions are to be scaled from this drawing.
 All dimensions are to be checked on site.
 Are a measurements for indicative purposes only.
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 Sources: Ordnance Survey

Figure 8 Location of Cable Routes Options

5.3.9. For the components and options described above the degree of flexibility and Limits of Deviation are controlled by a combination of documents that would be secured by the DCO Application. The following core documents outline the design of the Proposed Development:

The spatial extents of the layout (including Access Tracks, Cable routing, Solar PV Modules and Solar Stations etc.) are set by the Work Plans [Ref **EN010127/APP/2.2**].

Parameters including maximum heights and extents of individual components are fixed by Appendix 5.1 of the Environmental Statement ('the Parameters') [Ref **EN010127/APP/6.2**];

Design guidance is provided through the Design Guidance set out in section 4.15 of the Design and Access Statement **[Ref EN010127/APP/7.3]**;

The Mitigation and Enhancement measures set out in the Green Infrastructure Strategy are included in the outline Landscape and Ecological Management Plan (oLEMP), **[Ref EN010127/APP/7.9]**.

- 5.3.10. To maintain flexibility in the design and layout at this stage in the process, and ensure the maximum effects are assessed in the ES and considered by the SoS, the Proposed Development will adopt the Rochdale Envelope approach, as described in the PINS Advice Note 9. This involves specifying parameter ranges, including details of the maximum, and where relevant the minimum, size (footprint, width and height relative to above ordnance datum (AOD), technology, and locations of the different elements of the Proposed Development, where flexibility needs to be retained. The use of the Rochdale Envelope approach has therefore been adopted to present a likely worst-case assessment of the potential environmental effects of the Proposed Development.

Development Capacity

- 5.3.11. Solar panels generate electricity in direct current (DC) form. PV modules feed into inverters which convert electricity to alternating current (AC). Paragraph 2.48.6 of the draft EN-3 recognises that because the inverter is separate from the panels, the total capacity of a solar farm can be measured either in terms of the combined capacity of installed solar panels (measured in DC) or in terms of combined capacity of installed inverters (measured in AC).
- 5.3.12. Paragraph 2.48.7 of draft EN-3 confirms that for the purposes of determining the capacity thresholds in Section 15 of the PA 2008 , all forms of generation other than solar are currently assessed on an AC basis, while solar farms are assessed on their DC capacity. It continues

that from the dates of designation of the new NPS, for the purpose of Section 15 of the PA 2008, the combined capacity of the installed inverters (measured in AC) should be used for determining the solar capacity of a site. However, paragraph 2.48.9 states that this should not be taken to change any development consent or planning permission granted until such time that the NPS is designated.

- 5.3.13. Paragraph 2.48.8 of draft EN-3 states the DC installed generating capacity of a solar farm will decline over time in correlation with the reduction in panel array efficiency, and that applicants may account for this by overplanting solar panel arrays. Footnote 43 confirms that *“Overplanting” refers to the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator’s grid connection.*”
- 5.3.14. Therefore, to maximise the use of the available grid connection over the lifetime of a development, solar generators may install (but not initially use) additional panels to act as a back-up for when panels degrade.
- 5.3.15. Paragraph 2.48.8 continues, “Therefore, AC installed export capacity should not be seen as an appropriate tool to constrain the impacts of a solar farm. Other measurements, such as panel size, total area and percentage of ground cover should be used to set the maximum extent of development when determining the planning impacts of an application.”
- 5.3.16. The Proposed Development incorporates overplanting on the land parcels identified for development within connectable proximity to the Point of Connection, which allows the Proposed Development to maximise the utilisation of the existing grid connection capacity at National Grid’s Ryhall Substation throughout its operational life. Section 7 of the Statement of Need [Ref EN010127/APP/7.1] describes how solar developments that are

overplanted generate more low carbon electricity than ones that are not and are therefore an appropriate form of development strategy.

- 5.3.17. With regard to the Proposed Development, the Grid Connection Statement **[Ref EN010127/APP/7.4]** describes the 240 MW (AC) export capacity secured by the Applicant. This is expressed in AC terms and represents the agreed connection capacity at the Point of Connection.
- 5.3.18. The parameters applied for in this Development Consent Order application allow for a solar farm capable of generating up to 350MW (DC) to account for the normally applied factors as a result of:
- Degradation of panels over time;
 - Seasonal and daily variation of solar irradiance; and
 - Loss of power in the conversion from AC to DC.
- 5.3.19. This will ensure that Mallard Pass Solar Farm is able to fully optimise the available grid connection and generate as much clean power as possible each day and over its lifetime.
- 5.3.20. A Battery Energy Storage Systems (BESS) is not included in the Proposed Development. The Proposed Development will connect to the NETS through spare capacity at National Grid's existing electricity substation at Ryhall. The currently available capacity secured by the Applicant at Ryhall is sufficient to facilitate the connection of 240MW(AC) of generation. However, a significant upgrade would be required at the Ryhall substation to accommodate sufficient import capacity to facilitate the inclusion of electricity storage capability as part of the Proposed Development.
- 5.3.21. BESS and other electricity storage systems will play an important role in the development of a low-carbon GB energy system. These can be stand alone installations or combined with electricity generating development where a grid connection allows or can be made suitable.

- 5.3.22. However, not all grid connections have both import and export capability, and the import capability may not be cost effective to provide, as is the present case at the Ryhall 400KV Substation, which would require upgrade to accommodate sufficient import capacity.
- 5.3.23. Section 7.7 of the Statement of Need explains how solar panels degrade over time and how overplanting solar projects maximises utilisation of their grid connection over the lifetime of the project. Overplanting solar without having electricity storage as part of the development means that when solar irradiation is very high, electricity generation may be controlled to match the amount exported to the available grid connection capacity. This means that a small amount of generation is "lost" in comparison to the case that it is stored in an electricity storage facility, however an overplanted stand-alone solar project will export significantly more low-carbon electricity to the National Electricity Transmission System over the operational life than a scheme which is not overplanted.
- 5.3.24. Export capability, where it is available, should be used to connect renewable generation to the NETS and standalone solar schemes provide essential low-carbon electricity to the grid in any case and lack of suitable storage capability at the Point of Connection does not detract from the core contribution of low-carbon generators to decarbonisation of the electricity network.
- 5.3.25. It is also noted that BESS or other services which support the efficient flow of renewable power onto the UK electricity system can be located and operated separately to renewable generation assets where suitable grid connections do exist.
- 5.3.26. Therefore, locations without a suitable import connection should still be developed where available export capacity exists as standalone renewable energy generation schemes.

Lifetime of the development

- 5.3.27. The draft EN-3 discusses typical project lifetimes for solar photovoltaic generation projects in section 2.49. Paragraph 2.49.9 states that, typically, solar panels have a design lifetime of between 25 and 30 years (although recognises that this can be longer), and notes that decommissioning can sometimes be achieved relatively easily and cheaply. The paragraph continues to state that applicants may (but are not required to) apply for consent for a specified time period, based on the design life of the panels.
- 5.3.28. Impacts upon the use of the land are identified and assessed in the ES. The ES has not identified any specific project impact which would require the development to be linked to a specific operational timeframe. It is also the case that as technology improves, design lifetimes are likely to increase. Therefore, the Applicant is not seeking a time limited consent. The operational life of the Proposed Development will not be specified within the DCO Application.
- 5.3.29. However, as noted in the draft NPS EN-3, it is recognised that solar panel efficiency deteriorates over time, and the electrical infrastructure will have an operational lifespan, after which it will need to be replaced or removed.
- 5.3.30. The Applicant is not proposing any systematic repowering or wholesale replacement of PV modules or of other infrastructure across the Order limits, beyond routine servicing and maintenance (for instance, in the event of damage or operational failure outside of anticipated degradation).
- 5.3.31. Therefore, while a time limited consent is not sought, it is anticipated that the development will be decommissioned at some point in the future. Whilst the EIA has assessed the operational impacts of the Proposed Scheme as permanent, it is the case that any impacts that are caused by the proposed development related to the use of the land are considered to

be reversible, pursuant to the management plans secured by the DCO Application.

- 5.3.32. In line with paragraph 2.49.11 of the draft EN-3, the ES sets out how the Proposed development would be decommissioned at the end of the operational life of the generating station. As stated, the operational life of the generating station is not limited by any environmental factors which require a specific project timeframe to be imposed.
- 5.3.33. For the purposes of assessing decommissioning with the ES, it has been assumed that the Proposed Development would take place after 40 years, although it is noted that decommissioning could take place prior to or after this timeframe subject to how the technology is performing at that time. The assessment does not assume that the operational phase will be limited to 40 years as the solar infrastructure may continue to be operating successfully and safely beyond this period.

5.4. Construction, operation, and decommissioning

Construction

- 5.4.1. The construction phase is anticipated to take 24 months and subject to being granted consent the earliest construction is anticipated to start is Summer 2026. The final programme will be dependent on the detailed layout design and potential environmental constraints on the timing of construction activities.
- 5.4.2. An Outline Construction Environmental Management Plan (oCEMP) [**Ref EN010127/APP/7.6**] has been prepared to support the DCO Application. The oCEMP sets out the mitigation measures identified through the EIA process to be employed during construction phase. The oCEMP will form the framework for a detailed CEMP that will be agreed with the local planning authority prior to construction.

- 5.4.3. An Outline Construction Traffic Management Plan (oCTMP) [**Ref EN010127/APP/7.11**] including details on construction logistics and construction worker travel has been prepared in support of the DCO Application that includes information to guide the delivery of material, plant, equipment and staff during the construction phase.

Operation

- 5.4.4. During the operational phase of the Proposed Development, onsite activities would include routine servicing, maintenance and replacement of solar equipment as and when required, as well as management of vegetation.
- 5.4.5. In the event of the need to replace any of the operational equipment of the Proposed Development, there may be a level of HGV activity required to replace equipment onsite. However, this will be on an ad-hoc, low frequency basis only.
- 5.4.6. The land underneath and around the PV Arrays 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.
- 5.4.7. The management of the landscape and ecological features will be undertaken in accordance with a detailed Landscape and Ecological Management Plan (LEMP) that will be secured via a requirement of the DCO. This detailed plans will be in accordance with the outline Landscape and Ecological Management Plan (oLEMP) [**Ref EN010127/APP/7.9**] that has been prepared and included with the DCO Application.

Decommissioning

- 5.4.8. All the solar infrastructure including PV modules, mounting structures, cabling on or near the surface, inverters, transformers, switchgear, fencing,

ancillary infrastructure and the Onsite Substation would be removed and recycled or disposed of in accordance with good practice following the waste hierarchy, with materials being reused or recycled wherever possible. All waste will be disposed of in accordance with the legislation at the time of decommissioning.

- 5.4.9. . Any requirement to leave the internal access tracks would be discussed and agreed with the landowners at the time of decommissioning. The Solar PV Site would be reinstated in accordance with a Decommissioning Environmental Management Plan (DEMP). The DEMP will be required to be in accordance with the outline Decommissioning Environmental Management Plan (oDEMP) **[Ref EN010127/APP/7.8]** which has been prepared to support the DCO Application.
- 5.4.10. The DEMP will be subject to the approval of the local planning authorities. It is likely that decommissioning would include the removal of any permissive paths and potential reversion of grassland underneath the PV Arrays. Any landscape structural planting, such as tree planting, hedgerows, scrub etc created to deliver biodiversity mitigation and enhancement associated with the Proposed Development that have potential to contain protected species would be left in-situ.
- 5.4.11. Decommissioning is anticipated to take approximately six to twelve months.

6.0 Legislation and Policy Framework

- 6.1.1. This section provides an overview of the legislative framework and the planning policy context for the Proposed Development. Section 6 outlines how the Proposed Development complies with the following legislation framework and policy context.
- 6.1.2. Section 5.2 outlines the legislative context, including the relationship between the PA 2008, National Planning Statements (NPS), and the Proposed Development. Sections 5.3 and 5.4 outline relevant and important national and local planning policy frameworks. Section 5.5 outlines other national policy documents which are considered to be relevant.

6.2. Legislative Context

Planning Act 2008

- 6.2.1. The PA 2008 established the legal framework for applying for, examining and determining applications for NSIPs.
- 6.2.2. The Proposed Development constitutes an NSIP development, in accordance with the PA 2008, as it comprises:
- The construction or extension of a generating station (Part 3, Section 14(1)(a) of the PA 2008) with a generating capacity of more than 50MW (Part 3, Section 15(2)(c)).
- 6.2.3. In accordance with Part 4 of PA 2008, development consent is required for development to the extent that the development is or forms part of a NSIP.
- 6.2.4. Part 5 of PA 2008 demonstrates that an application for an order granting development consent must be made to the SoS. In accordance with section 42 of PA 2008, the Applicant must consult persons, organisations and local authorities as set out in the legislation. A Consultation Report

[Ref EN010127/APP/5.1] has been prepared which details compliance with S42 of the PA 2008.

- 6.2.5. Part 6 of PA 2008 is to be applied when determining applications for orders granting development consent. Sections 103 to 107 provide the framework for decision-making, which in turn frames the focus of the examination of the application for a draft development consent order. Section 104 applies when a NPS has effect for a specified NSIP, whereas Section 105 applies when no NPS has effect.
- 6.2.6. At present Section 105 applies to the Proposed Development as the existing NPSs do not apply to solar projects. This means the SoS must have regard to
- a) any local impact report;
 - b) any matters prescribed in relation to development of the description to which the application relates; and
 - c) any other matters the Secretary of State considers to be important and relevant to a decision.
- 6.2.7. A revised NPS series of energy policies is anticipated to be published this year, which would have effect for solar PV NSIPs. This follows consultation on a draft revised NPS EN-1 (overarching energy NPS) and NPS EN-3 (renewable energy) in 2021. Once designated (as per the requirements of section 5 of PA2008), the revised NPS' would take effect for solar PV NSIPs. Under section 104 of PA 2008 a DCO application would be decided in accordance with the relevant NPS' (whilst having regard also to the local impact report, any matters prescribed in relation to development of the description to which the application relates, and any other matters the Secretary of State considers to be important and relevant to a decision) if it is in force prior to an application being made.

- 6.2.8. On this basis, the existing NPS EN-1 and EN-3 are considered to be important and relevant to deciding the application. The draft revised NPS EN1 and EN3 are also important and relevant (unless and until they become the primary policy consideration in line with section 104).
- 6.2.9. Particularly in the absence of the new NPS' being in force, it is also considered likely that the National Planning Policy Framework (and its associated Guidance) and the Local Plans of RCC, SKDC and LCC will be considered as 'important and relevant'.
- 6.2.10. Local Impact Reports to be prepared by the Local Planning Authorities are anticipated to be submitted by RCC, SKDC and LCC. With reference to section 60 of PA 2008 and Advice Note One: Local Impact Reports, we anticipate the local impact reports to also address relevant local planning policies.
- 6.2.11. The Infrastructure Planning (Decisions) Regulations 2010 are also a prescribed relevant matter (under section 104(2)(c) and 105 (2)(b)). Regulation 3 on listed buildings, conservation areas and scheduled monuments is relevant to the Proposed Development; also Regulation 7 on Biological diversity. Both requirements are aligned with the relevant policy framework, considered in more detail at Chapters 7 and 8 of the ES [**Ref EN010127/APP/6.1**].

6.3. National Policy Statements

- 6.3.1. As noted at paragraph 5.2.7 above, revised NPS series of energy policy is anticipated to be published this year. Consultation and parliamentary scrutiny of the draft revised NPS' has occurred over the last year. These draft policies are relevant and important considerations for solar photovoltaic NSIPs, and are considered in section 7 of this Planning Statement as part of the Generic Impacts assessment.

- 6.3.2. The current NPS EN-1 and EN-3 are considered as relevant and important for solar PV NSIPs. NPS EN-5 (electricity networks) (both existing and draft) is also addressed given relevance to the project connection to the national electricity grid.

Overarching National Policy Statement for Energy (EN-1)

- 6.3.3. The Overarching NPS for Energy (NPS EN-1) (July 2011), sets out the current national policy for delivering NSIP energy infrastructure in England and Wales. NPS EN-1 has effect in combination with the relevant technology specific NPS, in this case the National Policy for Renewable Energy Infrastructure (NPS EN-3).
- 6.3.4. Part 3 of NPs EN-1 identifies the need that exists for nationally significant energy infrastructure to address energy security objectives and carbon reduction requirements, to replace closing generating capacity, and to support increase in supply of renewables. The assessment principles (part 4) and generic impacts (part 5) provide a framework of considerations across energy technologies.

National Policy Statement on Renewable Energy Infrastructure (EN-3)

- 6.3.5. The NPS EN-3 (July 2011), together with EN-1, provides the current primary basis for decisions on renewable energy NSIPs.
- 6.3.6. The importance of generation of electricity from renewable sources is stated at Paragraph 1.1.1 of NPS EN-3:

“Electricity generation from renewable sources of energy is an important element in the Government’s transition to a low-carbon economy. There are ambitious renewable energy targets in place and a significant increase in generation from large-scale renewable energy infrastructure is necessary”.

6.3.7. The current NPS EN-3 provides a framework for assessment and technology-specific information for specified renewable energy technologies, Solar PV is not included in NPS EN-3 because in 2011, utility scale solar development was not considered to be economically or technically viable. Nonetheless, there are aspects relevant to the Proposed Development, including on renewables and ‘good design’ which has been reflected in more detail in the DAS. The draft revised NPS EN-3 includes specific reference to solar PV including relevant information on the technology and to inform assessment and decision-making.

National Policy Statement for Electricity Networks Infrastructure (EN-5)

6.3.8. The NPS for Electricity Networks Infrastructure (NPS EN-5) (July 2011) is the primary basis for decisions on transmission and distribution system NSIPs and associated infrastructure. The relevance of NPS EN-5 to the Proposed Development is limited to the grid connection. NPS EN-1 section 4.9 on grid connection refers to NPS EN-5 for further guidance on relevant considerations, including on the impact of electromagnetic frequencies (EMFs).

Draft Revised National Policy Statements

6.3.9. The Energy White Paper (December 2020) signalled a commitment to review the Energy NPS’ to ensure that the planning policy framework enables the delivery of the infrastructure required for the transition to Net Zero. The Draft Revised Energy NPSs were published by BEIS following a period of engagement and consultation in 2021, and subsequent parliamentary scrutiny, with a final Revised NPS EN-1 and EN-3 anticipated for publication later in 2022.

6.3.10. In accordance with paragraph 1.6.3 of the NPS EN-1, the draft revised NPS EN-1 and NPS EN-3 are in this case likely to be important and

relevant considerations in the decision-making process. As the current NPS EN-1 and NPS EN-3 were published in 2011, the draft revised NPSs reflect up to date targets including the carbon budgets and the pathway to achieving net zero by 2050. The Statement of Need (ref) describes this in detail. Also, the draft revised NPS EN-1 and NPE EN-3 provide a policy context and technology specific considerations that specifically relate to solar PV NSIPs. Once designated, decision-making on solar PV NSIPs would be in accordance with the draft revised NPS EN-1 and draft revised NPS EN-3 under section 104 of PA 2008.

- 6.3.11. The draft revised NPS EN-3 outlines the government's commitment to sustained growth in solar capacity to ensure that the UK is on a pathway to meet net zero emissions, and how solar is a key part of the government's strategy for low cost decarbonisation of the energy sector. It also sets out the specific considerations for solar photovoltaic generation NSIPs.

Draft Revised Overarching National Policy Statement for Energy (EN-1), 2021

- 6.3.12. The Draft revised NPS EN-1, published by BEIS in September 2021, makes specific reference to the solar PV and recognises that there is an urgent need for new electricity generating including the role of solar to meet UK objectives on energy security, reliability, affordability and decarbonisation (paragraphs 3.3.20 to 3.3.23).

- 6.3.13. The Draft revised NPS EN-1 highlights that Government requires a sustained growth in the capacity of solar in the next decade.

Draft revised National Policy Statement for Renewable Energy Infrastructure (EN-3), 2021

- 6.3.14. The draft revised NPS EN-3, published by BEIS in September 2021, introduces a new section (Section 2.47) on solar photovoltaic generation,

recognising that Solar Farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide. Paragraph 2.47.1 states that the government has committed to sustained growth in solar capacity to ensure that the UK is on the pathway to meet net zero emissions by 2050, and as such, solar is a key part of Government's strategy for low-cost decarbonisation of the energy sector.

6.3.15. Section 2.48 of the draft revised NPS EN-3 sets out key influences that developers should consider when selecting sites for solar development, including the following factors:

- Irradiance and site topography;
- Proximity of a site to dwellings;
- Capacity of a site;
- Grid connection;
- Agricultural Land Classification and land type; and
- Accessibility.

6.3.16. Sections 2.50 – 2.54 of the draft revised NPS EN-3 provides topic-specific requirements of how applicants should consider impacts within technical assessments, development of proposed mitigation measures and decision-making for solar development, for the following topics:

- Biodiversity and nature conservation;
- Landscape, visual and residential amenity;
- Glint and Glare;
- Cultural heritage; and

- Construction including traffic and transport noise and vibration.

Draft National Policy Statement for Electricity Networks Infrastructure (EN-5)

6.3.17. The draft revised NPS EN-5 was published by BEIS in 2021 and recognises that new electricity networks required for electricity generation, storage and interconnection infrastructure are vital to achieving the nation's transition to net zero. As with the current NPS EN-5, the to the Proposed Development is limited to the grid connection. NPS EN-1 section 4.9 on grid connection refers to NPS EN-5 for further guidance on relevant considerations, including on the impact of electromagnetic frequencies (EMFs).

6.4. National Planning Policy Framework

6.4.1. The NPPF was first published in 2012 and most recently updated in July 2021. This sets out the government's planning policies for England and is a material consideration in planning decision made under the Town and County Planning Act (1990). Although the NPPF does not contain specific policies for NSIPs, it sets out the expectation that the planning system should contribute to the achievement of sustainable development by pursuing economic, social and environmental overarching objectives in the development of plans and in decision making.

6.4.2. The NPPF is supported by the National Planning Practice Guidance (NPPG) which provides guidance on the implementation of NPPF policies. It includes guidance on a range of topics, including Climate Change and Renewable and Low Carbon Energy in terms of plan making and decision taking. Specific guidance with relation to large scale ground-mounted solar photovoltaic farms is included at Paragraph: 013 Reference ID: 5-013-20150327.

6.5. Local Planning Policy Context

- 6.5.1. Local Impact Report(s) prepared by the LPA(s) would typically be informed by the relevant local planning policy context.
- 6.5.2. The Proposed Development lies within the administrative area of unitary authority RCC, SKDC and LCC. Therefore, the local planning policies relevant to the Proposed Development comprise the following:

Lincolnshire County Council

- The Lincolnshire Minerals and Waste Plan (Core Strategy and Development Management Policies adopted 2016 and Site Locations adopted 2017)
- Lincolnshire County Council Green Masterplan 2020 – 2025 (adopted 2020)
- Joint Lincolnshire Flood Risk and Water Management Strategy 2019-2050
- 4th Lincolnshire Local Transport Plan 2013/14-2022/23 (adopted April 2013)
- Lincolnshire County Council Highway and Flood Authority, Development Road and Sustainable Drainage Specification and Construction March 2021

Rutland County Council

- Rutland Core Strategy Development Plan Document 2011 – 2026 (adopted 2011)
- Rutland Site Allocations and Policies Development Plan Document 2011 – 2026 (adopted 2014)

- Design Guidelines for Rutland – March 2022 Supplementary Planning Document (adopted March 2022)
- Space for Wildlife: Leicestershire, Leicester, and Rutland Biodiversity Action Plan 2016 – 2026 (Adopted 2016)
- Rutland Minerals Core Strategy and Development Control Policies October 2010 (Adopted October 2010)

South Kesteven District Council

- South Kesteven Local Plan 2011 – 2036 (adopted 2020)
- Appendix 3 Renewable Energy
- Design Guidelines for Rutland & South Kesteven Supplementary Planning Document (adopted November 2021)
- Carlby Parish Neighbourhood Development Plan 2018-2036 (Made 2019)

Emerging local planning policy

- 6.5.3. LCC is currently preparing a new Minerals and Waste Plan which is at a very early stage (at this stage, expected to be adopted in winter 2024).
- 6.5.4. RCC has also just started their new Local Plan preparation process (at this stage the Plan is expected to be adopted in winter 2025). Given both plan making processes are at such an early stage, the uncertainty associated with the outcome prevents a meaningful consideration of these emerging plans.

6.6. Other Policy and Legislation

The Climate change Act 2008

- 6.6.1. The Climate Change Act set up a framework for the UK to achieve its long-term goals of reducing greenhouse gas emissions and to ensure steps are taken towards adapting to the impact of climate change. The Act committed the UK to reducing its greenhouse gas emissions by 80% by 2050 compared to 1990 levels.

The Climate change Act 2008 (2050 Target Amendment) Order 2019

- 6.6.2. In June 2019 legislation was passed to amend the Climate Change Act to set a new ambitious target requiring the UK to bring all greenhouse gas emissions to net zero (i.e. 100% reduction) by 2050, compared with the previous target of at least 80% reduction from 1990 levels.

Net Zero Strategy: Build Back Greener

- 6.6.3. The Net Zero Strategy, published by Government in October 2021, builds on Government's commitments made in the Energy White Paper (2020) and sets out the long-term strategy, policy and proposals to keep the UK on track for future carbon budgets and sets the vision for a decarbonised economy by 2050. Key policies in the Strategy related to UK power generation include:

“By 2035 the UK will be powered entirely by clean electricity, subject to security of supply; [...] 40 GW of offshore wind by 2030, with more onshore, solar and other renewables – with a new approach to onshore and offshore electricity networks to incorporate new low carbon generation and demand in the most efficient manner that takes account of the needs of local communities [...]”

National Infrastructure Strategy

- 6.6.4. The National Infrastructure Strategy (NIS) published in November 2020 sets out plans to transform UK infrastructure, with one of the aims being to put the UK on the path to meeting its net zero emissions target by 2050.

The NIS acknowledges that the UK's commitment to achieving net zero emissions by 2050 will require profound changes that will provide huge opportunities for the UK to build back better. The NIS identifies that to deliver net zero, the share of generation from renewables needs to dramatically increase, and notes that greater generation capacity will need to come from onshore wind and solar. To support this the Government has included solar in the 2021/22 Contracts for Difference Allocation Round (AR4) to help "*deliver a diverse generation mix at low cost*" and to realise "*the rate and scale of new projects needed in the near-term to support decarbonisation of the power sector and meet the Net Zero commitment*" while providing other benefits such as diversity of supply through different resource requirements and a geographical separation from other significant renewable technologies.

Net Zero: Opportunities for the Power Sector

- 6.6.5. In June 2019 the Government raised the UK's ambition on tackling climate change by legislating for a net-zero greenhouse gas emissions target for the whole economy by 2050. Decarbonising the power sector is integral to achieving this goal and requires major investment in proven technologies, such as solar, which are supported by planning policy at local and national level.
- 6.6.6. The National Infrastructure Commission (NIC), official advisor to the Government on infrastructure, has subsequently produced a report, 'Net Zero: Opportunities for the Power Sector, in March 2020, which sets out the infrastructure required in order to meet the 2050 target, including the amount of new renewable energy development that would need to be deployed. Importantly, the NIC recommends the generation mix is up to around 90% renewables. The report recommends that across all scenarios significant solar, onshore wind, and offshore wind, with between 129-237 GW of renewable capacity is in operation by 2050, including:

- 56-121 GW of solar;
- 18 -27 GW of onshore wind; and
- 54 - 86 GW of offshore wind.

6.6.7. The above requires an increase in installed capacity, including up to nine times more solar than is currently installed in the UK, which is presently around 14.1GW according to the Solar photovoltaics deployment, August 2022 published by Department for Business, Energy & Industrial Strategy (BEIS).

6.6.8. Although the above figures are high-level, they demonstrate the amount of new infrastructure that is required. The scale of this need is such that it must be shared throughout the UK and in recognition that climate change is a national and global issue.

British Energy Security Strategy

6.6.9. In April 2022, the Government published the British Energy Security Strategy which demonstrates that the need of secure, clean and affordable British energy for the long term. This states that the Government will be supportive on the effective use of land by encouraging large scale projects to locate on previously developed, or lower value land, where possible, and to ensure projects are designed to avoid, mitigate, and where necessary, compensate for the impacts of using greenfield sites. The Government will also support solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use.

A Green Future: Our 25 Year Plan to Improve the Environment

6.6.10. The 25 Year Environment Plan published in 2018 sets out the government's 25 year plan to improve the environment within a generation.

It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first.

- 6.6.11. It sets out 10 goals which include the achievement of and management of pressures by providing: clean air; clean and plentiful water; thriving plants and wildlife; reduced risk of harm from environmental hazards like flooding and drought; the more sustainable and efficient use of resources from nature; enhanced beauty, heritage and engagement with the natural environment; mitigation and adaption to climate change; minimisation of waste; management of exposure to chemicals; and enhanced biosecurity.

Environment Act 2021

- 6.6.12. The Environment Act 2021 makes provision about targets, plans and policies for improving the natural environment. Schedule 15 of the Environment Act 2021 explains biodiversity net gain in national significant infrastructure projects. Although these provisions are not yet in force, it is likely that they will lead to an imposition of a requirement for the *“biodiversity value attributable to the development [to] exceed the pre-development biodiversity value of the on-site habitat by at least 10%”*.

7.0 Planning Assessment

This section considers how the Proposed Development responds to the NPS policy considerations. Emphasis is placed on the Energy NPSs which are the primary policy context for the SoS's decision, however, reference has been made to NPPF and Local planning policies where relevant.

Section 7.1 assess the Proposed Development against part 4 of NPS EN-1 (Assessment Principles) and of the draft revised NPS EN-1 and where relevant, parts 1 and 2 of NPS EN-3 (Introduction and assessment and technology specific information) and 3 of the draft revised NPS EN-3. Relevant parts of NPS EN-5 and the draft revised NPS EN-5.

Section 7.2 assess the Proposed Development against NPS EN-1 part 5, the draft revised NPS EN-1 part 5, the draft revised NPS EN-3 part 2.47-2.54 and the relevant parts of NPS EN-5 and the draft revised NPS EN-5.

Policy compliance tables are included at Appendix 3 which sets out a paragraph-by-paragraph policy test response to NPS EN-1 Part 5, draft revised NPS EN-1 Part 5, draft revised NPS EN-3 Part 2.47-2.54, relevant sections of NPS EN-5 and the draft revised NPS EN-5, the NPPF and local development plan policy.

7.1. General principles of assessment

Part 4.1 of EN-1 – General Points

- 7.1.1. Paragraph 4.1.2 of the draft revised NPS EN-1 states that, given the level and urgency of need for infrastructure projects of the types covered by the energy NPSs, the SoS will start with a presumption in favour of granting consent to applications for energy NSIPs, and that presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.
- 7.1.2. Solar PV is not included in the NPSs because in 2011 utility scale solar development was not considered economically or technically viable. However, as demonstrated in the Statement of Need **[Ref EN010127/APP/7.1]**, the technology is now considered both technically

and economically viable. This is recognised in the draft revised NPSs which provide a policy context and technology specific considerations for solar PV NSIPs.

- 7.1.3. In considering applications for energy NSIPs, and in particular when weighing their adverse impacts against their benefits, paragraph 4.1.3 of NPS EN-1 states that the SoS should take into account both the potential benefits, including the contribution to meeting the need for energy infrastructure, job creation, ecological enhancements, and any long-term or wider benefits; and the potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts.
- 7.1.4. Within this context, paragraph 4.1.4 of NPS EN-1 directs the SoS to take into account environmental, social and economic benefits and adverse impacts nationally, regionally and locally.
- 7.1.5. Paragraph 4.1.5 of NPS EN-1 confirms that matters that the SoS may consider both important and relevant to decision making, which may include local development plan documents. However, both the current and draft revised NPS EN-1 confirm that the NPS as the primary policy document and would take precedence in the event of a conflict between the NPS and other matters given the national significance of the infrastructure.
- 7.1.6. Section 5.3 of this document sets out local policy context for the Proposed Development and tables 4 - 10 at Appendix 3 of the Planning Statement provide an assessment and appraisal of the accordence of the Proposed Development with the NPPF and local planning policy.
- 7.1.7. **Figure 9** below identifies the Local Development Plan allocations and designations within and adjacent to the end Order limits. This identifies that there are no allocated sites for development within the Order limits. Some of the land within the Order Limits is designated as Minerals Safeguarding Area. A Mineral Impact Assessment (ref) is included in in Appendix 4 of the Planning Statement and concludes no material impacts upon minerals resources.

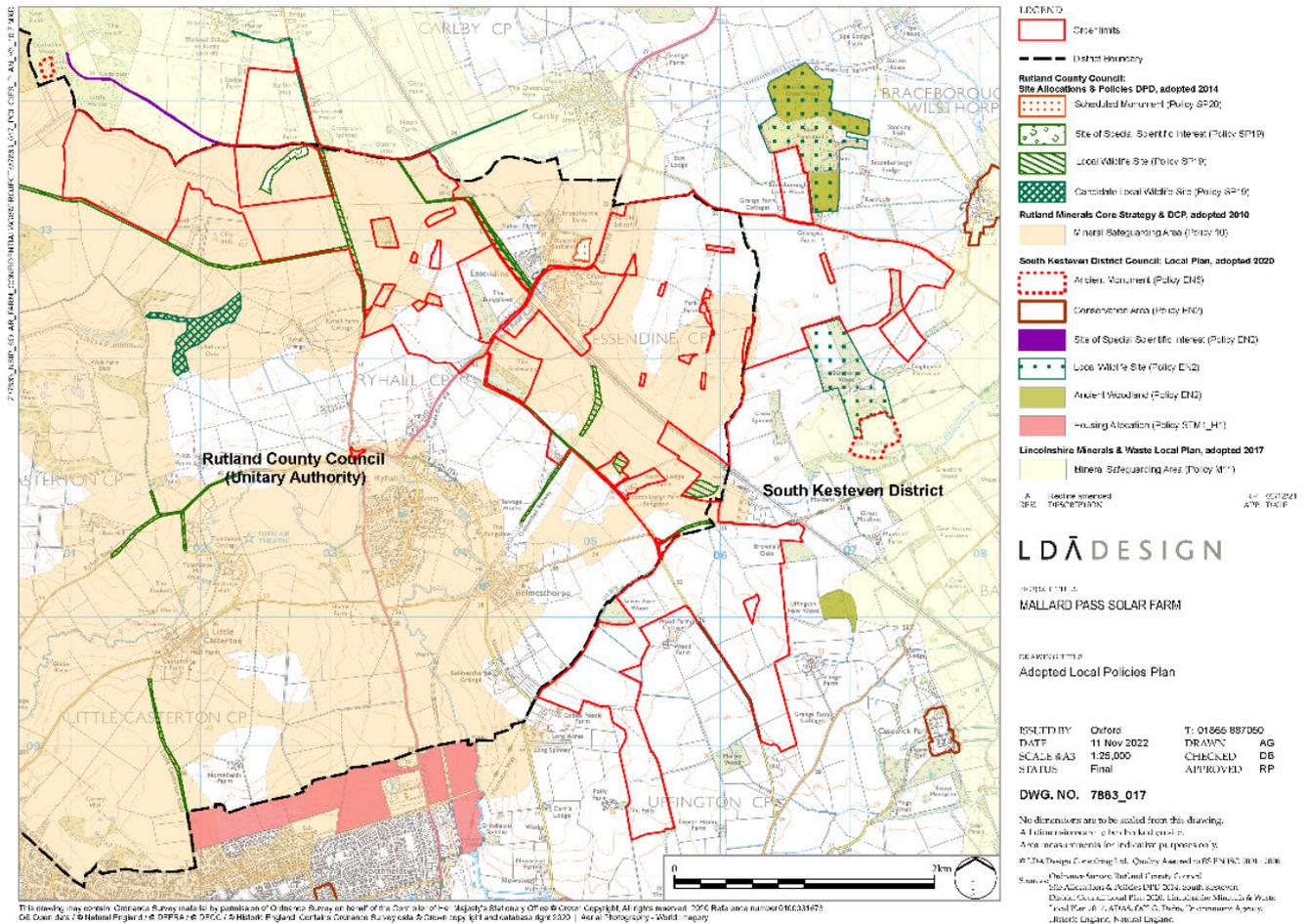


Figure 9 Local Development Plan Policies Map

7.1.8. Paragraph 4.1.7 of NPS EN-1 states that the SoS should only impose requirements on a development consent where these satisfy relevant planning guidance. The draft revised NPS EN-1 states at paragraph 4.1.7 that the SoS should take into account guidance in the NPPF, the PPG: Use of Planning conditions or successor documents where appropriate. Paragraph 55 of the NPPF makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following six tests, as outlined in NPPG paragraph 003 Reference ID: 21a-003-20190723:

- necessary;
- relevant to planning;
- relevant to the development to be permitted;
- enforceable;

- precise; and
- reasonable in all other respects.

7.1.9. Consideration of the above test has informed the development of the Draft DCO requirements which the Applicant has included within Schedule 2 in respect to the detailed design of the Proposed Development, which are considered appropriate to mitigate and manage adverse effects as identified in the ES. The draft requirements include:

- Commencement of the authorised development
- Phasing of the authorised development and date of final commissioning
- Requirement for written approval
- Approved details and amendments to them
- Detailed design approval
- Landscape and ecological management plan
- Skylark habitat provision
- Fencing and other means of enclosure
- Surface and foul water drainage
- Archaeology
- Construction environmental management plan
- Operational environmental management plan
- Construction traffic management plan
- Soil management plan
- Ground conditions
- Skills, supply chain and employment

- Decommissioning and restoration

- 7.1.10. Paragraph 4.1.8 of both the current and draft revised NPS EN-1 confirm the SoS may also take into account any development consent obligations under section 106 of the TCPA as amended by section 174 of the PA 2008 that an applicant agrees with local authorities.
- 7.1.11. The ES has not identified any requirement for any mitigation or enhancement measure to be secured via S106 obligations.
- 7.1.12. Paragraph 4.1.9 of NPS EN-1 requires applicants to have considered financial and technical feasibility of developments. The Applicant has taken commercial and financial matters (including proposed costs as set out in the Funding Statement **[Ref EN010127/APP/4.2]**. into consideration and decided to proceed with the Proposed Development.
- 7.1.13. Paragraph 4.1.9 of the draft revised NPS EN-1 emphasises the importance of early engagement with stakeholders. The process of engagement with public regulators, statutory bodies and those likely to have an interest in the application is set out in the Consultation Report **[Ref EN010127/APP/5.1]**.
- 7.1.14. Paragraph 4.1.10 of the draft revised NPS EN-1 emphasises the importance of good design and highlights that ‘Design principles’ should be established from the outset of the project to guide the development from conception to operation.
- 7.1.15.** Paragraphs 7.1.42 – 7.1.50 of this Planning Statement considers how the DCO Application has incorporated good design into the Proposed Development. The Design and Access Statement **[Ref EN010127/APP/7.3]** identifies the how Project Principles and have influenced the design development of the Proposed Development, and how the principles of good design will be secured as part of the DCO Application through the Design Guidance.

Part 4.2 of EN-1 – Environmental Statement

- 7.1.16. Paragraph 4.2.1 of NPS EN-1 refers to the requirement for proposals for projects to be accompanied by an Environmental Statement (ES) (with the

draft revised NPS EN-1 confirming that such projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)). The paragraph specifies the range of effects, their duration and measures for avoiding or mitigating significant effects that need to be considered at all stages of the project.

- 7.1.17. The DCO Application for the Proposed Development is accompanied by an ES. The scope of the ES accords with the EIA Scoping Opinion from the SoS (Appendix 2.2 of the ES [Ref EN010127/APP/6.2], and the EIA Regulations 2017. In accordance with NPS EN-1 the ES distinguishes between the construction, operational and decommissioning phases of the Proposed Development and has been prepared in accordance with the policy contained in paragraphs 4.2.1, 4.2.4 and 5.2.7 of NPS EN-1, and paragraphs 4.2.3 of the draft revised NPS EN-1.
- 7.1.18. Paragraph 4.2.6 of NPS EN-1 states what the likely worst-case environmental, social, and economic effects of the proposed development may be and assess where some details are still to be finalised.
- 7.1.19. As confirmed in section 4 of this Planning Statement and in Chapter 5 of the ES, a Rochdale Envelope based approach to assessment has been undertaken to ensure that the maximum effects are considered.

Part 4.3 of EN-1 – Habitats and Species Regulations

- 7.1.20. Paragraph 4.3.1 of NPS EN-1 confirms the SoS must under the Conservation of Habitats and Species Regulations 2017 consider whether a project may have a significant effect on a protected site, or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and projects. Applicants are required to supply such information as the ‘competent authority’ may reasonably require for the purposes of the assessment or to enable it to determine whether an Appropriate Assessment is required. Paragraph 4.2.9 of the draft revised NPS EN-1 confirms that applicants should seek advice of the appropriate Statutory Nature Conservation Bodies (SNCB). Appendix 7.3 of the ES [Ref EN010127/APP/6.2] includes the record of consultation with SNCBs.

- 7.1.21. The application includes a shadow Habitats Regulation Assessment (HRA) at ES Appendix 7.5 [Ref EN010127/APP/6.2] . The report concludes that the Proposed Scheme would not have likely significant effects (alone or in combination with other plans or projects) for all European sites and their qualifying features considered. The sHRA is in accordance with paragraph 4.3.1 of NPS EN-1.

Part 4.4 of EN-1 – Alternatives

- 7.1.22. Paragraphs 4.4.1 and 4.4.2 of NPS EN-1 states that

"...the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to a proposed development is in the first instance a matter of law, which falls outside the scope of this NPS."

- 7.1.23. It goes on to state that *"from a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether a development represents the best option. However:*

Applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility;

In some circumstances, there are specific legislative requirements, notably under the Habitats Directive, for the [SoS] to consider alternatives. These should be identified in the ES by the applicant; and

In some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives."

- 7.1.24. Regulation 14.(2).(d) of the EIA Regulations 2017, states that an ES should include:

"A description of the reasonable alternatives studied 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”.

- 7.1.25. The Applicant has considered the reasonable alternatives which could be considered to realistically achieve the objectives for the Proposed Development. This is set out in Chapter 4 of the ES [Ref **EN010127/APP/6.1**]. A Site Selection Report has also been prepared and is included in Appendix 1 and is summarised in section 3.6 of this document.
- 7.1.26. In the context for the clear and urgent need for renewable energy development the following alternatives have been considered for the Proposed Development:
- Alternative sites, size and scale;
 - Alternative technologies; and
 - Alternative layouts.
- 7.1.27. The consideration of ‘no development’ as an alternative to the Proposed Development has not been considered as a reasonable alternative as it would not deliver the proposed renewable electricity generation capacity which is required in order to meet the UK’s net zero targets.
- 7.1.28. Chapter 4 of the ES and the Site Selection Report in Appendix 1 identify that the availability of significant capacity at the National Grid Ryhall Substation without the need for upgrading was the primary driver in identifying a site in this part of Lincolnshire. Given the urgent need for renewable energy to address the climate crisis, this available capacity should be utilised (and made the most of) where it occurs. The Site Selection Report identifies the process of identifying the Order limits for the Proposed Development.
- 7.1.29. As a solar developer, alternative technologies to solar PV were not considered. However, it is noted that utility scale onshore wind is unlikely to be deliverable in this location given the current policy context and

requirement for community support. Alternative solar technologies and layouts are considered in Chapter 4 of the ES **[Ref EN010127/APP/6.1]**.

- 7.1.30. In summary, consideration of alternatives has been carried out in line with regulatory requirements and in the context of the clear and urgent need case for the development, which is considered to be in accordance with Part 4.4 of EN-1.

Part 4.5 of the Draft EN1 - Environmental and Biodiversity Net Gain

- 7.1.31. Paragraph 4.5.1 of the draft revised NPS EN-1 states applicants should go beyond mitigating direct harms and consider opportunities for enhancements. Biodiversity net gain is an essential component of environmental net gain.
- 7.1.32. Paragraph 4.5.2 explains that energy NSIP proposals should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity where possible. Applicants are encouraged to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and inform their biodiversity net gain outcomes and to present this data as part of their application.
- 7.1.33. Paragraph 4.5.3 of the draft revised NPS EN-1 refers to wider environmental gains that may be delivered to the local area, and to national policy priorities. It notes the scope of potential gains will be dependent on the type, scale, and location of specific projects. Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into the design (including any relevant operational aspects) of the project.
- 7.1.34. The DCO Application is accompanied by an outline Landscape and Ecological Management Plan (oLEMP) **[Ref EN010127/APP/7.9]** which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed landscape mitigation and enhancement measures that would be delivered through the Proposed Development. Appendix 7.6 of

Chapter 7 of the ES includes a Biodiversity Net Gain calculation [Ref EN010127/APP/6.2], using Defra's Metric 3.1, has been provided with the DCO Application which demonstrates a 72% Biodiversity Net Gain for habitats.

7.1.35. In summary, the following landscape and ecology mitigation and enhancement measures have been embedded into the design (as shown in the Green Infrastructure Strategy Plan contained within the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] of the Proposed Development through various design iterations and consultations:

- Siting the PV Arrays within the existing landscape framework allowing for the retention of the existing woodland, hedgerows, ditches, field margins and watercourses. Some pruning and / or removal of hedgerows may be required in limited areas for highway access points although the majority would be retained;
- Substantial new native planting across the Solar PV Site providing visual screening and other benefits to landscape character and habitat creation throughout the operational lifespan of the Proposed Development and following decommissioning;
- Infilling and gapping up of existing hedgerows where required, reconnecting landscape features, connect habitats and providing visual screening;
- Retention of the majority of the habitats of value, where possible, including woodland, hedgerows, field margins, ditches and watercourses;
- Extensive new native planting comprising a variety of habitats and species including wildflower grassland with calcareous species in the western part and neutral species in the eastern parts of the Solar PV Site to reconnect existing habitats into the wider landscape;

- New shallow wetland scrapes for birds, insects and amphibians along the West Glen River corridor;
- New features/provisions including bat and bird boxes and artificial otter holts along the West Glen River corridor;
- Ongoing future management for biodiversity benefits including hay meadow style management of new grassland areas, low intensity grazing, less intensive hedgerow management allowing vegetation to grow out more fully providing biodiversity benefits;
- New native planting to provide additional visual screening from the surrounding settlements and residential properties overlooking the Solar PV Site, where appropriate; and
- Provision of large open areas of retained arable farmland to provide skylark habitat (further details are provided within Chapter 5: Ecology and Biodiversity, of this ES).

7.1.36. The key components of the proposed Green Infrastructure Strategy Plan are described within the Design and Access Statement and oLEMP. In summary the key components include:

The West Glen River Corridor

7.1.37. The West Glen River Corridor is a key landscape feature which has shaped the design of the Proposed Development from the outset. The river corridor has historically been heavily channelised and is currently not publicly accessible. The applicant is in dialogue with Anglian Water who have identified the West Glen River for potential works to improve biodiversity and riparian habitats as part of their Catchment Based Approach (CaBA) partnerships programme. The enhancements to the river corridor delivered by the Proposed Development would include new riparian planting such as alder carr/wet woodland and the creation of shallow wetland scrapes to provide new habitat for fauna, amphibians and birds. A new permissive path along the river corridor is proposed along the north and central section where it runs adjacent to the East Coast Main Line Railway.

Calcareous Grassland Enhancements

- 7.1.38. Areas to the north-west of the Order limits near The Drift are underlain by chalk geology. Many of the roadside verges to the north-west of the Order limits including along Holywell Road are protected due to their botanic diversity. The creation of new chalk grassland with calcareous wildflower species has been a key principle in the areas contributing to this important habitat. The proposed calcareous grassland within the Order limits would reconnect with the surrounding fragmented habitats.

Woodland and Hedgerow Reconnections

- 7.1.39. The proposed Green Infrastructure Strategy Plan and the oLEMP seeks to retain the existing hedgerows within the Order limits as far as possible. The existing woodlands are generally excluded from the Order limits although new planting has been proposed to reinforce existing or gappy sections of hedgerow lost through arable intensification or to connect with existing woodland habitats which have since become fragmented or isolated.

New Permissive Paths

- 7.1.40. As described in Section 3, the Proposed Development would include three new permissive paths approximately 8.1km in total length connecting into the wider network of PRow and rural lanes as a recreation benefit.
- 7.1.41. The measures outlined above are illustrated in the Green Infrastructure Plan which is included within the oLEMP [Ref EN010127/APP/7.9] and will ultimately inform the detailed LEMPs. Appendix 7.6 of Chapter 7 of the ES includes a Biodiversity Net Gain calculation [Ref EN010127/APP/6.2]. The proposed Development been shown to deliver 72% Biodiversity Net Gain for habitats in accordance with the DEFRA Biodiversity Metric 3.1. The oLEMP identifies the environmental management measures across the site to deliver the BNG identified. This is secured as a requirement under Schedule 2 of the DCO.

Part 4.5 of EN-1, Part 4.6 of the draft EN-1 and Part 2.4 of the draft EN-3 – Criteria for “Good Design” for Energy Infrastructure

- 7.1.42. NPS EN-1 Paragraph 4.5.1 states that “Applying “good design” to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible.”
- 7.1.43. NPS EN-1 paragraph 4.5.3 states that whilst applicants may have very limited choice in the physical appearance of some energy infrastructure. However, given the importance the PA 2008 places on good design and sustainability, the SoS need to be satisfied that energy infrastructure development are as attractive, durable and adaptable as they can be.
- 7.1.44. Paragraph 4.6.2 of the draft revised NPS EN-1 states that design principles should be established from the outset of the project to guide the development from conception to operation. Footnote 61 of the draft EN-1 states that *“Design principles should take into account any national guidance on infrastructure design, this could include for example the Design Principles for National Infrastructure published by the National Infrastructure Commission”*.
- 7.1.45. Paragraph 4.5.4 of NPS EN-1 requires applicants to demonstrate in their application how the design process was conducted and how the proposed design evolved and be satisfied that the applicant has taken into account both functionality and aesthetics. Paragraph 4.6.3 of the draft EN-1 also states that applicants should seek to embed opportunities for nature inclusive design within the design process.
- 7.1.46. Paragraph 2.4.1 and 2.4.2 of the draft revised NPS EN-3 refer to part 4.6 of NPS EN-1 and emphasis that proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology.

- 7.1.47. To ensure good design has been embedded into the design evolution of Proposed Development, a set of Project Principles were identified early in the project using the structure of headings from the NIC design guide advice (Climate, People, Places and Value).
- 7.1.48. These Project Principles have been used to frame the Mallard Pass Solar Farm Project Principles described in the Design and Access Statement **[Ref EN010127/APP/7.3]** and summarised in section 2 of this Planning Statement.
- 7.1.49. The design of the Proposed Development, and how the Project Principles have been applied to the DCO Application are set out in the Design and Access Statement. The Design and Access Statement documents the design evolution of the scheme which has included a number of design iterations through consultation feedback received from both Stage 1 (informal) and Stage 2 (formal) consultation, from PINS, statutory consultees such as Natural England, and the local authorities, and their appointed consultants.
- 7.1.50. To inform the design process for post-DCO consent the Applicant has developed Design Guidance which will support the practical application of the Project Principles for detailed design, within the spatial extent parameters set by the Work Plans; the quantitative Parameters set out in Appendix 5.1 of the Environment Statement; and the Green Infrastructure proposals set out in the oLEMP, through the setting of specific design requirements for the detailed design stage. The Design Guidance is set out in section 4.15 of the Design and Access Statement and will be secured by Requirements of the DCO.

Part 4.8 of EN-1 and Part 4.9 of the Draft EN-1 – Climate Change Adaptation (with reference to EN-5 Part 2.4)

- 7.1.51. Paragraph 4.8.5 of NPS EN-1 states applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. Paragraph 4.9.5 of the draft revised NPS EN-1 states that applications should consider nature based solutions which can also result in biodiversity

benefits as well as increasing absorption of carbon dioxide from the atmosphere in adapting to climate change.

- 7.1.52. Paragraph 2.4.1 of NPS EN-5 requires the consideration of the effects of flooding (particularly on substations that are vital for the electricity transmission and distribution network), winds and storms (on overhead lines), higher average temperatures (leading to increased transmission losses) and earth movement or subsidence caused by flooding or drought (on underground cables).
- 7.1.53. The ES sets out how the proposal will take account of the impact of the Proposed Development on climate change. Chapter 13 of the ES considers the effects of the development upon climate change and climate change. Chapter 11 of the ES considers water resources with a Flood Risk Assessment included in appendix 11.4 [**Ref EN010127/APP/6.2**].
- 7.1.54. The ES and FRA conclude that the measures taken in the layout of the proposals and implementation of mitigation measures identified, would not increase the risk of flooding during the construction, operational or decommissioning phases of the Proposed Development either within or beyond the Order limits, including when taking account of climate change allowances. An Outline Construction Environmental Management Plan (CEMP) and outline Water Construction Management Plan (WCMP) have been prepared and submitted as part of the DCO Application, which alongside the Parameters in Appendix 5.1 of the Environmental Statement for the operational phase, secure the relevant mitigation measures. The final CEMP and WCMP would include measures to ensure that construction does not result in an unacceptable increase to flood risk within the Site or to surrounding property.

Part 4.9 of EN-1 and part 4.10 of the draft EN-1 – Grid Connection

- 7.1.55. Paragraph 4.9.1 of NPS EN-1 notes that the grid connection point of a generating station to the electricity network is an important consideration for applicants, and the SoS will want to be satisfied there is no obvious reason why a grid connection would not be possible.
- 7.1.56. The Proposed Scheme would connect to the existing National Electricity Transmission System (NETS) at the existing Ryhall 400 kV substation, immediately adjacent to the Site.
- 7.1.57. The Grid Connection Statement [**Ref EN010127/APP/7.4**] submitted with the DCO Application demonstrates that a connection to the existing substation is technically feasible.

Part 4.10 of EN-1 and Part 4.11 of the Draft EN-1 – Pollution Control and Other Environmental Regulatory Regimes

- 7.1.58. Paragraph 4.10.1 of NPS EN-1 states that discharges or emissions which affect air quality, water quality, land quality or noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes.
- 7.1.59. Paragraph 4.10.3 of NPS EN-1 states that the SoS should focus on whether the development itself is an acceptable use of the land, rather than the control of processes, emissions and discharges themselves. The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes will be properly applied and enforced by the relevant regulator.
- 7.1.60. The DCO Application is accompanied by an Other Consents and Licences Document [**Ref EN010127/APP/3.3**]. This outlines the Environmental Permits and Licenses that would be required to facilitate the Proposed Development.
- 7.1.61. The construction phase environmental impacts of the Proposed Development would be managed through the implementation of a Construction Environmental Management Plan (CEMP). An outline CEMP [**Ref EN010127/APP/7.6**] submitted with the DCO Application and sets out

a series of measures, based on best-practice guidance, to control the environmental effects of construction of the Proposed Development. These measures are expected to form an important part of efforts to control construction phase impacts.

- 7.1.62. Ongoing impacts are required control and regulate impacts arising from the Operational phase of the Proposed Development are considered to be few and minor. However, any arising impacts will be controlled through the outline Operational Environmental Management Plan (oOEMP) [Ref **EN010127/APP/7.7**] submitted with the DCO Application. The outline Decommissioning Environmental Management Plan (oDEMP) [Ref **EN010127/APP/7.8**] will control environmental effects as identified in the ES during the decommissioning of the Proposed Development.

Part 4.11 of EN-1 and Part 4.12 of the Draft EN-1 – Safety

- 7.1.63. Paragraph 4.11.1 of NPS EN-1 explains that the Health and Safety Executive (HSE) is responsible for enforcing a range of occupational health and safety legislation, some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Paragraph 4.11.3 confirms that some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015.
- 7.1.64. Chapter 15 of the ES addressed Major Accidents. A Battery Energy Storage System (BESS) is not included in the DCO Application and the chapter concludes that the Proposed Development does not introduce any construction or operational uses or procedures that are considered to have a risk of major accident or disasters that could affect existing or future sensitive receptors, which are not considered through existing regulatory regimes. The detailed CEMP and detailed DEMP will provide details of the site and the emergency response required in the event of an accident. The Applicant has consulted with the HSE, Cadent Gas and National Grid Gas (NGG) as detailed in the Consultation Report. All guidance referred to in the HSE consultation response has been adhered to.

Part 4.12 of EN-1 and Part 4.13 of the Draft EN-1 – Hazardous Substances

- 7.1.65. Paragraph 4.12.1, NPS EN-1 states that all establishments wishing to hold stocks of certain hazardous substances above a certain threshold require Hazardous Substances Consent (HSC).
- 7.1.66. There is no requirement for storage or use of hazardous substances at or above Controlled Quantities for the Proposed Development and HSC is not required. Notwithstanding this, Chapter 11 – Water Resources and Ground Conditions of the ES [Ref EN010127/APP/6.1] identifies pollution prevention and control measures with management prescriptions set out in the oCEMP which would be secured under Schedule 2 of the DCO Application.

Part 4.13 of EN-1 and Part 4.3 of the draft EN-1 – Health

- 7.1.67. Paragraph 4.13.1 of NPS EN-1 highlights that energy production has the potential to impact on the health and well-being of the population. NPS EN-1 goes on to state that where development has the potential to result in effects on human beings, the ES should assess those effects for each element of the project, identifying any adverse health impacts and measures to avoid, reduce or compensate the impacts as appropriate.
- 7.1.68. The impacts upon health are assessed in the ES [Ref EN010127/APP/6.1]. As confirmed in the PINS EIA Scoping Opinion (appendix 2.2 of the ES [Ref EN010127/APP/6.2], a standalone chapter for Human Health is not required to form part of the ES. Any interactions with human health arising from the proposed development are considered in other environmental topic chapters such as air quality, noise, socio-economics and climate change. Accounting for mitigation measures identified in the ES, the Proposed Development has been designed and would be maintained to operate safely and there are considered to be no unacceptable impacts of risk to human health.

Part 4.14 of EN-1 and Part 4.14 of the Draft EN-1 – Common Law Nuisance and Statutory Nuisance

- 7.1.69. Paragraph 4.14.2 of NPS EN-1 states that the application stage of an energy NSIP, it is important that possible sources of nuisance under

Section 79(1) of the Environmental Protection Act 1990, and how they may be mitigated or limited, are considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent.

- 7.1.70. The Applicant has prepared and submitted a Statutory Nuisance Statement as is required under APFP Regulation 5(2)(f) and paragraph 4.14.2 of EN-1. Measures including obtaining section 61 consents for control of noise on construction sites, which would include agreed construction noise limits for nearby noise sensitive receptors, are set out in the oCEMP [Ref **EN010127/APP/7.6**] and oDEMP [Ref **EN010127/APP/7.8**] and are secured through the DCO.

Part 4.15 of EN-1 and Part 4.15 of the draft EN-1 – Security Considerations

- 7.1.71. Paragraph 4.15.1 of NPS EN-1 explains that national security considerations apply across all national infrastructure sectors. Paragraph 4.15.1 of the draft revised EN-1 notes BEIS works closely with Government security agencies including the Centre for the Protection of National Infrastructure (CPNI) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.
- 7.1.72. Paragraph 4.15.2 of NPS EN-1 states that Government policy is to ensure that proportionate protective security measures are designed into new infrastructure projects at an early stage.
- 7.1.73. Security requirements for the Proposed Development have been embedded into the design of the proposals from the outset and are considered proportionate. Facing and CCTV are employed across the site to secure and monitor solar infrastructure. The oOEMP [Ref **EN010127/APP/7.7**] sets out measures for the security management, including a programme of security management threat risks assessments.

7.2. Landscape and Visual

- 7.2.1. This section reviews the Proposed Development in the context of planning policies related to landscape and visual impacts. This section should be read in conjunction with policy accordence tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.2.2. Paragraphs 5.9.5 - 5.9.7 of NPS EN-1 refer to the requirement for Landscape and Visual Impact Assessments (LVIA) which consider impacts of construction and operational phases of development. Paragraph 5.10.8 of the draft revised NPS adds that the assessment should also consider impacts upon residential amenity, including impacts of light and noise.
- 7.2.3. Chapter 6 of the ES **[Ref EN010127/APP/6.1]** includes a LVIA of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. It considers cumulative effects, visual and light pollution effects and effects on nature conservation. It includes reference to landscape character assessments relevant to the Proposed Development and takes account of development local development plan policies.
- 7.2.4. In line with paragraph 2.51.3 of the draft revised NPS, the LIVA includes visualisations to demonstrate the effects of the Proposed Development, these are included in Figure 6.8.1 - 6.8.20: Representative Viewpoints 1 – 20, Figure 6.9.A - 6.9.H: Illustrative Viewpoints A – H and Figure 6.10.A – 6.10.E: Photomontages A – E within volume 3 of the ES **[Ref EN010127/APP/6.3]**.
- 7.2.5. In addition, and in response to paragraph 5.10.8 of the draft revised NPS EN-1, a Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES **[Ref EN010127/APP/6.2]**.

- 7.2.6. Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment including by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside. Table 4 at Appendix 3 includes a detailed policy response to the NPPF.
- 7.2.7. RCC Core Strategy Policy CS20: Energy efficiency and low carbon energy generation state that renewable, low carbon and de-centralised energy will be encouraged in all development subject to satisfactorily addressing criteria including “a) *landscape and visual impact, informed by the Rutland Landscape Character Assessment and the Rutland Historic Landscape Character assessment*” and Policy CS21 states development should be appropriate to the landscape character type within which it is situated.
- 7.2.8. RCC Site Allocations DPD Policy SP7 Non-residential development in the countryside seeks to ensure that development “is not detrimental to the character and appearance of the landscape, visual amenity and the setting of towns and villages”
- 7.2.9. RCC Site Allocations DPD Policy SP18: Wind turbines and low carbon energy developments state “Proposals for other low carbon energy developments will be supported where they are acceptable in terms of: a) impact on residential amenity; b) landscape and visual effects...”
- 7.2.10. Policy SP23 - Landscape character in the countryside – states that New development in and adjoining the countryside will only be acceptable where it is designed so as to be sensitive to its landscape setting
- 7.2.11. The Design and Access Statement [**Ref EN010127/APP/7.3**] outlines the design process and decisions made from the outset of the design process in order to minimise landscape impacts. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. As confirmed in Chapter 6 of the ES, this approach helps the wider landscape character to prevail. These landscape features have been accurately mapped, with appropriate minimum setbacks applied, as set out in the Green Infrastructure Strategy Plan contained within the outline Landscape Environmental Management Plan

(oLEMP) [Ref EN010127/APP7.9] and reflected in the Works Plans and the Parameters in ES Appendix 5.1, which has allowed for the vast majority of the existing landscape structure to be retained. Table 9 of Appendix 3 includes a detailed policy response to Rutland County Council Core Strategy policies with regard to landscape and visual effects.

- 7.2.12. Policy EN1 – Landscape Character – of the South Kesteven District Council Local Plan 2011- 2036 states that Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.
- 7.2.13. Renewable energy Appendix 3 of the SKDC Local Plan Solar Energy Criterion 1 and 2 require applications to be accompanied by an LVIA and RVAA assessment respectively. Paragraph 3.18 *The Council will require a Landscape and Visual Impact Assessment (LVIA) for large scale ground mounted schemes. This should be in accordance with best practice guidelines published by the Landscape Institute and the level of detail will depend upon the sensitivity of the site* paragraph 3.19 states *The visual impact upon any nearby dwellings or villages should be assessed as part of the LVIA, above including any effect of glint, glare or colour upon residential amenity or human health. Any proposed mitigating measures in the development such as peripheral landscaping should be taken into account as well as their establishment time and permanence*
- 7.2.14. As noted above, Chapter 6 of the ES [Ref EN010127/APP/6.1] includes an LVIA, and an RVAA has been undertaken in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. Similar criteria are set out in Solar Criterion 1 and Solar Criterion 2 in the Renewable Energy Appendix to the South Kesteven Local Plan. An (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. The Proposed Development has identified all residential properties within 100m of the Order limits. Each identified property was then reviewed to understand the potential impact of the proposals and appropriate mitigation measures. Following application of

suitable mitigation measures, which includes setting back the Solar PV Site and introduction of screening, as detailed in the Green Infrastructure Strategy Plan included in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], the RVAA concludes that there will be no overbearing impacts arising from the Proposed Development upon any individual residential properties. On the basis that no visual amenity impacts arise on any property within 100m of the Proposed Development, the study area has not been extended beyond this.

- 7.2.15. Part 2.8 of EN-5 refers to Landscape and Visual impacts. The Onsite Substation for the Proposed Development has been located close to the Point of Connection to the National Grid Electricity Transmission (NGET) network at Ryhall 400kV Substation. The cables connecting the Proposed Development and NGET substation are proposed to be underground. The decision to underground the cables significantly reduces the visual and landscape effects of the Proposed Development with regard to the electricity network. Table 3 at Appendix 3 includes a response to NPS EN-5 and the draft revised NPS EN-5.
- 7.2.16. Draft revised EN-3 paragraph 2.51.4 states: “Applicants will be expected to direct considerable effort towards minimising the landscape/visual impact of solar PV arrays.” Paragraph 5.9.17 of NPS EN-1 (unchanged in paragraph 5.10.19 of NPS EN-1) states the SoS should consider if the project has been designed carefully, taking account of environmental effects to minimise harm to the landscape, including by reasonable mitigation. Rutland County Council Core Strategy Policy CS2 - The Spatial Strategy - criteria m) refers to “promoting high-quality design that respects resource efficiency, local distinctiveness and safeguards the special historic and landscape character” South Kesteven Local Plan Policy N1 - Landscape Character - states development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated.
- 7.2.17. The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made, including the principles identified to

frame design decisions, in order to minimise landscape and visual impacts. This has been influenced by the analysis contained in the LVIA at Chapter 6 of the ES [Ref EN010127/APP/6.1] and RVAA Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. Consultation and feedback from PINS, Natural England, the Local Authorities and their appointed consultants' as well as public consultation, have also influenced the layout and design of the Proposed Development.

- 7.2.18. In response to paragraphs 2.51.4 of the draft revised NPS EN-3, paragraphs 5.9.17 & 5.10.19 of the NPS EN-1 and draft revised NPS EN-1 and local policy, measures to minimise landscape and visual effects include providing substantial offsets with retained intervening landscape providing visual separation, and extensive new planting across the Order limits to strengthen landscape structure, create, and connect habitats and provide visual screening.
- 7.2.19. Paragraph 2.51.5 of the draft revised NPS EN-1 states that applicants should “have regard in both the design layout of the solar farm, and future maintenance plans, to the retention of growth of vegetation on boundaries, including the opportunity for individual trees within the boundaries to grow on to maturity....”
- 7.2.20. In response to policy 2.51.5, a fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. These landscape features have been accurately surveyed with appropriate minimum setbacks applied which have allowed for the vast majority of the existing landscape structure to be retained, as indicated in the Green Infrastructure Strategy Plan included in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], and detailed Appendix 5.1 of the ES [Ref EN010127/APP/6.1]. The outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.9] which is secured as part of the DCO, outlines the measure for management of existing and proposed new vegetation within the Order limits.

- 7.2.21. Paragraph 2.51.5 of the draft revised NPS EN-1 also states “Existing hedges and established vegetation, including mature trees, should be retained wherever possible. Trees and hedges should be protected during construction. The impact of the proposed development on established trees and hedges should be informed by a tree survey or a hedge assessment as appropriate.”
- 7.2.22. The design approach to the Proposed Development has been to retain as far as is possible existing landscape features within the Order limits, including hedgerows and trees. An Arboricultural Impact Assessment (AIA) is included in Appendix 15.2 of the ES [Ref EN010127/APP/6.2] which has informed the layout of the Proposed Development. Measures to protect trees from accidental damage during the construction and decommissioning phases of the Proposed Development have been set out within the Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] Paragraphs 5.9.21 – 5.9.23 of NPS EN-1 (paragraph 5.2.21 isn’t carried forward into the draft revised NPS, otherwise, paragraphs 5.10.24 – 5.10.25 are unchanged) state that landscape and visual effects may be minimised through reducing scale, appropriate siting of infrastructure within the site, design including colours and materials, and landscaping schemes, and that filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.
- 7.2.23. The LVIA refers to the measures that have been embedded into the design of the Proposed Development to ensure landscape and visual effects are minimised, as illustrated on the Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP7.9]. The design evolution, iterations and changes to the site layout and development parameters in response to consultee feedback has been explained within the Design and Access Statement [Ref EN010127/APP/7.3]. This has included reducing the scale of the development through including substantial setbacks from identified receptor groups and / or including additional visual screening or offsets from key viewpoints.

- 7.2.24. Further design measures to minimise landscape and visual impacts can be achieved through the detailing of materials. For example, the perimeter security fencing has been proposed as 2-metre-high timber deer fencing with a wide-gauge stockproof mesh, and the inverter and transformer units would potentially be painted green to appear muted in colour and visually recessive in more distant views. The colour scheme and materials for built components of the Proposed Development will be sensitive to its context and agreed with the LPA . These details are secured in the Design Guidance included in the Design and Access Statement.
- 7.2.25. The Onsite Substation and ancillary buildings have been clustered to the south of Essendine near the existing industrial complex, the East Coast Mainline Railway and the existing Ryhall substation infrastructure in order to co-locate these effects. Whilst the solar farm is of utility NSIP scale, the development would appear subdivided and compartmentalised by the prevailing landform, woodland and hedgerows such that it would not be entirely visible from any given location.
- 7.2.26. In summary, the following landscape and visual mitigation and enhancement measures have been embedded into the Order limits through various design iterations and consultations:
- Offsetting the Solar PV Site from rural settlements and individual properties in proximity to the Order limits;
 - Siting the Solar PV Site within the existing landscape framework allowing for the retention of the existing woodland, hedgerows, ditches, field margins and watercourses, subject to minor hedgerow removals related to access;
 - Substantial new native planting across the Solar PV Site providing visual screening and other benefits to landscape character throughout the operational lifespan of the Proposed Development and an enduring positive legacy following decommissioning, and to provide additional visual screening from the surrounding settlements and residential properties overlooking the Solar PV Site, where appropriate;

- Infilling and gapping up of existing hedgerows where required, reconnecting landscape features and providing visual screening;
- Ongoing future management for biodiversity benefits including hay meadow style management of new species diverse grassland areas, low intensity grazing, less intensive hedgerow management allowing vegetation to grow out more fully providing biodiversity benefits;
- Retention of all existing PRoW passing through the Solar PV Site; and;
- Offset of the proposed solar arrays at least 15 metres either side from centre of existing PRoW and proposed permissive paths to remove any channelling visual effects.

7.2.27. It is considered that the NPS EN-1 paragraphs 5.9.17-5.9.23, draft revised NPS EN-1 paragraphs 5.10.24-5.10.25, draft revised NPS EN-3 paragraphs 2.51.4 – 2.51.5, and local policies are addressed through the above embedded mitigation measures which have been factored into the assessment of landscape, visual and residential amenity impacts.

Landscape Character

- 7.2.28. NPS EN-1 Paragraph 5.9.8 states “...Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”
- 7.2.29. NPS EN-1 paragraph 3.2.3 also states “...as noted in Section 1.7, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts.”
- 7.2.30. In addition, NPS EN-1 Paragraph 1.7.2 states “The development of new energy infrastructure, at the scale and speed required to meet the current and future need, is likely to have some negative effects on biodiversity, landscape/visual amenity and cultural heritage... In general, it should be possible to mitigate satisfactorily the most significant potential negative

effects of new energy infrastructure consented in accordance with the energy NPSs, and they explain ways in which this can be done; however, the impacts on landscape/visual amenity in particular will sometimes be hard to mitigate.”

- 7.2.31. NPS EN-1 Paragraph 5.9.15 states the scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The SoS should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.
- 7.2.32. Chapter 6 of the ES **[Ref EN010127/APP/6.1]** includes Zone of Theoretical Visibility (ZTV) to inform the LVIA. The ZTV analysis concludes that visual impacts are generally contained to within 2km of the Order limits, and beyond 2km are considered to be negligible. The visual aids utilised to help determine the impact of the proposal include annotated photo panels of both representative and illustrative viewpoints and photomontages to illustrate visual effects.
- 7.2.33. Section 6.3 of Chapter 6 of the ES **[Ref EN010127/APP/6.1]** set out the national, regional, and local character areas that the Order limits relate to. At the national level, the Order limits are within the Natural England Kesteven Uplands National Character Area and regionally they are contained within the Regional Landscape Character Types 10 Woods and Forest a) Forest Hills and Ridges of the East Midlands Regional Landscape Character Assessment. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site.
- 7.2.34. Rutland County Council commissioned a landscape sensitivity and capacity assessment in relation to wind turbine development in September 2012 for each of the LCA's within Rutland as part of the evidence base for their Local Plan. The Rutland Plateau D(ii) Clay Woodlands LCA was

considered to be of low landscape value within Table 10 of this study undertaken The Landscape Partnership (TLP) consultants.

- 7.2.35. The study identified the following landscape capacity in the relation to the Rutland Plateau D(ii) Clay Woodlands LCA covering the Order Limits:
- High capacity for single turbines and small-scale groups of turbines (2 - 5) up to 50 metres in height;
 - Moderate capacity for small to medium scale groups of turbines (6-11) up to 50 metres in height;
 - Low capacity for medium scale group (12 -16) and large scale group (17+) up to 50m in height.

7.2.36. Whilst this study is specifically related to onshore wind development, it is notable that for a turbine of 50m in height, the Rutland Plateau D(ii) Clay Woodlands LCA was considered to exhibit a high capacity. Section 6.5 of the LVIA set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs within the ZVI, the key characteristics of the wider LCAs would prevail.

7.2.37. It is considered that these impacts are clearly outweighed by the benefits of the proposed development, including the delivery of significant level of low carbon energy generation and biodiversity net gain and permissive path network. Therefore, the Proposed Development is considered to be in compliance with NPS EN-1 Paragraph 5.9.8 and 5.9.15 (and the draft revised NPS, which is unchanged in this regard).

Designated Landscapes

7.2.38. NPS EN-1 paragraph 5.9.9 – 5.9.14 (unchanged in paragraph 5.10.11 – 5.10.16) consider impacts upon nationally designated landscapes and landscapes with designated local value. The Order limits are not located within a statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan

Special Landscape Area (SLA) and the order limits would not be visible from one of these designated landscapes.

7.2.39. The LVIA confirms that the Order limits are located within the surroundings of two former non-statutory Local Plan designations including:

- Area of Particularly Attractive Countryside (APAC) approximately 0.5km to the north-west near Newell Wood and Pickworth; and
- Area of Local Landscape Value (ALLV) approximately 0.85km to the west near Ryhall.

7.2.40. These non-statutory landscape designations have not been saved within the adopted current Development Plan for Rutland County Council, although are cited within the Rutland Landscape Character Assessment (2003) which pre-dates the adoption of the Core Strategy. Despite no longer being adopted, the impacts of the Proposed Development have been assessed with respect to the APAC and ALLV. The Proposed Development is concluded to be of a Low Magnitude with Slight (Not Significant) and Adverse effect with regard to the APAC, and Negligible Magnitude with a Minimal (Not Significant) and Neutral effect with regard to the ALLV. Therefore, the proposed Development is compliant with paragraph NPS EN1 5.9.14 and draft revised EN paragraph 5.10.16.

Visual Effects

7.2.41. Paragraph 5.9.15 of EN-1 recognises that the scale of NSIPs mean that they will often be visible within many miles of the site of the proposed infrastructure. The LVIA sets out how it has identified and appraised the impacts upon various visual receptor groups, utilising Zone of Theoretical Visibility (ZTV) and various visual aids, including photo viewpoints and photomontages. Paragraph 2.51.3 of draft revised EN-3 states that visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints.

7.2.42. The ZTV analysis concludes that visual impacts are generally contained to within 2km of the Order limits, and beyond 2km are considered to be

negligible. The visual aids utilised to help determine the impact of the proposal include annotated photo panels of both representative and illustrative viewpoints and photomontages to illustrate visual effects.

- 7.2.43. Paragraph 5.9.18 of EN-1 states that all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites, and a judgement is required on whether effects upon sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.
- 7.2.44. The LVIA identifies receptor groups in section 6.3 of Chapter 6 of the ES **[Ref EN010127/APP/6.1]** and the assessment of visual effects is described in sections 6.5.
- 7.2.45. In summary, Significant adverse visual effects resulting from the Proposed Development are contained to the receptors within the Order limits themselves, including the PRow crossing the Solar PV site, where there would be a partial loss of open views across the arable farmland from year 1. Mitigation would be provided through appropriate stand-off distances (15m either side of the centre point of the PRow) wide hedge-lined corridor on the PRow passing through the Solar PV Site which would slightly reduce the visual effects.
- 7.2.46. The eastern part of the Solar PV Site has been set back from Essendine Village following the PEIR Stage 2 stakeholder engagement and public consultation. From year 1 the Solar PV site would be visible from Essendine Village to a limited degree beyond the woodland and disused railway embankment to the east of the village. Mitigation would be provided through additional woodland planting along the disused railway embankment to the east, and tree-belts to the south, of the A6121 to reduce the visual effects. By year 15 this results in a Low Magnitude impact leading to Slight (Not Significant) Adverse effects.
- 7.2.47. The Solar PV Site would be distantly perceptible to a limited degree from Carlby High Street (rural lane) on the rising ground between the railway underpass and the village centre. Embedded mitigation would be provided through additional woodland planting along the disused railway

embankment to the west of the eastern part of the Order limits to reduce the visual effects resulting in a Negligible Magnitude impact leading to Minimal (Not Significant) Adverse effects.

- 7.2.48. The Solar PV Site would be visible to other receptor groups to varying degrees beyond the hedgerow boundaries or field gate openings and from a limited number of highways and PRow beyond the Order limits. However, embedded mitigation including setbacks, buffer planting and reinforcement of existing tree belts and hedgerows results in Non-Significant Impacts to these groups.
- 7.2.49. It is considered that the visual impacts associated with the proposed Development have been suitably mitigated to an acceptable level, and that residual impacts are clearly outweighed by the benefits of the proposed development, including biodiversity net gain and permissive path network, and the delivery of significant level of low carbon energy generation. The proposed Development is considered to be in accordance with NPS EN-1 paragraph 5.9.15, paragraph 5.9.18 and paragraph 2.51.3 of draft revised EN-3.

Cumulative effects

- 7.2.50. Paragraph 2.51.7 of the draft revised EN-3 states the visual impacts and impacts upon landscape character should be considered together with the possible cumulative effect with any existing or proposed development.
- 7.2.51. The LVIA concludes that the potential for cumulative effect are limited in scope to a proposal for new warehouse (B8 storage / distribution) facility at land adjacent to Meadow Park Industrial Estate, Essendine, Rutland. This approved scheme is located within an existing industrial area and would result in minimal cumulative or in combination visual effects with the Proposed Development given the intervening buildings.

Residential Visual Amenity Assessment (RVAA)

- 7.2.52. Paragraph 5.10.8 of the draft revised EN-1 adds to paragraph 5.9.5 of EN1 and emphasises that applicants should demonstrate how impacts upon, inter alia, residential amenity will be minimised.

- 7.2.53. Any proposal for development can, by virtue of the proximity, size and scale result in impacts that may be considered overbearing on the amenity of individual residential properties to a degree that it would not be in the wider public interest to consent proposals.
- 7.2.54. This level of impact is not usually associated with solar PV developments, due to low vertical elevations and limited potential for overbearing effects. However, the proximity of a development to an individual receptor, and the ability to utilise or introduce suitable screening will factor in the degree of impact of a proposal on residential visual amenity.
- 7.2.55. The Proposed Development has identified all residential properties within 100m of the Order limits. Each identified property was then reviewed to understand the potential impact of the proposals and appropriate mitigation measures. A number of the identified properties, while close to the Order limits, are located at a considerable distance from the Solar PV areas, with Mitigation and Enhancement located in the areas between the Solar PV areas and the residential properties. Where it was identified during the iterative design process that this was not the case, the layout of the proposed development has been adapted to ensure the Solar PV areas would be set back from the existing settlements and residential properties and/or the visual effects mitigated through appropriate woodland and hedgerow buffering.
- 7.2.56. Compared to other renewable technologies, the construction timeframe for solar PV installations is relatively short, with the more visually intrusive impacts of the construction phase being relatively focused. The overall construction period is assessed at 24 months, although construction will take place in phases across the Solar PV area. Solar PV installations can also be easily and economically decommissioned so no significant impacts are anticipated to arise during the decommissioning phase. As a result, the Proposed Development would not give rise to any overbearing or overwhelming visual effects that would result in unacceptable living conditions within the surrounding properties as outlined within the RVAA (Appendix 6.4 of the ES).**[Ref EN010127/APP/6.2].**

- 7.2.57. It is considered that these measures address the requirements of paragraph 5.10.8 of the draft revised EN-1 and the Proposed Development is compliant with this policy.
- 7.2.58. Paragraph 2.51.6 of the draft revised NPS EN-3 states projects should minimise the use of security lighting and any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises impact. In response both the LVIA and the RVAA consider the impacts of light.
- 7.2.59. During operation, no areas of the Solar PV Site would be continuously lit during the construction, operation and decommissioning stages. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings 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, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings.
- 7.2.60. The outline Construction Environmental Management Plan (oCEMP) [**Ref EN010127/APP/7.6**] and Operational Environmental Management Plan (oOEMP) [**Ref EN010127/APP/7.6**] set out measure for the control of light and noise during construction and operation of the Proposed Development.
- 7.2.61. With these measures in place, the Proposed development is considered to be compliant with policy 2.51.6 of the draft revised NPS EN-1.

Summary

- 7.2.62.** A LVIA has concluded that the Proposed Development will result in some adverse landscape and visual effects. As recognised in paragraphs 5.9.15 and 5.9.18 of NPS EN-1, this is considered inevitable for proposals of this nature. However, the applicants have demonstrated that considerable effort has been made to minimise landscape and visual impacts of the Proposed Development. The measures have been effective in containing the adverse

impacts are demonstrated in the Green Infrastructure Strategy Plan that is secured through the DCO via the oLEMP **[Ref EN010127/APP/7.9]**.

- 7.2.63. It is considered that the wider benefits of the proposed development, including the delivery of significant level of low carbon energy generation and biodiversity net gain and the provision of permissive footpaths and outweigh these impacts and that the Proposed Development is considered acceptable in terms of overall landscape, visual and residential amenity impacts. The Proposed Development is compliant with the NPS E-1, the draft revised NPS EN-1 and EN-3 and national and local planning policy.

7.3. Cultural Heritage

- 7.3.1. This section considers the Proposed Development in the context of the relevant planning policies relating to Cultural Heritage. This section should be read in conjunction with policy accordance tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.3.2. Paragraph 5.8.8 of EN-1 states that ‘as part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance’. Paragraph 5.8.9 goes on to highlight that ‘where a development site includes, or the available evidence suggests it has the potential to include heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and where such desk-based research is insufficient to properly assess the interest, a field evaluation’.
- 7.3.3. In accordance with paragraph 5.8.8 and 5.8.9 of EN-1, Chapter 8 of the ES **[Ref EN010127/APP/6.1]** includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.
- 7.3.4. Paragraph 5.9.11 of the draft revised EN-1 and Section 2.53 of the draft revised EN-3 specifically state that applications should be informed by the relevant Historic Environmental Record (HER).
- 7.3.5. The sources of information, including relevant historic records, used to inform the heritage assessment are set out in Appendix 8.2 of the ES **[Ref EN010127/APP/6.2]**. This includes a Heritage Desk-Based Assessment (HDBA Cotswold Archaeology 2022), a Geophysical Survey (Magnitude Surveys 2022) and a Programme of Archaeological Trial Trenching (Cotswold Archaeology, 2022). The scope and specification of each field investigation have been set out in Written Scheme of Investigations (WSI). The reports on these form Appendix 8.4, Appendix 8.5 and Appendix 8.6 of the ES, respectively **[Ref EN010127/APP/6.2]**.

- 7.3.6. Chapter 8 of the ES [Ref EN010127/APP/6.1] confirms that there are no non-designated or designated heritage assets comprising Listed Buildings, Conservation Areas, Scheduled Monuments or Registered Parks are located within the Order limits.
- 7.3.7. Only a limited number of historic assets have been identified which could potentially be affected by the Proposed Development. These are:
- the Scheduled Monument of Essendine Castle and the Grade II* Listed Church of St.Mary located 50m to the west of the Order limits;
 - the Grade II Listed Banthorpe Lodge located 190m to the east of the Order limits;
 - the non-designated heritage asset Braceborough Grange is located 10m to the north of the Order limits; and
 - the potential for buried impacts upon non-designated buried archaeological remains within the Solar PV Site area of the Order limits.
- 7.3.8. As noted in section 7.1 of this Planning Statement, Part 4.5 of EN-1, Part 4.6 of the draft revised EN-1 and Part 2.4 of the draft revised EN-3 refers to Criteria for “Good Design” for Energy Infrastructure, and the importance of responding to sensitively to context, including heritage assets.
- 7.3.9. Paragraph 5.9.14 of the draft revised NPS EN-1 encourages applicants, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment. Paragraph 2.53.5 of the draft revised NPS EN-3 states applications should take account of the results of historic environment assessments in their design, with Paragraph 5.53.7 stating mitigation measures should be embedded into the design of development proposal.
- 7.3.10. In response to paragraph 5.9.14 of the draft revised NPS EN-1, a heritage settings assessment was undertaken early in the design process in order to allow avoidance and mitigation measures to be designed into the Proposed development.

- 7.3.11. As a result of the heritage settings assessment amendments were made to the project to reduce the potential impact of the Proposed Development. In response to Paragraph 2.53.5 of the draft revised NPS EN-3 the design includes the incorporation of significant offsets to maintain a degree of separation between the Solar PV Site and surrounding designated heritage assets (including the Scheduled Essendine Castle and Grade II* Listed Church of St. Mary, and Grade II Listed Banthorpe Lodge) have been incorporated into the design to ensure that the characteristics of their existing settings are maintained.
- 7.3.12. Responding to NPS EN-3 Paragraph 5.53.7 the majority of the hedgerows and tree-lines defining historic field systems will be preserved, and in a number of instances, enhanced through substantial additional new planting. Retention of these features serves to minimise the effect of the Proposed Development upon any landscape features within the Order limits and contribution they make to setting of any designated assets.
- 7.3.13.** In response to Paragraph 5.9.14 of the draft revised EN-1, opportunities to enhance historic features have been embedded into the design of the Proposed Development. For instance, where possible new planting has been aligned to historic field boundaries which will serve to repair historic landscape structures and serve to reduce any visibility of the Proposed Development from the identified heritage assets. This includes circa 670 metre native tree belt planting south of Carlby Road which broadly follows the alignment of a historic field boundary previously lost through arable intensification.
- 7.3.14. Retention and management of these landscape features as detailed in the outline Landscape and Ecological Management Plan (oLEMP) [**Ref EN010127/APP/7.9**] would serve to minimise the effect of the Proposed Development upon historic landscape features within the Order limits.
- 7.3.15. Paragraphs 5.8.12 – 5.8.18 of NPS EN-1 (paragraphs 5.9.19 – 5.9.26 in the draft revised EN-1) set out the process for considering the impacts of proposed developments upon the significance of heritage assets. The

detailed policy response to these paragraphs is provided in table 1 at Appendix 3.

- 7.3.16. NPS EN-1 paragraph 5.8.13 sets out the desirability to enhance heritage assets (and the consideration of design in achieving this). As stated above, the design of the Proposed Development includes setbacks and retained, enhanced planting measures to minimise potential impacts.
- 7.3.17. NPS EN-1 paragraph 5.8.14 sets out the presumptions in favour of conservation, (with replacement paragraphs 5.9.21 – 5.9.22 of the draft revised NPS EN-1 referring to the great weight given to conservation of heritage assets). The identified historic assets have been conserved through careful consideration of the layout of the Proposed Development, and substantial setbacks which allow the existing characteristics of their setting to prevail.
- 7.3.18. The detailed assessment of impacts of the Proposed Development upon each heritage asset is set out in the DBA at Appendix 8.4 of the ES [**Ref EN010127/APP/6.2**].
- 7.3.19. In summary, Chapter 8 of the ES [**Ref EN010127/APP/6.1**] states that during construction and decommissioning, temporary impacts upon the surrounding designated heritage assets and the non-designated Braceborough Grange would derive from the presence of machinery, security fencing and compounds, with other experiential impacts associated with noise and traffic within the Site. In response, layout of the Proposed Development has pulled the Solar PV site away from sensitive heritage receptors. As such the associated construction activities are remote from the assets and construction routing has been designed, so far as is possible, to minimise impacts upon sensitive receptors, including heritage assets. Construction operations would be temporary and impacts are considered to be limited in relation to heritage assets.
- 7.3.20. Impacts on the archaeological resource would be confined to the construction phase of the development, during which the groundworks have the potential to affect buried remains. The overall footprint of the development (encompassing piling, topsoil stripping, cable trenching and

foundation excavation) is anticipated to be very limited in extent, and the subsequent potential for remain to be potentially encounter and impacted is also limited.

7.3.21. A field evaluation has been carried out to further assess potential remains. The detailed design process will allow for micro-siting to protect important (specifically sensitive) buried archaeological remains from disturbance. There are a range of mitigation measures to avoid or minimise adverse impacts, these are discussed in Appendix 8.4 of Chapter 8 of the ES [Ref **EN010127/APP/6.2**]. However, in summary, the detailed design process will allow for important (specifically sensitive) buried archaeological remains to be protected from any form of disturbance. This will be achieved by the embedded measures set out within the outline Construction Environmental Management Plan (oCEMP) [Ref **EN010127/APP/7.6**], such as localised use of ‘no-dig’ construction solutions such as ‘concrete or ballast shoes’ to avoid piling.

7.3.22. During operation the siting of solar panels within the Order limits has the potential to result in a change to the setting of surrounding designated and non-designated assets. However, the key elements of the asset’s values, derived from their surviving historic fabric and form, and from where they are experienced, would be preserved. Mitigation measures have been embedded into the design and layout to reduce any potential effects and include the retention of existing vegetation screening and the inclusion of open space to preserve the asset’s immediate settings. Owing to these measures, there would be no significant effects upon these assets as a result of alteration to their settings.

Harm assessment

7.3.23. NPS EN-1 paragraph 5.8.15 (and draft revised NPS-EN1 paragraph 5.9.23) set out the importance given to harm caused by loss of significance and the level of justification required for varying degrees of harm to designated heritage assets and their setting. Paragraph 5.9.26 of the draft revised NPS EN-1 refers to the process for assessing non-designated heritage assets. The detailed policy response to these paragraphs is provided in table 1 at Appendix 3.

- 7.3.24. The NPPF Paragraph 194, requires applicants to describe the significance of any heritage assets affected by development applications, including any contribution made by their setting. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraphs 200-202 set out how levels of harm to designated heritage assets should be considered and weighed, with paragraph 203 setting out the process for non-designated heritage assets. The detailed policy response to these paragraphs is provided in table 4 at Appendix 3.
- 7.3.25. At the local level, Rutland Core Strategy Policy CS22 - The Historic and Cultural Environment - stipulates that all developments will be expected to protect and, where possible, enhance historic assets and their settings, maintain local distinctiveness and the character of identified features, in keeping with the NPPF. The detailed policy response to these paragraphs is provided in table 9 at Appendix 3.
- 7.3.26. South Kesteven DC Local Plan Policy EN6 - The Historic Environment sets out that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the NPPF. The detailed policy response to these paragraphs is provided in table 6 at Appendix 3.
- 7.3.27. The assessment conclusions are set out in section 8.4 of Chapter 8 of the ES **[Ref EN010127/APP/6.1]**. This confirms that, as a result of the embedded mitigation measures which have been designed into the layout of the Proposed Development, there will be 'no impact' upon any of the above ground designated or non-designated historic assets or their setting resulting from any phase of the Proposed Development. None of these historic assets within the study area of the Proposed Development will experience substantial harm or total loss of significance.
- 7.3.28. With regard to non-designated buried archaeological remains, it is possible that limited impacts (non-significant), that can be only partially mitigated may be experienced as a result of the Proposed Development.

- 7.3.29. Given the 'no impact' conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 5.8.15 of NPS EN-1 or the draft revised NPS EN-1 paragraph 5.9 23, or paragraph 202 of the NPPF.
- 7.3.30. Regarding the potential impacts upon buried archaeological remains, paragraph 5.9.26 of the draft revised NPS EN-1 and Paragraph 203 of the NPPF are engaged. The policies state that balanced judgements are required having regard to the scale of any harm or loss of significance to non-designated heritage assets. Section 8.4 of the ES **[Ref EN010127/APP/6.1]** confirms that both the scale of the impact, and significance of the potentially affected non-designated assets is 'limited'.
- 7.3.31. In balancing the limited degree of potential harm, the Statement of Need **[Ref EN010127/APP/7.1]** sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.

Summary

- 7.3.32. The Proposed Development has been designed sensitively taking into account known heritage assets and their status. The Proposed Development has been designed and developed to take into account heritage assets and their settings, and the Proposed Development and associated works will be sited to minimise the impact on the setting of those heritage assets. This has resulted in the Applicant successfully removing any significant effects on designated heritage assets and minimising to a negligible level any other harms to the identified heritage assets or their settings. Therefore, complying with relevant planning policy by minimising harm to heritage assets through sensitive design and protecting as much of their significance as practicable during the life of the

Project. As such, the Proposed Development is considered to comply with EN-1, the draft revised EN-3, the NPPF, Rutland Core Strategy Policy CS22 and South Kesteven Local Plan Policy EN6.

7.4. Agricultural Land

- 7.4.1. This section reviews the Proposed Development in the context of planning policy for agricultural land, soils, and agricultural businesses. This section reviews the Proposed Development in the context of planning policy for biodiversity and nature conservation. This section should be read in conjunction with policy accordence tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.4.2. Chapter 12 of the ES **[Ref EN010127/APP/6.1]** assesses the impact of the Proposed Development on Land Use and Soils. The Chapter is supported by Appendix 12.4 Agricultural land classification and impact report. **[Ref EN010127/APP/6.2]**.
- 7.4.3. Agricultural land quality is assessed by the system of Agricultural Land Classification (ALC) decided by Natural England. The ALC system divides land into five grades 1 to 5, with grade 3 divided into subgrades of 3a and 3b.
- 7.4.4. Paragraph 5.10.8 of EN-1 states that applicants should seek to minimise impacts on the Best and Most Versatile (BMV) agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. This wording has further been carried through to paragraph 5.11.8 of the draft revised EN-1.
- 7.4.5. Paragraph 5.11.14 advises that the Secretary of State should ensure that applicants “do not site their scheme on the best and most versatile agricultural land without justification”. However, a more specific focus is offered in relation to ground mounted Solar PV projects in draft revised EN-3. Paragraph 2.48.13 of the draft revised EN-3 states that, where possible, ground mounted Solar PV projects should avoid the use of BMV cropland

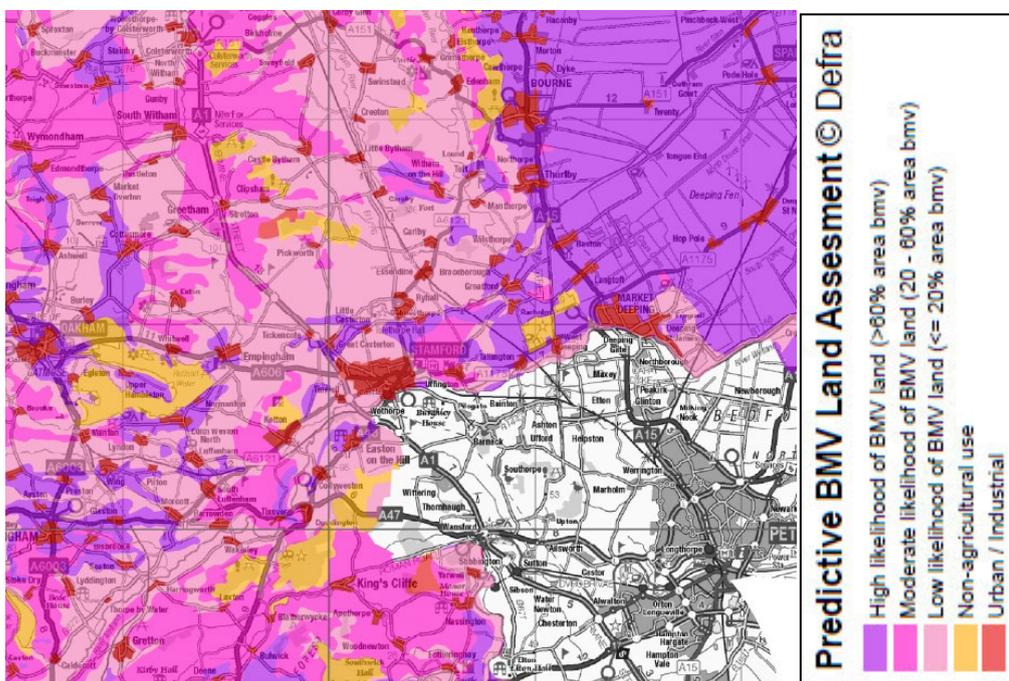
where possible. However, it notes that land type should not be a predominating factor in determining the suitability of the site location.

- 7.4.6. The NPPF (2021) requires, in paragraph 174 b), that the economic and other benefits of the BMV agricultural land be recognised in planning decisions. In the context of plan making, footnote 58 to paragraph 175 of the NPPF requires plan makers to seek to use poorer quality land in preference to that of a higher quality.
- 7.4.7. The South Kesteven Local Plan Policy RE1: Renewable Energy Generation states that “proposals for renewable energy generation will be supported subject to meeting the detailed criteria as set out in the accompanying Renewable Energy Appendix 3 and provided that... The proposal does not negatively impact the District’s agricultural land asset”. Appendix 3 ‘Renewable Energy’ identifies a range of criteria to justify locating development on BMV land. These criteria are addressed in the Table 6 of Appendix 3 to the Planning Statement.
- 7.4.8. The adopted Rutland County Council Development Plan Documents (DPD) do not contain policies that specifically manage development on BMV land or seek to protect agricultural soils. However, the Site Allocations DPD Policy SP7 – Non-residential development in the countryside - states that sustainable development in the countryside will be supported where it is.... essential investment in infrastructure including utilities, renewable energy and roadside services required for public safety purposes...”. Core Strategy Policy CS16 – The rural economy – also seeks to encourage agricultural, horticultural and forestry enterprises and farm diversification projects where this would be consistent with maintaining and enhancing the environment and contribute to local distinctiveness.
- 7.4.9. Chapter 4 of the ES [**Ref EN010127/APP/6.1**] and the Site Selection Report (Appendix 1 to this Planning Statement) identify that the availability of significant capacity at the National Grid Ryhall Substation was the primary driver in identifying a site in this part of Lincolnshire and Rutland, and as outlined in the Statement of Need [**Ref EN010127/APP/7.1**], given the urgent need for renewable energy to address the climate crisis this

available capacity should be utilised (and made the most of) where it occurs.

- 7.4.10. With regards to Agricultural Land, the Department of Environment Food and Rural Affairs (DEFRA) produce ‘provisional’ Agricultural Land Classification (ALC) mapping information for England. The East Midlands area identifies the land around the Ryhall substation as undifferentiated grade 3 land, with potential for grade 2 land south of Ryhall close to Belmesthorpe.

Figure 10 DEFRA Predictive ALC mapping – East Midlands

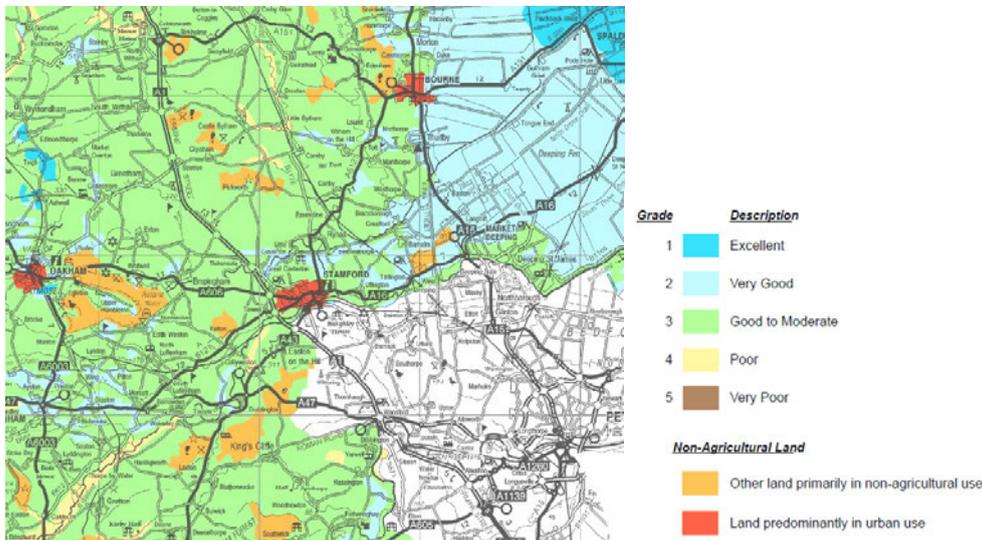


- 7.4.11. Natural England produced Predictive Best and Most Versatile Agricultural Land maps to help identify the likelihood of BMV agricultural land (Agricultural Land Classification Grades 1, 2 and 3a). The mapping divides land into “high (>60% area bmv)”, “medium (20 – 60% area bmv)” and “low (<20% area 7-2)” likelihood categories.

- 7.4.12. The East Midlands Provisional BMV map identifies the area around the Ryhall substation to be in a ‘pocket’ of low (<20% area bmv)” likelihood of BMV (i.e. it is predicted to be of grade 3b or lower) category with extends around Essendine. Further south the likelihood of BMV increases to moderate and high likelihood. To the west of Braceborough a large band of

high likelihood of BMV is apparent. Patches of High and moderate likelihood of BMV are apparent north of Careby.

Figure 11– Natural England Provisional Best and Most Versatile Agricultural Land mapping – East Midlands



- 7.4.13. As indicated in **Figure 10 and Figure 11** the provisional and predictive agricultural land mapping does not identify any areas of land in proximity to the Ryhall Substation that would be less likely to contain BMV than the area within which the Order limits are located.
- 7.4.14. The Site Selection Report at Appendix 1 to this Planning Statement expands on this process. It identifies that the Order limits were selected on the basis that it was predominantly Grade 3, offering the potential for Grade 3b land subject to further survey, with small pockets of Grade 2. This was also supplemented by initial conversations with the landowners regarding the quality and viability of the Order limits for agriculture.
- 7.4.15. The regional level ALC maps show that the agricultural land within relatively close proximity to the grid connection is either Grade 2 or 3, with higher quality land (Grade 1) further east of Peterborough. There are very small pockets of Grade 4 land, coinciding with the SSSIs to the north of Pickworth, but none of sufficient size to deliver a solar farm and there would be the potential for significant adverse effects on the SSSIs.
- 7.4.16. To determine the precise agricultural grade of the Order limits an Agricultural Land Classification survey was undertaken in late 2021, at a

semi-detailed level. Further detailed surveys were undertaken in 2022. The method of survey was agreed with Natural England and is in accordance with technical advice note TIN049.

Table 7-1: ALC survey results

	Order limits		Solar PV Site and Field Margins	
	Area (Ha)	Area (% of total Site)	Area (ha)	Areas (% of total Site)
Grade 1	0	0	0	0
Grade 2	100	11.7	35	6.6
Grade 3a	260	30.5	181	34.1
Grade 3b	439	51.5	297	55.9
Grade 4	18	2.1	18	3.4
Grade 5	0	0	0	0
Non-agricultural	0	0	0	0
Urban	3	0.4	0	0
Not surveyed (roads, railways, verges, etc)	32	3.8	0	0
Total land	852	100	531	100

The ALC identifies the areas in hectares and the proportions of land in each grade. All figures are rounded to the nearest hectare or whole percentage point.

Embedded mitigation

7.4.17. Paragraph 5.10.8 of EN-1 states that Applicants should seek to minimise impacts on BMV land, except where this would be inconsistent with other sustainability considerations. Paragraph of EN-1 5.10.15 notes that

applicants should include justification for siting development on BMV land, and that little weight should be given to the loss of poorer quality agricultural land (in grades 3b, 4 and 5). This approach is reiterated at Paragraph of 5.11.8 of the draft revised EN-1.

- 7.4.18. Paragraph 2.48.13 of the draft revised EN-3 states: that “Where possible, ground mounted Solar PV projects should utilise previously developed land, brownfield land, contaminated land, industrial land, or agricultural land preferably of classification 3b, 4, and 5 (avoiding the use of “Best and Most Versatile” cropland where possible). However, land type should not be a predominating factor in determining the suitability of the site location.”
- 7.4.19. Paragraph 2.48.15 of the draft revised EN-3 states that ground mounted solar arrays is ‘not prohibited on sites of agricultural land classified 1, 2 and 3a’ and recognises that due to the scale of such projects it is likely that developments may use some agricultural land, but that applicants “should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”
- 7.4.20. Several measures have been taken to reduce the amount of BMV land within the Order limits where Solar PV modules and supporting infrastructure are located. Further measures have been taken to ensure that the soil resource of the BMV land is preserved, as set out below and within Chapter 12 of the ES **[Ref EN010127/APP/6.1]**.
- 7.4.21. The Design and Access Statement **[Ref EN010127/APP/7.3]** describes the process for laying out the Proposed Development. A range of environmental and sustainability considerations have been factored into the design and layout of the Proposed Development, including landscape, heritage and visual impacts, impacts upon visual amenity, water resources, ecological consideration, and agricultural impacts.
- 7.4.22. Following the completion of the Agricultural Land Classification surveys, fields that were identified as consisting entirely of grade 2 land, i.e. single agricultural units, have been removed from solar development. These are retained within the Order limits as Mitigation and Enhancement Areas and

where these areas form all or part of an existing agricultural land use, they will be retained as that use.

- 7.4.23. This has resulted in 65ha of grade 2 agricultural land being removed from the solar PV areas. The remaining 35ha of grade 2 land is located within fields that contain a blend of agricultural grades. The largest portion of which is an isolated area of grade 2 land north of the East Coast Main Line. This is contained within a large field which ranges in quality from grade 2 – 3b within the same agricultural unit. This field has been proposed for solar development as excluding the grade 2 element would result in an isolated land parcel cut off from the rest of the agricultural unit.
- 7.4.24. With regards to grade 3a land, Solar PV arrays and other infrastructure have been removed from agricultural fields where this also aligns with other environmental or sustainability objectives or mitigation measures identified in the ES [Ref EN010127/APP/6.1]. For instance, where the land forms an important setting to settlements, heritage assets, corresponds with areas of grade 2 or 3 flood zones, or is in proximity to individual residential units where offsets are considered appropriate mitigation.
- 7.4.25. This has resulted in 79ha of grade 3a land being removed from the Solar PV Site, located towards the south and north-east of Essendine, towards the south-eastern most extents of the Order limits, along the West Glen River, and in the vicinity of individual properties across the Order limits.
- 7.4.26. The combination of the above measures means that a significant portion of BMV land within the Order limits will continue to be managed as a largely unrestricted agricultural resource, under a similar regime to the existing arrangement. The minor differences would be related to skylark mitigation which would periodically require skylark plots to be incorporated into agricultural fields during certain times of the year, as detailed in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The amount of BMV proposed for Solar PV Arrays represents just under two-thirds (60%) of the total amount of BMV and marginally over a quarter (25.4%) of the total land within the Order limits.

- 7.4.27. It has not been possible to remove all BMV land from the Order limits or from the installation of Solar PV Arrays. To do so would reduce renewable energy generation capability in a location where there is available grid capacity, and at a time when the need for such development is urgent, as confirmed in the Statement of Need [Ref EN010127/APP/7.1]. This is a critical point and is consistent with Paragraph 2.48.15 of the draft revised EN3 which explains that solar farm developments are not prohibited on 'best and most versatile' agricultural land and that "it is recognised that at this scale, it is likely that applicants' developments may use some agricultural land".
- 7.4.28. This point is further demonstrated by the limited availability of poorer grade land in the areas surrounding the Site. As discussed above, according to the Natural England Predictive and Most Versatile Agricultural Land Maps (East Midlands), the area around the Ryhall substation is in a 'pocket' of low (<20% area bmv)" likelihood of BMV (i.e. it is predicted to be of grade 3b or lower) category with extends around Essendine. However, further south the likelihood of BMV increases to moderate and high likelihood. To the west of Braceborough a large band of high likelihood of BMV is apparent. Patches of High and moderate likelihood of BMV are apparent north of Careby. Using this mapping, it is demonstrated that the Site represents land parcels which offer higher likelihood of non-BMV land within reasonable distance of the Ryhall substation and, as a worse case, provide a characteristic snapshot of the quality of land which exists locally. To this end, it is a fair conclusion that the Site offers a highly efficient use of the lower grades of agricultural land within the locality where Solar PV could reasonably be located in order to deliver renewable energy that maximises the available capacity at the substation.

Impacts upon BMV land

- 7.4.29. Of the remaining land within the Order limits, a total of 35ha of grade 2 and 181ha of grade 3a land are proposed to accommodate Solar PV arrays or associated infrastructure. It is important to reiterate that the BMV land within this calculation is sporadic and does not contain any complete parcels of grade 2 land or grade 3a land where there is alignment of the

land use for other environmental or sustainability objectives or mitigation purposes.

- 7.4.30. Natural England in their Technical Information Note TIN049 (2012) estimates that 42% of agricultural land in England is within the BMV category. Therefore, BMV is not a scarce resource nationally.
- 7.4.31. **Table 7-2** below places the level of BMV land occupied by the Proposed Development in the context of BMV land predicted to be available across Rutland and Lincolnshire (see Chapter 12 of the ES [Ref **EN010127/APP/6.1**]).

Table 7-2: Area and Proportion of land by ALC Grade (Regional comparison)

ALC Grade	Solar PV Site		Rutland		Lincolnshire	
	Ha	%	Ha	%	Ha	%
1	0	0	351	0.9	75,757	13.4
2	35	6.6	3,250	8.8	186,752	33.0
3a	181	34.1	13,148	35.5	118,497	20.9
BMV**	216	40.7	16,749	45.2	381,006	67.3
3b	297	55.9	19,723	53.3	177,746	31.4
4	18	3.4	567	1.5	7,447	1.3
5	0	0	0	0.0	0	0.0
Total (as rounded)	531*	100	37,039	99.9	566,199	100.

* Subgrade 3a is estimated as 40% of Grade 3 for Rutland and Lincs.

** Total of Grades 1, 2 and 3a.

- 7.4.32. The area of BMV agricultural land within Lincolnshire and Rutland is estimated to be about 400,000ha. The total area of BMV land within the

Solar PV Site is a small fraction of this resource (0.054%) of the estimated BMV land area of Rutland and Lincolnshire. At a national scale (using Natural England estimate as set out Chapter 12 of the ES) the Solar PV Site represents 0.0097% of the available BMV land.

7.4.33. Therefore, BMV land is not considered a scarce resource, either nationally, or locally. In the Examining Authority's (ExA) Report on the Little Crow Solar Farm, at Paragraph 4.10.39 the ExA recognised that North Lincolnshire (as the host county) is an area where higher grade agricultural land is abundant and agreed with the applicant's assessment that the proposed development's impacts on agriculture would be:

- *“Short term, reversible, local in extent and of negligible significance during the construction and decommissioning phases; and*
- *Medium term, reversible, local in extent and of negligible significance during the operational phase, with a moderate beneficial effect for the quality of the soils within the Order Limits, because intensive cropping would be replaced by the growing of grass”.*

7.4.34. It is considered entirely reasonable for the same principles to be applied to this Application: an abundant supply of BMV land across the host counties which would be interrupted for a temporary period with reversible effects.

7.4.35. It is noted that there are no national or local planning policies, or policies in other areas of legislation, that require agricultural land (BMV or otherwise) to be farmed, or to be farmed in a particular way (e.g. arable cropping, although it is recognised that the grading of land relates to the flexibility of the soil resource to grow particular crops). Indeed, agri-environmental and farm support generally provide economic recompense for farming land less intensively and for providing environmental benefits.

7.4.36. There are four principal agricultural enterprises within the Order limits. All are substantial holdings, mostly under arable cropping and management. For each farm business, the land within the Solar PV Site represents only a proportion of their wider agricultural holdings. No key infrastructure, such as main agricultural buildings, is affected and the proposed development

has been designed to ensure there are no conflicts with access to the fields which make up the wider holdings. Chapter 14 of the ES [Ref **EN010127/APP/6.1**] confirms that no agricultural jobs will be lost as a result of the Proposed Development and the diversification of the farm enterprises will ensure existing agricultural operations remain viable. Therefore, the remaining landholdings, including the 121ha within the Order limits which are not required for Solar PV development, will continue to be farmed under whichever regime the farm businesses consider most suitable.

7.4.37. The land beneath and around the Solar PV arrays will include a seed mix for ground cover. The mix has been selected to improve biodiversity value for pollinators which can support the productivity of surrounding agricultural land. Other benefits can be derived for the soil from such land cover and use including:

- Protecting soils through reduced vulnerability to erosion by wind or water
- improved soil structure from long-term grassland;
- increased soil organic matter from long-term grassland cover; and
- enhanced soil microbacterial activity.

7.4.38. The grown cover will also allow continued agricultural use of land within the Solar PV area for grazing, which is included in the landscape management prescriptions set out in the outline Landscape Environmental Management Plans (oLEMP) [Ref **EN010127/APP/7.9**], and described below.

7.4.39. Within the Order limits 239ha will continue to be farmed, unencumbered by any infrastructure or panels. Large areas within the Solar PV Site will continue to support agriculture and will be farmed by way of sheep grazing, or fodder production, with associated land management of the grassland as necessary. The panel design has been chosen to enable agricultural use for example minimum height of the panels being 0.8m to allow sheep to move freely underneath the PV Arrays.

Soil Impacts and management

- 7.4.40. Paragraph 5.10.8 of EN-1 states that applicants should identify any effects and seek to minimise impacts on soil quality, taking into account any mitigation measures proposed. Paragraph 5.11.8 reiterates the remainder of 5.10.8 of EN-1, stating that *“Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination”*
- 7.4.41. The Natural England Technical Information Note TIN049 (2012) also provides guidance related to land quality and soils management in relation to non- agricultural uses. It notes that *“Non-agricultural afteruse, for example for nature conservation or amenity, can be acceptable even on better quality land if soil resources are conserved and the long term potential of best and most versatile land is safeguarded by careful land restoration and aftercare.”*
- 7.4.42. Chapter 12 of the ES [Ref EN010127/APP/6.1] specifically identifies the impacts of the Proposed Development upon soils and identifies suitable mitigation measures and management regimes to minimise that impact.
- 7.4.43. The construction process for the Solar PV Site involves piling support poles into the ground. Importantly, the land is not sealed. The construction methodology for laying-out the framework, installing the framework, and bolting together the panels will not significantly affect agricultural land or soil quality. The legs occupy a small area and are inserted into the ground under pressure. These legs are lightweight, profiled metal legs and are inserted into the ground using a pneumatic hammer action. There is no requirement for any lifting or mixing of soil, and once driven in and the panels have been connected, there is no requirement for trafficking. The process is similar to that of knocking in a fence post and, consequently, the soil around the legs is not disturbed and moves laterally once the post is knocked in. It is important to recognise that this does not result in any change to the soil profile and that the soil resource, and the inherent land quality, is not affected. This is consistent with paragraph 5.10.8 which requires applicants to seek to minimise impact on soil quality.

- 7.4.44. Good soil management practices such as avoiding trafficking or handling soils when wet and restoring soils into trenches in the same order they came out (Defra (2009), BRE (2014), IQ (2021)) will be adhered to during the construction phase of the Proposed Development. An outline Soils Management Plan (including outline Excavated Materials Management Plan) (oSMP) [Ref EN010127/APP/7.13] has been prepared and will be secured via a requirement of the DCO. This document will be developed into a detailed Soils Management Plan that will identify and map areas within the Solar PV Site with susceptibility to damage when wet and advise on the time periods when soils are suitable for being handled or trafficked. Similar processes will be adhered to during decommissioning.
- 7.4.45. Therefore, impacts upon soil structure and quality during the construction, and decommissioning phases of the proposed development are limited, and will be protected through the operation phase in a way which will allow unrestricted agricultural use to be facilitated post decommissioning
- 7.4.46. The land management around and beneath the panels during the operational phase will involve maintaining a green cover for use by grazing animals, mowing, or with an environmental management consideration. Ground cover planting has been identified to increase biodiversity without impacting soil quality. The management of the landscape and ecological features will be undertaken in accordance with a detailed Landscape and Ecological Management Plan (LEMP) that is secured via Schedule 2 of the DCO. An outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] in support of the DCO Application.
- 7.4.47. Some areas of hardstanding are associated with the proposed development. This includes construction access tracks, platforms for Solar Stations and the Onsite Substation. There will also be a requirement for cabling and potentially Horizontal Directional Drilling (HDD).

Table 7-3 Worst case implications of land required for infrastructure by ALC Grade.

ALC Grade	Area (ha)
Tracks	
2: Very good	0.4
3a: Good	2.2
3b: Moderate	4.2
4: Poor	0.3
Total	7.1
Fixed Equipment	
2 Very good	0.1
3a Good	0.3
3b Moderate	0.5
4 Poor	0
Total	0.9

7.4.48. The topsoil from these areas will be removed at construction phase, for storage throughout the operational phase and replacement at the

decommissioning phase. The methods of soil handling for the creation of areas of hard standing, access tracks and cable trenching are provided in the oSMP [Ref EN010127/APP/7.13].

- 7.4.49. All of these measures will ensure compliance with paragraph 5.10.8 of EN-1 and paragraph 5.118 of draft revised EN-1.
- 7.4.50. Therefore, impacts upon soil structure and quality during the construction, and decommissioning phases of the proposed development are limited, and will be protected through the operation phase in a way which will allow unrestricted agricultural use to be facilitated post decommissioning. The provision of a detailed Soils Management Plan containing the appropriate mitigation, as discussed here, accords with paragraph 2.50.12 of draft revised EN-3 which requires that the SoS should be satisfied that the solar farm layout and construction methods have been designed to minimise soil disturbance.

Food security

- 7.4.51. While food security is not an issue which is raised within the current or draft revised suite of Energy National Policy Statements, it is recognised to be a topic of focus locally and is raised within Appendix Renewable Energy 3 to the South Kesteven District Local Plan 2011-2036.
- 7.4.52. Chapter 12 of the ES [Ref EN010127/APP/6.1] identifies that agricultural use, potentially involving food production, can continue as a result of the Proposed Development. Food production will be able to continue, through uses such as fodder and sheep farming and use of the Mitigation and Enhancement Areas. The areas that are occupied by the Solar PV Site and field margins will create a negligible impact in economic and land use terms.
- 7.4.53. In a wider land use change sense, there will be significant changes in day-to-day operations of the farms involved as they will have to change enterprises. This is a farming change, however, and is not of itself significantly adverse. None of the farms will be significantly adversely affected, in that the ongoing viability of all holdings will continue, as set out

in Appendix 12.6. Whilst there will be changes to day-to-day farm management and operation over part of all the farms, this is not necessarily negative. Income streams will be possible, and farm viability would not be adversely affected.

- 7.4.54. The farms involved will benefit from a secure land rental income. They, and other farmers in the area, may also benefit from income from the land management required for the Solar PV and Mitigation and Enhancement Areas.
- 7.4.55. In terms of the policy challenge set out by SKDC, paragraph 3.2.7 states that “there should be no need to have to choose between productive farmland and solar power generation”. The Solar Criteria 9 policies further spells out similar tests to that within the NPSs around site selection and the preference of previously developed land and non/lower-grade agricultural land. Chapter 12 of the ES [Ref EN010127/APP/6.1] concludes that:
- (i) overall the impacts on agricultural land quality are negligible during the operational phase;
 - (ii) overall the impacts on soils will be slight beneficial;
 - (iii) the impacts on agricultural businesses and agricultural labour will be beneficial.
- 7.4.56. Further, the ES goes on to state that there will be a change in production as a result of the Proposed Development. However, the quantum of arable crops that are grown from the BMV land within the Solar PV Site and Field Margins area is of the order of 250 tonnes over and above production levels of comparable moderate quality land, so the economic and additional food production advantages of that land are modest.

Summary

- 7.4.57. The Site Selection Report (Appendix 1 of this Planning Statement) outlines the process in locating the Order limits in proximity to the available capacity at the Ryhall 400KV Substation. Predictive and provisional ALC / BMV mapping show that there are no locations that were obviously more

favourable for the Proposed Development in terms of agricultural land quality whilst seeking to make the most efficient use of that capacity.

- 7.4.58. ALC surveys were undertaken to confirm the land grades across the site. Measures have been taken to minimise and reduce the areas of grade 2 and grade 3a land utilised for solar development.
- 7.4.59. In line with paragraph 2.48.15 of the draft revised EN-3, some areas of BMV land are required to deliver the Proposed Development, as noted in the Site Selection Report (at Appendix 1 of this Planning Statement). However, due to the nature of the proposals and construction methods, which will include adherence to a Soil Management Plan, impacts upon the soil resource are minimised. The land management regimes will not adversely affect soil quality, soil health, or land quality, and there is the potential for overall benefits to soils as a result of arable soils reverting to pasture through improved soil structure from long-term grassland allowing build-up of organic matter, greatly reduced vulnerability to erosion by wind or water and enhanced soil microbacterial activity.
- 7.4.60. Post decommissioning, unrestricted agricultural land management could resume following removal of the panels and infrastructure in line with Paragraph 20.50.3 of the draft revised EN-3. The appropriate land use will need to be determined at the decommissioning stage in consideration of many factors, including land ownership and management considerations, policy and support payments, and prevailing economic conditions.
- 7.4.61. Chapter 12 of the ES **[Ref EN010127/APP/6.1]** notes that it is generally accepted that the installation of Solar PV Arrays does not adversely affect the underlying soil quality. There is a collective loss of BMV as a result of land impact by access tracks and solar stations which is identified as a slight to moderate effect. However, it is important to recognise that the conclusion of the Chapter is that there are no significant adverse effects on land quality, soils or farm businesses.
- 7.4.62. Draft revised EN3 is clear that the development of large scale solar PV is not prohibited on agricultural land and, moreover, that agricultural land classification should not be a predetermining factor in the consideration of

Development Consent applications. That said, EN1, draft revised EN1 and draft revised EN3 require justification for the use of agricultural land for the purposes of energy generation, specifically solar PV in draft revised EN3. The Site Selection Report (at Appendix 1 of this Planning Statement) sets out the clear process through which the Order Limits have been determined and the justification for such decisions. The Order Limits contain a relatively even mixture of both BMV and lower-quality land. Where it has been possible and practicable to remove higher grade land from the solar PV arrays this has been done to the extent that there are no full parcels of grade 2 used for Solar PV arrays and in grade 3a land, Solar PV arrays and other infrastructure have been removed from agricultural fields where this also aligns with other environmental or sustainability objectives or mitigation measures.

- 7.4.63. However, it is important to recognise that, at worst, the Order Limits present a characteristic snapshot of the quality of the land in proximity to the Ryhall substation. The predictive land quality mapping actually suggests that in each direction of the site, land quality is of a higher grade. Therefore, it is a fair assessment to say that the Site represents the most appropriate area for Solar PV of the scale required to make best use of the available grid capacity and contribute to the national need within the locality. In order for that need to be met and the connection at Ryhall substation to be effectively utilised, some higher quality agricultural land is required to be temporarily used for the delivery of solar PV as without it, the MW output would not fulfil the available capacity at the substation and be an inefficient use of the land from an energy generation perspective. However, the use of that land represents only 0.054% of the total BMV land across the host counties and 0.0097% of the national resource. It has been noted in the recent Little Crow Solar Farm decision that the Examining Authority considered the Solar PV development as reversible. As set out in this Chapter, this is considered justified in terms of the tests set out in EN1, draft revised EN1, draft revised EN3 as well as the NPPF and local planning policy.

7.5. Greenhouse Gas Emissions and Climate Change

- 7.5.1. This section reviews the Proposed Development in the context of planning policies for Greenhouse Gas (GHG) emissions and the effects of climate change. This section should be read in conjunction with policy accordance tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.5.2. The potential impacts of the Proposed Development on climate change, as well as the vulnerability of the Proposed Development to the effects of climate change, are considered in Chapter 13 of the ES **[Ref EN010127/APP/6.1]**, which has been prepared in accordance with the relevant sections of NPS EN-1.
- 7.5.3. As set out in section 3 of this Planning Statement, Paragraph 2.2.1 of NPS EN-1 notes the legally binding targets upon the UK Government to cut greenhouse gas emissions, the challenging nature of the transition, and the major investment in new technologies required. The resulting urgent need for new nationally significant electricity infrastructure projects is set out at paragraph 3.3.1 of EN1. The draft revised EN1 (sections 2.2 to 2.4) sets out updated government policy on energy and energy infrastructure development, reflecting the updated targets, notably a more challenging 2050 net zero GHG legislated target. Section 3 of the draft revised EN1 sets out the resulting need for new nationally significant infrastructure projects, including the role of solar at paragraph 3.3.21 to 3.3.23. The Statement of Need **[Ref EN010127/APP/7.1]** refers to the relevant NPS' and elaborates on the role of the Proposed Development in contributing to net zero and reducing GHG emissions.
- 7.5.4. NPPF paragraph 152 states the planning system should support the transition to a low carbon future and shape places in ways that contribute to radical reductions in greenhouse gas emissions. Paragraph 158 of the NPPF states that local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Table 4 in Appendix 3 includes a policy compliance table which addressed NPPF policy.

- 7.5.5. At the local level, the South Kesteven Local Plan policy SB1 - Sustainable Building - states all development proposals will be expected to mitigate against and adapt to climate change, comply with national and contribute to local targets on reducing carbon emissions.
- 7.5.6. Rutland County Council Policy SP18 - Wind turbines and low carbon energy developments – states proposals will be supported where they are acceptable in terms of emissions to ground, watercourses, and air.
- 7.5.7. Tables 6 and 9 in Appendix 3 include a policy compliance table which addresses local development plan policy.
- 7.5.8. This section first considers GHG emissions associated with the Proposed Development, followed by a consideration of the vulnerability of the Proposed Development to the effects of climate change.

Greenhouse Gas emissions

- 7.5.9. Notwithstanding the meaningful contribution to decarbonisation delivered by renewable energy generating stations such as the Proposed Development, paragraph 5.3.1 of the draft revised NPS EN-1 acknowledges that the construction, operation and decommissioning of energy infrastructure will itself lead to GHG emissions. Paragraph 5.3.4 of the draft revised EN-1 states that all proposals for energy infrastructure projects should include a carbon assessment as part of their ES. This should include:

- A whole life carbon assessment showing construction, operational and decommissioning carbon impacts
- An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages
- Measurement of embodied carbon impact from the construction stage
- How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures

- How operational emissions have been reduced as much as possible through the application of best available technology for that type of technology
- Calculation of operational energy consumption and associated carbon emissions
- Whether and how any residual carbon emissions will be (voluntarily) offset or removed using a recognised framework

7.5.10. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.

7.5.11. In accordance with part a) of Paragraph 5.3.4 of the draft revised NPS EN-1, Chapter 13 of the ES **[Ref EN010127/APP/6.1]** includes a carbon assessment that considers the effects of GHG emissions generated at all stages of the Proposed Development, i.e. construction, operation, and decommissioning. Table 1 at Appendix 3 presents the detailed response to each part of Paragraph 5.3.4 of the draft revised NPS EN-1.

7.5.12. In response to part b) of paragraph 5.3.6 of the draft revised EN-1, a series of measures are included to minimise and offset the GHG footprint of the Proposed Development, which are detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) **[Ref EN010127/APP/7.6]**, and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP). **[Ref EN010127/APP/7.8]**. Some of the key measures are summarised below:

- Encouraging the use of lower carbon modes of transport and implementing a Travel Plan to reduce the use of private car journeys by on-site workers;
- Prevent idling vehicles by switching vehicles and plant off when not in use and ensuring that all construction vehicles conform to current EU emissions standards;

- Increasing recyclability by segregating construction waste and disposing of construction waste locally;
- Implementing design and construction techniques to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon; and
- Reusing site-won materials to minimise the use of natural resources and unnecessary materials (e.g. reusing excavated soil for fill requirements).

7.5.13. In response to part c) of paragraph 5.3.4 of the draft revised EN-1 the embedded carbon impacts of the Proposed Development have been calculated by estimating the emissions of GHG to the atmosphere associated with each phase of the Proposed Development. The estimates are based on published literature from the Intergovernmental Panel on Climate Change (IPCC) Annex III: Technology-specific cost and performance parameters. The full assessment methodology is set out in Appendix 13.2 of the ES **[Ref EN010127/APP/6.2]**.

7.5.14. In response to part d) of paragraph 5.3.4 of the draft revised EN-1, as described in section 13.4 of Chapter 13 of the ES, the operational phase of the Proposed Development will not result in substantial GHG emissions to the atmosphere. Traffic related to operation and maintenance is minimal, as described in Chapter 9 of the ES **[Ref EN010127/APP/6.1]**. There will also be no combustion plant on site. The only GHG emissions associated with the operational phase would be related to traffic access for routine maintenance and occasional component replacement.

7.5.15. Notwithstanding this, in response to part e) of paragraph 5.3.4 of the draft revised EN-1, Table 3-9 of the outline Operational Environmental Management Plan (oOEMP) **[Ref EN010127/APP/7.7]** prescribes measures to reduce operational phase GHG emissions. These include:

- Conducting regular planned maintenance of the Proposed Development to optimise efficiency of infrastructure.

- Operating the Proposed Development in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content.
- Encouraging the use of lower carbon modes of transport by identifying and communicating local bus connections and pedestrian and cycle access routes to/from the Proposed Development to all staff, and providing appropriate facilities for the safe storage of cycles.
- Liaising with operational personnel for potential to implement car sharing options.
- Switching off vehicles and plant when not in use and ensuring vehicles conform to current EU emissions standards.
- Ensuring air conditioning/heating is only used when needed and that windows and doors in the site office, storage and welfare buildings are kept closed while it is in use.
- Monitoring of weather forecasts to anticipate extreme temperatures and ensure cooling or heating plant are operating effectively. In the event that cooling or heating plant are anticipated to fail, plant will be temporarily shut down until maintenance has taken place.

7.5.16. In response to part e) of paragraph 5.3.4 of the draft revised NPS EN-1 the influences of the Proposed Development on climate change have been estimated through the emission or reduction in emissions of CO₂ caused by the construction, operation and decommissioning of the Proposed Development. This assessment is based on an approach that calculates the difference between the embodied GHG emissions across all phases of the Proposed Development and the concentration of GHG which will be both reduced and offset through the decarbonisation of energy generation associated with the Proposed Development. This approach is in accordance with the Institute of Environmental Management and Assessment (IEMA) Assessing Greenhouse Gas Emissions and Evaluating

their Significance 2nd Edition, which outlines the principles for assessment criterion for GHG emission assessments. The full assessment methodology is set out in Appendix 13.2 of the ES [Ref **EN010127/APP/6.2**].

- 7.5.17. When operational, the Proposed Development will generate electricity from a renewable source and export this to the National Grid. The Proposed Development is anticipated to have an installed capacity of 350 MWp, a capacity factor estimated at 10 %, and would be available to operate for 8,760 hours per year on the assumption that the Proposed Development is available to generate energy on a 24/7 basis. This means that the Proposed Development is anticipated to generate approximately 350,000 MWh of renewable electricity per year.
- 7.5.18. The National Grid Future Energy Scenario (FES) 'best case' decarbonisation scenario grid CO₂ intensities and the output of Proposed Development, accounting for panel degradation, have been utilised to calculate the potential reduction of CO₂ emissions avoided as a result of the Proposed Development. This shows a total reduction in CO₂ of 423,580 teCO₂ across all phases of the of the Proposed Development and an average of 10,589 teCO₂/y.
- 7.5.19. The CO₂ emissions of the Proposed Development would therefore be displaced within approximately 10.5 years, and all savings beyond that would be a net benefit of the Proposed Development to reducing GHG emissions, relative to the baseline. Over 40 years, for example, the saving is estimated at approximately 1.9 million tonnes of CO₂.
- 7.5.20. Responding to part f) of paragraph 5.3.4 of the draft revised NPS EN-1, given the significant positive contribution to reducing GHG emissions no net residual carbon offsetting is required.
- 7.5.21. In response to part g) of paragraph 5.3.4 of the draft revised NPS EN-1, while no net residual GHG emissions result from the Proposed Development, the cumulative effect of the Proposed Development with other UK renewables generation is considered to be a fundamental change in the climate effects of UK energy supply, which is a major beneficial effect

that is significant under the EIA Regulations and will contribute to the UK's legally binding emission reduction targets.

- 7.5.22. The Proposed Development, in conjunction with other renewable energy developments, will contribute to the UK's aims to reduce carbon emissions and achieve its ambitious GHG emissions reduction targets.
- 7.5.23. In summary, the Proposed Development fulfils the policy requirements of the draft revised NPS EN1, and in doing so meetings the objectives of paragraph 152 of the NPPF.

Climate Change

- 7.5.24. Paragraph 4.8.5 of NPS EN-1 states that new energy infrastructure must be sufficiently resilient against the possible impacts of climate change or else it will not be able to satisfy the energy needs outlined in Part 3 of the NPS.
- 7.5.25. Paragraph 4.8.5 of NPS EN-1 requires applicants to consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. In response to this aspect of the NPS, the Design and Access Statement [**Ref EN010127/APP/7.3**] for the Proposed Development describes how the Mallard Pass Project Principles (which include Project Principle C2 - Design for resilience to future climate change) were developed and have been applied in the design evolution of the Proposed Development from the outset. The Site Selection Report at Appendix of this Planning Statement, and Chapter 4 of the ES [**Ref EN010127/APP/6.1**], outline the process for identifying the site for the Proposed Development, which included environmental factors such as identifying a location that was predominantly within Environment Agency Flood Zone 1, therefore at a low risk of flooding (less than 0.1% annual probability of river or sea flooding). Climate resilience has also been embedded into the design of the Proposed Development, through the setting of technical parameters for solar infrastructure (see Chapter 5 of the ES) and how is it laid out.

- 7.5.26. Paragraph 4.9.5 of the draft revised NPS EN-1 states that applications should consider nature-based solutions which can also result in biodiversity benefits as well as increasing absorption of carbon dioxide from the atmosphere in adapting to climate change. This is reiterated at Paragraph 5.3.9 of the draft revised NPS EN-1, which states that applicants should embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.
- 7.5.27. In response to these policies, the DCO Application for the Proposed Development is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.9] which includes a proposed Green Infrastructure Strategy Plan. The quantum of habitats and new structural planting that the Green Infrastructure Strategy Plan.
- 7.5.28. The management of the above will not require the use of fertilisers, which are currently routinely used across the Order limits.
- 7.5.29. These measures combined will reduce the GHG emissions from the operational phase of the Proposed Development and increase the potential for CO2 sequestration within the Order limits for the duration of the Proposed Development.
- 7.5.30. Paragraph 2.4.1 of NPS EN-5 requires the consideration of the effects of flooding (particularly on substations that are vital for the electricity transmission and distribution network), winds and storms (on overhead lines), higher average temperatures (leading to increased transmission losses) and earth movement or subsidence caused by flooding or drought (on underground cables).
- 7.5.31. The Proposed Development has been designed to be resilient to a 1 in 100-year fluvial flood event through sequential design and the raised nature of the PV arrays. This accounts for increases in rainfall and fluvial flows associated with climate change, as detailed in the Flood Risk Assessment at Chapter 11 of the ES [Ref EN010127/APP/6.1].
- 7.5.32. Chapter 13 of ES [Ref EN010127/APP/6.1] sets out how the Proposed Development will take account of impacts on climate change arising from

its construction, operation and decommissioning. Chapter 11 of the ES considers water resources with a Flood Risk Assessment included in Appendix 11.4 [Ref EN010127/APP/6.2]. Each individual topic Chapter then considers climate change adaptation and resilience as part of that topic assessment.

- 7.5.33. The performance of individual components of the Proposed Development with regard to climate change and resilience is set out in section 13.4 of Chapter 13 of the ES. This section concludes that the Proposed Development has been designed to withstand potential impacts from increased wind speeds, rainfall/flooding or extreme temperatures during the operational phase of the Proposed Development.

Summary

- 7.5.34. The proposed development is considered to be in compliance with NPS EN-1 and the draft revised NPS EN-1 objectives with regard to reducing GHG emissions and climate change adaptability. The Proposed Development also accords with NPPF and local development plan policy.

7.6. Ecology and Biodiversity

- 7.6.1. This section reviews the Proposed Development in the context of planning policy for biodiversity and nature conservation. This section should be read in conjunction with policy accordancy tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.6.2. Paragraph 5.4.5 of the draft revised NPS EN-1 updates paragraph 5.3.6 of the NPS EN-1 and states that the SoS should have regard to the aims and goals of the government's 25 Year Environment Plan, recognising that failure to address the challenge of climate change will result in significant adverse impacts to biodiversity. Draft revised EN-3 paragraph 2.50.10 also refers to the ambition set out in the 25-Year Environment Plan in the context of maintaining or extending existing habitats and potentially creating new habitats.
- 7.6.3. As explained in the Statement of Need [Ref EN010127/APP/7.1] and summarised in Section 3 of this Planning Statement [Ref

EN010127/APP/7.2], the Proposed Development has the potential to deliver significant amounts of low-carbon electricity and make a material contribution to help meet the UK's commitments to decrease carbon emissions and reach net zero by 2050. Failure to deliver infrastructure projects that deliver low carbon electricity materially damage the UK's prospects of meeting its target to address climate change and will result in significant adverse impacts to biodiversity.

- 7.6.4. The NPPF section 15: 'Conserving and enhancing the natural environment' paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment, and paragraph 180 seeks to encourage opportunities to incorporate biodiversity improvements especially where this can secure measurable gains for biodiversity. Table 4 of Appendix 3 addresses NPPF policies with regard to biodiversity and geodiversity.
- 7.6.5. In terms of local policy, the adopted South Kesteven Local Plan Policy EN2 - Protecting Biodiversity and Geodiversity - states that all development proposals will be assessed in relation to: biodiversity and ecological networks within the landscape. Policy EN2: Protecting Biodiversity and Geodiversity seeks to facilitate the conservation, enhancement and promotion of biodiversity in the area, to include enhancing ecological networks and seeking to deliver a net gain on all proposals, where possible. Table 6 of Appendix 3 includes a response to local policy.
- 7.6.6. RCC Core Strategy Policy CS21 - The Natural Environment - states that development proposals will be expected to, amongst other things, maintain and where appropriate enhance other sites, features, species, or networks of ecological interest; and maximise opportunities for the restoration, enhancement and connection of ecological or geological assets, particularly in line with the Leicestershire, Leicester and Rutland Biodiversity Action Plan. Policy SP19 – Biodiversity and geodiversity conservation – provides that all new developments will be expected to maintain, protect and enhance biodiversity and geodiversity conservation interests in accordance with CS21. Table 9 of Appendix 3 includes a response to the Rutland County Council Core Strategy.

- 7.6.7. Paragraph 5.3.3 of NPS EN-1 (which is replicated at Paragraph 5.4.3 of the draft revised NPS EN-1) states that projects should include an ES that clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity.
- 7.6.8. The biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES on ecology and biodiversity [Ref EN010127/APP/6.1]. The Chapter sets out all the designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits. In line with paragraph 2.50.3 of the draft revised NPS EN-3, the Chapter considers earthworks associated with construction compounds, access roads and cable trenching.
- 7.6.9. NPS EN-3 Paragraph 2.4.2 states proposals for renewable energy infrastructure should demonstrate good design to mitigate impacts such as noise and effects on ecology.
- 7.6.10. NPS EN-1 paragraph 5.3.4 states that applicants should show how projects have taken opportunities to conserve and enhance biodiversity and geological conservation interests. Paragraph 5.4.4 of the draft revised EN-1 adds that the design process should embed opportunities for nature-inclusive design, and applicants should consider how proposals can contribute towards Biodiversity Net Gain.
- 7.6.11. In response, biodiversity and geodiversity conservation considerations have informed the design of the Proposed Development from the outset and are embedded into the layout of the site as identified in the Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] which is secured in DCO Application. A Biodiversity Net Gain Report [Ref EN010127/APP/6.5] is included as part of the DCO Application and discussed in more detail below.

- 7.6.12. Chapter 7 of the ES **[Ref EN010127/APP/6.1]** outlines the desk and site studies and surveys that have informed the DCO Application. A full description of the ecological baseline conditions identified is set out in the Ecological Baseline Report, which is provided in Appendix 7.4 of the ES **[Ref EN010127/APP/6.2]**. The surveys were undertaken at the early stages of the project and the assessments enabled the Applicant's ecological team to provide input into the design of the Proposed Development to responds positively to sites of biodiversity and geological conservation interest.
- 7.6.13. This has facilitated an approach in line with the requirements of paragraph 5.3.7 of NPS EN-1, that first seeks to avoid potential impacts, then minimise them, and then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.
- 7.6.14. The embedded mitigation is described in section 7.3 of Chapter 7 of the ES **[Ref EN010127/APP/6.1]** and identified in the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management plan (oLEMP) **[Ref EN010127/APP/7.9]**.
- 7.6.15. Paragraph 5.4.8 of the draft revised NPS EN-1 updates paragraph NPS EN-1 5.3.9 and notes that important sites for biodiversity are those identified through international conventions and the Habitats Regulations.
- Paragraph 4.3.1 of NPS EN-1 confirms the SoS must under the Conservation of Habitats and Species Regulations 2017 consider whether a project may have a significant effect on a protected site, or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and projects. Chapter 7 of the ES **[Ref EN010127/APP/6.1]** confirms that there are no internationally important designated sites within the Order limits. A shadow Habitats Regulation Assessment, ES Appendix 7.5 **[Ref EN010127/APP/6.2]** has been undertaken to support the DCO Application. This concludes that no likely significant effects on any Special Protection Areas (SPA), or Special Areas of Conservation (SAC) within the study area of the Proposed Development.

- 7.6.16. The requirements of paragraph 5.3.11 of NPS EN-1 (unchanged in the in draft revised NPS at Paragraph 5.4.9) refers to impacts upon nationally important sites (including Sites of Specific Scientific Interest (SSSI)). Annex 1 of Appendix 7.4 of the ES **[Ref EN010127/APP/6.2]** includes a schedule of nationally important sites within the study area of the Order limits. The assessment of potential impacts is presented in section 7.4 of Chapter 7 of the ES **[Ref EN010127/APP/6.1]**. The assessment states that, without mitigation, there is potential for adverse impacts (such as accidental damage) during the Construction and Decommissioning phases of the proposed development. The Chapter concludes that subject to appropriate mitigation as set out in the outline Construction Environmental Management Plan (oCEMP) **[Ref EN010127/APP/7.6]** and outline Decommissioning and Environmental Management Plan (oDEMP) **[Ref EN010127/APP/7.8]** any impacts arising from the construction or decommissioning of the proposed Development will be avoided or reduced to insignificant impacts.
- 7.6.17. Paragraph 5.4.12 of the draft revised NPS EN-1 updates paragraph 5.3.13 of NPS EN-1 and refers to sites of regional and local biodiversity and geological interests.
- 7.6.18. A total of 71 Local Wildlife Sites (LWS) are located within 2 km of Order limits. Of these, 16 are located within the Order limits. Annex 1 of Appendix 7.4 of the ES **[Ref EN010127/APP/6.2]** includes a schedule of these sites. Chapter 7 of the ES identifies impacts upon three of the LWSs.
- 7.6.19. Essendine hedgerow south side MacMillan Way LWS: Due to the need to increase visibility splays facilitate access to the site there will be a loss of approximately 75m of species-rich hedgerow located in the eastern part of the Order limits, and within the Essendine hedgerow south side MacMillan Way LWS. The impact of this loss has sought to be avoided though review of alternative access point and minimised through micro-siting of the access point. The impact is mitigated through habitat creation in the form of hedge and tree planting along the route of the LWS and wider enhancements across the Order limits.

- 7.6.20. Essendine Verge SE of the Freewards (N Side) LWS & Essendine Verge (NE Side) Near North Lodge Farm LWS: There is a need to create a single passing point of approximately 20m long and 2m wide in each of these LWSs. These have been sited in as sensitive a way as possible by using existing bare ground where it exists within the LWS and avoiding the need to remove hedgerows or trees. However, some of these passing points are located in areas which currently support grassland verges, including LWSs. These losses of habitat that have the potential to support invertebrates are limited to habitats of very low value. The Proposed Development includes the creation of areas which are likely to be of higher value for invertebrates than the arable land being lost.
- 7.6.21. Following the mitigation identified above, the residual impacts upon these LWS are assessed as a short term adverse effect of significance at a District level.
- 7.6.22. The oCEMP [Ref EN010127/APP/7.6] and oDEMP [Ref EN010127/APP/7.8] includes specific measures to manage and avoid any further impacts upon the LWSs (and SSSIs) arising from accidental damage and other indirect effects during construction or decommissioning.
- 7.6.23. Paragraph 5.3.14 of NPS EN-1 refers to ancient woodlands and veteran trees. Chapter 7 of the ES [Ref EN010127/APP/6.1] confirms that no ancient woodland is contained within the Order limits. Two areas of ancient woodland are located adjacent to the Order limits. As demonstrated in the Green Infrastructure Strategy Plan contained within the oLEMP [Ref EN010127/APP/7.9] the proposed Solar PV Site has been offset from these locations by approximately 300m. The Arboricultural Impact Assessment (AIA) included in Appendix 15.2 of the ES [Ref EN010127/APP/6.2] has identified veteran trees within the Order limits. Impacts on these trees are avoided via embedded mitigation measures including standard offsets from all woodland, trees and hedges within and immediately adjacent to the Order limits and micro siting of infrastructure where cable routes or access tracks are in proximity to veteran and other trees as detailed in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9].

- 7.6.24. Given the avoidance of impacts and embedded mitigation described above, no compensation strategy for the loss or deterioration of ancient woodland or veteran trees is required, as described in Paragraph 5.4.13 of the draft revised NPS EN-1.
- 7.6.25. Paragraph 5.3.17 of NPS EN-1 refers to Habitats of Principle Importance (HIPs) and Species of Principles Importance (SIPs). Chapter 7 of the ES **[Ref EN010127/APP/6.1]** sets out all HIPs as well as other sites of ecological or geological conservation importance, and SIPs and other protected species within the study area for the Order limits.
- 7.6.26. Paragraph 7.5.8 of Chapter 7 of the ES **[Ref EN010127/APP/6.1]** confirms that the Proposed Development will result in a loss of nesting areas used by nesting skylark. Therefore, measures will be put in place to enhance the value of retained arable habitats for nesting. This will include the provision of skylark plots as per the online RSPB guidance for arable land in use for growing cereal crops (RSPB website: [REDACTED]). Plots to accommodate the circa 30 displaced territories will be provided within the Order limits within the Mitigation and Enhancement Areas. This mitigation is secured in the outline Landscape and Environmental Management plan (oLEMP) **[Ref EN010127/APP/7.9]**.
- 7.6.27. The Solar PV Site will likely continue to be used by the species for foraging, providing a more reliable food resource (seeds and insects) than intensive arable farmland. Nesting would also continue in suitable farmland offsite. Pairs from within the Solar PV Site and Mitigation and Enhancement Areas and beyond may benefit from the more diverse foraging resource offered by the newly created habitats.
- 7.6.28. The Chapter concludes that, subject to implementation of mitigation, there is anticipated to be no potential for significant adverse effects on any designated ecological sites, habitats or protected species.
- 7.6.29. Chapter 7 of the ES **[Ref EN010127/APP/6.1]** confirms that, other than the limited impacts identified upon two of the LWS within the Order limits and ground nesting birds, no other adverse impacts upon any HIPs or SIPs are anticipated. The measures set out in the Green Infrastructure Strategy Plan

(which is within the oLEMP) are designed to complement and support HIPs within the Order limits, and the outline Landscape and Ecological Management plan (oLEMP) [Ref EN010127/APP/7.9] includes prescriptions to preserve and enhance HIPs.

Biodiversity Net Gain

- 7.6.30. Paragraph 4.5.1 of the draft revised NPS EN-1 states applicants should go beyond mitigating direct harms and consider opportunities for enhancements that would deliver environmental and or biodiversity net gain. Paragraph 4.5.2 explains that energy NSIP proposals should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity where possible and encourage applicants to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and inform their biodiversity net gain outcomes and to present this data as part of their application.
- 7.6.31. Paragraph 5.4.4 of the draft revised NPS EN-1 states that applicants are encouraged to consider how their proposal can contribute towards Biodiversity Net Gain in line with the ambition set out in the 25 Year Environment Plan. This is repeated in Paragraph 2.50.10 of the revised draft NPS EN-3 which states Proposed enhancements should aim to achieve environmental and biodiversity net gain in line with the ambition set out in the 25 Year Environment Plan.
- 7.6.32. NPS EN-1 paragraph 5.3.15 highlights opportunities for building-in beneficial biodiversity or geological features as part of good design, and draft NPS EN-1 paragraph 5.4.14 adds that this can help towards delivering biodiversity net gain, and that wider ecosystem services and benefits of natural capital should also be considered when designing enhancement measures.
- 7.6.33. The Design and Access Statement [Ref EN010127/APP/7.3] describes the design process which enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests. A key element of the strategy has been

the identification and retention of beneficial biodiversity or geological landscape features into the layout of the proposed development.

- 7.6.34. The only substantial loss of habitats are those of low value as a result of arable land being replaced with the PV Arrays and associated infrastructure (such as access tracks and fixed plant), permanent grassland underneath the Solar PV Arrays and wildflower grassland in other areas.
- 7.6.35. The Proposed Development will include a number of habitat creation measures which will deliver benefits for a range of species, including the provision of much more extensive foraging habitats. This will result in a beneficial effect during the operation phase for these.
- 7.6.36. The habitat creation is delivered as embedded mitigation and is described in section 7.3 of Chapter 7 of the ES **[Ref EN010127/APP/6.1]** and identified in the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management plan (oLEMP) **[Ref EN010127/APP/7.9]**.
- 7.6.37. A Biodiversity Net Gain Report **[Ref EN010127/APP/6.5]** is included in the DCO Application. The Biodiversity Net Gain (BNG) assessment utilises Defra's Metric 3.0. The habitat creation and enhancements identified in the Green Infrastructure Strategy Plan will deliver a significant net gain in biodiversity value of the land within the Order limits of just over 72%.
- 7.6.38. This is considered a substantial positive contribution towards the objectives 25 Year Environment Plan and towards the objectives of the Space for Wildlife: Leicestershire, Leicester, and Rutland Biodiversity Action Plan 2016 – 2026 (Adopted 2016).

Mitigation and management

- 7.6.39. NPS EN-1 paragraph 5.3.18 – 5.3.19 (paragraphs 5.4.18 – 5.4.22 of the revised draft NPS EN-1) refer appropriate mitigation measures as an integral part of the proposed development. Revised draft NPS EN-1 paragraph 5.4.19 states Applicants should consider producing and implementing a Biodiversity Management Strategy as part of their development proposals and paragraph 5.4.22 indicates that appropriate

requirements should be attached to any consent to ensure any mitigation measures are delivered and maintained. Paragraph 2.50.8 of the draft revised NPS EN-3 states applicants should consider enhancement, management, and monitoring of biodiversity.

- 7.6.40. To ensure the beneficial effects of the newly created habitats are fully realised, and secured, a management regime will be secured through the production and implementation of a detailed LEMP which will be secured through the DCO. The LEMP will set out how the newly created and retained habitats onsite will be managed throughout the operational phase of the Proposed Development. An outline Landscape and Ecological Management Plan (oLEMP) **[Ref EN010127/APP/7.9]** is included as part of the DCO Application.
- 7.6.41. The DCO Application is also accompanied by an outline Construction Environmental Management Plan (oCEMP) **[Ref EN010127/APP/7.6]**, outline Decommissioning Environmental Management Plan (oDEMP) **[Ref EN010127/APP/7.8]**. These include mitigation measures which are intended to avoid negative impacts during the construction and decommissioning phases. The oCEMP and oDEMP set out the locations of sensitive and retained features and the measures for their protection. The production of detailed versions of the CEMP and DEMP will be secured via Requirements under the DCO and they will need to be approved by the local planning authority prior to construction and decommissioning commencing, respectively. The oCEMP and oDEMP include measures to manage earthworks associated with construction compounds, access roads and cable trenching, including their location and method of construction as noted in revised draft EN-3 paragraph 2.50.3.
- 7.6.42. In respect of draft revised EN-3 paragraph 2.50.4, lighting impacts of the Proposed Development have been considered. No areas of the Solar PV Site would be continuously lit during the construction, operation and decommissioning stages. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings would be in

accordance with Health and Safety requirements. The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [**Ref EN010127/APP/7.7**].

- 7.6.43. With reference to draft revised EN-3 paragraph 2.50.4 suitable gaps (indicatively 30 x 30cm) will be incorporated into all lengths of security fencing to allow mammals to pass beneath, as secured in the oLEMP [**Ref EN010127/APP/7.9**]. in response to the draft revised NPS EN-3 paragraph 2.50.6, the minimum height above ground of the Single Access Tracker (SAT) solar arrays will be 800mm which is not considered to cause a trap hazard to badgers or small mammals. The parameters of the SAT solar arrays are secured in Appendix 5.1 of the ES, Project Parameters [**Ref EN010127/APP/6.2**].

Summary

- 7.6.44. Biodiversity and nature conservation considerations have been embedded into the design process from the start.
- 7.6.45. Mitigation of potential impacts is embedded into the design of the Proposed Development through avoidance of impacts, including retention of the majority of all HPis across the Order limits. An unavoidable loss of habitats associated with three LWS has been identified to accommodate visibility splays and facilitate access, and this has been minimised and mitigation provided through creation of compensatory habitats.
- 7.6.46. Additional habitats are created across the site, improving links between habitats within and adjacent to the Order limits, resulting in a net gain in biodiversity of 72%. The oLEMP [**Ref EN010127/APP/7.9**] includes measures to ensure biodiversity net gain is achieved and maintained throughout the operation phase of the Proposed Development.
- 7.6.47. It is considered that the proposed development is compliant with NPS, the draft revised NPS, NPPF and local policy with regard to ecology and biodiversity.

7.7. Glint and Glare

- 7.7.1. This section reviews the Proposed Development in the context of planning policies related to glint and glare. This section should be read in conjunction with policy accordant tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.7.2. Paragraph 2.48.4 of the draft revised NPS EN-3 states that the two main impact issues related to utility-scale solar farms that determine distances to sensitive receptors are likely to be visual amenity and glint and glare. A Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES **[Ref EN010127/APP/6.2]**.
- 7.7.3. Regarding glint and glare, paragraph 2.52.1 of the draft revised NPS EN-3 defines ‘glint’ as a momentary flash of light that may be produced as a direct reflection of the sun in the solar panel. ‘Glare’ is a continuous source of excessive brightness experienced by a stationary observer located in the path of reflected sunlight from the face of the panel. The effect occurs when the solar panel is stationed between or at an angle of the sun and the receptor.
- 7.7.4. In terms of local policy, Rutland County Council does not include specific glint and glare related policies in its DPD. However, the Core Strategy Policy SP15 – Design and amenity – states *all new development should address matters including c) Amenity - The development should protect the amenity of the wider environment, neighbouring uses and occupiers of the proposed development in terms of overlooking, loss of privacy, loss of light, pollution (including contaminated land, light pollution or emissions), odour, noise and other forms of disturbance*. Table 9 at Appendix 3 includes a policy response to the Rutland County Council Core Strategy policies.
- 7.7.5. The South Kesteven District Council Local Plan 2011-2036 Renewable Energy Appendix 3 states that for solar development, consideration is required regarding the impacts of glint and glare related to ‘high speed’ roads, aircraft, residential amenity, townscape and landscape. Table 6 at

Appendix 3 includes a policy response to the South Kesteven District Council Local Plan policies. In terms of Solar Energy Criterion 6 policy in the South Kesteven Renewable Energy Appendix, the ES concludes that there are no impacts upon road users along the A6121 and B1176, nor is there any significant impact upon aviation activity in response to Solar Energy Criterion 8.

- 7.7.6. Section 2.52 of the draft revised NPS EN-3 sets out the specific assessment impact considerations for solar PV development with regard to glint and glare.
- 7.7.7. Paragraph 2.52.2 of the revised draft revised NPS EN-3 states that glint and glare assessment may need to account for 'tracking' panels if they are proposed as these may cause differential diurnal and/or seasonal impacts. The potential for solar PV panels, frames and supports to have a combined reflective quality should be assessed. This assessment needs to consider the likely reflective capacity of all of the materials used in the construction of the solar PV farm.
- 7.7.8. A glint and glare assessment (Appendix 15.3 of the ES) **[Ref EN010127/APP/6.2]** of the operational and construction phase has been prepared to assess the possible effects upon road users, residential amenity, aviation activity, and railway operations and infrastructure in line with paragraph 2.52.2 of the draft revised EN-3 and consistent with the considerations in Appendix 3 of the South Kesteven District Council Local Plan 2011-2036.
- 7.7.9. Potential glint and glare effects from the decommissioning phases of the Proposed Development are not considered within Chapter 15 of the ES or Appendix 15.3. Decommissioning effects are scoped out of the EIA as agreed with the PINS in their Scoping Direction at Appendix 2.2 of the ES **[Ref EN010127/APP/6.2]**.
- 7.7.10. As per the requirement in Paragraph 2.52.2, the assessment has considered both fixed and single-axis tracker solar panel layouts. The full assessment method is included in Chapter 15 of the ES **[Ref EN010127/APP/6.1]**. Draft revised EN-3 Paragraph 2.52.4 confirms that

Solar PV panels are designed to absorb, not reflect, irradiation, and states that assessments should consider the potential impact of glint and glare on nearby homes and motorists.

Road Users

- 7.7.11. Significant screening in the form of existing vegetation and proposed screening / structure planting tree belt is predicted to significantly obstruct all views of the reflecting panels. Therefore, road users along the surrounding major national, national and regional roads are not predicted to be subjected to any significant impacts.
- 7.7.12. A combination of setbacks and screening via existing hedgerows means that road users along the surrounding local roads would not be subject to significant adverse impacts. It is considered that the proposals are in accordance paragraph 2.54.4 of the draft revised NPS EN-3 and in accordance with Appendix 3 of South Kesteven District Council Local Plan 2011-2036 with regard to impacts upon 'high speed' roads.

Dwellings

- 7.7.13. Solar reflections are predicted to be experienced for a period of more than 3 months per year (but for less than 60 minutes per day), towards one dwelling. Without sufficient mitigation this would result in an impact which is assessed to be 'moderate adverse' in Chapter section 15.4 of Chapter 15 of the ES **[Ref EN010127/APP/6.2]**.
- 7.7.14. Mitigation to provide additional screening is proposed to address the impacts of glint and glare for this individual unit. The potential screening location area is shown in the Glint and Glare Assessment **[Ref EN010127/APP/6.2]** and secured in the oLEMP **[Ref EN010127/APP/7.9]**.
- 7.7.15. With mitigation, it is considered that the impacts identified can be made acceptable. Therefore, no further mitigation is considered necessary.
- 7.7.16. With mitigation in place, it is considered that the potential effects of glint and glare upon dwellings are considered acceptable with regard to paragraph 2.54.4 of the draft revised NPS EN-3 and in accordance with Appendix 3 of South Kesteven District Council Local Plan 2011-2036.

Train Drivers

- 7.7.17. The modelling has shown that, for fixed panels, solar reflections are geometrically possible towards train driver receptors along approximately 3.3km of railway line. Solar reflections towards most of these sections of railway line are predicted to be significantly obstructed by existing and proposed screening or occur from outside of a train driver's primary field of view (30 degrees either side of the direction of travel).
- 7.7.18. Solar reflections towards approximately 100m of railway line occur from within a train driver's primary field of view which requires further consideration:
- 7.7.19. No views of railway signals, stations, level crossings, or switching points is required, suggesting that the workload of a train driver will be low;
- 7.7.20. The distance between the observer and the closest reflecting panel area is such that the proportion of an observer's field of vision that is taken up by the reflecting area is significantly reduced;
- 7.7.21. Effects will coincide with direct sunlight, which is a far more significant source of light compared to a solar reflection.
- 7.7.22. For tracker panels, the modelling has shown that solar reflections are geometrically possible towards train drivers along approximately 1.2km of railway line. Solar reflections towards all these sections of railway line are predicted to be significantly obstructed by existing and proposed screening or occur from outside of a train driver's primary field of view. No significant upon train drivers along the assessed section of railway line are predicted, and no further mitigation is required.
- 7.7.23. Therefore, this is considered to be an impact of low magnitude in section 15.4 of Chapter 15 of the ES **[Ref EN010127/APP/6.1]** and not significant.

Aviation

- 7.7.24. Paragraph 2.52.5 confirms that SoS decision-making will be made on the basis that there is no evidence that glint and glare from solar farms

interfere in any way with aviation navigation or pilot and aircraft visibility or safety.

- 7.7.25. No solar reflections are geometrically possible towards the Air Traffic Control (ATC) tower or either of the 2-mile approach paths for runway 07/25 at RAF Wittering. Therefore, no potential impact upon RAF Wittering is predicted.
- 7.7.26. Any effects experienced at Shacklewell Airfield, Castle Bytham Airfield and RAF Cottesmore are predicted to be acceptable in accordance with the associated guidance and industry best practices, as set out in paragraph 15.4.7 of Chapter 15 of the ES [Ref EN010127/APP/6.1]. Therefore, no potential impacts upon Shacklewell Airfield, Castle Bytham Airfield and RAF Cottesmore are predicted.
- 7.7.27. In conclusion, there is considered to be no potential impact upon surrounding aviation activity, which is in line with the assumptions of paragraph 2.52.2 of draft revised EN-3, and satisfies Criterion 8 of Appendix 3 of South Kesteven District Council Local Plan 2011-2036.
- 7.7.28. Paragraph 2.52.3 of the draft revised EN-3 states that applicants should consider using, and in some cases the Secretary of State (“SoS”) may require, solar panels to be of a non-glare/ non-reflective type and the front face of the panels to comprise of (or be covered) with a non-reflective coating for the lifetime of the permission. The assessment of PV Arrays within the Glint and Glare Study has assumed a worst case, conservative approach, that the panels do not have an anti-reflective coating (ARC) and therefore, should the panels chosen at the time of construction be specified with ARC, the anticipated effects will be less than those assessed within the ES.
- 7.7.29. Beyond the embedded mitigation measures identified above, the Glint and Glare Assessment at Appendix 15.3 of the ES [Ref EN010127/APP/6.2] does not identify the need for any further measures to address impacts arising from the Proposed Development. Therefore, the requirement for the application of any non-glare or reflective materials is not considered necessary.

Summary

- 7.7.30. Overall, it is concluded that the Proposed Development with existing screening in combination with mitigation measures, i.e. provision of screening is not predicted to have significant glint and glare impacts on surrounding aviation activity, road users, or railway operations and infrastructure. The proposed screening will be secured through the outline Landscape and Ecological Management Plan (oLEMP) [Ref **EN010127/APP/7.9**]. As such, the Proposed Development is considered to address the policy expectations on glint and glare set out in draft revised EN-3, Rutland County Council Core Strategy Policy SP15 and the relevant criteria of the South Kesteven District Council Local Plan 2011-2036 Renewable Energy Appendix 3.

7.8. Minerals Safeguarding

- 7.8.1. This section reviews the Proposed Development in the context of planning policy for minerals safeguarding. This section should be read in conjunction with policy accordence tables 1-10 included in Appendix 3 of this Planning Statement.
- 7.8.2. EN-1 Paragraph 5.10.9 (reflected in paragraph 5.11.9 of the draft revised EN-1) states: 'Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.'
- 7.8.3. Paragraphs 5.10.25 to 5.10.23 (reflected in paragraphs 5.11.21 – 5.11.22 of the draft revised EN-1) states: 'Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), appropriate mitigation measures to safeguard mineral resources should be put in place to safeguard mineral resources.'
- 7.8.4. Paragraph 203 of the NPPF highlights that 'it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs'. It goes on to state that 'since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation'.

- 7.8.5. In order to meet this objective, Paragraph 204 of the NPPF sets out that Minerals planning authorities (MPAs) should safeguard mineral resources by defining MSAs.
- 7.8.6. Lincolnshire County Council and Rutland County Council are the MPAs for the area of land related to the Order limits.
- 7.8.7. Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies DPD Policy M11 'Safeguarding of mineral resources' seeks to protect MSAs from permanent sterilisation by other development.
- 7.8.8. Rutland Minerals Core Strategy and Development Control Policies MCS Policy 10 'Minerals Safeguarding' states that all deposits of limestone and clay that are considered to be of current or future economic importance and significant infrastructure such as rail linked facilities within the Minerals Safeguarding Areas shown on [Rutland Minerals Core Strategy and Development Control Policies Figure 5], (**Appendix 4**) will be safeguarded from unnecessary sterilisation by surface development.
- 7.8.9. The 2011 guide to mineral safeguarding (Mineral Safeguarding in England: Good Practice Advice, British Geological Survey Open Report OR/11/046) states that the presence of an MSA neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSAs simply provide a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account in the planning process.
- 7.8.10. A Minerals Impact Assessment is included in **Appendix 4** of the Planning statement. A summary of the findings represented below.
- 7.8.11. There are no allocated minerals sites within the Order limits. Approximately 212 ha of land within the Order limits lies within an MSA. Of this land, approximately 202 lies within the Solar PV Site, with 202ha within a Rutland County Council (RCC) MSA, and 10ha within a Lincolnshire County Council (LCC) MSA.

- 7.8.12. The Solar PV site within the RCC MSA is designated for Limestone and Clay, which extends across approximately a third of RCC overall land area. The MSA is split into sub-groupings, of which ‘River Terrace Sand and Clay’ and ‘Limestone’ are both present within the Order limits. The nearest allocated mineral site is Little Casterton Quarry, circa 8km from the Order limits.
- 7.8.13. The Solar PV site within the LCC MSA is designated for Limestone and extends in a north-south direction across the whole of Lincolnshire and extends into Rutland.
- 7.8.14. The Government requires MPAs to have landbanks for aggregates and raw industrial minerals. A landbank is a stock of planning permissions for mineral extraction and are principally a monitoring tool to provide an early indication of possible disruption to the provision of an adequate and steady supply of mineral in the county and indicate when new permissions are likely to be needed. Government policy requires provision to be made for the maintenance of landbanks of at least 10 years for crushed rock and provision of a stock of permitted reserves to support the maintenance of cement production of at least 15 years for cement primary and secondary materials to maintain an existing plant.
- 7.8.15. The Rutland County Council Local Aggregates Assessment (LAA) 2022 (August 2022) forecasts the demand for aggregates based on average 10 year sales data and other relevant local information, analyses all aggregate supply options, and assesses the balance between demand and supply. The LAA reports that, *‘in 2019 14.1 Mt of crushed rock [(limestone)] was produced in the Leicestershire and Rutland sub-region of which 8 Mt (57%) was exported. 0.36 Mt of crushed rock was imported, leaving an export/import balance of -7.6 Mt; making the sub-region a significant net exporter. The average crushed rock sales for the most recent ten year rolling period (2012 – 2021) and most recent three year rolling period (2019 – 2021), are 0.262 million tonnes per annum (Mtpa) and 0.276 Mtpa respectively. Under every provision rate there are sufficient permitted reserves (as of 31/12/2021) to maintain the government required ten year landbank’.*

- 7.8.16. The Lincolnshire Local Aggregates Assessment (September 2021) reported that there should be sufficient sand and gravel resources to last beyond the LMWLP period which extends to the end of 2031.
- 7.8.17. In respect of limestone, the LAA reported the following:
- ‘There were 15 limestone quarries in the county (excluding dormant sites), but four were either inactive or only produced non-aggregate. In 2020 sales of limestone aggregate amounted to 1.17mt, significantly higher than the 10 year average (0.77mt). There has been some sustained growth in sales, indicated in particular by the three year average figure which at 1.13mt is a 47% increase over the 10 year average. This more recent increase in sales appears to have been in part driven by an increase in exports, evidenced by the sales distribution data recorded in 2019 that shows around 48% (0.69mt) of aggregates were exported outside the county.
- 7.8.18. To reflect the higher level of demand, the method for calculating the landbank will continue to be calculated using the last 3 years average sales as opposed to the 10 year sales average. Using this approach, the permitted reserves of limestone (22.16mt) at the end of 2020 provides a landbank of 17.05 years. Although no sites have been allocated in the Site Locations Document, these reserves should last beyond the period of the Lincolnshire Minerals and Waste Local Plan’.
- 7.8.19. The nature of the proposed development and construction method is highly unlikely to cause any disruption to the underlying minerals resources. The vast majority of the site will remain unsealed and no soil lifting or mixing is required within the Solar PV area. Post decommissioning, unrestricted access would be available should circumstances require the area to be worked for minerals.

Summary

- 7.8.20. Approximately 212 ha of the Order limits lie within MSAs designated by both Rutland and Lincolnshire Councils.

- 7.8.21. Both Rutland and Lincolnshire both have sufficient permitted reserves of crushed rock (limestone) to provide in excess of a 10-year landbank. There is therefore no need for any additional permitted provision to be made for the foreseeable future.
- 7.8.22. It is also noted that development impacting MSA can be consented in line with Policy M11 of the Lincolnshire Minerals and Waste Core Strategy and Development Management Policies where there is an overriding need for the development and that the development could not reasonably be sited elsewhere, which in this case is established in the Statement of Need **[Ref EN010127/APP/7.1]**.
- 7.8.23. The Proposed Development is of a nature that would not sterilise the mineral resources or hinder future extraction because the site can be restored following its operational life to safeguard. The land within the Order limits will not be permanently sterilised and post decommissioning the land could be worked for minerals post decommissioning. It is considered that the Proposed Development is in accordance with NPS, NPPF and Local Minerals planning policy.

7.9. Air Quality

- 7.9.1. This section reviews the Proposed Development in the context of the relevant planning policies relating to Air Quality. This section should be read in conjunction with the policy accordance tables included in Appendix 3 of this Planning Statement.
- 7.9.2. NPS EN-1 Paragraph 5.2.6 (replicated in Paragraph 5.2.5 in the draft revised NPS EN-1) requires development that is likely to have adverse effects on air quality to undertake an assessment of the impacts of the proposed project as part of the ES. An air quality assessment has been undertaken and the impacts of the Proposed Development are reported in Section 15.2 of Chapter 15 of the ES **[Ref EN010127/APP/6.1]**.
- 7.9.3. EN-1 Paragraph 5.2.7 (unchanged in the draft revised NPS paragraph 5.2.6) describes what ES Chapters should include with regard to air quality. The content of section 15.2 of the ES accords with the policy requirements.

EN-1 Paragraph 5.2.9 states that great weight generally be given to air quality considerations (replicated in Paragraph 5.2.5 in the draft revised NPS EN-1).

- 7.9.4. ES Chapter 15 [**Ref EN010127/APP/6.1**] concludes that embedded mitigation described in section 15.2 of the Chapter means the Proposed Development would not lead to a deterioration in air quality locally or lead to any air quality breaches elsewhere. In accordance with paragraph 5.2.11 of NPS EN-1 (and the draft revised NPS EN-1) mitigation measures have been identified and are included within the outline Construction Traffic Management Plan (oCTMP) [**Ref EN010127/APP/7.11**], and Table 3-6 Air Quality of the outline Construction Environmental Management Plan (oCEMP) [**Ref EN010127/APP/7.6**]. These measures are considered to fully mitigate the impact of the Proposed Development on air quality.
- 7.9.5. The nature of the Proposed Development means that the operational phase is very unlikely to result in any significant emissions to the air. Traffic-related to operation and maintenance is minimal, as described in Chapter 9 of the ES [**Ref EN010127/APP/6.1**], and below the EPUK and IAQM screening criterion levels. There will also be no combustion plant on site. As such, is not anticipated that there are any potential likely significant environmental effects from the operational phase of the Proposed Development upon Air Quality.
- 7.9.6. The construction and decommissioning phases have the potential to cause some emissions to the air and in relation to the transport of materials into and from the Order limits, and from dust generating activities.
- 7.9.7. The outline Construction Transport Management Plan (oCTMP) [**Ref EN010127/APP/7.11**], outline Construction Environmental Management Plan (oCEMP) [**Ref EN010127/APP/7.6**] and outline Decommissioning Environmental Management Plan (oDEMP) [**Ref EN010127/APP/7.8**] prepared in support of the DCO Application set out measures to manage potential air quality effects during construction and decommissioning, and will be secured by Requirement. The oCEMP and oDEMP sets out the

requirement for a Dust Management Plan (DMP) to be prepared as part of the detailed CEMP, prior to the construction of the Proposed Development.

- 7.9.8. As concluded in Section 15.2 of Chapter 15 of the ES, on the basis that the application of appropriate mitigation measure is in place, there are expected to be no likely significant effects on air quality arising from the Proposed Development during construction or decommissioning, either in isolation or in combination with other projects.
- 7.9.9. Paragraph 174 of the NPPF states that planning policies and decisions should prevent new development from contributing to unacceptable levels of (inter alia) air pollution. Paragraph 186 of the NPPF states planning decisions *“should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified...”* Compliance with NPPF Policy is set out in Table 4 at Appendix 3 of the Planning Statement. It is considered that given the results of the air quality assessment at section 15,2 of the ES, and embedded mitigation, the Proposed Development accords with the NPPF.
- 7.9.10. Policy SD1 and Policy EN4 of the South Kesteven Local Plan requires development to seek to avoid / minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water. It also notes that development should be designed from the outset to improve *inter alia* air quality and promote environmental benefits, should consider cumulative impacts and that new development proposals should not have an adverse impact on existing operations. It confirms that development will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals.
- 7.9.11. Rutland County Council Site Allocations and Policies Development Plan Document, Policy SP18 - Wind turbines and low carbon energy

developments – requires proposals to be acceptable with regard to odour, traffic related emissions, emissions to ground, watercourses and air.

- 7.9.12. Tables 6 -10 at Appendix 3 include a response to local policy. It is considered that given the results of the air quality assessment at section 15.2 of the ES, and embedded mitigation, the Proposed Development accords with local policy.
- 7.9.13. In summary, the Proposed Development is not anticipated to have any adverse effects on air quality during the construction, operational and decommissioning phases, which is in line with section 5.2 of NPS EN-1 or the draft revised NPS EN-1, paragraph 174 and 186 of the NPPF, Policy SD1 and EN4 of the South Kesteven Local Plan and Policy SP18 of the Rutland County Council Site Allocations and Policies Development Plan Document.

7.10. Noise and Vibration

- 7.10.1. This section considers the noise and vibration impact of the Proposed Development in the context of the relevant planning policies related to noise and vibration. This section should be read in conjunction with policy the accordance tables included in Appendix 3 of this Planning Statement.
- 7.10.2. Paragraph 5.11.3 of NPS EN-1 identifies the factors that will determine the likely noise and vibration impacts of proposed NSIPs and in summary include; inherent operational noise, proximity of sensitive noise receptors, proximity to ‘quiet places’ and potential impacts upon wildlife (these factors are broadly unchanged in the draft revised NPS EN-1 at paragraph 5.12.3). Paragraph 5.11.4 of NPS EN-1 sets out the specific requirements for noise and vibration assessments. Minor changes are noted in the draft revised NPS EN-1 and are set out in full, along with the policy response, at Table 1 of Appendix 3.
- 7.10.3. Chapter 10 of the ES [Ref EN010127/APP/6.1] includes a noise and vibration assessment of the Proposed Development which considers construction / decommissioning affects and impacts of operational noise on human receptors in accordance with NPS EN-1 paragraph 5.11.4 and the

draft revised NPS EN-1. The assessment considers the noise and vibration generating activities during each phase of the proposed development and assesses the worst-case scenario in terms of duration of impact, time of day/night it could potentially occur and proximity of the activity to sensitive receptors.

- 7.10.4. In line with paragraph 5.11.6 of NPS EN-1 (and repeated at paragraph 2.12.8 of the draft revised NPS EN-5), standard methods of assessment and interpretation using the principles of the relevant British Standards have been utilised. Appendix 10.2 of the ES **[Ref EN010127/APP/6.2]** details the methodology for the assessment of Noise and Vibration, and Appendix 10.4 of the ES **[Ref EN010127/APP/6.2]** includes the baseline noise surveys, including the background noise measurement locations.
- 7.10.5. The predicted impacts of noise and vibration generated from the Proposed Development are considered in section 10.4 of Chapter 10 of the ES **[Ref EN010127/APP/6.1]**. The Chapter summarises that greatest potential noise effects are predicted during the construction and decommissioning phases of the development, with operational noise generally limited to Solar Stations and the Primary Substation.
- 7.10.6. Specific measures to mitigate noise and vibration impacts are embedded into the design of the Proposed Development and further management of potential impacts is secured through measures identified in the oCEMP **[Ref EN010127/APP/7.6]**, oOEMP **[Ref EN010127/APP/7.7]** and outline Decommissioning Environmental Management Plan (oDEMP) **[Ref EN010127/APP/7.8]**, which includes standard good practice measures such as use of Best Practical Means to reduce disturbance associated with noise and vibration during construction as far as reasonably practicable, with reference to relevant guidance in BS 5228.
- 7.10.7. Paragraph 5.11.5 states that noise impacts from ancillary activities, including increased traffic should also be considered. The noise impact of the construction traffic is based on the assessment of the projected changes in traffic flow as set out in Chapter 9 of the ES **[Ref EN010127/APP/6.1]**. The noise assessment in Chapter 10 of the ES

confirms that beyond the construction phase, it is not predicted that there will be significant impacts generated from ancillary activities.

- 7.10.8. Paragraphs 5.11.8 of the EN-1 require developments to demonstrate good design through the selection of the quietest cost-effective plant available; containment of noise within buildings where possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.
- 7.10.9. The technical specifications of the plant associated with the Proposed Development is not yet determined. However, good design with regard to minimising noise and vibration impacts is demonstrated through embedded mitigation. The outline Operational Environmental Management Plan (oOEMP) **[Ref EN010127/APP/7.7]** includes parameters for ensuring that noise impacts of installed plant are minimised. To mitigate impact during the operational phase, general design principles have been set out for the Proposed Development meaning that central inverters (which if used have a greater potential noise impact than string inverters) will be located at a minimum distance of 250m and 50m from residential properties and PRoWs respectively. The Onsite Substation will be located more than 500m away from the nearest residential property. These setback parameters are secured in the Design Guidance set out in the Design and Access Statement **[Ref EN010127/APP/7.3]**. It is considered that the Proposed Development accords with Paragraph 5.11.8 of NPs EN-1.
- 7.10.10. Paragraph 5.11.9 states that consents should not be granted unless development proposals meet with following aims:
- avoid significant adverse impacts on health and quality of life from noise;
 - mitigate and minimise other adverse impacts on health and quality of life from noise; and
 - where possible, contribute to improvements to health and quality of life through the effective management and control of noise.

- 7.10.11. Appendix 10.5 to Chapter 10 of the ES **[Ref EN010127/APP/6.1]** confirms that no significant adverse noise or vibration impacts are predicted upon any receptors, or upon quality of life or human health.
- 7.10.12. The results of the noise assessment are presented in Appendix 10.5 to Chapter 10 of the ES **[Ref EN010127/APP/6.1]**. In summary, subject to mitigation, noise and vibration impacts identified for each phase of the proposed development can be effectively managed to within acceptable levels in line with the appropriate BS guidance. It is considered that the assessment of noise has been undertaken in full accordance with NPS EN-1 paragraphs 5.11.4 to 5.11.6. The detailed response is detailed in Table 1 at Appendix 3.
- 7.10.13. Paragraph 5.11.11 of NPS EN-1 refers to the consideration of the need for mitigation measures both for operational and construction noise over and above any which may form part of the project application. Paragraph 5.12.12 of the draft revised NPS EN-1 refers to a requirement to take into account guidance in the NPPF with regard to setting requirements to secure appropriate additional mitigation.
- 7.10.14. Given the outcome of the noise and vibration assessment for the Proposed Development, and the proposed mitigation, it is not anticipated that the Secretary of State will need to consider additional mitigation measures above those already embedded in the design of the Proposed Development and those set out within the oCEMP, oOEMP and oDEMP.
- 7.10.15. Section 2.54 of the draft revised NPS EN-3 refers to solar photovoltaic impacts arising from construction including traffic and transport noise and vibration. The focus is on mitigating construction and decommissioning phase transport impacts, such as noted in draft revised NPS EN-1 paragraph 2.54.6 where the local highways authority may request that the Secretary of State impose controls on the number of vehicle movements to and from the solar farm site in a specified period. However, paragraph 2.54.9 notes that the SoS should be satisfied (taking into account the views of relevant local highways authorities) that environmental effects related to construction traffic after mitigation are acceptable, as consistent with the

generic policy set out in EN-1. It is noted that draft revised NPS EN-3 2.54.10 confirms that once solar farms are in operation, traffic movements to and from the site are generally 'very light'. As set out above and in Chapter 10 of the ES [Ref EN010127/APP/6.1] the construction and decommissioning impacts have been properly assessed and proposed mitigation ensures that there are would be no significant effects arising.

- 7.10.16. Paragraph 174 of the NPPF states that planning policies and decisions should prevent new development from contributing to unacceptable levels of noise pollution. Paragraph 185 of the NPPF also requires new development to mitigate, and reduce to a minimum, potential adverse impacts resulting from noise and to avoid significant adverse impacts of noise on health and the quality of life. Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that given the results of the noise assessment in Chapter 10 of the ES [Ref EN010127/APP/6.1] and embedded mitigation, the Proposed Development accords with the NPPF.
- 7.10.17. Policy EN4 Pollution Control of the South Kesteven District Council Local Plan stipulates that development that, on its own or cumulatively, would result in significant noise pollution or harm to amenity, health well-being or safety will not be permitted. Table 6 at Appendix 3 includes a policy response to the South Kesteven Local Plan. It is considered that given the results of the noise assessment in Chapter 10 of the ES [Ref EN010127/APP/6.1] and embedded mitigation, the Proposed Development accords with the Policy EN4.
- 7.10.18. Rutland County Council Core Strategy Policy CS20 (Energy efficiency and low carbon energy developments) sets out the overall approach to low carbon energy generating development. Policy SP18 from the Site Allocations and Policies DPD states that low carbon energy development proposals will be supported when acceptable in terms of, inter alia, noise impacts. Table, 9 and 10 at Appendix 3 includes a response to the Rutland County Council Core Development Plan policies. It is considered that given the results of the noise assessment and embedded mitigation, the Proposed Development accords with the policies CS20 and SP18.

- 7.10.19. In summary, the Proposed Development is in line with NPS EN-1 section 5.11, the draft revised NPS EN1 section 5.12 the draft revised EN-3 section 2.54, the NPPF and relevant local policies.

7.11. Socio-economic impacts

- 7.11.1. This section reviews the Proposed Development in the context of the relevant planning policies relating to socio-economic impact. This section should be read in conjunction with the policy accordance tables included in Appendix 3 of this Planning Statement.
- 7.11.2. Paragraph 5.12.2 of NPS EN-1 states that applicants should undertake and include in their application an assessment of socio-economic impacts where the project is likely to have impacts at a local or regional level. This is unchanged in paragraph 5.13.2 of the draft revised NPS.
- 7.11.3. In response, the potential impact of the Proposed Development on the local economy during the construction, operation and decommissioning phases is assessed in detail in the socio-economics Chapter (Chapter 14) of the ES [**Ref EN010127/APP/6.1**].
- 7.11.4. NPS EN-1 paragraph 5.12.3 and the draft revised NPS EN-1 paragraph 5.13.3 outline that the assessment should consider all relevant socio-economic impacts. The full wording of both paragraphs, along with the detailed project response, is set out in table 1 at Appendix 3. A summary of the response is provided below.
- 7.11.5. Section 14.3 of Chapter 14 of the ES considers the potential effects of the Proposed Development on employment. The assessment finds that the majority of socio-economic impacts experienced during the construction and decommissioning phases relate to the creation of employment opportunities and increased spend on local services. Once operational, impacts on local labour market arising from operational and maintenance jobs would be more limited.
- 7.11.6. The Applicant estimates that an average of 150 Full Time Equivalent (FTE) gross temporary jobs will be created over the 24 month construction period. It is estimated that 50% of these could be sourced from the local area.

- 7.11.7. It is estimated the 74.5 additional direct and indirect jobs would be supported through the construction phase based on research undertaken by the Centre of Economics and Business Research on the economic impact of large-scale solar developments.
- 7.11.8. It is estimated that a net gain of 4.5 FTE jobs would be created by the Proposed Development would be created during the operational phase.
- 7.11.9. The estimated duration of the decommissioning phase is expected to be between 6 to 12 months and it is anticipated that the employment effects over this period will be similar to the construction phase, although over a shorter term. These impacts are assessed as having minor beneficial impacts on the local economy.
- 7.11.10. In terms of contributing to developing skills needed for the UKs transition to net zero, and the contribution to the development low carbon industries, an outline Employment, Skills and Supply Chain Plan **[Ref EN010127/APP/7.10]** will be agreed with local stakeholders prior to the commencement of construction which will set out measures the Applicant will implement in order to promote and enable access to the employment and supply chain opportunities associated with the construction phase locally in order to help capture as many of the benefits for study area residents as possible. The objectives of the plan are to focus on the opportunities for the involvement of local companies in the construction and operation supply chain; the ability of local residents to access employment opportunities associated with the construction and operation of the Proposed Development; and the ability of research organisations to use the site to enable research and innovation in the renewable energy sector.
- 7.11.11. It is considered that this will help to facilitate the development of low-carbon industries and the skills needed to help the UK transition to net zero.
- 7.11.12. Regarding effects upon tourism and recreation, impacts of all phases of the Proposed Development are considered in section 14.4 of Chapter 14 of the ES which draws on conclusions from the Amenity and Recreation Assessment, Appendix 6.5 of the ES **[Ref EN010127/APP/6.2]**, the

Landscape and Visual Impact Assessment, Chapter 6 of the ES and Noise and Vibration Impact Assessment, Chapter 10 of the ES.

- 7.11.13. Chapter 10 of the ES concludes at section 14.4 that recreation and tourism impacts of the Proposed Development are not significant at any phase, and can be effectively mitigated through implementation of management plans secured in the DCO application.
- 7.11.14. The impacts of the changing influx of workers associated with each phase of the development upon the local population, services and facilities is considered in section 14.4 of Chapter 14 of the ES [**Ref EN010127/APP/6.1**]. Impacts are considered to be limited given the relatively short construction phase and levels of employment generated during the operational phase.
- 7.11.15. The cumulative effects of each phase of the Proposed Development are considered in section 14.8 of Chapter 14 of the ES [**Ref EN010127/APP/6.1**]. The construction of the Proposed Development in combination with other construction related employment demand is considered to have an moderate beneficial impact upon employment generation. With regard to tourism and recreation, there are no major developments identified within 2km of the Order limits which are likely to give rise to any in combination impacts with the proposed development.
- 7.11.16. Overall, Chapter 14 of the ES [**Ref EN010127/APP/6.1**] concludes that the construction phase of the Proposed Development will deliver moderate beneficial effects to the local economy in terms of employment generation. The implementation of the proposed Employment, Skills and Supply Chain Plan [**Ref EN010127/APP/7.10**] is aimed at maximising these benefits for the study area economy. There could also be minor to negligible adverse effects on the local tourism and recreation economy, although these are likely to be limited to the Order limits and immediate surroundings.
- 7.11.17. Paragraph 5.12.9 of NPS EN-1 (unchanged in the draft revised NPS EN-1 at paragraph 5.13.10) refers to the possible requirement to mitigate adverse socio-economic effects. Mitigation measures to manage and minimise potential socio-economic effects are set out in the outline

Construction Environmental Management Plan [Ref **EN010127/APP/7.6**], the outline Landscape Environmental Management Plan (oLEMP) [Ref **EN010127/APP/7.9**] the outline Decommissioning Management Plan [Ref **EN010127/APP/7.8**] and the Employment, Skills and Supply Chain Plan [Ref **EN010127/APP/7.10**].

- 7.11.18. Good design is embedded into the Proposed Development as set out in the Green Infrastructure Strategy Plan included in the oLEMP [Ref **EN010127/APP/7.9**] which includes a combination of setbacks and screening, and introduces a new networks of permissive paths, to help mitigate the impacts of the proposed Development. The Employment, Skills and Supply Chain Plan [Ref **EN010127/APP/7.10**] is aimed at maximising local economic benefits.
- 7.11.19. It is considered that the above measures adequately mitigate socio-economic impacts in accordance with Paragraphs 5.12.2 - 5.12.9 of NPS EN-1, and the draft revised NPS EN-1 Paragraphs 5.13.2 – 5.13.10.
- 7.11.20. NPS EN-3 and draft revised NPS EN-3 do not specifically refer to the socio-economic effects of renewable energy projects.
- 7.11.21. Paragraph 38 of the NPPF advises that developments that seek to improve the economic, social and environmental conditions of an area should be supported. Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that the results of the assessment of socio-economic effects included section 14.5 of Chapter 12 of the ES [Ref **EN010127/APP/6.1**] accords with the NPPF with regard to socio-economic impacts.
- 7.11.22. At a local level, Rutland County Council Core Strategy Policy CS13 - employment and economic development - sets out that the Council will, amongst other things, support the provision of a greater range of employment opportunities focussed on high skilled, knowledge based, leisure and tourism industries. Policy CS16 'the rural economy' encourages agricultural diversification where this would be consistent with maintaining and enhancing the environment.

- 7.11.23. Similarly, South Kesteven Local Plan Policy SD1 ‘the principles of sustainable development in South Kesteven’ sets out that development proposals will be expected to minimise the impact of climate change and contribute towards creating a strong, stable and more diverse economy. Tables 6 -10 at Appendix 3 includes a policy response to the Rutland County Council Development Plan and South Kesteven Local Plan. It is considered that the results of the assessment of socio-economic effects included section 14.5 of Chapter 12 of the ES **[Ref EN010127/APP/6.1]** accords with the local policy with regard to socio-economic impacts.
- 7.11.24. It is considered that the Proposed Development addresses the relevant socio-economic policies and guidance set out in NPS EN-1, the draft revised NPS EN-1, NPPF and the Rutland and South Kesteven Local Plans.

7.12. Traffic and transport

- 7.12.1. This section reviews the Proposed Development in the context of planning policies related to traffic and transport. This section should be read in conjunction with the policy accordances tables included in Appendix 3 of this Planning Statement.
- 7.12.2. In accordance with Paragraph 5.13.3 of EN-1 (and 5.14.3 of the draft revised NPS EN-1), Chapter 9 of the ES **[Ref EN010127/APP/6.1]** assesses the impact of the Proposed Development on traffic and transport. Appendix 9.4 of the ES **[Ref EN010127/APP/6.2]** includes a Transport Assessment. Appendix 9.3 of the ES **[Ref EN010127/APP/6.2]** sets out the consultation undertaken which includes National Highways Lincolnshire County Council (LCC) and Rutland County Council (RCC). The assessment methodology is set out in Appendix 9.2 of the ES. **[Ref EN010127/APP/6.2]**.
- 7.12.3. Paragraph 5.13.4 of NPS EN-1 states the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. Appendix G of the outline Construction Traffic Management Plan (oCTMP) **[Ref EN010127/APP/7.11]** includes an outline Travel Plan (oTP) which provides measures proposed to mitigate staff transport impacts and

promote sustainable transport which is secured through DCO Requirement. Given the rural location of the Order limits, it is acknowledged that there are limitations on staff traveling to the Order limits by public transport. However, proposed measures include the provision of a shuttle bus service transporting staff from the primary compound to the relevant areas of work within the Order limits during the construction phase, and cycle parking within construction compounds; and the investigation of shuttle buses to areas of residence and/or public transport hubs. These measures are deemed compliant with Paragraph 5.13.4.

- 7.12.4. NPS EN-1 Paragraph 5.13.6: notes that new NSIPs may give rise to substantial impacts on surrounding transport infrastructure and that applicants should seek to mitigate these impacts, including during the construction phase of the development.
- 7.12.5. The nature of the Proposed Development is such that the greatest impact is likely to occur during the construction and decommissioning phases (with respect to the decommissioning phase, the effects are considered to be similar to, or of a lesser magnitude than the effects generated during the construction phase). This is acknowledged in paragraph 2.54.10 of the draft revised NPS EN-3 which confirms that once solar farms are in operation, traffic movements to and from the site are generally 'very light'. There will likely be a negligible amount of traffic associated with the operational phase with Chapter 9 of the ES [Ref EN010127/APP/6.1] confirming negligible impacts.
- 7.12.6. In response to NPS EN-1 Paragraph 5.13.6, the mitigation measures that have been integrated into the design of the Proposed Development are set out in table 1 at Appendix 3 of this planning statement. In summary the measures include:
- Access locations: the location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing

access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows.

- Consolidation: use of a centralised primary construction compound for deliveries to allow direct access to the Solar PV Site and reduce the need for larger deliveries to impact the LRN, as secured through the oCTMP **[Ref EN010127/APP/7.11]**. From this centralised primary compound, the deliveries will be distributed out via smaller, local vehicles to the secondary construction compounds.
- Layout and Internal Routing: where possible, internal access routes will be provided within the Solar PV Site to avoid vehicles needing to use the LRN.
- Vehicle routing: construction vehicles will only utilise the permitted access routes, which will be secured by a requirement on the DCO application via the oCTMP **[Ref EN010127/APP/7.11]**.
- Highways improvements within the Order limits: permanent improvements will be made to the junction of the A1621 and Uffington Lane, as well as the introduction of temporary passing places along Uffington Lane (within the Order limits), prior to the commencement of construction, to help facilitate two-way HGV flows (such passing places to be removed post construction to minimise impacts to the Local Wildlife Site status of the affected verges), as secured through the Outline CTMP). Further details on the mitigation measures are included within the supporting (Appendix 9.4) of the ES **[Ref EN010127/APP/6.2]**.
- Staff Shuttle: a staff shuttle service will be deployed from the primary construction compound to transport staff to the relevant area where works are required, which will be subject to phasing as secured through the outline Travel Plan contained in the oCTMP **[Ref EN010127/APP/7.11]**.

- Management Plans: a number of outline management plans including an outline Construction Environmental Management Plan oCEMP [Ref EN010127/APP/7.6] and an outline Construction Traffic Management Plan (oCTMP) (including outline Travel Plan) [Ref EN010127/APP/7.11] have been prepared in support of the DCO and will inform the development of final management plans prior to construction as secured by a DCO Requirement.

- 7.12.7. Section 9.10 of Chapter 9 of the ES concludes that following application of mitigation, the potential for adverse traffic and transport related effects arising from the Proposed Development would be local, temporary, medium term and not significant.
- 7.12.8. Paragraph 5.13.8 of NPS EN-1 states where mitigation is needed possible demand management measures must be considered before considering requirements for provision of new infrastructure to deal with any remaining transport related impacts. Paragraph 5.13.9 states: The SoS should have regard to the cost-effectiveness of demand management measures. These paragraphs are unchanged in paragraph 5.14.9 and 5.14.10 of the draft revised NPS EN-1.
- 7.12.9. In response, as concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], the impacts of the Proposed Development are such that provision of new transport infrastructure is not required. Required mitigation is embedded into the design of the Proposed Development, and set out in the oCTMP and oTP [Ref EN010127/APP/7.11].
- 7.12.10. Paragraph 5.13.10 states that Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective. Given the rural location of the Order limits, duration of the construction and decommissioning phases and the limited impact upon the LRN as concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], it is considered that rail and or water transportation methods would not provide suitable alternatives for any phase of the Proposed Development.
- 7.12.11. Paragraph 5.13.11 of NPS EN-1 (unchanged in 5.12.12 of the draft revised NPs EN-1) refers to requirements the SoS may attached to a consent

where there is likely to be substantial HGV traffic to control timing of HGV movements, parking and ensure satisfactory arrangements for reasonably foreseeable abnormal disruption.

- 7.12.12. The oCTMP [Ref **EN010127/APP/7.11**], includes prescriptions control HGV movements, only allowing deliveries to the construction compound between the hours 9am-3pm. Sufficient HGV parking is provided within the Order limits, off of the LRN. This is deemed to meet the requirements of Paragraph 5.13.11 of NPS EN-1.
- 7.12.13. The draft revised EN-3 paragraph 2.48.16 states that applicants need to consider suitability of access routes and that access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting. The Site Selection Report at Appendix 1 of this Planning Statement explains how the location of the Proposed Development was selected. Section 3.1 confirms that the Order limits is accessible by the rural road network, and in relatively close proximity to the Strategic Road Network (SRN) by virtue of the A1, a major dual carriageway, which is approximately 5.5km to the west of the Order limits. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate HGVs and potential Abnormal Indivisible Loads (AILs). The National Grid Ryhall Substation was granted planning permission in September 2013 (reference 2013/0291/FUL) and a Construction Traffic Management Plan was submitted and approved which included a preferred route for construction traffic (via Ryhall Road and the A6121) and the provision of passing places in the highway verge on Uffington Lane due to its relatively narrow width (3m – 4.5m). The close proximity of the Order limits to the SRN and the ability to use the improvements made at the time of the National Grid Ryhall substation construction, further support the use of the Order limits for a solar project.
- 7.12.14. Section 2.54 of the draft revised NPS EN-3 refers to construction impacts including traffic and transport in addition to general traffic and transport impacts set out in EN-1. Paragraph 2.54.4 of the draft revised NPS EN-3 states the applicant should assess whether the access roads are suitable

for the transportation of components which will include whether they are sufficiently wide for the proposed vehicles, or bridges sufficiently strong for the heavier components to be transported to the site.

- 7.12.15. In response to Paragraph 2.54.4 of the draft revised NPS EN-3, Chapter 9 of the ES [**Ref EN010127/APP/6.1**] assesses the suitability of the accessibility of the site and appraises different options in order to select a route which minimises adverse effects. The routes have been assessed for their suitability to accept Abnormal loads, including in consultation with National Highways, and the local Highways Authorities, and are deemed acceptable subject to normal mitigations measures, and are deemed to meet the requirements of Paragraph 2.54.4 of the draft revised NPS EN-3 (and Paragraph 2.54.9 of the draft revised NPS EN-3 which states the Secretary of State should be satisfied abnormal loads can be safely transported in a way that minimises inconvenience to other road users and that the environmental effects of this and other construction traffic, after mitigation, are acceptable).
- 7.12.16. Draft revised E-N3 Paragraph 2.54.5 refers to cumulative impacts of traffic and transportation. Cumulative effects related to transport and traffic are considered in Chapter 9 of the ES [**Ref EN010127/APP/6.1**], which confirms there are no relevant existing or approved developments to consider in relation to cumulative effects of the proposed development.
- 7.12.17. Paragraph 2.54.6 of the draft revised NPS EN-3 states that in some cases, the local highways authority may request that the Secretary of State impose controls on the number of vehicle movements to and from the solar farm site in a specified period during its construction and, possibly, on the routing of such movements particularly by heavy vehicles. Paragraph 2.54.7 of draft revised EN-3 refers to residential amenity and potential cumulative impacts arising from traffic and transport during construction.
- 7.12.18. In response to Paragraphs 2.54.6 and 2.54.7 of the draft revised NPS EN-3, to mitigate impacts upon local amenity and the local road networks more generally, construction staff will arrive outside the peak hours, as secured by the working timetable including in the oCEMP **EN010127/APP/7.6**), and

that HGV deliveries will be limited to a fixed window outside of the peak hours included in the oCTMP [Ref EN010127/APP/7.11]. Therefore, there will be no impact during the traditional AM and PM peak hours (08:00-09:00 and 17:00-18:00).

- 7.12.19. The level of traffic generated overall, is not considered to be such that it would require additional control beyond that already identified in the oCTMP [Ref EN010127/APP/7.11], and the Proposed Development is considered compliant with Paragraph 2.54.6 of the draft revised NPS EN-3.
- 7.12.20. The NPPF, at paragraph 104, also expects consideration and mitigation of transport impacts of development including the environmental impacts and impacts on transport networks. NPPF Paragraph 111 notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that the mitigation measures outlined above and results of the transport assessment at Appendix 9.4 of the ES [Ref EN010127/APP/6.2] accords with the NPPF with regard to transport impacts.
- 7.12.21. In terms of local policy, Rutland Core Strategy 2011 to 2026 (2011) Policy CS18: Sustainable Transport and Accessibility seeks to improve accessibility and develop the transport network within and beyond Rutland and accommodate the impacts of new development.
- 7.12.22. South Kesteven Local Plan 2011 – 2036 (2020) Policy ID2: Transport and Strategic Transport Infrastructure states that aim to support and promote an efficient and safe transport network and that new development will be required to contribute to transport improvements in line with appropriate evidence.
- 7.12.23. Lincolnshire County Council Local Transport Plan (LTP) 4 (2013) states at paragraph 14.33 that high level of traffic flows and vehicle speed cause concern for both urban and rural communities with the consequential impact of quality of life, and 14.34 paragraph notes that reducing the impact of traffic on communities is an important part of the LTP, and this can be

achieved by routing HGVs away from communities (where a suitable alternative exists).

- 7.12.24. Tables 6 - 10 at Appendix 3 includes responses to the local development plan policies for Rutland County Council, South Kesteven District Council and Lincolnshire County Council. It is considered that the mitigation measures outlined above and the results of the transport assessment at Appendix 9.4 of the ES accords with local development plan policy in regard to transport impacts.

Summary

- 7.12.25. The assessment indicates that the potential for adverse effects would be local, temporary and medium-term and not significant.
- 7.12.26. Mitigation has been considered and embedded into the design of the development of the Proposed Development, including the provision of a consolidation strategy for deliveries, strict routing for vehicles, a shuttle service and off-site highway improvements.
- 7.12.27. The oCEMP [Ref EN010127/APP/7.6], and oCTMP (including outline Travel Plan) [Ref EN010127/APP/7.11] will be secured through the DCO and will inform the development of final management plans prior to construction as secured by a DCO Requirement.
- 7.12.28. Overall, the Proposed Development is considered to be in compliance with the NPS EN-1, the draft revised NPS EN11 and EN-3, NPPF and local planning policy with regard to transport and access.

7.13. Waste management

- 7.13.1. This section reviews the Proposed Development in the context of planning policy related to waste management. This section should be read in conjunction with the policy accordancy tables included in Appendix 3 of this Planning Statement.

Paragraph 5.14.2 of NPS EN-1 (unchanged in paragraph 5.15.2 of the draft revised NPS EN-1) states sustainable waste management is implemented

through the “waste hierarchy”, which sets out the priorities that must be applied when managing waste.

- 7.13.2. Section 15.7 of Chapter 15 of the ES **[Ref EN010127/APP/6.1]** considers waste streams during the construction, operation, and decommissioning phases of the Proposed Development.
- 7.13.3. The Waste Hierarchy principles are embedded into the outline environmental management plans that form part of the DCO. These include preparation of a Construction Resource Management Plan (CRMP) by obligation in the outline Construction Environmental Management Plan **[Ref EN010127/APP/7.6]**, and Decommissioning Resource Management Plan (DRMP) by obligation in the Decommissioning Environmental Management Plan (DEMP) **[Ref EN010127/APP/7.8]**.
- 7.13.4. A separate outline Excavated Material Management Plan (oEMMP) included within the outline Soil Management Plan (oSMP) **[Ref EN010127/APP/7.12]** submitted with the DCO Application sets out details of how excavated materials will be managed, how waste will be managed in accordance with the waste hierarchy, good practice measures for managing waste in construction and the roles and responsibilities of the construction contractor. The detailed EMMP will be finalised with specific measures to be implemented prior to the start of construction.
- 7.13.5. These documents will include measures to control and manage waste onsite in line with the Waste Hierarchy, as per Paragraph 5.14.2 of NPS EN-1 and the draft revised NPS En-1 paragraph 5.15.2, and will be secured by Requirement.
- 7.13.6. Paragraph 5.14.6 of the NPS EN1 and draft revised NPS EN-1 Paragraph 5.15.6 requires development proposals to set out waste managing arrangements and to produce a Site Waste Management Plan.
- 7.13.7. In response to Paragraph 5.14.6 of the NPS EN-1, preparation of a CRMP as required in the oCEMP **[Ref EN010127/APP/7.6]**, and DRMP as required in the DEMP **[Ref EN010127/APP/7.8]** will set out the arrangements that are proposed for managing any waste produced.

- 7.13.8. The nature of the Proposed Development means there are few waste streams arising from the operational phase. No materials are required to be processed and the Solar PV Arrays do not produce any waste. The only waste arising from the operational phase are expected to be related to the ad-hoc maintenance and replacement of components. Details of how waste during the operational phase will be dealt with are provided in the oOEMP **[Ref EN010127/APP/7.8]**. This is not anticipated to produce additional demands upon waste management facilities.
- 7.13.9. At the decommissioning phase the Solar PV Arrays and related components will be removed and recycled or disposed of in accordance with good practice and market conditions at the time of decommissioning. This will include measures to maximise recyclability of site components by segregating decommissioning waste to be re-used and recycled where reasonably practicable. This will be secured in the oDEMP **[Ref EN010127/APP/7.8]**.
- 7.13.10. The draft revised NPS EN-1 paragraph 5.15.7 states that applicants are encourage to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.
- 7.13.11. The oCEMP **[Ref EN010127/APP/7.6]** at table 3-12 sets out measures for implementing the Proposed Development to be in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content where feasible.
- 7.13.12. It is considered that the measures waste reduction and management measures set out in section 15.7 of Chapter 15 of the ES, and outlined above, address the requirements of NPS EN-1 and the draft revised NPS EN-1.
- 7.13.13. Paragraph 8 of the NPPF states the planning system has three overarching objectives in order to achieve sustainable development; an economic objective, a social objective and an environmental objective. The

environmental objective is to protect and enhance the natural, built and historic environment by, among other things, minimising waste and pollution. Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that the results of the assessment of waste effects included section 15.7 of Chapter 15 of the ES **[Ref EN010127/APP/6.1]** and the management measures provided in the environmental management plans accord with the NPPF.

- 7.13.14. The South Kesteven District Council Local Plan Policy SD1: The Principles of Sustainable Development in South Kesteven states at d) that development proposals should consider how they proactively minimise the production of waste during construction and occupation.
- 7.13.15. Rutland County Council Core Strategy Development Plan Document Policy CS1 – Sustainable development principles – states how new development in Rutland will be expected to: f) minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste.
- 7.13.16. Policy CS19 – Promoting good design – states All new developments will be expected to meet high standards of design that... e) minimise the production of waste during their construction and operation and maximise the re-use and recycling of materials arising from construction and demolition and; f) allow the sorting, recycling and biological processing of waste through the development's operational life.
- 7.13.17. Tables 6 and 9 at Appendix 3 include a policy response to the Rutland County Council Core Strategy Development Plan Document and South Kesteven Local Plan. It is considered that the results of the assessment of waste effects included section 15.7 of Chapter 15 of the ES **[Ref EN010127/APP/6.1]**, and the management measures provided in the environmental management plans accord with the requirements of the local development plan policies.
- 7.13.18. In summary, the Proposed Development is in accordance with NPS EN-1, and the draft revised NPS EN-1, the NPPF and local policy.

7.14. Water quality and resources

- 7.14.1. This section reviews the Proposed Development in the context of planning policy related to the water environment. This section should be read in conjunction with the policy accordence tables included in Appendix 3 of this Planning Statement.
- 7.14.2. Paragraph 5.15.2 of the NPS EN-1 requires the applicant to undertake an assessment of the existing status of and impacts of proposed project on water quality, water resources, and physical characteristics of the water environment as part of the ES, Paragraph 5.15.3 sets out what the assessment should contain. These paragraphs include minor updates in the revised draft revised NPS EN-1 at paragraphs 5.16.2 and 5.16.5. The full paragraph wording of 5.15.3 is included in Table 1 at Appendix 3 of the Planning Statement.
- 7.14.3. The assessment of potential impacts on water resources and ground conditions is included in Chapter 11 of the ES **[Ref EN010127/APP/6.1]**. The Chapter presents the existing status of the water environment and the likely effects of the Proposed Development. The Chapter concludes that with appropriate mitigation, as set out in the outline Water Management Plan (oWMP) **[Ref EN010127/APP/7.13]**, there are likely to be no significant adverse effects on water quality, water resources or physical characteristics of the water environment as a result of the Proposed Development.
- 7.14.4. Paragraph 5.15.5 of NPSEN-1 (unchanged in the draft revised NPS EN-1 at paragraph 5.16.7) stipulates that impacts on the water environment will generally be given more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive. In response, Chapter 11 of the ES **[Ref EN010127/APP/6.1]** concludes that with the implementation of mitigation measures identified in the oWMP **[Ref EN010127/APP/7.6]** no adverse effects upon the water environment are anticipated. The outline Construction Environmental Management Plan (oCEMP) **[Ref EN010127/APP/6.1]** also refers to a Pollution Prevention Plan to be prepared prior to construction of the Proposed Development.

- 7.14.5. Paragraph 5.15.6 of NPS EN-1 states that a proposal should regard the River Basin Management Plans and meet the requirement of the Water Framework Directive and its daughter directives. Paragraph 5.16.8 of the draft revised EN-1 updates paragraph 5.15.6 of the NPS EN-1 and specifically refers to Water Framework Directive Regulations 2017 (including regulation 19). It adds the overall aim of development should be to prevent deterioration in status of water bodies to support the achievement of the objectives in the River Basin Management Plans and not to jeopardise the future achievement of good status for any affected water bodies.
- 7.14.6. Chapter 11 of the ES assesses all potential effects of the Proposed Development upon the status of water bodies within the Order limit study area. The analysis is set out in Section 11.4 of Chapter 11 of the ES and table 11.6 presents the summary of effects up on potentially effected waterbodies. Chapter 11 concludes that due to embedded mitigation and measures identified within the oWMP [**Ref EN010127/APP/7.13**], and table 3-7 of the oCEMP [**Ref EN010127/APP/7.6**] the Proposed Development will not result in the deterioration of any water bodies, or prevent them from achieving good status.
- 7.14.7. Paragraph 5.15.8 of NPS EN-1 (unchanged in draft revised NPS EN-1 paragraph 5.16.12) states the SoS should consider whether mitigation measures are needed over and above any which may form part of the project application. In response, Chapter 11 of the ES concludes that no additional mitigation beyond that embedded in the design and referred to in the oWMP and oCEMP is required.
- 7.14.8. Paragraph 5.15.9 of NPS EN-1 (unchanged in draft revised NPS EN-1 paragraph 5.16.12) states: The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice.
- 7.14.9. In response to Paragraph 5.15.9 of NPS EN-1 the Proposed Development has employed good design including avoidance measures in order to minimise the risk of impacts on the water environment. Section 11.3 of

Chapter 11 of the ES identifies mitigation measures relating to the hydrological environment which are embedded into the design and construction of the Proposed Development. NPPF at paragraph 174 (e) states that Planning policies and decisions should *‘contribute to and enhance the natural and local environment by... preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability...’* Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that the results of the assessment of water environment effects included Chapter 11 of the ES accords with the NPPF with regard to water environment impacts.

- 7.14.10. South Kesteven District Council Local Plan Policy SD1 and EN4 refer to Pollution Control, the latter states development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water.
- 7.14.11. Rutland County Council Site Allocations DPD Policy SP18: Wind turbines and low carbon energy developments states that proposals for low carbon energy developments will be supported where they are acceptable in terms of emissions to ground, watercourses and air.
- 7.14.12. Table 6 and 9 at Appendix 3 includes a policy response to the Rutland County Council Development Plan and South Kesteven Local Plan. It is considered that the results of the assessment of water environment effects included Chapter 11 of the ES accords with the local policy with regard to water quality impacts.
- 7.14.13. The Proposed Development is considered to be in compliance with NPS EN-1, the draft revised NPS EN-1, the NPPF and local planning policies.

7.15. Flood Risk and Drainage

- 7.15.1. This section reviews the Proposed Development in the context of the relevant planning policies relating to flood risk. This section should be read in conjunction with the policy accordance tables included in Appendix 3 of this Planning Statement.

- 7.15.2. NPS EN-1 Paragraph 5.7.4 states that applications for energy projects of 1 hectare or greater in Flood Zone 1 in England and all proposals for energy projects located in Flood Zones 2 and 3 in England should be accompanied by a flood risk assessment (FRA). Paragraph 5.8.6 of the draft revised NPS EN-1 updated paragraph 5.7.4 of the NPS EN-1 including additional detail where a FRA is required.
- 7.15.3. A Flood Risk Assessment (FRA) included in Appendix 11.5 of the ES [**Ref EN010127/APP/6.2**] has been prepared in accordance with the requirements of paragraphs section 5.7 of NPS EN1 (and the NPPF), and the likely effects of the Proposed Development associated with flood risk have been assessed in Chapter 11 of the ES. The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [**Ref EN010127/APP/6.2**], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits.
- 7.15.4. Paragraph 5.7.5 of NPS EN1 (updated by paragraph 5.8.7 of the draft revised EN-1) sets out the minimum criteria for FRAs. The criteria are set out in full in Table 1 of Appendix 3 which also confirms that the FRA has been prepared in full accordance with NPS requirements.
- 7.15.5. Paragraph 5.7.7 of NPS EN-1 (unchanged in paragraph 5.8.9 of the draft revised NPS EN-1) states that projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies.
- 7.15.6. Consultations have been held with the Environment Agency and Lincolnshire County Council (LCC), plus the relevant Internal Drainage Boards (IDBs) which have informed the scope of the FRA. The consultations are described in Appendix 11.3 of the ES [**Ref EN010127/APP/6.2**].
- 7.15.7. Paragraph 5.7.9 of NPS EN-1 (updated by paragraph 5.8.11 of the draft revised NPS EN-1) sets out the criteria with regard to flood risk that the

SoS should be satisfied is addressed in determining applications.

The full criteria are set out in Table 1 in Appendix 3 of this Planning Statement. The FRA included in Appendix 11.5 of the ES [Ref **EN010127/APP/6.2**] has been prepared in accordance with EN-1 and NPPF requirements.

- 7.15.8. The Proposed Development has been designed to be located primarily in Flood Zone (Flood Zone)1 with only a small footprint of the Solar PV Site located within the 1 in 100-year modelled flood extent. A small part of the Solar PV Site is located within the Flood Zone 2. No solar infrastructure or equipment associated with the Proposed Development is location within Flood Zone 3. The uses located within these flood extents Flood Zone 2 have been restricted to PV Arrays mounting structures only (solar stations will be located outside of the Flood Zone 2 flood extents) which will be raised above flood levels and not displace flood waters, and are designed to remain operational in the 1 : 100 year flood event plus climate change allowance. The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff. Hardstanding areas are to be located outside of Flood Zone 2 and served by appropriate SuDS and surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the outline Surface Water Drainage Strategy (oSWDS) - Appendix 11.6 of the ES [Ref **EN010127/APP/6.2**]. Section 4 of the FRA includes a Sequential Test and Exception Test which have been carried out in line with EN-1 Paragraph 5.7.9 and the draft revised NPS EN-1 paragraph 5.8.11, the NPPF and PPG. This concludes that a sequential approach to design has been applied, seeking to minimise the placements of infrastructure outside of Flood Zone 1, and that with the measures identified in the oSWDS in place, the benefits of the Proposed Development outweigh the managed flood risk.
- 7.15.9. It is considered that given consideration of the points above, and set out table 1 at Appendix 3, the FRA meets all of the requirements of Paragraph 5.7.9 of NPS EN-1(updated by paragraph 5.8.11 of the draft revised NPS EN-1).

- 7.15.10. NPS EN-1 Paragraph 5.7.10 states that for construction work that has drainage implications, approval for the project's drainage system will form part of the development consent.
- 7.15.11. In response, an outline Water Management Plan (oWMP) [Ref **EN010127/APP/7.13**] identifies the compliance standards to which the Proposed Development's drainage system and SuDS measures have been designed for all stages of the Proposed Development.
- 7.15.12. The outline Surface Water Drainage Strategy (oSWS) Appendix 11.6 of the ES [Ref **EN010127/APP/6.2**] sets the management prescriptions for responsibility for maintaining the SuDS structures within the Order limits. Section 2.9 of the The oSWS states "It will be the responsibility of the site operator to maintain effective drainage measures and rectify drainage measures that are not functioning adequately". The oSWS will be secured by Requirement as part of the DCO Application. Paragraph 5.8.15 (replaces adopted EN-1 paragraph 5.7.13) setting out the sequential test stating that preference should be given to locating projects in areas of lowest flood risk. The policy requires the SoS to be satisfied that the sequential test requirements have been met for development in Flood Zone 2, and that both the that the sequential and exception test requirements have been met for development in Flood Zone 3 (the full policy requirements of paragraphs 5.8.15 draft revised EN-1 and 5.7.13 of EN-1 are set out in Table 1 in Appendix 3).
- 7.15.13. In response, Section 4 of the FRA in Appendix 11.5 of the ES [Ref **EN010127/APP/6.2**] includes a Sequential Test which has been carried out in line with EN-1 Paragraphs 5.7.9 and 5.7.13 and the draft revised NPS EN-1 paragraphs 5.8.11 and 5.8.15, the NPPF and PPG to identify that there is no reasonable alternative site with a lower probability of flooding and that the benefits of the Proposed Development outweigh flood risk. Paragraph 5.7.16 of NPS EN-1 and paragraph 5.8.18 of the draft revised NPS EN-1 set out the elements which need to be satisfied in order for the exception text to be passed. The elements vary between the two paragraphs and are set out in full in Table 1 in Appendix 3.

7.15.14. Section 4 of the FRA Appendix 11.5 of the ES [Ref **EN010127/APP/6.2**] includes application of the Exception Test as per the requirements of the NPS EN-1, draft revised NPS EN-1 and the NPPF. The Proposed Development is considered to pass the Exception Test by virtue of the following:

- As demonstrated by the Site Selection Report in Appendix 1 of the Planning Statement [Ref **EN010127/APP/7.2**]. The Proposed Development is located in the most logical location in terms of connection works utilising existing capacity and that no suitable alternative previously developed land is available
- The Proposed Development also delivers wider sustainability benefits, including biodiversity net gain, and improved connectivity across the Order limits via new permissive paths
- The Proposed Development is essential infrastructure with a primary function to import energy from renewable sources to the Ryhall substation providing wider sustainability benefits to the community through the delivery of a considerable amount of renewable energy generation capacity that is urgently needed to help meet national energy and climate change objectives and commitments, as detailed by the Statement of Need [Ref **EN010127/APP/7.1**].
- The Proposed Development is located primarily within Flood Zone 1, with only a small footprint of the Solar PV Site located within the 1 in 1,000-year extents which will comprise PV Arrays which will be raised above flood levels and not displace flood waters;
- The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff;
- Hardstanding areas are to be served by surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the Outline Surface Water Drainage Strategy; and

- The Proposed Development is classed as Essential Infrastructure, as per Annex 3: Flood risk vulnerability classification: of the National Planning Policy Framework, which is appropriate in the Flood Zone 2, in terms of flood risk vulnerability.

- 7.15.15. For the reasons above, it is considered that the Proposed Development meets the requirements of Paragraph 5.7.16 of NPS EN-1 and paragraph 5.8.18 of the draft revised NPS EN-1.
- 7.15.16. Paragraph 5.7.17 of NPS EN-1 (unchanged in paragraph 5.8.19 of the draft revised NPS EN-1) states that, exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the SoS may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level.
- 7.15.17. In response, the FRA confirms in section 3 that the implementation of the measures detailed in the oSWDS will prevent a significant increase in surface water runoff and therefore prevent an increase in flood risk elsewhere.
- 7.15.18. Paragraphs 5.7.18 – 5.7.22 of NPS EN1 (unchanged in paragraphs 5.8.20 – 5.8.22 of the draft revised NPS EN-1) refer to surface water drainage management (full paragraph wording included in Table 1 of Appendix 3). Paragraph 2.50.7 of the draft revised NPS EN-3 confirms that as solar PV panels will drain to the existing ground, the impact will not in general be significant. Where access tracks need to be provided, permeable tracks should be used, and localised Sustainable Drainage Systems (SuDS), such as swales and infiltration trenches, should be used to control any run-off where recommended.
- 7.15.19. Table 1 at Appendix 3 includes the full policy wording of these paragraphs and the policy responses. In summary the Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [**Ref EN010127/APP/6.2**] confirms the 1 in 100-year plus climate change discharges rates which will be achieved through implementation of the SuDS measures.

- 7.15.20. NPS EN-1 Paragraph 5.7.23 (unchanged in paragraph 5.8.25 of the draft revised NPS EN-1) states that more vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. NPS EN-1 paragraph 5.7.24 adds that essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur (this paragraph is not carried forward in the draft revised NPS EN-1).
- 7.15.21. Paragraph 2.3.4 of draft revised EN-3 states that solar PV sites may be proposed in low lying exposed sites. For these proposals, applicants should consider, in particular, how plant will be resilient to:
- increased risk of flooding
 - impact of higher temperatures
- 7.15.22. Section 4 of the FRA included in Appendix 11.5 of the ES describes how the proposed Development has been sequentially designed. The equipment located within the flood extents Flood Zone 2 are not of a vulnerable nature and have been restricted PV Arrays mounting structures which will be raised above flood levels and not displace flood waters, and are designed to remain operational in flood events. The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff. Hardstanding areas, buildings and Solar Stations are to be located outside of Flood Zone 2 and served by appropriate SuDS and surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the outline Surface Water Drainage Strategy in Appendix 11.6 of the ES.
- 7.15.23. It is considered that the Proposed Development has been designed and essential infrastructure has laid out in accordance with NPS EN-1 Paragraph 5.7.23, 5.7.24 and Paragraph 2.3.4 of draft revised NPS EN-3.
- 7.15.24. NPPF Paragraph 152 identifies that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 159 states that inappropriate

development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 167 outlines the decision-making process related to development and flood risk setting out the criteria to be met to allow development in areas at risk of flooding, and paragraph 169 refers to the requirement for appropriate SuDS measures.

- 7.15.25. Table 4 at Appendix 3 includes a policy response to the NPPF. It is considered that the results of the assessment of flood risk and mitigation measures described in Chapter 11 of the ES **[Ref EN010127/APP/6.1]** accords with the NPPF with regard to flood risk and drainage.
- 7.15.26. Policy SD1: The Principles of Sustainable Development of the South Kesteven Local Plan part e. developing land at risk of flooding or where development would exacerbate the risk of flooding elsewhere. EN5: Water Environment and Flood Risk Management refers to the need to locate development in the lowest areas of flood risk, the need to apply the sequential test where this is not possible, and the requirements for FRAs. Policy CS1 – Sustainable development principles – of the Rutland County Council Core Strategy Development Plan Document states that at part g) that new development in Rutland will be expected to avoid development of land at risk of flooding or where it would exacerbate the risk of flooding elsewhere. Policy CS19 Promoting good design part d) states development should minimise water use and the risk of flooding to and from the development including the use of Sustainable Urban Drainage Systems wherever possible.
- 7.15.27. Table 6 at Appendix 3 includes a policy response to the Rutland County Council Core Strategy Development Plan Document and South Kesteven Local Plan. It is considered that the results of the assessment of flood risk and mitigation measures described in Chapter 11 of the ES **[Ref EN010127/APP/6.1]** accords with the local development plan policies with regard to flood risk and drainage.

7.15.28. In summary it is considered that the Proposed Development addresses the relevant flood risk and drainage related policies and guidance set out in NPS EN-1, the draft revised NPS EN-1, the draft revised NPS EN-3, the NPPF and the Rutland and South Kesteven Local Plans.

8.0 Conclusion and Planning Balance

- 8.1.1. The Proposed Development will be determined pursuant to section 105 of the PA 2008. Applications determined under this section require the Secretary of State to have regard to (a) any local impact report; (b) matters prescribed in relation to the development of the description to which the application relates, and (c) any other matters which the Secretary of State considers to be both important and relevant. This Planning Statement provides evidence of the Proposed Development compliance with the relevant prescribed matters and relevant planning policy and other matters the Applicant considers are likely to be important and relevant, to inform the Secretary of State's decision as to whether to grant a DCO for the Proposed Development.
- 8.1.2. There are no specific references to solar NSIPs in NPS EN-1, although once the draft revised Energy NPSs are endorsed, new applications for solar NSIPs will be required to be determined in accordance with the endorsed versions of the draft revised NPS EN-1 and draft revised NPS EN-3.
- 8.1.3. Although solar NSIPs are not specifically identified in the current Energy NPSs the Applicant considers that both the current Energy NPS and the draft revised NPS should be an important and relevant consideration for the Secretary of State.
- 8.1.4. significant weight should be given to the Proposed Development's compliance with the policies of the Energy NPSs, and substantial weight should be given to their compliance with the draft revised Energy NPS, given their consistency with current statements of Government policy in particular in the BESS 2022. Less weight is given to the NPPF and Local Planning Policy owing to their focus on guiding development at regional and local levels.
- 8.1.5. The Energy NPSs, draft revised Energy NPSs, and other national energy policies set out the government's aims to provide secure and affordable energy supplies whilst decarbonising the energy system. This is in order to enable the UK to achieve its legally binding commitment to reduce carbon

emissions and achieve net zero carbon emissions by 2050; as well as provide a resilient and low-cost energy network for the future. The Government recognises in policy that the need to deliver these aims and commitments is immediate and therefore renewable energy NSIPs, including large-scale solar projects need to be delivered urgently.

- 8.1.6. The Proposed Development will deliver these policy aims, providing a significant amount of low-carbon electricity over its lifetime; and providing resilience, security and affordability of supplies due to its large scale. Therefore, a critical part of the national portfolio of renewable energy generation is required to decarbonise its energy supply quickly whilst providing security and affordability to the energy supply. It is clear that there is a compelling case for the need for the Proposed Development and that it will deliver national economic and social benefits in line with the government's wider objectives of delivering sustainable development.
- 8.1.7. Therefore, the Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UK's ability to meet future Carbon Budgets and Net Zero 2050. The Statement of Need [Ref EN010127/APP/7.1] sets out a detailed and compelling case as to why the Proposed Development is urgently required at the scale proposed.
- 8.1.8. The Mallard Pass Solar Farm has been prepared in the context of the Vision and Project Principles described in section 2 of the Planning Statement and in the Design and Access Statement [**Ref EN010127/APP/7.3**]. These principles have shaped the design of the Proposed Development to ensure that embedded mitigation provided through the design and layout of the proposals, also delivers wider environmental and community benefits.
- 8.1.9. The Proposed Development will also deliver other more localised economic, social and environmental benefits. These relate to biodiversity net gain, new permissive paths to compliment PRow during the operational phase of the Proposed Development, and employment during the construction phase.

- 8.1.10. The Green Infrastructure Strategy Plan contained within the outline Landscape Environmental Management Plan (oLEMP) **[Ref EN010127/APP7.7]** for the Proposed Development has been prepared with a view to securing opportunities to contribute to and enhance the wider natural environment, deliver Biodiversity Net Gain and consider other community enhancements.
- 8.1.11. The Green Infrastructure Strategy Plan includes nature-based solutions to mitigate potential effects arising from the Proposed Development. It includes significant levels of habitat creation and enhancement, including species diverse wildflower and grassland, calcareous grassland wet woodland habitat, structural tree belt and hedgerow planting. These measures combined will reduce the GHG emissions from the operational phase of the Proposed Development and increase the potential for CO2 sequestration within the Order limits for the duration of the Proposed Development.
- 8.1.12. A Biodiversity Net Gain (BNG) calculation, using Defra's Metric 3.1, has been provided with the DCO Application which demonstrates a 72% Biodiversity Net Gain, contributing to the ambition set out in the Government's 25 Year Environment Plan.
- 8.1.13. The Proposed Development would also include three new permissive paths approximately 8.1km in total length connecting into the wider network of PRoW and rural lanes as a recreation benefit.
- 8.1.14. The Applicant is also committing to implementing a Skills, Supply Chain and Employment Plan for the construction of the Scheme which will include the provision of employment opportunities for local people. The objectives of the plan are to focus on the opportunities for the involvement of local companies in the construction and operation supply chain; the ability of local residents to access employment opportunities associated with the construction and operation of the Development; and the ability of research organisations to use the site to enable research and innovation in the renewable energy sector.

- 8.1.15. The analysis of planning policy compliance demonstrates that the need for the Proposed Development is supported by planning policy and other national energy and environmental policy. The Proposed Development addresses relevant national and local planning policies through its design, avoiding sensitive areas and limiting adverse effects impacts where possible.
- 8.1.16. With the mitigation proposed, the ES demonstrates that the Proposed Development will not have any significant adverse effects in relation to designated landscapes; biodiversity sites or protected species or habitats; cultural heritage and archaeology; flood risk and water quality; transport and access; air quality; or health.
- 8.1.17. Chapter 17 of the ES **[Ref EN010127/APP7.7]** concludes that accounting for embedded mitigation and following the implementation of additional mitigation, significant adverse effects are only anticipated in relation to Landscape and Visual impacts. The Proposed Development would have a moderate beneficial effect (which is significant) on climate change due to the CO₂ emissions displaced by the renewable energy generated. The total reduction in CO₂ of 423,580 teCO₂ across all phases of the of the Proposed Development and an average of 10,589 teCO₂/y. The Proposed Development would, therefore, be displaced within approximately 10.5 years, and all savings beyond that would be a net benefit of the Proposed Development to reducing GHG emissions, relative to the baseline. Over 40 years, for example, the saving is estimated at approximately 1.9 million tonnes of CO₂.
- 8.1.18. With regard to landscape and visual amenity measures that have been embedded into the design of the Proposed Development and illustrated in the proposed Green Infrastructure Strategy Plan included in the oLEMP **[Ref EN010127/APP7.7]**. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. The visual impacts associated with the proposed Development have been suitably mitigated to an acceptable level and the residual impacts are outweighed by the wider benefits of the proposed development, including the delivery of a significant level of low-carbon

energy generation and biodiversity net gain and the provision of permissive footpaths. The Proposed Development is therefore considered acceptable in terms of overall landscape, visual and residential amenity impacts. These effects are localised and will be reversed following decommissioning at the end of the Proposed Development's operational life (although this is not accounted for in the Environmental Statement). NPS EN-1 and the draft revised NPS EN-1 acknowledge that adverse effects are likely, given the scale of energy NSIPs, and it is considered the national benefits of the Proposed Development outweigh these localised effects.

- 8.1.19. The Order limits contain land which is classified as Best and Most Versatile (BMV). The applicants have sought to minimise the amount of the BMV included within Order limits as well as the potential impacts of the Proposed development upon BMV land, seeking to utilise areas of poorer quality grades (3b -5) in line with addressing other sustainability considerations.
- 8.1.20. The impacts on BMV land have been minimised by the nature of the proposed Development and its design, including the management of soil resources during the life of the proposed Development. This has resulted in 40% of the BMV within Order limits being removed from areas for Solar PV Arrays. In context the proposed Development represents a temporary use of just 0.054% of the BMV land across Lincolnshire and Rutland.
- 8.1.21. The use of any other land in this area for a comparably sized scheme would result in a similar impact on agricultural land and the Order limits represent an, at worst, characteristic snapshot of the quality of land within the proximity of the Ryhall substation. In order to maximise the available capacity, the use of some BMV land is unavoidable. The benefits of the Proposed Development outweigh the temporary and reversible loss of the agricultural use of the BMV land, particularly noting that the draft revised NPS EN-3 states that land type should not be the predominating factor in determining the suitability of a site for solar development.
- 8.1.22. As described in Section 6 of this Planning Statement, whilst it has not been possible to avoid all impacts these have been minimised, where possible,

through careful and sensitive design and detailed mitigation strategies. When considered against the current and revised NPSs and NPPF, the Proposed Development accords with relevant policies, and with regard to specific policy tests, the national and local benefits of the Proposed Development are considered on balance to outweigh its adverse impacts. The Proposed Development is also considered to be broadly consistent with relevant Local Planning Policy. Therefore, it is considered that development consent for the Proposed Development should be granted.



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Planning Statement

Appendix 1 - Site Selection Assessment

November 2022

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1.0 Introduction

Background

1.1.1. This report provides an overview of the site selection process undertaken by the Applicant to identify the location of the Proposed Development.

1.1.2. As explained later in this report, in this case, there is no legal or policy requirement to demonstrate that the Proposed Development is the optimum location for a solar farm, but there are certain policy preferences, for instance with regard to considering lower quality agricultural land before higher quality land and previously developed land before greenfield land. This report explains the process undertaken by the Applicant in having regard to these important factors.

1.1.3. There are also certain legal tests with regard to the consideration of alternative sites, for instance where there would be an adverse effect on the integrity of a European protected site or where land was proposed to be acquired compulsorily. However, in this case there are no such adverse effects and terms are agreed with the principal landowners. On this basis, this report is provided to assist the Examining Authority and Secretary of State in understanding the rationale for the chosen site.

1.1.4. The Proposed Development comprises the construction, operation and maintenance, and decommissioning of a solar photovoltaic (PV) array electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the National Grid. The Proposed Development will be located within the 'Order limits' (the land shown on the Works Plans (see [Ref EN010127/APP/2.2]) within which the Proposed Development can be carried out). The area subject to the Application comprises the Solar PV Site, the Grid Connection Route, the Onsite Substation, the Highways Works Site, the

Mitigation and Enhancement Areas and landscaping and planting areas.

1.1.5. The Scheme is defined as a Nationally Significant Infrastructure Project (NSIP) and will require a Development Consent Order (DCO) from the Secretary of State for Business, Energy and Industrial Strategy (BEIS), due to its generating capacity exceeding 50 megawatts (MW).

Purpose of this report

1.1.6. The purpose of this report is to present the reason why the Proposed Development and Order Limits are located in this particular location.

1.1.7. The Chapter 4 – Alternatives and Design Development of the Environmental Statement (ES) **[Ref EN010127/APP/6.1]** explains the legal and policy background to the consideration of alternatives and background to the design development.

1.1.8. The Planning Statement **[Ref EN010127/APP/7.2]** explains the planning tests and policy background to the consideration of alternatives and the need for the project is explained within the Statement of Need and summarised below in the context of the need for consideration of alternative sites **[Ref EN010127/APP/7.1]**.

The Need for the Project

1.1.9. The UK has substantial renewable energy resources, including 40% of Europe's wind resource, and Government is targeting 50GW of offshore wind to be operational by 2030 to harness that resource and shield consumers from volatile international energy markets. But wind on its own is not sufficient. The development of large-scale solar in the UK (National Grid estimates up to 39.7GW by 2030 rising to 88.6GW by 2050) will provide an essential diversity to the UK's low-carbon

generation portfolio, working with other technologies to deliver security of supply and value to UK consumers. The Energy Security Strategy (April 2022) has now set an ambition of 70GW of solar by 2035 (an increase of 56GW from the current provision). Solar generation is therefore a critical element of the plan to decarbonise the UK electricity sector with urgency and is already a leading low-cost generation technology in the UK. The national need for solar generation is urgent and the capacity required is significantly greater than the capacity of projects currently understood to be in development.

1.1.10. Solar addresses all important aspects of existing and emerging government policy. It will make a critical and timely contribution to decarbonisation and security of supply in the UK, will help shield consumer bills from volatile energy prices and international supply markets, and provides the potential to deliver biodiversity net gains through its development.

1.1.11. Importantly, the assessment of alternatives is therefore set against the context of a clear and urgent national need for this type of infrastructure.

1.1.12. The DCO application is accompanied by a Statement of Need [**Ref EN010127/APP/7.1**] which sets out a detailed and compelling case as to why the Proposed Development is urgently required at the scale proposed.

2.0 National Planning Policy

Overarching National Policy Statement for Energy (EN-1) and Draft Overarching National Policy Statement for Energy (EN-1)

2.1.1. Section 4.4 of NPS EN-1 and paragraphs 4.2.11 to 4.2.13 of Draft NPS EN-1 set out the circumstances where NPS planning policy requires the consideration of alternatives. At paragraph 4.4.1 and 4.2.11, respectively, both NPS EN-1 and Draft NPS EN-1 state:

'From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option.'

2.1.2. However, paragraphs 4.4.2 of the NPS EN-1 and 4.2.12 of Draft NPS EN-1 go on to set out the circumstances where there is a requirement to consider alternatives, as noted:

- *applicants are obliged to include in their ES, as a matter of fact, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility;*
- *in some circumstances there are specific legislative requirements, notably under the Habitats Directive, for the IPC to consider alternatives. These should also be identified in the ES by the applicant; and*
- *in some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives (as this NPS does in Sections 5.3, 5.7 and 5.9 (5.4, 5.8 and 5.10 of the draft EN-1).*

2.1.3. The Planning Inspectorate's (PINS) Advice Note 7 sets out that PINS considers that good ES is one that amongst numerous things:

“explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the Proposed Development on the environment.” The Applicant has considered the reasonable alternative design and technologies which could be considered to realistically achieve the objectives for the Proposed Development. This is set out in Chapter 4 of the ES [**Ref EN010127/APP/6.1**].

2.1.4. Following the assessment undertaken in the Environmental Statement and Habitats Regulations Assessment [**Ref EN010127/APP/6.2**], it is the case that the alternatives tests in the Habitats Regulations and the Water Framework Directive do not need to be engaged; and no impacts are caused that would require the consideration of the common law tests of alternatives.

2.1.5. In respect of the policy requirements of sections 5.3, 5.7 and 5.9 of EN-1 and the equivalent sections of the Draft EN-1:

- Section 5.3 - Biodiversity and geodiversity conservation considerations of reasonable alternatives have informed the design of the Proposed Development from the outset and integrated as part of the design process, as described in the Design and Access Statement [**Ref EN010127/APP/7.3**]. This has facilitated an approach to mitigating impacts that first seeks to avoid impacts, then minimise them, and then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.
- With reasonable alternatives, the avoidance of ecological impacts has been embedded into the layout of the scheme as identified in the Green Infrastructure Strategy Plan, which

is included in the oLEMP [**Ref EN010127/APP/7.9**] which is secured by the DCO.

- A shadow Habitats Regulation Assessment, ES appendix 7.5 [**Ref EN010127/APP/6.2**] has been undertaken to support the DCO Application. This concludes that no likely significant effects on the SPA or SACs will arise from the Proposed Development.
- No ancient woodland is contained within the Order limits. There are parcels of this habitat located to the north-east (replanted ancient woodland at Braceborough Little Wood) and north-west (ancient woodland and replanted ancient woodland at Newell Wood) adjacent to the Order limits. Following design development, these woodlands are each located more than 300m from the Solar PV Site.
- Section 5.7 - Flood risk, requires a sequential test to be applied as part of the site selection process. Section 4 of the Flood Risk Assessment (FRA) (Appendix 11.4 of the ES [**Ref EN010127/APP/6.2**]) applies the sequential test and exception test in line with EN-1 Paragraph 5.7.9 the draft revised NPS EN-1 paragraph 5.8.11, the NPPF and the NPPG and concludes that the Proposed Development can be considered acceptable following the application of those tests.
- As part of the consideration of alternatives the Proposed Development is located primarily within Flood Zone 1, with only a small footprint of the Solar PV Site located within the 1 in 100-year extents which will comprise PV Arrays which will be raised above flood levels and not displace flood waters.

Through the design iteration process, the Proposed Development has removed original PV Arrays from Flood Zone 2 and 3 along the West Glen River corridor.

- Section 5.8 - Historic environment considers any harmful impact on both the heritage asset and their settings. Given the ‘no impact’ conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 5.8.15 of NPS EN-1 or the draft revised NPS EN-1.
- Notwithstanding this, the Statement of Need [**Ref EN010127/APP/7.1**] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK’s electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.

2.1.6. The Proposed development has avoided statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA). Furthermore, the Solar PV Site would not be visible from one of these designated landscapes.

2.1.7. In summary, therefore, consideration of alternatives has been carried out in line with or in compliance with regulatory requirements and in the context of the clear and urgent need case for the development,

which is in line with the policy prerogatives of Part 4.4 of NPS EN-1 and 4.2 of Draft EN-1.

2.1.8. Adopted NPS EN-3 and NPS EN-5 do not include any specific relevant policy on alternatives and therefore are not considered further in this appendix. However, draft EN-3 contains a section on solar photovoltaic generation, including factors influencing site selection, which are discussed below.

Draft National Policy Statement for Energy Infrastructure (EN-3)

2.1.9. The rationale for selecting the Proposed Development is set out below in section 3 with reference to the factors influencing site selection in paragraphs 2.48.1 to 2.48.16 of Draft NPS EN-3.

3.0 Site Selection

3.1.1. The Applicant considered several important factors before arriving at the preferred site. As solar schemes are not referred to directly in the current suite of NPS, the Applicant has considered and referenced the site selection criteria referred to in draft NPS EN-3. This is considered a reasonable approach to take because the draft NPSs have progressed to a reasonably advanced stage, including consideration by the House of Commons BEIS Committee, who endorsed the draft and proposed a series of changes to deliver the “step change” needed to deliver the required scale of new NSIPS at a sufficiently rapid pace to deliver the Government’s net zero aims. The factors are also considered to be the relevant ones when selecting a site for large scale solar.

3.1.2. Solar developments require three fundamental attributes and these drive the initial screening process. These attributes (which build on Section 2.48 of Draft Revised NPS EN-3) are (as discussed further in section 7.5 of the Statement of Need **[Ref EN010127/APP/7.1]**).

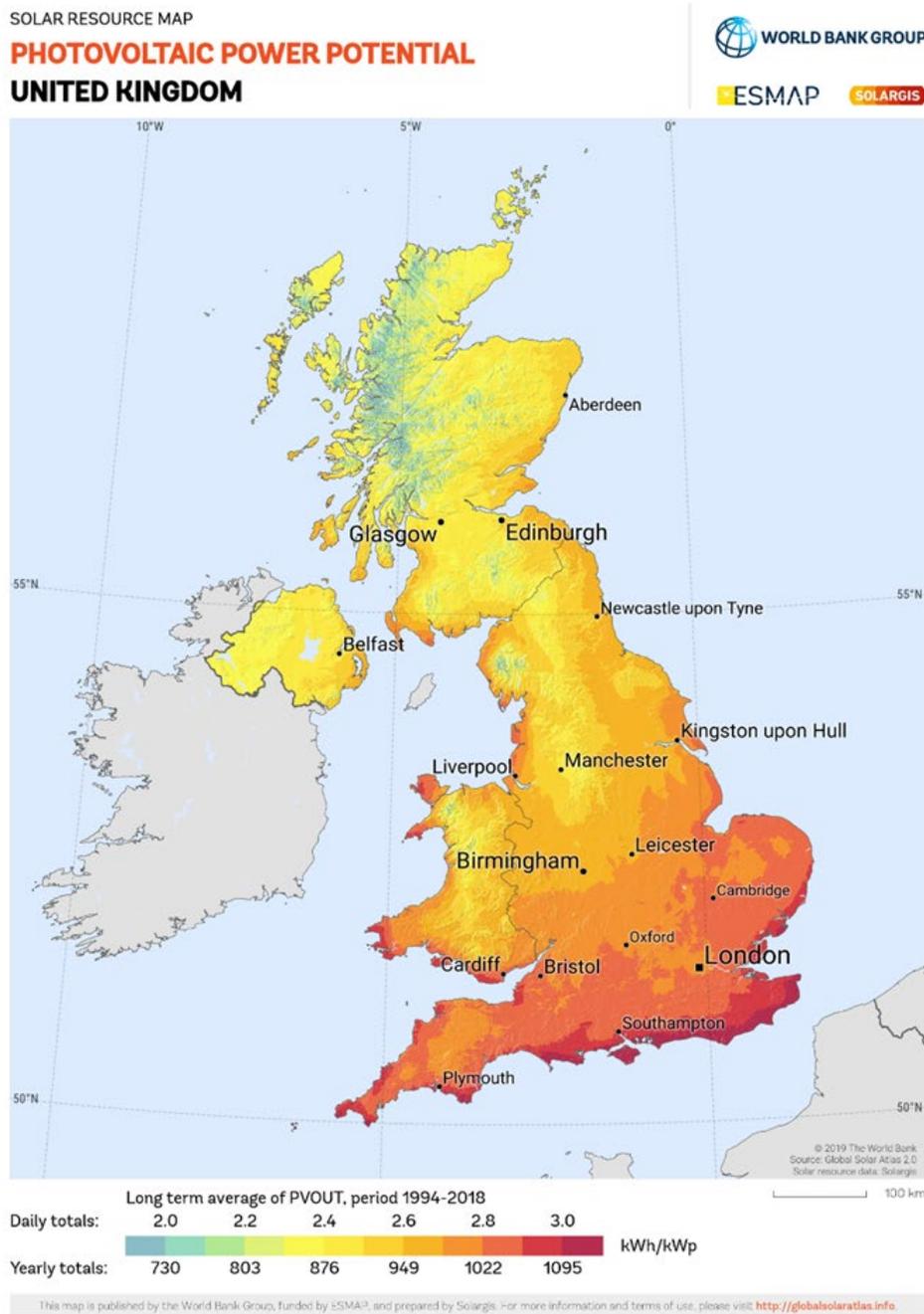
- The existence and availability of sufficient land to deliver the project to meet the scale set out in the Proposed Development’s aims (i.e. which also take account of the following two points);
- The availability and capacity of a suitably placed point of connection to the NETS and/or local Distribution Network; and
- Solar irradiation levels support the development's potential to produce an energy yield that is both useful and economic.

3.1.3. The starting point in the consideration of alternatives, as noted earlier, is the clean and urgent need for renewable energy projects to deliver the Government’s legally binding commitment to net zero, which cannot be reached with the delivery of small sites alone – projects are

needed to deliver energy at scale, as discussed in the section 8.5 Statement of Need, which concludes that the development of large sites (which connect to the transmission network) is essential in order to connect the scale of new capacity required to meet Net Zero requirements. On this basis, the emphasis should be on maximising the use of available capacity at grid connections where they occur. Consideration was therefore given to areas in the UK where grid connections were available and that were suitable for solar development.

3.1.4. Lincolnshire represents a good location within the UK to construct a solar farm as demonstrated below (bearing in mind constraints in other locations). The area benefits from higher levels of Photovoltaic Power and irradiance compared to other parts of the UK, as shown below in Figure 1.

Figure 1: Photovoltaic Power Potential in the United Kingdom



3.1.5. Furthermore, Lincolnshire benefits from:

- Being generally flat, with gently undulating topography which is suitable and beneficial for solar, increasing the likelihood of being

able to identify a suitable site that is capable of producing a large amount of electricity.

- The existence of large areas of undeveloped land and a generally sparse settlement pattern, meaning that there is the opportunity to identify sites of sufficient scale to deliver meaningful contributions towards meeting net zero.
- Available grid connections with the capacity to connect to the National Grid. This is more likely in less populated areas with lower demand from businesses and homes.
- The fact that whilst ALC varies depending on precise location, but where it is best and most versatile (BMV) land it is generally Grade 2 and 3a, rather than large areas of Grade 1 land.

3.1.6. This is not to say that large-scale solar sites will only be suitable in Lincolnshire – available capacity should be maximised wherever possible, however, Lincolnshire’s particular topography and settlement pattern make it suitable for a solar project of this scale.

3.1.7. The focus was therefore within the Lincolnshire area, with the criteria for sites undertaken based on the criteria set out below.

Site Selection Criteria

3.1.8. The site selection process seeks to identify locations which meet or come close to meeting those criteria which are important in considering the suitability of specific locations for large-scale solar developments. These are set out in paragraph 7.5.15 within the Statement of Need [**Ref EN010127/APP/7.1**].

3.1.9. The follow factors, which are included in that list, were used to arrive at the preferred site within Lincolnshire. As solar schemes are not

referred to directly in the current suite of NPS, the Applicant has considered and referenced the site selection criteria referred to in draft NPS EN-3.

Irradiance and topography

3.1.10. Paragraph 2.48.2 in Draft NPS EN-3 sets out that solar irradiance and topography are key considerations for identifying a potentially suitable site, since these directly affect the amount of electricity that can be generated on a site. The Site must be suitable for solar development and located within an area of high irradiance and suitable topography.

3.1.11. As noted above, irradiance in Lincolnshire is sufficiently high to support solar development. The general topography of the area immediately surrounding the Ryhall substation is gently undulating and therefore this makes it particularly suitable for solar. In combination with the other factors discussed below, the area around the substation was considered an appropriate location for development.

Proximity of the Order limits to dwellings

3.1.12. Draft NPS EN-3 paragraph 2.48.4 states that *“utility-scale solar farms are large sites that may have a significant zone of visual influence. The two main impact issues that determine distances to sensitive receptors are therefore likely to be visual amenity and glint and glare”*.

3.1.13. The area surrounding the National Grid Ryhall Substation is characterised by dispersed small settlements, with the larger towns of Stamford to the south-west, and Market Deeping to the south-east. The City of Peterborough lies further to the south-east. The Order limits was chosen as although it is located in relatively close proximity to Essendine, there are opportunities to significantly reduce its impact

through a combination of setbacks, natural screening through topography and existing landscape and proposed landscape improvements.

3.1.14. There are also relatively limited individual dwellings in close proximity to the Order limits and this has been reduced further throughout the design evolution of the Proposed Development. Through this evolution of the design, the visual impact on residential receptors has been taken into account; strategic setbacks from receptors to the above-ground infrastructure have been employed to limit visual impacts and the impact of glint and glare on residential receptors. This is described further in chapter 4 of the Environmental Statement.

Capacity of site

3.1.15. Paragraph 2.48.5 of Draft NPS EN-3 sets out that *“In order for a solar farm to generate electricity efficiently, site layout must be designed so as to maximise irradiance levels, and the panel array spacing should also seek to maximise the potential power output of the site. The type, spacing and aspect of panel arrays will depend on the physical characteristics of the site such as site elevation. However, this is a matter for the Applicant”*.

3.1.16. As this is included as a factor influencing site selection, it is taken to mean that the site needs to be able to accommodate a sufficient megawatt capacity to deliver a viable solar farm of greater than 50MW and also that the power output from a given grid connection should be maximised.

3.1.17. Mallard Pass Solar Farm Limited has a grid connection agreement with National Grid Electricity Transmission to export 240MW (AC) of clean power to the national grid.

3.1.18. The parameters that have been developed for the Application have sought to allow for a solar farm capable of generating up to 350MW (DC) to account for the normally applied factors:

- Degradation of panels over time;
- Seasonal and daily variation of solar irradiance;
- Loss of power in the conversion from AC to DC.

3.1.19. This will ensure that Mallard Pass Solar Farm is able to optimise the available grid connection and generate as much clean power as possible each day and over its lifetime.

3.1.20. The Order limits were therefore selected on the basis of finding a site which could enable the delivery of parameters which could achieve this, whilst also accounting for the environmental baseline and the mitigation and enhancement measures that may be necessary.

3.1.21. In this way, the Proposed Development would contribute substantially to the need to supply low-carbon energy, in order for the government to meet its objectives and commitments as mentioned above.

Grid Connection and Capacity

3.1.22. Paragraph 2.48.10 of Draft NPS EN-3 sets out: “*The connection of the proposed solar farm into the relevant electricity network will be an important consideration for applicants of solar.*”

3.1.23. Paragraph 2.48.12 goes on to explain that: “*The applicant may choose a site based on nearby available grid export capacity. Locating solar farms at places with grid connection capacity enables the applicant to maximise existing grid infrastructure, minimise disruption to local community infrastructure or biodiversity and reduce overall costs.*”

3.1.24. The proximity to, and the availability of capacity on the National Grid network is key to the feasibility of solar farms.

3.1.25. Having first focussed on Lincolnshire, the Applicant considered the availability of grid connections, in discussions with National Grid and using the information on the Transmission Entry Capacity (TEC) Register, identified that the National Grid Ryhall Substation had sufficient available capacity to enable the delivery and connection of a solar farm of up to the connection capacity. Having this level of capacity without requiring an upgrade to the substation is relatively unusual – all substations are built in three phases, but in this case, only two are currently being used (to power the East Coast Mainline), leaving the third phase available to enable the connection of clean renewable energy generation schemes. Given the urgent need identified above, this available capacity should be prioritised.

3.1.26. Utilising existing connections should also be preferred to building new connections, both for cost, timely delivery and environmental reasons.

3.1.27. Other substations in the region do not have the same level of spare capacity and would require substantial upgrades to allow large scale renewables to deliver clean power to the grid (see below). Grid connections with available capacity are relatively limited and so, in the context of the urgent national need for renewable energy (and specifically solar) it is important to make the best use of this capacity where it occurs. To put this in context, publicly available information from National Grid shows very limited capacity within the wider region. There are ten potentially available connection points with the capacity to deliver large scale solar within 80km of the National Grid Ryhall Substation.

3.1.28. The closest potentially available connection point to the National Grid Ryhall Substation is Spalding North, approximately 25km from the Order limits, and the next at Bicker Fen, approximately 31km from the Order limits. The next closest are all over 50km from the Order limits. These are not sufficiently close to the Order limits to be considered reasonable alternatives, however, given the urgent need for renewable energy, all of this capacity should and will need to be utilised. National Grid Electricity Transmission's (NGET's) estimated cost of the Spalding North connection is £81.8m-£115.4m and Bicker Fen £99.8m-141.2m. No details are given on the breakdown on these costs, but they may include significant upgrades to connect to the substations as well as the cost involved in transmitting power the significant distance from the Order limits to those substations.

3.1.29. The fact that the National Grid Ryhall Substation already has capacity without requiring significant upgrades means that best use should be made of this existing infrastructure, before developing new connections.

3.1.30. Large scale solar farms over 50MW are required to connect directly into the transmission network, rather than the distribution network. However, a review of the distribution network also shows a significant lack of available capacity for larger projects. Information from Western Power Distribution shows only 13 grid connection points on the distribution network in the East Midlands Region where there is the potential for large scale generation to connect (over 50MVA). The closest of these is Nottingham South 33kV substation, approximately 55km from National Grid Ryhall Substation, which has a current demand headroom of 127MVA. The other 12 all have current demand headroom of less than 95MVA. Seven of these 12 available connections taken together would be required to deliver the same capacity as Mallard Pass Solar Farm with a connection at Ryhall.

3.1.31. A major piece of existing infrastructure such as Ryhall Substation, cannot easily be or quickly expanded. Therefore, new large-scale generating stations need to be located near the existing infrastructure, where the extra capacity is available to receive the new electricity generation. The point of connection will be between the existing Ryhall Substation and the proposed onsite substation directly opposite, which has been confirmed by NGET. In providing a connection to the National Electricity Transmission System (NETS), NGET is required to comply with its duties under section 9 of the Electricity Act 1989 to develop and maintain an efficient, co-ordinated and economical system of electricity transmission as well as its obligations under Schedule 9 of the same act in terms of environmental duties. In this regard NGET generally seeks to utilise existing infrastructure, where possible. It then seeks to extend existing infrastructure before seeking to develop new infrastructure.

3.1.32. Therefore, the Onsite Substation has been proposed to be located near the existing National Grid Ryhall Substation, having regard to the availability of land parcels and accessibility, which has reduced the grid connection corridor.

3.1.33. The fact that the National Grid Ryhall Substation already has capacity without requiring significant upgrades means that the best use should be made of this existing infrastructure, rather than developing new connections, which is a preferred approach if it is possible, as explained in section 8.4 the Statement of Need **[Ref EN010127/APP/7.1]**.

Land ownership

3.1.1. Following the identification of this capacity and recognising the irradiance, topography and relationship to environmental constraints benefits of the areas in and around the Order limits, the Applicant

started initial discussions with landowners to identify a suitable area of land, using local knowledge and an understanding of potentially willing landowners, for a solar farm capable of reflecting the capacity agreement with National Grid.

3.1.2. The initial discussions with landowners focussed on identifying sufficient land to accommodate the connection capacity, with sufficient additional land for mitigation and enhancement, as close as possible to the National Grid Ryhall Substation (see grid connection considerations). The Applicant did not seek to actively identify a single site of a particular size but were led by landowner discussions to identify potentially available land, its suitability for solar and whether it was likely to have environmental effects that were, or could be made to be, acceptable, having regard to the factors discussed above and below. The ability to reach voluntary agreement with landowners was a key requirement and therefore single, contiguous sites with as few landowners as possible were prioritised.

3.1.3. The Order limits has a relatively small number of individual landowners, all of whom were agreeable in principle to leasing their land for solar (thus limiting the need and scope for compulsory acquisition powers). In considering sites further from the substation, it was noted that as well as the environmental matters discussed above and below such sites were made up of multiple land ownerships, unwilling landowners or would create smaller, irregular field boundaries which landowners would not prefer.

3.1.4. NPS EN-1 at paragraph 4.4.3 states that the decision maker: *"...should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security and climate change benefits) in the same timescale as the proposed development"*.

3.1.5. The Applicant did not consider delivering a smaller scheme with less generation capacity on a smaller area, as a smaller scheme would not deliver the same capacity or energy security and climate change benefit as the Proposed Development nor meet the opportunities presented by the secured connection agreement.

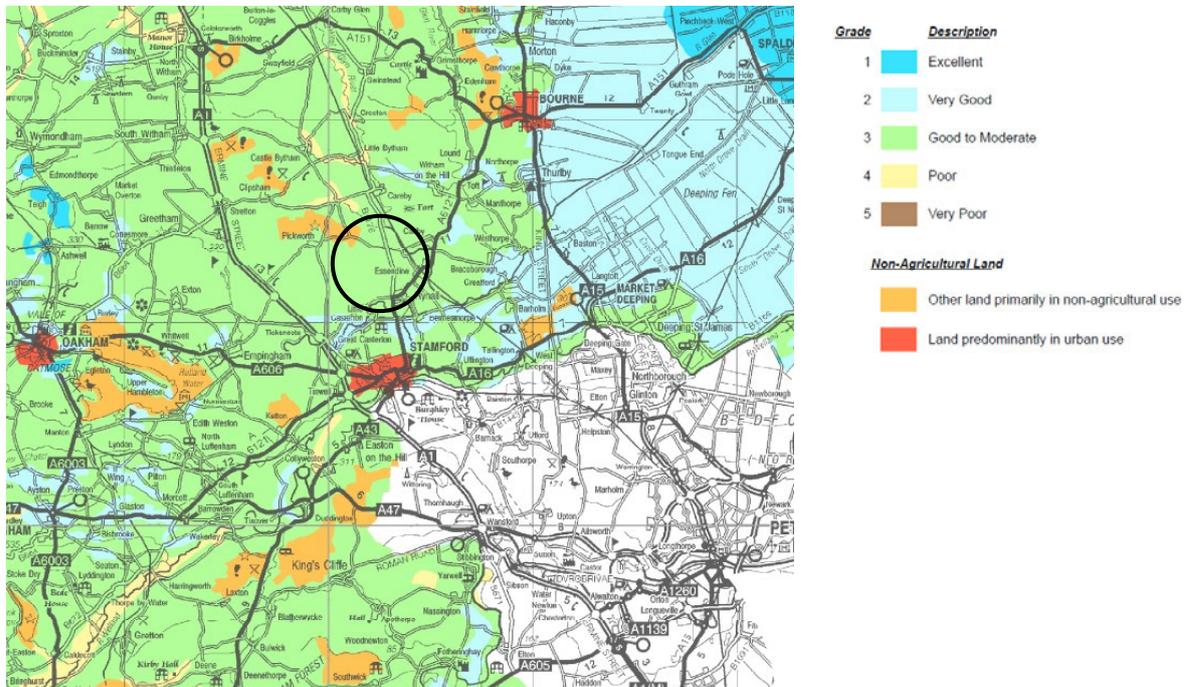
Agriculture land classification and land type

3.1.6. Best and Most Versatile (BMV) agricultural land is classified as being within grade 1, grade 2 or grade 3a. Paragraphs 2.48.13 and 2.48.15 of Draft NPS EN-3 set out that applicants for solar NSIPs should take account of agricultural land classification. They state that applicants should seek to locate their development on previously developed land, brownfield land, contaminated land, industrial land or lower grade agricultural land (classified as grade 3b, 4 or 5), where possible. Paragraph 5.10.8 of NPS EN-1 sets out that applicants should preferably use land in areas of poorer quality, except where this would be inconsistent with other sustainability considerations. However, Draft NPS EN-3 clarifies at paragraph 2.48.13 that: *“land type should not be a predominating factor in determining the suitability of the site location”*.

3.1.7. The applicant has taken into account agricultural land quality when identifying the Solar PV Site, based on the publicly available national level data and field surveys alongside initial conversations with the landowners regarding the quality and viability of the land for agriculture.

3.1.8. The wider Lincolnshire area is not mapped, therefore for an indication of the distribution we have to resort to the 1970s “provisional” maps. The location of the site in a wider context is shown below.

Figure 2: Extract from 1:250,000 East Midlands Region Provisional ALC Map



3.1.9. To assess the site in a wider context, this analysis indicates that:

- Natural England estimate that 42% of agricultural land in England is of BMV quality;
- Across Lincolnshire the proportion of BMV rises to 71.2%;
- Across Rutland the proportion of BMV is lower than for Lincolnshire at 45.2%, but still above the national average.

3.1.10. Therefore, the Proposed Development is identified as lying within an area shown as of the lowest probability of BMV. Much of the wider area is shown as of moderate (20-60% area bmv) or high (>60% area bmv) probability of being of BMV quality, as discussed in Chapter 12 of the ES, [Ref EN010127/APP/6.1].

3.1.11. Therefore, the Order limits was selected on the basis that it was predominantly Grade 3, offering the potential for Grade 3b land subject to further survey, with small pockets of Grade 2. This was also

supplemented by initial conversations with the landowners regarding the quality and viability of the Order limits for agriculture. Following further analysis, some additional Grade 2 land was identified and where this was in single fields, this was removed from the areas proposed for PV Arrays.

3.1.12. Consideration was given as to whether alternative land could be found with even fewer impacts to agricultural land (albeit that would have then required longer Grid Connection Routes which could have had other impacts and costs, including the need for more land to be taken from third parties and potentially overhead lines). However, the regional level ALC maps show that the agricultural land within relatively close proximity to the grid connection is either Grade 2 or 3, with higher quality land (Grade 1) further east of Peterborough. There are very small pockets of Grade 4 land, coinciding with the SSSIs to the north of Pickworth, but none of the sufficient size to deliver a solar farm and there would be the potential for significant adverse effects on the SSSIs. As such, in the context of Ryhall Substation, it is considered that the impacts on agricultural land have been minimised as much as possible in the context of the impacts that could have arisen with potential alternative sites.

3.1.13. The Proposed development the approach taken is consistent with the terms of draft NPS EN-3 paragraph 2.48.15 which explains that solar farm developments are not prohibited on '*best and most versatile*' agricultural land and that "*it is recognised that at this scale, it is likely that applicants' developments may use some agricultural land*". The NPS goes on to explain that "*applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land*". This is explained further in this document, the Planning Statement [**Ref EN010127/APP/7.2**] and the ES [**Ref EN010127/APP/6.1**].

Environmental considerations

3.1.14. The Applicant also had regard to several important environmental considerations when determining the most appropriate location for the Order limits within the broad vicinity of the National Grid Ryhall Substation. The key ones are described below.

3.1.15. The area around the National Grid Ryhall Substation is not subject to any protected landscape or spatial designations such as Areas of Outstanding Natural Beauty, National Parks or Green Belt. Whilst it is a countryside location, it is recognised that schemes of this type and scale will often need to be located in a rural location, provided that the planning and environmental effects are acceptable.

3.1.16. Land to the south was considered in terms of its suitability for solar, but this significantly increased the potential for likely significant effects on Burghley House, a Grade 1 listed building, located to the south-east of Stamford, as well as increasing the number of residential properties likely to be affected by also being in close proximity to Ryhall and Belmesthorpe. Proximity to heritage assets generally was also a consideration, with the potential for impacts on Conservation Areas and a number of listed buildings in Greatford and Braceborough likely to be significantly increased if the Order limits was to move further east, and the same in Ryhall if the Order limits were to move further to the south-west. The Shillingthorpe Park Scheduled Ancient Monument (SAM) also represented a constraint to the east.

3.1.17. The area further west of Essendine is located in close proximity to a number of SSSI's (East Wood, Great Casterton, Newell Wood, Clipsham Old Quarry and Pickworth Great Wood). In addition, Rutland Water, a Ramsar, Special Protection Area (SPA) and Special Area of Conservation (SAC) site is located approximately 8.6 km south west of the Order limits. The closer the Order limits is located to the

SPA, the more likely it is for there to be potential effects on the integrity of the European site. The Order limits avoids these impacts.

3.1.18. The interaction with Public Rights of Way (PRoW) was also considered, with the Order limits having relatively fewer PRoW crossings (as discussed in chapter 3 of the ES), compared to areas further west.

3.1.19. The Proposed Development has been designed to be located primarily in Flood Zone (Flood Zone)1 with only a small footprint of the Solar PV Site located within the 1 in 100-year modelled flood extent. A small part of the Solar PV Site is located within the Flood Zone 2. No solar infrastructure or equipment associated with the Proposed Development is location within Flood Zone 3. No solar infrastructure or equipment associated with the Proposed Development is location within Flood Zone 3. The uses located within these flood extents Flood Zone 2 have been restricted to PV Arrays mounting structures only (solar stations will be located outside of the Flood Zone 2 flood extents) which will be raised above flood levels and not displace flood waters, and are designed to remain operational in the 1 : 100 year flood event plus climate change allowance. The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff.

Previously developed land

3.1.20. NPS EN-3 states: *“As most renewable energy resources can only be developed where the resource exists and where economically feasible, the IPC should not use a sequential approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments).”* Draft NPS EN-3, as noted above, also

explains that *“land type should not be a predominating factor in determining the suitability of the site location”*.

3.1.21. Firstly, there is relatively little previously developed land located within a sufficient distance of the National Grid Ryhall Substation that an appropriate grid connection could be provided to. The previously developed land registers maintained by South Kesteven District Council and Rutland County Council show 22ha and 3.4ha respectively, which even together would be significantly below the area required to deliver a utility-scale solar farm.

3.1.22. There are some large previously developed sites within the wider area, although located some distance from the National Grid Ryhall Substation site, which are not listed on the register and so we consider these below, in terms of their ability to deliver the same infrastructure, with the same benefits and in the same timescale (as required by NPS policy) and are briefly discussed below.

Consideration of Alternative Site

Site	Size (ha)	Comments	Reason for discounting
Woolfox Depot	486 ha in total, but majority is arable farmland and the only previously developed land remaining is the former runway	<p>Initially put forward through the Local Plan process for Woolfox Garden Village. Proposed for 7500 new homes, new employment opportunities, new schools, sports and recreation facilities, walking, cycling and public transport opportunities and new parks and open spaces.</p> <p>Considered and discounted through the Local Plan process as an alternative housing site to St Georges Barracks.</p> <p>Rutland CC can currently only show a 3.5 year supply of housing and therefore there will be a presumption in favour of sustainable development whereby proposals whose benefits outweigh the impacts should be approved.</p>	<p>Not available. Landowners wish to develop mixed-use housing proposal.</p> <p>Previously developed element of land very small and so would not be favourable from this perspective.</p> <p>Land likely to be required to deliver housing and employment, given lack of planned supply through the Local Plan.</p> <p>Would require an 8.5km connection to the substation crossing agricultural land, woodland and in close proximity to SSSIs.</p> <p>Given landowner intentions and length of grid connection, would not be possible to secure land by agreement and deliver in the same timescale.</p>
North Luffenham (St Georges Barracks)	300 ha	<p>Identified by the Ministry of Defence to deliver jobs and housing.</p> <p>Identified through the (now withdrawn) Rutland Local Plan to deliver circa 2,215 new homes, employment, schools, a local centre, park and ride, a new hotel and new country park.</p>	<p>Not available. Landowners wish to develop mixed-use housing proposal.</p> <p>Land likely to be required to deliver housing and employment, given lack of planned supply through the Local Plan.</p> <p>The site is not of sufficient size to deliver the same infrastructure.</p>

Site	Size (ha)	Comments	Reason for discounting
		<p>The Local Plan was primarily withdrawn after the Council voted to reject a Housing Infrastructure Fund Grant that was needed to deliver the site.</p> <p>Rutland CC can currently only show a 3.5 year supply of housing and therefore there will be a presumption in favour of sustainable development whereby proposals whose benefits outweigh the impacts should be approved.</p>	<p>Would require a 13.5km connection to substation crossing agricultural land, woodland and settlements and in close proximity to SSSIs and would require crossing of the A1.</p> <p>Given landowner intentions and length of grid connection, would not be possible to secure land by agreement and deliver in the same timescale.</p>
Cottesmore	Airfield approximately 115 ha	Former RAF airfield and depot. Kendrew Barracks (to the south of the airfield) is currently in use by the Army, but the airfield itself is understood not to be in full active use since 2012.	<p>Barracks is currently in use.</p> <p>The site is not of sufficient size to deliver the same infrastructure.</p> <p>The (withdrawn) Rutland Local Plan states that “the use of Kendrew Barracks is expected to change and expand during the plan period as it accommodates different military units.” This suggests that the land could be retained to deliver potential future expansion of its established and operational military use.</p> <p>Would require a 13.8km connection to substation crossing agricultural land, woodland and settlements and require crossing of the A1.</p> <p>Given that there is no indication that the site is available and the length of grid connection, would not be possible to secure land by agreement (being operational Crown Land) and deliver in the same timescale.</p>

Accessibility

3.1.23. In identifying the Proposed Development, the Applicant took account of the requirement for it to be accessible, in terms of transport connectivity. Paragraph 2.48.16 of Draft NPS EN-3 states that *“Given that potential solar farm sites are largely in rural areas, access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting.”*

3.1.24. The Order limits is accessible by the rural road network, but in relatively close proximity to the SRN by virtue of the A1, a major dual carriageway, which is approximately 5.5km to the west of the Order limits. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate HGVs and potential Abnormal Indivisible Loads (AILs). Consideration was given to the fact that The National Grid Ryhall Substation was granted planning permission in September 2013 (reference 2013/0291/FUL) and a Construction Traffic Management Plan was submitted and approved which included a preferred route for construction traffic (via Ryhall Road and the A6121) and the provision of passing places in the highway verge on Uffington Lane due to its relatively narrow width (3m – 4.5m); demonstrating that access provision can be made. The close proximity of the Order limits to the SRN and the ability to use the improvements made at the time of the National Grid Ryhall substation construction, further support the use of the Order limits for a solar project.

4.0 Other National and Local Policy

National Planning Policy Framework

4.1.1. The NPPF was published in March 2012 and most recently updated in July 2021. The NPPF sets out the Government's planning policies for England and how these are to be applied, including in respect of the development of agricultural land and renewable energy.

4.1.2. Paragraph 174 states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Furthermore, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

4.1.3. The NPPF has been taken into account and provided guidance around the development of the Proposed Development, within the relevant ES methodology and assessments, and through the design iterations for the Site.

National Planning Practice Guidance

4.1.4. The policies contained within the NPPF are expanded upon and supported by the NPPG, which was originally published in March 2014 and has been updated periodically since. The NPPG provides guidance on 'Renewable and low carbon energy', and how local planning authorities should develop a positive strategy to promote the delivery of renewable development. When identifying suitable areas for renewable development, there are no set rules on where a site should be located but based on assessments and investigated work to understand local impacts and cumulative effects. This planning guidance provides helpful contexts on how proposed renewable and low-carbon energy

development can be considered relevant by the Local Authority, in the absence of an adopted policy on NSIP solar.

4.1.5. It is recognised that *'the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively'* paragraph 013 (Ref: 5-013-20150327).

4.1.6. This planning guidance was drafted specifically for the location of solar farms below 50MW, paragraph 013 (Ref: 5-013-20150327) cites the following factors that local planning authorities should consider:

- *encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;*
- *where a proposal involves greenfield land, whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land.*
- *the need for, and impact of, security measures such as lights and fencing;*
- *great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the*

setting of a heritage asset may cause substantial harm to the significance of the asset;

- *the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;*
- *the energy generating potential, which can vary for a number of reasons including, latitude and aspect.*

The approach to assessing cumulative landscape and visual impact of large scale solar farms...However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.

4.1.7. As set out in this Statement and the ES, the Proposed Development has considered and taken into account these factors, ensuring that the site is within an appropriate location and that any potential impacts are avoided and if not possible mitigated.

Local Planning Policy

4.1.8. This section identifies other planning policies and considerations which may be considered by the Secretary of State as important and relevant considerations in relation to the site selection process for the Proposed Development. As with the NPPF, Development Plan Documents (DPDs) are prepared to guide decision-making on planning applications submitted to Local Planning Authorities, rather than DCO applications for energy NSIPs which are to be decided by the SoS, however, they have been considered below insofar as they may assist with site selection.

4.1.9. The development plans of the Host authorities do not identify specific areas suitable for renewable energy development, however,

they instead provide key assessment criteria to ensure that impacts are satisfactorily addressed.

4.1.10. The relevant DPDs are listed below under headings identifying which Host Authority's Development Plan they form part of:

Lincolnshire County Council

4.1.11. There are no relevant planning policies relating to choosing a site.

Rutland County Council

4.1.12. Rutland Core Strategy 2011 – 2026 (adopted 2011)

Policy CS20: Energy efficiency and low carbon energy generation, encourages development within the plan area and asserts that: *'low carbon energy generating developments will be supported where environmental, economic and social impacts can be addressed satisfactorily.'*

4.1.13. Rutland Site Allocation DPD 2011 – 2026 (adopted 2014)

Policy SP18: Wind turbines and low carbon energy developments, supports low carbon energy development, *'where environmental, economic and social impacts can be addressed satisfactorily in accordance with Core Strategy Policy CS20 (Energy efficiency and low carbon energy development).'*

South Kesteven District Council

4.1.14. South Kesteven Local Plan 2011 – 2036 (adopted 2020)

Policy RE1: Renewable Energy Generation and Appendix 3, set the context to enable the identification of potentially suitable sites for renewable energy generation.

4.1.15. The Proposed Development has considered both national and local policies and these considerations are detailed in NPS, NPPF and local policy compliance tables, as part of the Planning Statement (**Appendix 3**). In particular, it is noted that:

- Measures have been taken to minimise and reduce the areas of grade 2 and grade 3a land utilised for solar development. Fields that were identified as consisting entirely of grade 2 land, i.e. single agricultural units, have been removed from solar development. These are retained within the Order limits as Mitigation and Enhancement Areas and where these areas form all or part of existing agricultural land use, they will be retained as that use.
- Through the engagement process, the local authorities and local community have provided feedback on the design for the Proposed Development, which is set out in the Consultation Report [**Ref EN010127/APP/5.1**] and which influenced the design iteration that is set out in the Design and Access Statement [**Ref EN010127/APP/7.3**].
- The LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs within the Zone of Theoretical Visibility (ZTV), the key characteristics of the wider LCAs would prevail. The scale of the Proposed Development is considered to be sensitively accommodated within the landscape with appropriate measures incorporated to minimise visual effects.
- Habitats of Principal Importance (HPI), other than the limited impacts identified upon two of the LWS within the Order limits, no other adverse impacts upon any HIPs are anticipated. The

measures set out in the Green Infrastructure Plan are designed to complement and support HIPs within the Order limits, and the outline Landscape and Ecological Management plan (oLEMP) **[Ref EN010127/APP/7.9]** includes prescriptions to preserve and enhance HIPs.

- The Cultural Heritage assessment of heritage assets within the study area for the Proposed Development, their significance and the contribution of their setting to that significance concluded there will be 'no impact' upon any of the identified assets or their setting resulting from any phase of the Proposed Development.

5.0 Summary

5.1.1. A range of technical, environmental and economic factors are considered when investigating and assessing any potential site for large scale solar developments. Based on the POC at Ryhall Substation and the available capacity, has therefore meant the site has been located where very good potential for a large-scale solar site and where available capacity is located this should be maximised.

5.1.2. . The Proposed Development location is therefore assessed to be suitable for the scale of solar development proposed and the basis on which the Applicant has selected the Sites accords with the approach to the consideration of alternatives set out NPS EN-1 and draft NPS EN-3. Following a review to identify which of the land in proximity to the National Grid Ryhall Substation may be appropriate for solar from a technical, environmental and community perspective, the Applicant then commenced discussions with landowners to identify whether there was a willingness to enter into lease agreements. The Order limits is considered to be preferable compared to possible alternative areas further away from the National Grid Ryhall Substation for a number of reasons including the lack of availability of suitable and available previously developed land, relative distance from protected ecological and heritage assets (including Rutland Water SPA) compared to areas further west and south and comparably favourable ALC with limited levels of Grade 3a and 2 land. There are also relatively few residential properties in immediate proximity to the Order limits and the impact on those that are can be effectively mitigated through offsets and sensitive landscaping. The Order limits is also well located in relation to the SRN, which will help to reduce the effects during construction.

5.1.3. In summary, the availability of significant capacity at the National Grid Ryhall Substation without the need for upgrading was the primary

driver in identifying a site in this part of Lincolnshire. Given the urgent need for renewable energy to address the climate crisis, this available capacity should be utilised (and made the most of) where it occurs.



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Planning Statement

Appendix 2 - Planning History

November 2022

Planning application reference (Rutland County Council)	Location	Description	Status
1985/0133	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Extension to existing general purpose agricultural building	Approved 16 th May 1985
1987/0378	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Construction of new vehicular access	Approved 27 th August 1987
1988/0028	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Conversion of barn and extension to farmhouse to form one dwelling	Approved 17 th February 1988
1988/0721/HIST	O.S. Nos. 4150, 2100 And 7500 Parish Of Ryhall Rutland	Erection of 11,000-volt overhead line	Approved 29 th April 1989
F/1990/0007	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Erection of block of 16 kennels for the boarding of dogs	Application withdrawn 16 th January 1991
M/1992/0183	Part O.S. 0002 And 4586 Land At Park Farm Essendine Rutland	Application for the registration of a possible IDO permission Extraction of sand and gravel	No decision held Validation date 25 th March 1992

F/1993/0466	Goose Lodge Uffington Lane Essendine Rutland PE9 4QD	Extensions to bungalow to form kitchen, garage and enlarge lounge.	Approved 15 th September 1993
M/1996/0059	Parishes of Essendine and Ryhall	Erection of 11,000-volt overhead line on wooden poles.	Approved 27 th March 1996
FUL/1999/0878	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Construction of single storey extension, covered way and chimney stack.	Approved 29 th March 2000
FUL/2000/0309	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Construction of lean-to extension to west elevation of Dutch barn	Approved 12 th June 2000
TELP/2004/0219	Telecommunications Mast 37505 Pickworth Road Essendine Rutland	Installation of a 15m lightweight lattice mast with 4 No. antennae, 2 No. 600mm dishes, radio equipment housing and ancillary development, together with peripheral landscaping	Approved 2 nd July 2004

TELP/2005/0264	Land at Pickworth Road Essendine Stamford Stamford Lincolnshire	Erection of 15m lattice tower and antennae with ancillary equipment	Refused 12 th May 2005
FUL/2005/0250	Old Station Yard Bourne Road Essendine Rutland	Change of use of former railway siding to area for outside storage and parking	Refused 1st September 2005
FUL/2006/0799	Vale Farm Holywell Road Ryhall Rutland PE9 4EE	Rebuilding of extension of garage/storage areas	Approved 26th September 2006
APP/2012/0044	Land South of Glen Industrial Estate Bourne Road Essendine Rutland	Change of use to operational railway land to facilitate installation of electrical supply transformers	Approved 16th March 2012
APP/2012/0871	Goose Lodge Uffington Lane Essendine Rutland PE9 4QD	Creation of new vehicular access onto Uffington Lane including removal of fence panelling	Approved 15th March 2012

Planning application reference (South Kesteven District Council)	Location	Description	Status
SK.1388/90(34763)	Briardene, Newstead Lane, Belmesthorpe	Continue use without complying w	Refused 11 th December 1990
SK.176/78(34771)	Os 7015, Uffington	Bungalow, garage and loose boxes	SD, Decision Date: 11-MAY-78
SK.1226/92(5903)	Barbers Hill Farm, Careby Road, Aunby	Conversion of agricultural building to dwelling	Approved Conditionally 5 th January 1993
SK.690/90(5738)	Barbers Hill Farm, Careby Road, Aunby	C of U of barn to craft workshop	Approved Conditionally 26 th June 1990
SK.26/91(5739)	Barbers Hill Farm, Careby Road, Aunby	Convert agricultural building to	Approved Conditionally 5 th March 1991
SK.92/1226	Barbers Hill Farm, Barbers Hill, Carlby, Stamford	Conversion of agricultural building to dwelling	Approved Conditionally 5 th January 1993

SK.1649/87(5740)	Barbers Hill Farm, Ryhall, (Parish Of Carlby)	Alterations & extensions	Approved Conditionally 28 th January 1988
S04/0244	Lodge Farm, Aunby	Variation of condition 2 planning permission S03/1064/16 to change roofing materials	Approved Conditionally 14 th April 2004
S09/1438	Lodge Farm, Aunby, Stamford, PE9 4EE	Approval of details required by condition 9 of planning permission S06/0964	Approved 13 th October 2009
S06/0984	Lodge Farm, Aunby	Replacement garage/store	Approved Conditionally 23 rd October 2006
S11/1186	Lodge Farm, Aunby	Application under section 73 of the Town & Country Planning Act for the conversion of barn to provide annexed accommodation (to vary condition 7 of permission S06/0964/FULL to allow office (B1) use also	Approved Conditionally 27 th July 2011

S09/1172	Lodge Farm, Aunby, Stamford, PE9 4EE	Approval of details of condition 4 (rooflights) and 5 (protected species) required by S06/0964,	Approved 14 th October 2009
S06/0964	Lodge Farm, Aunby	Conversion of barn to provide annexed accommodation	Approved Conditionally 20 th October 2006
SK.1369/75(34728)	PT Os 4500, Essendine Road, Uffington,	Refuse Disposal	DEEMED 18 th February 1976
SK.98/0328	From Grange Farm To PT Os 1500,Uffington	Rebuilding and partial re-routing of 11kv overhead line	Approved 4 th May 1998
S07/0506	Folly Farm, Uffington	Extensions and alterations to dwelling	Approved Conditionally 30 th May 2007
S17/1933	Banthorpe Lodge, Belmesthorpe Road, Greatford, PE9 4QF	Demolition of existing conservatory and erection of single and two storey extensions	Approved Conditionally 5 th January 2018
SK.1097/87(5471)	Grange Farm, Braceborough	Conversion of Barns to Two Dwellings	Refused 26 th October 1987

SK.94/0589(5541)	PT Os 7310 Grange Farm, Carlby Road, Braceborough,	Erection of agricultural dwelling	Refused 12 th July 1994
SK.633/88(5470)	Grange Farm, Carlby Road, Braceborough	CoU - barn to residential accommodation	Approved Conditionally 7 th June 1988
SK.908/83(5488)	Parish Of Braceborough	Erect 11,000-volt overhead line	Refused 9 th September 1983



Mallard Pass

Solar Farm

Mallard Pass Solar Farm Planning Statement

Appendix 3 - Policy Accordance Tables 1-10

November 2022

Mallard Pass Solar Farm

Table 1 Overarching national policy statement for energy (EN-1) – Table of Compliance

National Policy Statement for Overarching Energy (EN-1)			
Generic Impacts - The generic impacts set out in Part 5 of EN-1 (2011) and Draft EN-1 (2021) are considered below.			
Part	EN-1 Policy Text	Draft Policy EN-1 Text	Assessment
Air Quality and Emissions	Paragraph 5.2.6: Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES).	Paragraph 5.2.5 (no change to adopted EN-1 paragraph 5.2.6)	An air quality assessment has been undertaken and the impacts of the Proposed Development reported in section 15.2 of Chapter 15 of the ES [Ref EN010127/APP/6.1] .
	Paragraph 5.2.7: The ES should describe: <ul style="list-style-type: none"> any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; existing air quality levels and the relative change in air quality from existing levels; and 	Paragraph 5.2.6 (no change to adopted EN-1 paragraph 5.2.7)	Chapter 15 section 15.2 of the ES [Ref EN010127/APP/6.1] includes an air quality assessment which identifies existing air quality levels, assesses absolute air emission levels during each phase (construction, operation and decommissioning including those generated from road traffic) of the Proposed Development identified after mitigation, and outlines any relative change in quality. The nature of the Proposed Development means that the operational phase is very unlikely to result in any significant emissions to the air. Traffic related to operation and maintenance is minimal, as described in Chapter 9 of the ES [Ref EN010127/APP/6.1] , and below the EPUK and IAQM screening criterion levels. There will also be no combustion plant on site. As such, it is not anticipated that there are any

	<ul style="list-style-type: none"> any potential eutrophication impacts. 		<p>potential likely significant environmental effects from the operational phase of the Proposed Development upon Air Quality.</p> <p>The construction and decommissioning phases have the potential to cause some emissions to the air and in relation to the transport of materials into and from the Order limits, and from dust generating activities. These potential effects are set out in section 15.2 of Chapter 15 of the ES.</p> <p>The outline Construction Transport Management Plan (oCTMP) [Ref EN010127/APP/7.11], outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] prepared in support of the DCO Application set out measures to manage potential air quality effects during construction and decommissioning phases. The oCEMP includes measures to minimise dust emissions and establish non-road mobile machinery (NRMM) controls during the construction phase. The oCTMP includes a one-way system for HDVs accessing the Order limits to minimise the number of HDVs travelling on any one road link.</p> <p>The oCEMP and oDEMP set out the requirement for a Dust Management Plan (DMP) to be prepared as part of the CEMP and DEMP, prior to these phases of the Proposed Development. The DMPs would contain dust emission control measures applied during construction and decommission as appropriate. These measures include:</p> <ul style="list-style-type: none"> Site Management Monitoring
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			<ul style="list-style-type: none"> • Design of the layout of the Proposed Development to locate dust causing activities away from receptors • Management practices such as wheel washing, damping down access routes, and using water assisted dust sweepers. <p>Taking into account the dust emission control measures in the oCEMP and oDEMP, there are not anticipated to be any significant adverse effects on air quality relating to dust during the construction and decommission phases.</p> <p>Section 15.2 of Chapter 15 of the ES concludes that with the application of appropriate mitigation there are anticipated to be no significant adverse effects on air quality as a result of the construction, operation or decommissioning of the Proposed Development.</p> <p>Water Resources and Ground Conditions Chapter 11 of the ES [Ref EN010127/APP/6.1] considers eutrophication / reduction in phosphates and nitrates in section 11.4. It confirms that land under the PV Arrays would be allowed to naturally vegetate and be available for grazing by livestock. As vegetation becomes established under the PV Arrays there is likely to be a decrease in surface water runoff rates and a reduction in the potential for sediment and agricultural chemicals (e.g., phosphates and nitrates) to transfer into the wider hydrological catchment compared to the baseline scenario.</p>
	<p>Paragraph 5.2.9 states: The IPC should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area</p>	<p>Paragraph 5.2.8 (no change to adopted EN-1 paragraph 5.2.9).</p>	<p>Section 15.2 of Chapter 15 of the ES [Ref EN010127/APP/6.1] concludes that the Proposed Development would not lead to a deterioration in air quality locally or lead to any air quality breaches elsewhere.</p>

	where air quality breaches any national air quality limits. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits.		
	Paragraph 5.2.10 states: In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the IPC should refuse consent.	Paragraph 5.2.9 (replaces adopted EN-1 paragraph 5.2.10): In all cases the Secretary of State must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the applicant should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In particular, where a project is located within, or in close proximity to, a Local Air Quality Management Area or Clean Air Zone, applicants should engage with the relevant local authority to ensure the project is compatible with the local air quality plan. In the event that a project will lead to non-compliance with a statutory limit the Secretary of State should refuse consent.	The Order limits are not located within any air quality management areas. Section 15.2 of Chapter 15 of the ES [Ref EN010127/APP/6.1] states there are not anticipated to be any exceedance of statutory air quality limits in any phase of the Proposed Development.
	Paragraph 5.2.11 states: The IPC should consider whether mitigation measures are needed both for operational and construction emissions	Paragraph 5.2.10 (no change to adopted EN-1 paragraph 5.2.11).	The measures identified in the oCTMP [Ref EN010127/APP/7.11] , and Table 3-6 Air Quality of the oCEMP [Ref EN010127/APP/7.6] are considered to fully mitigate the impact of the potential effects of the Proposed

	over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage.		Development on air quality. No further measures are considered necessary.
Greenhouse Gas Emissions	NA	<p>5.3.4 All proposals for energy infrastructure projects should include a carbon assessment as part of their ES (See Section 4.2). This should include:</p> <ol style="list-style-type: none"> A whole life carbon assessment showing construction, operational and decommissioning carbon impacts An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages Measurement of embodied carbon impact from the construction stage How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures How operational emissions have been reduced as much as possible through the application of best available technology for that type of technology 	<p>In accordance with part a) of Paragraph 5.3.4 of the draft revised NPS EN-1, Chapter 13 of the ES [Ref EN010127/APP/6.1] includes a carbon assessment that considers the effects of Greenhouse Gas (GHG) emissions generated at all stages of the Proposed Development, being construction, operation, and decommissioning.</p> <p>In accordance with part b) of paragraph 5.3.4, a series of measures are included to minimise and offset the GHG footprint of the Proposed Development, which are detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] (Operational phase measures are considered in response to part e).</p> <p>The Construction and Decommissioning phase measures identified to drive down carbon emissions are summarised as follows:</p> <ul style="list-style-type: none"> Increasing recyclability by segregating construction waste to be re-used and recycled where reasonably practicable; Disposing of wastes locally where reasonably practicable to reduce emissions associated with transportation;

		<p>f) Calculation of operational energy consumption and associated carbon emissions</p> <p>g) Whether and how any residual carbon emissions will be (voluntarily) offset or removed using a recognised framework</p> <p>h) Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.</p>	<ul style="list-style-type: none"> • Designing, constructing and implementing the Proposed Development in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content where feasible; and • Reusing site-won materials to minimise the use of natural resources and unnecessary materials (e.g. reusing excavated soil for fill requirements); • Encouraging the use of lower carbon modes of transport by identifying and communicating local bus services and pedestrian and cycle routes to and from the Order limits to all construction staff and providing facilities for the safe storage of cycles; • Implementing a Travel Plan to reduce the use of private car journeys to the Order limits by construction staff and employees; • Liaising with construction personnel for the potential to implement staff minibuses and car sharing options; • The contractor will be required to report on fuel consumption and carbon footprint following the construction of the Proposed Development; • Preventing idling vehicles by switching vehicles and plant off when not in use and ensuring that all construction vehicles conform to current EU emissions standards; • Conducting regular and planned maintenance of the construction plant and machinery to optimise efficiency.
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		<p>Addressing part c) of paragraph 5.4.3, the embedded carbon impacts of the construction phase have been assessed through consideration of the emissions of CO2 caused by the construction (and decommissioning), phases of the development, against the estimate CO2 emissions reductions resultant from the operational phase the Proposed Development. This assessment is based on an approach that calculates the difference between the embodied GHG emissions across all phases of the Proposed Development and the concentration of GHG which will be both reduced and offset through the decarbonisation of energy generation associated with the Proposed Development. This approach is in accordance with the assessment methodology is set out in Appendix 13.2 of the ES [Ref EN010127/APP/6.2]</p> <p>In response to part d), there will not be substantial GHG emissions from the Proposed Development to the atmosphere during the operational phase. The only GHG emissions associated with the operational phase would be related to vehicle emissions resulting from site access for routine maintenance and occasional component replacement.</p> <p>Notwithstanding this, in response to part e), measures to reduce operational phase GHG emissions are included in Table 3-9 of the outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] and include:</p> <ul style="list-style-type: none"> • Conducting regular planned maintenance of the Proposed Development to optimise efficiency of infrastructure.
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			<ul style="list-style-type: none"> • Operating the Proposed Development in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content. • Encouraging the use of lower carbon modes of transport by identifying and communicating local bus connections and pedestrian and cycle access routes to/from the Proposed Development to all staff, and providing appropriate facilities for the safe storage of cycles. • Liaising with operational personnel for potential to implement car sharing options. • Switching off vehicles and plant when not in use and ensuring vehicles conform to current EU emissions standards. • Ensuring air conditioning/heating is only used when needed and that windows and doors in the site office, storage and welfare buildings are kept closed while it is in use. • Monitoring of weather forecasts to anticipate extreme temperatures and ensure cooling or heating plant are operating effectively. In the event that cooling or heating plant are anticipated to fail then plant will be temporarily shutdown until maintenance has taken place. <p>In response to part f) section 4 of Chapter 13 of the ES [Ref EN010127/APP/6.1] calculates the carbon reduction performance of the Proposed development against the National Grid Future Energy Scenario (FES) 'best case'</p>
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		<p>decarbonisation scenario grid CO2 intensities. The generation of electricity from the Proposed Development will displace the generation of electricity from other conventional power sources. Accounting for CO2 generated during each phase of the Proposed Development, the renewable energy output, accounting for the level panel degradation described in Chapter 13, shows a total reduction in CO2 of 423,580 teCO2 across the lifetime of the Proposed Development and an average of 10,589 teCO2/y.</p> <p>The CO2 emissions of the Proposed Development would therefore be displaced within approximately 10.5 years, and all savings beyond that would be a net benefit of the Proposed Development in terms of reducing GHG emissions. Over 40 years, for example, the saving is estimated at approximately 1.9 million tonnes of CO2.</p> <p>Responding to part f), given the significant positive contribution of the Proposed Development to reducing GHG emissions no net residual carbon offsetting is required.</p> <p>In response to part g), while no net residual GHG emissions will result from the Proposed Development, the cumulative effect of the Proposed Development with other UK renewables generation is considered to be a fundamental change in the climate effects of UK energy supply, which is a major beneficial effect that is significant under the EIA Regulations and will contribute to the UK's legally binding emission reduction targets.</p> <p>As there are no net residual GHG emissions associated with the Proposed Development, part h) is not engaged here.</p>
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	NA	5.3.9 Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>The DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.9] and which includes a proposed Green Infrastructure Strategy Plan.</p> <p>These measures set out in the oLEMP combined will reduce the GHG emissions from the operational phase of the Proposed Development and increase the potential for CO2 sequestration within the Order limits for the duration of the Proposed Development.</p>
	NA	5.3.10 To be taken into account in Secretary of State decision making, steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the development consent order.	<p>A series of measures are included to minimise and offset the GHG footprint of the Proposed Development and are detailed in Table 3-9 Climate Change of the oCEMP [Ref EN010127/APP/7.6], Table 3-9 Climate Change of the oOEMP [Ref EN010127/APP/7.7] and oDEMP [Ref EN010127/APP/7.8]. These documents also include a commitment to produce a detailed GHG Reduction Strategy, to be approved by the Local Authorities prior to commencement of the Proposed Development</p>
Biodiversity and Geological Conservation	Paragraph 5.3.3: Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information	Paragraph 5.4.3 (no change to adopted EN-1 para 5.3.3)	<p>The biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The chapter sets out all the relevant designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits.</p>

	<p>proportionate to the infrastructure where EIA is not required to help the IPC consider thoroughly the potential effects of a proposed project.</p>		
	<p>Paragraph 5.3.4: The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</p>	<p>Paragraph 5.4.4 (replaces adopted EN-1 para 5.3.4): The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. As set out in Section 4.6, the design process should embed opportunities for nature inclusive design. The applicant is encouraged to consider how their proposal can contribute towards Biodiversity Net Gain in line with the ambition set out in the 25 Year Environment Plan. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains. The scope of potential gains will be dependent on the type, scale, and location of each project</p>	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] outlines the desk and site studies and surveys that have informed the DCO Application. A full description of the ecological baseline conditions identified is set out in the Ecological Baseline Report, which is provided in Appendix 7.4 of the ES [Ref EN010127/APP/6.2].</p> <p>The surveys were undertaken at the early stages of the project and the assessments enabled the Applicant's ecological team to provide input into the design of the Proposed Development at an early stage which included the retention of the most valuable habitats onsite and identification of enhancement measures in areas within the Order limits. The Design and Access Statement EN010127/APP/7.3 details the design process which enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests.</p> <p>The mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9], and in the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline decommissioning Environmental Management plan (oDEMP) [Ref EN010127/APP/7.8], all of which are secured under the DCO). The habitat creation and enhancements identified that will deliver a significant net gain in biodiversity value of the</p>

			<p>land within the Order Limits. This has been shown to be just over 72% Net Gain with the use of the Biodiversity Metric 3.1 as shown in the Biodiversity Net Gain assessment. This is considered to be in accordance with the ambition set out in the 25 Year Environment Plan.</p>
	<p>Paragraph 5.3.6: In having regard to the aim of the Government's biodiversity strategy the IPC should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The IPC may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>Paragraph 5.4.5 (replaces adopted EN-1 para 5.3.6): The government's 25 Year Environment Plan marked a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's 25 Year Environment Plan and any relevant measures and targets In doing so, the Secretary of State should also take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect and enhance biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>As explained in the Statement of Need [Ref EN010127/APP/7.1] and summarised in Sections 3 the Planning Statement [Ref EN010127/APP/7.2], the Proposed Development has the potential to deliver significant amounts of low-carbon electricity and make a material contribution to help meet the UK's commitments to decrease carbon emissions and reach net zero by 2050.</p> <p>Failure to deliver infrastructure projects that deliver low carbon electricity materially damage the UK's prospects of meeting its target to address climate change and will result in significant adverse impacts to biodiversity.</p> <p>The Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UK's ability to meet future Carbon Budgets and Net Zero 2050. In addition, a Biodiversity Net Gain (BNG) assessment, using Defra's Metric 3.1, has been provided with the DCO Application which demonstrates a 72% Biodiversity Net Gain. This is considered to be in accordance with the ambition set out in the 25 Year Environment Plan.</p> <p>By enhancing biodiversity within the Order limits, and by generating renewable electricity and thereby helping to address the causes of climate change, the Proposed</p>

			Development delivers benefits in relation to both elements of this policy.
	<p>Paragraph 5.3.7: As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives where significant harm cannot be avoided, then appropriate compensation measures should be sought.</p>	<p>Paragraph 5.4.6 no change to adopted EN-1 para 5.3.7</p>	<p>Biodiversity and geodiversity conservation considerations have informed the design of the Proposed Development from the outset and integrated as part of the design process, as described in the Design and Access Statement [Ref EN010127/APP/7.3]. This has facilitated an approach to mitigating impacts that first seeks to avoid impacts, then minimise them, and then take on-site measures to rehabilitate or restore biodiversity, before finally offsetting residual, unavoidable impacts.</p> <p>Avoidance of ecological impacts has been embedded into the layout of the scheme as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9] which is secured under the DCO.</p> <p>The DCO Application is also accompanied by an outline Construction and Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], outline Decommissioning and Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]. These include mitigation measures which are intended to avoid negative impacts during the construction and decommissioning phases. The oCEMP and oDEMP include measures to manage earthworks associated with construction compounds, access roads and cable trenching, including their location and method of construction.</p>
	<p>Paragraph 5.3.8: In taking decisions, the IPC should ensure that appropriate weight is attached to</p>	<p>Paragraph 5.4.7 (no change to adopted EN-1 para 5.3.8).</p>	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] sets out all the designated sites of international, national and local ecological or geological conservation importance; protected species;</p>

	designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.		and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits.
	<p>Paragraph 5.3.9 The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulation provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection</p>	<p>Paragraph 5.4.8 (replaces adopted EN-1 para 5.3.9): Important sites for biodiversity are those identified through international conventions and the Habitats Regulations. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. As a matter of policy, the following should be given the same protection as sites covered by the Habitat's Regulations: (a) potential Special Protection Areas and possible Special Areas of Conservation; (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on other HRA sites</p>	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] confirms that there are no internationally important designated sites for bats are present within 30km of the Site. Four international designated sites are present within 10km of the Site, the Rutland Water Special Protection Area (SPA), Baston Fen Special Area of Conservation (SAC), Grimthorpe SAC and Barnack Hills and Holes SAC.</p> <p>A shadow Habitats Regulation Assessment, ES appendix7.5 [Ref EN010127/APP/6.2] has been undertaken to support the DCO Application. This concludes that no likely significant effects on the SPA or SACs will arise from the Proposed Development.</p>
	<p>Paragraph 5.3.11 Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the</p>	<p>Paragraph 5.4.9 (no change to adopted EN-1 para 5.3.11).</p>	<p>Annex 1 of Appendix 7.4 of the ES [Ref EN010127/APP/6.2] includes a schedule of nationally important sites. Eight nationally important statutory designated sites are present within 2km of the Site. All of these sites are Sites of Special Scientific Interest (SSSI).</p> <p>Chapter 7 of the ES confirms that subject to appropriate mitigation as set out in the outline Construction</p>

	<p>site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.</p>		<p>Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning and Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] any impacts arising from the construction or decommissioning of the proposed Development will be avoided or reduced to insignificant impacts.</p>
	<p>5.3.13 Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The IPC should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.</p>	<p>Paragraph 5.4.12 (replaces adopted EN-1 para 5.3.13): Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. The Secretary of State should give due consideration to such regional or local</p>	<p>A total of 71 Local Wildlife Sites (LWS) are located within 2 km of Order limits. Of these, 16 are located within the Order limits. Annex 1 of Appendix 7.4 of the ES [Ref EN010127/APP/6.2] includes a schedule of these sites. Chapter 7 of the ES identifies impacts upon three of the LWSs.</p> <ul style="list-style-type: none"> • Essendine hedgerow south side MacMillan Way LWS: Due to the need to increase visibility splays facilitate access to the site there will be a loss of approximately 75m of species-rich hedgerow located in the eastern part of the Order limits, and within the Essendine hedgerow south side MacMillan Way LWS. The impact of this loss has sought to be avoided though review of alternative access point and minimised through micro-siting of the access point. The impact is mitigated through habitat creation in the form of new hedge and tree planting

		<p>designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. Development will still be expected to comply with the biodiversity and geological conservation requirements set out in this NPS.</p>	<p>along a parallel line to the existing LWS hedgerow and wider enhancements across the Order limits.</p> <ul style="list-style-type: none"> • Essendine Verge SE of the Freewards (N Side) LWS & Essendine Verge (NE Side) Near North Lodge Farm LWS: There is a need to create a single passing point of approximately 20m long and 2m wide in each of these LWSs. These have been sited in as sensitive a way as possible by using existing bare ground where it exists within the LWS and avoiding the need to remove hedgerows or trees. However, some of these passing points are located in areas which currently support grassland verges, including the two LWSs, which will result in the loss of grassland habitat. To mitigate these impacts, where new passing points will be delivered, these will be temporary and very limited in size. Once the construction periods is complete, these passing points will be removed, appropriate nutrient poor soil replaced on their footprint and a species rich grassland will be seeded on these. <p>Following the mitigation identified above, the residual impacts upon these LWS are assessed as a short term adverse effect of significance at a District level.</p> <p>The oCEMP [Ref EN010127/APP/7.6] and oDEMP [Ref EN010127/APP/7.8] include specific measures to manage and avoid any further impacts upon the LWS (and SSSIs) arising from accidental damage and other indirect effects during construction or decommissioning.</p> <p>In response to NPS EN-1 paragraph 5.3.13 and draft revised NPS En-1 paragraph 5.4.12 the Applicants have sought to</p>
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			<p>avoid, and where this has not been possible, minimise the impacts upon Sites of regional and local biodiversity and geological interest. The Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit. In addition, the Biodiversity Net Gain calculation at Appendix 7.6 [Ref EN010127/APP/6.2] confirms a 72% Net Gain with the use of the Biodiversity Metric 3.1 across the Order limits. These wider public benefits are considered to outweigh the temporary District level adverse impacts identified above.</p>
	<p>5.3.14 Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their</p>	<p>Paragraph 5.4.13 (adds the following text to adopted EN-1 para 5.3.14): Applicants should provide a suitable compensation strategy in instances where proposals would result in the loss or deterioration of ancient woodland and ancient or veteran trees.</p>	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] confirms that no ancient woodland is contained within the Order limits. There are parcels of this habitat located to the north-east (replanted ancient woodland at Braceborough Little Wood) and north-west (ancient woodland and replanted ancient woodland at Newell Wood) adjacent to the Order limits. However, these woodlands are each located more than 275m from the Solar PV Site.</p> <p>The Arboricultural Impact Assessment (AIA) included in Appendix 15.2 of the ES [Ref EN010127/APP/6.1] has identified veteran trees within the Order limits. Impacts on these trees are avoided via embedded mitigation measures including standard offsets from all woodland, trees and hedges within and immediately adjacent to the Order limits and micro siting of infrastructure where cable routes or access tracks are in proximity to veteran and other trees as</p>

	<p>conservation or, where their loss is unavoidable, the reasons why.</p>		<p>detailed in the outline Landscape and Environmental Management plan (oLEMP) [Ref EN010127/APP/7.9].</p> <p>Measures to protect trees from accidental damage during the construction and decommissioning phases of the Proposed Development have been set out within the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]</p> <p>As a result of the measures identified, the Proposed Development will not result in the impact or loss of any ancient woodland or veteran trees.</p> <p>Given the avoidance of impacts and embedded mitigation described above, no compensation strategy for the loss or deterioration of ancient woodland or veteran trees is required.</p>
	<p>Paragraph 5.3.15: Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the IPC should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate.</p>	<p>Paragraph 5.4.14 (adds the following text to adopted EN-1 para 5.3.15): This can help towards delivering biodiversity net gain. Wider ecosystem services and benefits of natural capital should also be considered when designing enhancement measures.</p>	<p>The Design and Access Statement [Ref EN010127/APP/7.3] details the design process which enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests. A key element of the strategy has been the identification and retention of beneficial biodiversity or geological landscape features into the layout of the proposed development.</p> <p>The embedded mitigation is described in section 7.3 of chapter 7 of the ES [Ref EN010127/APP/6.1] and identified in the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management plan (oLEMP) [Ref EN010127/APP/7.9]. The habitat creation and enhancements identified that will deliver a significant net gain</p>

			in biodiversity value of the land within the Order Limits. This has been shown to be just over 72% Net Gain with the use of the Biodiversity Metric 3.1 as shown in the BNG Assessment. This is considered to be in accordance with the ambition set out in the 25 Year Environment Plan.
	Paragraph 5.3.17: Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the IPC should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development.	Paragraph 5.4.16 (no change to adopted EN-1 para 5.3.17).	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] sets out all habitats of principles importance (HIP) as well as other sites of ecological or geological conservation importance, and protected species within the study area for the Order limits.</p> <p>With regard to Species of Principal Importance (SPIs) paragraph 7.5.8 of Chapter 7 of the ES confirms that the Proposed Development will result in a loss of nesting areas used by nesting skylark. Therefore, measures will be put in place to enhance the value of retained arable habitats for nesting. This will include the provision of skylark plots as per RSPB guidance for arable land in use for growing cereal crops. Plots to accommodate the circa 30 displaced territories will be provided within the Order limits. This mitigation is secured in the outline Landscape and Environmental Management plan (oLEMP) [Ref EN010127/APP/7.9].</p> <p>With regard to Habitats of Principal Importance, impacts are identified upon three LWSs which, following the mitigation included in the oLEMP and oCEMP [Ref EN010127/APP/7.6], are assessed as a short term adverse effect of significance at a District level.</p>
	NA	New Paragraph 5.4.17 (in addition to adopted EN-1): Proposals should also consider any opportunities to maximise the restoration,	The Green Infrastructure Strategy Plan included in the (oLEMP) [Ref EN010127/APP/7.9] for the Proposed Development has been prepared with a view to securing

		<p>creation, and enhancement of wider biodiversity. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the government’s strategy for nature for example.</p>	<p>opportunities to contribute to and enhance the wider natural environment. For example:</p> <p>Areas to the north-west of the Solar PV Site are underlain by chalk geology. Many of the roadside verges in this area are protected either statutorily or locally due the botanic diversity. The creation of new chalk grassland with calcareous wildflower species has been a key principle in these areas, contributing to this important habitat. The proposed calcareous grassland would reconnect with the surrounding fragmented habitats.</p> <p>Throughout the Solar PV Site there are a number of woodland blocks that, through modern agricultural practices and intensification, have become fragmented and isolated. The proposed Green Infrastructure Strategy Plan seeks to retain the existing woodlands and hedgerows as far as possible and provide new infill and reinforcement planting to reconnect these habitats.</p> <p>The West Glen River Corridor is a key landscape feature which has shaped the design of the Proposed Development from the outset. The river corridor, which has historically been heavily channelised and is currently not publicly accessible. The enhancements to the river corridor include new riparian planting such as alder carr/wet woodland and the creation of shallow wetland scrapes to provide new habitat for fauna, amphibians and birds. A new permissive path along the river corridor is proposed along the north and central section where it runs adjacent to the East Coast Main Line railway embankment.</p> <p>The measures outlined above are illustrated in the Green Infrastructure Strategy Plan (ref) are included within the</p>
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			oLEMP [Ref EN010127/APP/7.9]. This will be secured by a Requirement in the draft DCO.
	<p>Paragraph 5.3.18: The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</p> <ul style="list-style-type: none"> • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; • during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; • habitats will, where practicable, be restored after construction works have finished; and • opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals. 	<p>Paragraph 5.4.18 (amends adopted EN-1 para 5.3.18 as follows).</p> <ul style="list-style-type: none"> • <i>no change</i> • <i>no change</i> • <i>no change</i> <p>4th bullet replaced with: mitigation measures should take into account existing habitats and should generally seek opportunities to enhance them, rather than replace them. Where practicable, mitigation measures should seek to create new habitats of value within the site landscaping proposals</p>	<p>Chapter 7 of the ES ecology and biodiversity [Ref EN010127/APP/6.1] identifies the potential impacts of the Proposed Development and outlines appropriate mitigation measures.</p> <p>Avoidance of ecological impacts during the construction and decommissioning phases have been embedded into the layout of the Proposed Development. Temporary working areas have been located and consolidated to avoid sensitive areas of the Order Limits.</p> <p>The DCO Application is also accompanied by an outline Construction and Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], outline Operational Environmental Management plan (oOEMP) [Ref EN010127/APP/7.7], and Decommissioning and Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]. The oCEMP and oDEMP set out the locations of sensitive and retained features and the measures for their protection. These include best practice mitigation measures which are intended to avoid risks of disturbance or damage to habitats or species during the construction and decommissioning phases.</p> <p>The Green Infrastructure Strategy Plan (included in the oLEMP [Ref EN010127/APP/7.9]) includes measures to enhance existing habitats across the Order limits, and creates new areas of landscape value within the order limits – as per the response of the draft revised NPS EN-1 paragraph 5.4.17.</p>

	<p>Paragraph 5.3.19: Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the IPC should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into.</p>	<p>Paragraph 5.4.19 (replaces adopted EN-1 para 5.3.19): Applicants should consider producing and implementing a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages</p>	<p>The Applicant is able to demonstrate appropriate mitigation measures can be implemented, and detailed versions of the LEMP, CEMP and DEMP will be secured via Requirements of the DCO. The oCEMP [Ref EN010127/APP/7.6] includes a prescription that includes appropriate training requirements for relevant personnel on environmental topics.</p>
	<p>NA</p>	<p>New Paragraph 5.4.20 (in addition to adopted EN-1): In the design of any direct cooling system the locations of the intake and outfall should be sited to avoid or minimise adverse impacts on the receiving waters, including their ecology. There should also be specific measures to minimise impact to fish and aquatic biota by entrainment and impingement or by excessive heat or biocidal chemicals from discharges to receiving waters.</p>	<p>No such systems are proposed as part of the Proposed Development.</p>
	<p>NA</p>	<p>New Paragraph 5.4.21 (in addition to adopted EN-1): To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>There are no geological designations within the Order limits but an understanding of the underlying geology, geomorphology and soil characteristics has informed the oLEMP [Ref EN010127/APP/7.9] and will inform detailed design specifications.</p>

	NA	<p>New Paragraph 5.4.22 (in addition to adopted EN-1):</p> <p>The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered for biodiversity net gain should generally be maintained for a minimum period of 30 years.</p>	<p>The oLEMP [Ref EN010127/APP/7.9] sets out the long term management of existing and newly created habitats for the duration of the Proposed Development. It is anticipated that the proposed habitat creation and enhancements delivered by the Proposed Development can be maintained for the period outlined in the draft policy.</p>
Civil and military aviation and defence interests	<p>Paragraph 5.4.10 states:</p> <p>Where the proposed development may have an effect on civil or military aviation and/or other defence assets an assessment of potential effects should be set out in the ES</p>	<p>Paragraph 5.5.10 – Paragraph 5.5.13 (no change to adopted EN-1 para 5.4.10-5.4.13).</p>	<p>A glint and glare assessment (Appendix 15.3 of the ES) [Ref EN010127/APP/6.2] has been prepared to assess the possible effects of glint and glare of the Proposed Development upon road users, residential amenity, aviation activity, and railway operations and infrastructure. The assessment has considered both fixed and single-axis tracker solar panel layouts.</p> <p>Potential glint and glare effects from the construction and decommissioning phases of the Proposed Development are not considered within Chapter 15 of the ES as the construction and decommissioning phases are unlikely to result in glint and glare effects greater than those at operational phase. As such, construction and decommissioning effects are scoped out of the EIA as agreed with the PINS in their Scoping Direction [Ref EN010127/APP/6.2].</p>

			The assessment concludes there is no significant impact upon surrounding aviation activity.
	Paragraph 5.4.11: The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests.		The Mod, CAA, NATS and RAF Wittering aerodromes have been consulted through the preparation of the DCO application. No objections to the Proposed Development have been raised and appendix 15.1 of the ES [Ref EN010127/APP/6.2] concludes there will be no significant effect upon aviation activities.
Dust, odour, artificial light, smoke, steam and insect infestation	Paragraph 5.6.4: The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the ES. Paragraph 5.6.5: In particular, the assessment provided by the applicant should describe: <ul style="list-style-type: none"> • the type, quantity and timing of emissions; • aspects of the development which may give rise to emissions; • premises or locations that may be affected by the emissions; • effects of the emission on identified premises or locations; and • measures to be employed in preventing or mitigating the emissions. 	Paragraph 5.7.4 – Paragraph 5.7.5 (no change to adopted EN-1 para 5.6.4-5.6.5)	Section 15.2 of Chapter 15 of the ES [Ref EN010127/APP/6.1] considers the potential effects of the Proposed Development on Air Quality, including consideration of dust emissions. A Dust Management Plan is included in the suite of environmental management plans contained in the outline Construction and Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning and Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]. Impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES [Ref EN010127/APP/6.1]. No areas of the Solar PV Site would be continuously lit during the construction, operation and decommissioning stages. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would

			<p>be lighting, similar to street lighting that operates from dusk. Otherwise, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings.</p> <p>The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7].</p> <p>The Proposed Development is not anticipated to give rise to any impacts from insect infestation and emissions of odour, steam, smoke are and therefore no detrimental impact on amenity is expected.</p>
<p>Flood Risk</p>	<p>Paragraph 5.7.4</p> <p>Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1 hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks</p>	<p>Paragraph 5.4.19 (replaces adopted EN-1 para 5.3.19):</p> <p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future • land that may be subject to other sources of flooding (for example surface water) 	<p>A Flood Risk Assessment (FRA) included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] has been prepared in accordance with the requirements of paragraphs section 5.7 of NPS EN1 (and the NPPF), and the likely effects of the Proposed Development associated with flood risk have been assessed in Chapter 11 of the ES [Ref EN010127/APP/6.1]. The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) Appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits.</p>

	<p>will be managed, taking climate change into account.</p>	<ul style="list-style-type: none"> where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account. 	
	<p>Paragraph 5.7.5 states: The minimum requirements for FRAs are that they should:</p> <ul style="list-style-type: none"> be proportionate to the risk and appropriate to the scale, nature and location of the project; consider the risk of flooding arising from the project in addition to the risk of flooding to the project; take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; be undertaken by competent people, as early as possible in the process of preparing the proposal; consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood 	<p>Paragraph 5.8.7 (replaces adopted EN-1 para 5.7.5): The minimum requirements for Flood Risk Assessments (FRA) are that they should:</p> <ul style="list-style-type: none"> <i>no change</i> <i>no change</i> <i>no change</i> <i>no change</i> <i>no change</i> consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management 	<p>The FRA included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] has been prepared by competent practitioners in accordance with EN-1 requirements, utilising appropriate data, incusing historic information. Specifically, it has been prepared to meet the requirements of:</p> <ul style="list-style-type: none"> Environment Agency (EA); Rutland County Council (RCC) Strategic Flood Risk Assessment (SFRA)1; RCC Local Plan 2018 – 2036, Strategic Flood Risk Assessment Update2; RCC Local Flood Risk Management Strategy; Lincolnshire County Council (LCC), Preliminary Flood Risk Assessment; South Kesteven District Council (SKDC), SFRA; Construction Industry Research and Information Association (CIRIA) The Sustainable Drainage System (SuDS) Manual (C753); National Policy Statements (NPS) EN-1 and EN-3 and draft revised NPS EN-1 and EN-3;

	<p>storage areas and other artificial features, together with the consequences of their failure;</p> <ul style="list-style-type: none"> consider the vulnerability of those using the site, including arrangements for safe access; consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made; consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems; consider if there is a need to be safe and remain operational during a worst 	<p>techniques as part of an integrated approach to flood risk management</p> <ul style="list-style-type: none"> consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include: <ul style="list-style-type: none"> i. Describe the existing surface water drainage arrangements for the site ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. 	<ul style="list-style-type: none"> Revised National Planning Policy Framework (NPPF); and Planning Practice Guidance (PPG) <p>The FRA is considered proportionate for the scale and nature and location of the Proposed Development and assesses risk of flooding from all sources arising from the Proposed Development upon the development itself and identified receptors, accounting for the impact of climate change.</p> <p>The FRA informs an outline Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] which outlines how surface water runoff associated the Proposed Development will be intercepted, attenuated and discharged based on an assessment of existing ground conditions and drainage arrangements. The oSWDS has been prepared in line with criteria i – ix of the draft revised NPS.</p> <p>The FRA confirms in section 3 that the implementation of the measures detailed in the oSWDS will prevent a significant increase in surface water runoff and therefore prevent an increase in flood risk elsewhere.</p> <p>The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] include a prescription for an Emergency Response plan, which addresses how the risk would be managed on the site in the event of a flood.</p>
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	<p>case flood event over the development's lifetime; and</p> <ul style="list-style-type: none"> • be supported by appropriate data and information, including historical information on previous events. 	<p>If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate</p> <p>iv. Demonstrate how the hierarchy of drainage options (refer to PPG Sustainable Drainage Systems section) has been followed. Explain and justify why the types of Sustainable Drainage Systems and method of discharge have been selected and why they are considered appropriate. Where cost is a reason for not including Sustainable Drainage Systems, provide information to enable comparison with the lifetime costs of a conventional public sewer connection</p> <p>v. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</p> <p>vi. Describe the multifunctional benefits the sustainable drainage system will provide</p> <p>vii. Set out which opportunities to reduce the causes and impacts of</p>	<p>The FRA confirms that the Proposed Development remains safe during all phases (construction, operation and decommissioning) and does not increase flood risk elsewhere.</p> <p>The FRA concludes that applying the management identified in the oSWDS the risk of flooding from all sources in the 1 in 100 year plus climate change flood event upon all receptors arising from the Proposed Development is negligible and non-significant.</p>
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	<p>Paragraph 5.7.7 states: Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers,</p>	<p>Paragraph 5.8.9 (no change to adopted EN-1 paragraph 5.7.7)</p>	<p>Consultations have been held with the Environment Agency and Lincolnshire County Council (LCC), plus the relevant Internal Drainage Boards (IDBs). The consultations are described in Appendix 11.3 of the ES [Ref EN010127/APP/6.2]. LCC have confirmed that they have a memorandum of understanding with IDBs within the area to</p>

	<p>navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the IPC to reach a decision on the application when it is submitted. The IPC should advise applicants to undertake these steps where they appear necessary, but have not yet been addressed.</p>		<p>extend their operational ownership across the whole of Lincolnshire. The Order limits are shown to fall within the extended management boundaries of the Black Sluice and Upper Whitham Internal Drainage Boards (IDB). Consultations with LCC has confirmed that IDB consents and byelaws are not applicable for the extended operational areas which the Order limits falls within. Therefore, discussions with LCC have informed the scope and potential flood risks to inform the FRA.</p>
	<p>Paragraph 5.7.9 states:</p> <p>In determining an application for development consent, the IPC should be satisfied that where relevant:</p> <ul style="list-style-type: none"> • the application is supported by an appropriate FRA; • the Sequential Test has been applied as part of site selection; • a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; • the proposal is in line with any relevant national and local flood risk management strategy; • priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and 	<p>Paragraph 5.8.11 (replaces adopted EN-1 paragraph 5.7.9)</p> <p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> • the application is supported by an appropriate FRA • the Sequential Test has been applied and satisfied as part of site selection • a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk • the proposal is in line with any relevant national and local flood risk management strategy • sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards) have been used 	<p>The FRA included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] has been prepared in accordance with EN-1, the draft revised EN-1 and NPPF requirements.</p> <p>The Proposed Development has been designed to be located primarily in Flood Zone 1 with only a small footprint of the Solar PV Site located within the 1 in 100-year modelled flood extent. A small part of the Solar PV Site is located within the Flood Zone 2. No solar infrastructure or equipment associated with the Proposed Development is location within Flood Zone 3.</p> <p>The uses located within these flood extents Flood Zone 2 have been restricted to PV Arrays mounting structures only (solar stations will be located outside of the Flood Zone 2 flood extents) which will be raised above flood levels and not displace flood waters, and are designed to remain operational in the 1 : 100 year flood event plus climate change allowance. The Proposed Development will incorporate planting and land management measures which</p>

	<ul style="list-style-type: none"> in flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development. 	<p>unless there is clear evidence that their use would be inappropriate</p> <ul style="list-style-type: none"> in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in 5.8.18) the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance. 	<p>will prevent any significant increase in surface water runoff. Hardstanding areas are to be located outside of Flood Zone 2 and served by appropriate SuDS and surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the outline Surface Water Drainage Strategy (oSWDS) - Appendix 11.6 of the ES [Ref EN010127/APP/6.2].</p> <p>Section 4 of the FRA includes a Sequential Test and Exception Test which have been carried out in line with EN-1 Paragraph 5.7.9 and the draft revised NPS EN-1 paragraph 5.8.11, the NPPF and PPG. This concludes that a sequential approach to design has been applied, seeking to minimise the placements of infrastructure outside of Flood Zone 1, and that with the measures identified in the oSWDS in place, the benefits of the Proposed Development outweigh the managed flood risk.</p> <p>The location of the Proposed Development has been identified through a site search exercise undertaken by the Applicant and explained in Chapter 4 of the ES [Ref EN010127/APP/6.1] and the Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2]</p> <p>The catchment area for all waterbodies within the Order Limits lies within the Welland Management Catchment and within the extended management boundaries of the Black Sluice and Upper Whitham Internal Drainage Boards (IDB). The FRA has taken full account of the relevant prescriptions of any relevant local and national flood risk management strategies.</p>
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			<p>Detailed versions of the LEMP, CEMP and DEMP will be secured via a Requirement of the DCO and with approved by the local planning authority prior to construction and decommissioning commencing, respectively. The outline versions of these documents include a prescription for an Emergency Response plan, which addresses how the risk would be managed on the site in the event of a flood.</p> <p>No land that is likely to be needed for present or future flood risk management is impacted by the Proposed Development.</p>
	<p>Paragraph 5.7.10 states:</p> <p>For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the IPC. The IPC will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The IPC should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and</p>	<p>Paragraph 5.8.12 (adds to adopted EN-1 Paragraph 5.7.10 as follows:</p> <p>[After Flood and Water Management Act 2010] In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted. Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or</p>	<p>An outline Water Management Plan (oWMP) [Ref EN010127/APP/7.13] identifies the compliance standards to which the Proposed Development's drainage system and SuDS measures have been designed for all stages of the Proposed Development</p> <p>The outline Surface Water Drainage Strategy (oSWS) Appendix 11.6 of the ES [Ref EN010127/APP/6.2] sets the management prescriptions for responsibility for maintaining the SuDS structures within the Order limits. Section 2.9 of the oSWS states "It will be the responsibility of the site operator to maintain effective drainage measures and rectify drainage measures that are not functioning adequately".</p> <p>The oSWS will be secured by Requirement as part of the DCO Application.</p>

	security of the infrastructure on the proposed site.	another body, such as an Internal Drainage Board.	
	<p>Paragraph 5.7.13 states: Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.4 above.</p>	<p>Paragraph 5.8.15 (replaces adopted EN-1 paragraph 5.7.13) Preference should be given to locating projects in areas of lowest flood risk. The Secretary of State should not consent development in flood risk areas (Flood Zone 2 in England or Zone B in Wales), accounting for all sources of flooding and the predicted impacts of climate change unless they are satisfied that the sequential test requirements have been met. The Secretary of State should not consent development in Flood Zone 3 or Zone C unless they are satisfied that the Sequential and Exception Test requirements have been met. The technology specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.2</p>	<p>Section 4 of the FRA in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] includes a Sequential Test which has been carried out in line with EN-1 Paragraphs 5.7.9 and 5.7.13 and the draft revised NPS EN-1 paragraphs 5.8.11 and 5.8.15, the NPPF and PPG to identify that there is no reasonable alternative site with a lower probability of flooding and that the benefits of the Proposed Development outweigh flood risk.</p> <p>The location of the Proposed Development has been identified through a site search exercise undertaken by the Applicant and explained in Chapter 4 of the ES [Ref EN010127/APP/6.1] and the Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2]</p> <p>The Order limits has been identified through site search exercise undertaken by the Applicant and are situated in the most logical location in terms of required connection works and utilising existing capacity.</p> <p>The Solar PV Site is located predominantly outside of the 1 in 100-year (plus climate change) event extent within Flood Zone 1. Development infrastructure within the modelled 1 in 100-year (plus climate change) is limited to PV Arrays which will be raised above modelled flood depths without any significant footprint through the in-built design of the structures and cable routes. No development is proposed in Flood Zone 3.</p>

		<p>above. All projects should apply the sequential approach to locating development within the site.</p>	<p>Hardstanding areas are to be located outside of Flood Zone 2 and served by appropriate SuDS and surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the outline Surface Water Drainage Strategy - Appendix 11.6 of the ES [Ref EN010127/APP/6.2].</p> <p>For these reasons the Proposed Development meets the requirements of the Sequential Test.</p>
	<p>Paragraph 5.7.16 states:</p> <p>All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed:</p> <ul style="list-style-type: none"> • it must be demonstrated that the project provides wider sustainability benefits to the community that outweigh flood risk; • the project should be on developable, previously developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and • a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below 	<p>Paragraph 5.8.18 states:</p> <p>Both elements of the test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> • the project provides wider sustainability benefits to the community that outweigh flood risk • the project reduces flood risk overall, where possible 	<p>Section 4 of the FRA Appendix 11.5 of the ES [Ref EN010127/APP/6.2] includes application of the Exception Test as per the requirements of the NPS EN-1, draft revised NPS EN-1 and the NPPF. The Proposed Development is considered to pass the Exception Test by virtue of the following:</p> <ul style="list-style-type: none"> • As demonstrated by the Site Selection Report in Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2]. The Proposed Development is located in the most logical location in terms of connection works utilising existing capacity and that no suitable alternative previously developed land is available • The Proposed Development also delivers wider sustainability benefits, including biodiversity net gain, and improved connectivity across the Order limits via new permissive paths • The Proposed Development is essential infrastructure with a primary function to import energy from renewable sources to the Ryhall substation providing wider sustainability benefits to the community through the delivery of a considerable amount of renewable energy generation capacity that is urgently needed to help meet national energy and

	<p>and, where possible, will reduce flood risk overall.</p>		<p>climate change objectives and commitments, as detailed by the Statement of Need [Ref EN010118/APP/7.1].</p> <ul style="list-style-type: none"> • The Proposed Development is located primarily within Flood Zone 1, with only a small footprint of the Solar PV Site located within the 1 in 100-year extents which will comprise PV Arrays which will be raised above flood levels and not displace flood waters; • The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff; • Hardstanding areas are to be served by surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the Outline Surface Water Drainage Strategy; and • The Proposed Development is classed as Essential Infrastructure, as per Annex 3: Flood risk vulnerability classification: of the National Planning Policy Framework, which is appropriate in the Flood Zone 2, in terms of flood risk vulnerability.
	<p>5.7.17 Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the IPC may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the IPC should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking</p>	<p>Paragraph 5.8.19 (no change to adopted EN-1 Paragraph 5.7.17)</p>	<p>The FRA confirms in section 3 that the implementation of the measures detailed in the oSWDS [Ref EN010127/APP/6.2] will prevent a significant increase in surface water runoff and therefore prevent an increase in flood risk elsewhere</p>

	account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies.		
	Paragraph 5.7.18 states: To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.	Paragraph 5.8.20 (no change to adopted EN-1 Paragraph 5.7.18)	The outline Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] and the outline Water Environmental Management Plan (oWMP) [Ref EN010127/APP/7.13] sets the arrangements for managing surface water and flood risk or the Proposed Development.
	Paragraph 5.7.20 states: Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	Paragraph 5.8.22 (no change to adopted EN-1 para. 5.7.20)	Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] confirms at section 2.6 that the strategy has been designed to cope with events that exceed the design capacity of the system.
	Paragraph 5.7.21 states: The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.	Paragraph 5.8.23 (no change to adopted EN-1 para. 5.7.21)	Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] confirms the 1 in 100-year (+climate change) discharges rates which will be achieved through implementation of the SuDS measures, and that these will be no greater than rates prior to the Proposed Development.
	Paragraph 5.7.22 states: It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume	Paragraph 5.8.24 (no change to adopted EN-1 para. 5.7.22)	Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] confirms at section 2.5 the surface water attenuation measures associated with areas of hardstanding within the Primary Substation and the

	<p>discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.</p>		<p>discharges rates which will be achieved through implementation of the SuDS measures.</p>
	<p>Paragraph 5.7.23 states: The sequential approach should be applied to the layout and design of the project. More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Paragraph 5.8.25 (no change to adopted EN-1 para. 5.7.23)</p>	<p>Section 4 of the FRA included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] describes how the proposed Development has been sequentially designed. The equipment located within the flood extents Flood Zone 2 are not of a vulnerable nature and have been restricted PV Arrays mounting structures which will be raised above flood levels and not displace flood waters, and are designed to remain operational in flood events. The Proposed Development will incorporate planting and land management measures which will prevent any significant increase in surface water runoff. Hardstanding areas, buildings and Solar Stations are to be located outside of Flood Zone 2 and served by appropriate SuDS and surface water drainage infrastructure to prevent increases in surface water runoff as detailed in the outline Surface Water Drainage Strategy in Appendix 11.6 of the ES [Ref EN010127/APP/6.2].</p>
	<p>Paragraph 5.7.24 states: Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to</p>	<p>Draft revised EN-1 remove adopted EN-1 paragraph 5.7.24</p>	<p>The FRA included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] confirms that the only components of the Proposed Development located within Flood Zone 2 are PV Arrays mounting structures which will be raised above flood levels and not displace flood waters, and are designed to remain operational in flood events. the remainder of the</p>

	flow or be stored in times of flood), should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows.		site, including the majority of the Solar PV Arrays and Onsite Substation are located in Flood Zone 1.
	Paragraph 5.7.25 states: The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the emergency services when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	Paragraph 5.8.26 (no change to adopted EN-1 para. 5.7.25)	The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] include measures for flood risk management to be outlined in the Emergency Response Plan.
Historic Environment	Paragraph 5.8.8: As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset.	Paragraph 5.9.11 (adds to adopted EN-1 paragraph 5.8.8): As a minimum the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	Chapter 8 of the ES [Ref EN010127/APP/6.1] includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets. The sources of information, including relevant historic records, used to inform the heritage assessment are set out in appendix 8.4 of the ES [Ref EN010127/APP/6.2]. The chapter confirms that there are no non-designated or designated heritage assets comprising Listed Buildings,

			<p>Conservation Areas, Scheduled Monuments or Registered Parks are located within the Order limits.</p> <p>A limited number of historic assets have been identified which could potentially be affected by the Proposed Development. These are:</p> <ul style="list-style-type: none"> • the Scheduled Monument of Essendine Castle and the Grade II* Listed Church of St.Mary located 50m to the west of the Order limits; • the Grade II Listed Banthorpe Lodge located 190m to the east of the Order limits; • the non-designated heritage asset Braceborough Grange is located 10m to the north of the Order limits; and • the potential for buried impacts upon non-designated buried archaeological remains within the Solar PV Site area of the Order limits. <p>The chapter identifies that no significant effects upon these assets, or upon buried archaeological remains, the historic landscape or historic buildings will result from the construction, operation or decommissioning of the Proposed Development.</p>
	<p>Paragraphs 5.8.9 –: Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess</p>	<p>Paragraphs 5.9.12 – 5.9.13 (no change to adopted EN-1 paragraph 5.8.9-5.9.10)</p>	<p>With regard to archaeological interests Chapter 8 of the ES [Ref EN010127/APP/6.1] has been informed by a Heritage Desk-Based Assessment (HDBA Cotswold Archaeology 2022), a Geophysical Survey (Magnitude Surveys 2022) and a Programme of Archaeological Trial Trenching (Cotswold Archaeology, 2022). The reports on these form Appendix 8.4,</p>

	<p>the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact.</p> <p>5.8.10 states The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.</p>		<p>Appendix 8.5 and Appendix 8.6 of the ES, respectively [Ref EN010127/APP/6.2].</p> <p>The scope and specification of each field investigation will be set out in Written Scheme of Investigations (WSI), which has been consulted upon with the Host Authorities.</p> <p>The suite of desk-based and field investigations has allowed for confident and robust statements (acknowledging any specific and inherent limitations) to be made on the likelihood of the presence of buried archaeological remains, their potential importance, the likely effects of the Proposed Development and to direct a suitable mitigation strategy.</p> <p>The results of the findings are summarised in Chapter 8 of the ES.</p>
NA		<p>New Paragraph 5.9.14 states: The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> • enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected • considering measures that address those heritage assets which are at risk or which may become at risk, as a result of the scheme 	<p>A heritage settings assessment was undertaken early in the design process in order to allow avoidance and mitigation measures to be designed into the Proposed development.</p> <p>The incorporation of significant offsets to maintain a degree of separation between the Solar PV Site and surrounding designated heritage assets, including the Scheduled Essendine Castle and Grade II* Listed Church of St. Mary, and Grade II Listed Banthorpe Lodge have been incorporated into the design to ensure that the characteristics of their existing settings are maintained. The farmland immediately surrounding the non-designated Braceborough Grange is maintained.</p> <p>The existing landscape structure within the Order limits, including hedgerows and tree-lines defining historic field systems will be preserved, and in many instances enhanced through additional planting. Where possible, new planting</p>

		<ul style="list-style-type: none"> considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme 	<p>has been aligned to historic field boundaries which will serve to repair historic landscape structures, and serve to reduce any visibility of the Proposed Development from the identified heritage assets. This includes circa 670-metre native treebelt planting south of Carlby Road which broadly follows the alignment of a historic field boundary previously lost through arable intensification.</p> <p>Retention and management of these landscape features as detailed in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] would serve to minimise the effect of the Proposed Development upon historic landscape features within the Order limits.</p> <p>The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes measures for the control of noise during construction. it is not considered that the operational phase of the development will give rise to any impacts upon heritage assets in terms of noise.</p>
	<p>Paragraph 5.8.12 states: In considering the impact of a proposed development on any heritage assets, the IPC should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development.</p>	<p>Paragraph 5.9.19 (no change to adopted EN-1 paragraph 5.8.12).</p>	<p>Section 8.2 of Chapter 8 of the ES [Ref EN010127/APP/6.1] describes the heritage assets within the study area for the Proposed Development, their significance and the contribution of their setting to that significance.</p> <p>Section 8.4 describes the potential effects of construction, operation and decommissioning phase of the Proposed Development upon the identified assets and their setting.</p> <p>The assessment concludes there will be 'no impact' upon any of the identified assets or their setting resulting from any phase of the Proposed Development.</p>

	<p>Paragraph 5.8.13 states: The IPC should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality. The IPC should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.</p>	<p>Paragraph 5.9.20 additional wording (adds to adopted EN-1 paragraph 5.8.13): The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Section 8.3 of Chapter 8 of the ES [Ref EN010127/APP/6.1] describes the embedded mitigation measures included in the layout and design of the Proposed Development. This includes the provision of significant offsets from the Solar PV Site and the identified heritage assets in order to avoid potential impacts upon and help to preserve their setting during the construction, operational and decommissioning periods. The landscape structure within the Order limits is retained as part of the design, and opportunities to restore historic hedgerows have been included in the mitigation strategy, alongside appropriate and sensitive screening to minimise the visual intrusion of the Proposed Development.</p>
	<p>Paragraph 5.8.14 states: There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II*</p>	<p>Paragraphs 5.9.21 – 5.9.22 (replace adopted EN-1 paragraph 5.8.14) When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of significance of a grade II listed building park</p>	<p>Section 8.2 of Chapter 8 of the ES [Ref EN010127/APP/6.1] describes the heritage assets within the study area for the Proposed Development, their significance and the contribution of their setting to that significance. Section 8.4 describes the potential effects of construction, operation and decommissioning phase of the Proposed Development upon the identified assets and their setting. The assessment concludes there will be 'no impact' upon any of the identified assets or their setting resulting from any phase of the Proposed Development. No historic assets within study area of the Proposed Development will experience substantial harm or total loss of significance.</p>

	<p>listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.</p>	<p>or garden should be exceptional. Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.</p>	
	<p>Paragraph 5.8.15 states: Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the IPC should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.</p>	<p>Paragraph 5.9.23 (replaces adopted EN-1 para 5.8.15) The Secretary of State should give considerable importance and weight to the desirability of preserving all designated heritage assets. Any harmful impact on the significance of a designated heritage asset should be given significant weight when weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.</p>	<p>Section 8.2 of Chapter 8 of the ES [Ref EN010127/APP/6.1] describes the heritage assets within the study area for the Proposed Development, their significance and the contribution of their setting to that significance.</p> <p>Section 8.4 describes the potential effects of construction, operation and decommissioning phase of the Proposed Development upon the identified assets and their setting.</p> <p>The assessment concludes there will be ‘no impact’ upon any of the identified assets or their setting resulting from any phase of the Proposed Development.</p> <p>Given the ‘no impact’ conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 5.8.15 of NPS EN-1 or the draft revised NPS EN-1.</p> <p>Notwithstanding this, the Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK’s electricity supplies by 2050; providing security of supply as well as affordability for end</p>

			consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.
	NA	<p>New Paragraph 5.9.24 states: Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <ul style="list-style-type: none"> • the nature of the heritage asset prevents all reasonable uses of the site • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation • conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible • the harm or loss is outweighed by the benefit of bringing the site back into use <p>New Paragraph 5.9.26 states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced</p>	<p>Section 8.4 of Chapter 8 of the ES [Ref EN010127/APP/6.1] concludes that no historic assets, designated or non-designated, within study area of the Proposed Development will experience substantial harm or total loss of significance.</p> <p>Regarding the potential impacts upon buried archaeological remains, paragraph 5.9.26 of the draft revised NPS EN-1 is engaged. Section 8.4 of the ES confirms that both the scale of the impact, and significance of the potentially affected non-designated assets is 'limited'.</p> <p>In balancing the limited degree of potential harm, the Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.</p> <p>It is considered that, on balance, the limited impact is justified.</p>

		judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.	
	Paragraph 5.8.16 states: Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies set out in paragraphs 5.8.11 to 5.8.15 above apply to those elements that do contribute to the significance. When considering proposals the IPC should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole.		<p>There are no World Heritage Sites affected by the Proposed Development.</p> <p>The land to the east of the Solar PV Site was removed to avoid any potential impacts on the landscape character and setting of the Braceborough conservation area.</p> <p>Section 8.4 of Chapter 8 of the ES [Ref EN010127/APP/6.1] concludes that there will be a negligible effect on the Braceborough Conservation Area, which is not significant in EIA terms.</p> <p>The Proposed Development therefore does not lead to significant adverse effects to a World Heritage Site of Conservation Area.</p>
	Paragraph 5.8.17 states: Where loss of significance of any heritage asset is justified on the merits of the new development, the IPC should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed.	Adopted EN-1 paragraph 5.8.17 not replaced in draft revised EN-1	<p>Section 8.4 of Chapter 8 of the ES [Ref EN010127/APP/6.1] concludes that no historic assets, designated or non-designated, within study area of the Proposed Development will experience any loss of significance.</p> <p>Conditions or obligation to regulate the delivery of development are not considered necessary with regard to heritage impacts.</p>

	<p>Paragraph 5.8.18 states: When considering applications for development affecting the setting of a designated heritage asset, the IPC should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the IPC should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.</p>		<p>A heritage settings assessment was undertaken early in the design process in order to allow avoidance and mitigation measures to be designed into the Proposed development.</p> <p>The incorporation of significant offsets to maintain a degree of separation between the Solar PV Site and surrounding designated heritage assets, including the Scheduled Essendine Castle and Grade II* Listed Church of St. Mary, and Grade II Listed Banthorpe Lodge have been incorporated into the design to ensure that the characteristics of their existing settings are maintained. The farmland immediately surrounding the non-designated Braceborough Grange is maintained.</p> <p>The existing landscape structure within the Order limits, including hedgerows and tree-lines defining historic field systems will be preserved, and in many instances enhanced through additional planting. Where possible, new planting has been aligned to historic field boundaries which will serve to repair historic landscape structures, and serve to reduce any visibility of the Proposed Development from the identified heritage assets. This includes circa 670 metre native treebelt planting south of Carlby Road which broadly follows the alignment of a historic field boundary previously lost through arable intensification.</p> <p>Retention and management of these landscape features as detailed in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] would serve to minimise the effect of the Proposed Development upon historic landscape features within the Order limits.</p>
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	<p>Paragraph 5.8.20 states: Where the loss of the whole or a material part of a heritage asset's significance is justified, the IPC should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it.</p>	<p>Paragraph 5.9.31 (no change to adopted EN-1 para 5.8.20)</p>	<p>Section 8.4 of Chapter 8 of the ES [Ref EN010127/APP/6.1] concludes that no historic assets, designated or non-designated, within study area of the Proposed Development will experience substantial harm or total loss of significance.</p>
	<p>Paragraph 5.8.21 states: Where appropriate, the IPC should impose requirements on a consent that such work is carried out in a timely manner in accordance with a written scheme of investigation.</p>	<p>Adopted EN-1 paragraph 5.8.21 is not replaced in draft revised EN-1</p>	<p>Chapter 8 of the ES [Ref EN010127/APP/6.1] has been informed by a Heritage Desk-Based Assessment (HDBA Cotswold Archaeology 2022), a Geophysical Survey (Magnitude Surveys 2022) and a Programme of Archaeological Trial Trenching (Cotswold Archaeology, 2022). The reports on these form Appendix 8.4, Appendix 8.5 and Appendix 8.6 of the ES, respectively [Ref EN01017/APP/6.2].</p> <p>Table 03 Cultural Heritage and Archaeology of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] also includes measures to avoid</p>

			potential impacts to archaeological deposits and confirms that a WSI will be secured by the DCO.
	Paragraph 5.8.22 states: Where the IPC considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the IPC should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	Adopted EN-1 paragraph 5.8.22 is not replaced in draft revised EN-1	The WSI will be secured by the DCO will include appropriate measures for identification and treatment of potential archaeological deposits which may be discovered during construction – as confirmed in Table 03 Cultural Heritage and Archaeology of the outline oCEMP [Ref EN010127/APP/7.6].
Landscape and Visual	Paragraph 5.9.5 states: The applicant should carry out a landscape and visual assessment and report it in the ES. The LVIA should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents.	Paragraphs 5.10.6 (no change to paragraphs 5.9.5 of adopted EN-1).	Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. It considers cumulative effects, visual and light pollution effects and effects on nature conservation. It includes reference to landscape character assessments relevant to the Proposed Development and takes account of development local development plan policies.
	Paragraph 5.9.6 states: The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation	Paragraphs 5.10.7 (no change to paragraphs 5.9.6 of adopted EN-1).	Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development.

	on landscape components and landscape character.		
		<p>Additional paragraph 5.10.8 added:</p> <p>The assessment should also demonstrate how noise and light pollution from construction and operational activities on residential amenity and on sensitive locations, receptors and views, will be minimised.</p>	<p>Impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES, and noise impacts are considered in Chapter 10 of the ES [Ref EN010127/APP/6.1].</p> <p>In addition, a Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2].</p> <p>The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] sets out measure for the control of light and noise during construction of the Proposed Development.</p> <p>During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV.</p> <p>The lighting of the Onsite Substation and ancillary buildings 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, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings.</p>

			The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7]
	Paragraph 5.9.7 states: The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	Paragraphs 5.10.5 (no change to paragraphs 5.9.7 of adopted EN-1).	The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1], sets out how it has identified and apprised the impacts upon various visual receptor groups, including light pollution impacts upon local amenity and nature conservation, utilising Zone of Theoretical Visibility (ZTV) and various visual aids, including photo viewpoints and photomontages, for all phase of the Proposed Development.
	Paragraph 5.9.8 states: Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	Paragraph 5.10.9 (no change to 5.9.8 of adopted EN-1).	The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1], at section 6.3 set out the national, regional, and local character areas that the Order limits relate to, assess their condition, value and capacity to accommodate change. The assessment considers impacts at both year 1 and year 15 of the Proposed Development. The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise landscape impacts. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. As confirmed in chapter 6 of the ES, this approach helps the wider landscape character to prevail.
	Paragraph 5.9.9 National Parks, the Broads and AONBs have been confirmed	5.10.11 (no change to 5.9.9 of adopted EN-1).	The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1] confirms that the Order Limits are not located within a

	<p>by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decision. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.</p>		<p>statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA).</p>
	<p>Paragraph 5.9.12 states: The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on National Scenic Areas in Scotland.</p>	<p>Paragraphs 5.10.14 (no change to paragraphs 5.9.12 of adopted EN-1).</p>	<p>The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1] confirms that the Order Limits are not located within a statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA).</p>
	<p>Paragraph 5.9.13 states: The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.</p>	<p>Paragraphs 5.10.15 (no change to paragraphs 5.9.13 of adopted EN-1).</p>	<p>The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1] confirms that the Order Limits are not located within a statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA), and the Order</p>

			limits would not be visible from one of these designated landscapes.
	Paragraph 5.9.14 states: Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation.	Paragraphs 5.10.16 (no change to paragraphs 5.9.14 of adopted EN-1).	<p>The LVIA, Chapter 6 of the ES [Ref EN010127/APP/6.1] confirms that the Order limits are located within the surroundings of two former non-statutory Local Plan designations including:</p> <ul style="list-style-type: none"> • Area of Particularly Attractive Countryside (APAC) approximately 0.5km to the north-west near Newell Wood and Pickworth; and • Area of Local Landscape Value (ALLV) approximately 0.85km to the west near Ryhall. <p>These non-statutory landscape designations have not been saved within the adopted current Development Plan for Rutland County Council, although are cited within the Rutland Landscape Character Assessment (2003) which pre-dates the adoption of the Core Strategy.</p> <p>The LVIA concludes that the Proposed Development causes a Low Magnitude impact leading to a Slight (Not Significant) Adverse effect with regard to the APAC, and Negligible Magnitude with a Minimal (Not Significant) Neutral effect with regard to the ALLV.</p>
	Paragraph 5.9.15 states: The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The IPC should judge whether any adverse impact on the landscape would	Paragraphs 5.10.17 (no change to paragraphs 5.9.15 of adopted EN-1).	Chapter 6 of the ES [Ref EN010127/APP/6.1] includes Zone of Theoretical Visibility (ZTV) to inform the LVIA. The ZTV analysis concludes that visual impacts are generally contained to within 2km of the Order limits, and beyond 2km are considered to be negligible. The visual aids utilised to help determine the impact of the proposal include annotated

	<p>be so damaging that it is not offset by the benefits (including need) of the project.</p>		<p>photo panels of both representative and illustrative viewpoints and photomontages to illustrate visual effects.</p> <p>Section 6.3. of Chapter 6 of the ES [Ref EN010127/APP/6.1] sets out the national, regional, and local character areas that the Order limits relate to. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site.</p> <p>Section 6.5 of the LVIA set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs within the ZVI, the key characteristics of the wider LCAs would prevail.</p> <p>It is considered that these impacts are clearly outweighed by the benefits of the proposed development, including delivery of significant level of low carbon energy generation and the including biodiversity net gain and permissive path network.</p>
	<p>Paragraph 5.9.16 states: In reaching a judgment, the IPC should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable.</p>	<p>Paragraphs 5.10.18 (no change to paragraphs 5.9.16 of adopted EN-1).</p>	<p>Compared to other renewable technologies, the construction timeframe for solar PV installations is relatively short, with the more visually intrusive impacts of the construction phase being relatively focused. The overall construction period is assessed at 24 months, although construction will take place in phases across the Solar PV area. Solar PV installations can also be easily and economically decommissioned so no significant impacts are anticipated to arise during the decommissioning phase.</p>

	<p>Paragraph 5.9.17 states: The IPC should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.</p>	<p>Paragraphs 5.10.19 (no change to paragraphs 5.9.17 of adopted EN-1).</p>	<p>The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise visual impacts upon identified receptors. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. These landscape features have been accurately mapped, with appropriate minimum setbacks applied, as set out in the Green Infrastructure Strategy Plan contained within the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP7.9] and reflected in the Works Plans and the Parameters in ES Appendix 5.1, which has allowed for the vast majority of the existing landscape structure to be retained.</p> <p>The analysis contained in the LVIA at chapter 6 of the ES [Ref EN010127/APP/6.1] and RVAA appendix 6.4 of the ES [Ref EN010127/APP/6.2] have identified additional mitigation measures, including offsets and extensive new planting across the Order limits to strengthen landscape structure, create, and connect habitats and provide visual screening.</p> <p>In summary, the following landscape and visual mitigation and enhancement measures have been embedded into the Order limits through various design iterations and consultations:</p> <ul style="list-style-type: none"> • Siting the Solar PV Site within the existing landscape framework allowing for the retention of the existing woodland, hedgerows, ditches, field margins and watercourses, subject to minor hedgerow removals related to access; • Substantial new native planting across the Solar PV Site providing visual screening and other benefits to
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			<p>landscape character throughout the operational lifespan of the Proposed Development and an enduring positive legacy following decommissioning;</p> <ul style="list-style-type: none"> • Infilling and gapping up of existing hedgerows where required, reconnecting landscape features and providing visual screening; • Ongoing future management for biodiversity benefits including hay meadow style management of new species diverse grassland areas, low intensity grazing, less intensive hedgerow management allowing vegetation to grow out more fully providing biodiversity benefits; • Retention of all existing PRoW passing through the Solar PV Site; • Offset of the proposed solar arrays at least 15 metres either side from centre of existing PRoW and proposed permissive paths to remove any channelling visual effects; and • New native planting to provide additional visual screening from the surrounding settlements and residential properties overlooking the Solar PV Site, where appropriate. <p>These measures, along with other benefits includes delivery of ecological enhancements and permissive paths, are set out in the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.9] which is secured as part of the DCO.</p>
	<p>Paragraph 5.9.18 states: All proposed energy infrastructure is likely to have visual effects for many receptors</p>	<p>Paragraph 5.10.20 (no change to paragraph 5.9.18 of adopted EN-1)</p>	<p>The LVIA identifies receptor groups in section 6.3 of chapter 6 of the ES [Ref EN010127/APP/6.1] and the assessment of visual effects is described in section 6.5.</p>

	<p>around proposed sites. The IPC will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.</p>		<p>In summary, Significant adverse visual effects resulting from the Proposed Development are contained to the receptors within the Order limits themselves, including the PRow crossing the Solar PV Site, where there would be a partial loss of open views across the arable farmland. Mitigation would be provided from year 1 through appropriate stand-off distances of a minimum 15m either side of the PRow. New hedge-row planting on either side of the PRow would diminish the visual effects between year 1 and 15 of operation. By year 15 of operation, the effects would reduce to Major-Moderate (Significant) and Adverse.</p> <p>It is considered that these impacts are clearly outweighed by the benefits of the proposed development, including biodiversity net gain and permissive path network, and the delivery of significant level of low carbon energy generation.</p>
	<p>Paragraph 5.9.21 states: Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the</p>		<p>Section 3 of the Planning Statement outlines that maximising the generating capacity of schemes improves their economic efficiency, bringing power to market at the lowest cost possible. Figure 10-5 in section 10 of the Statement of Need [Ref EN010127/APP/7.1] confirms that larger solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reduction and economic benefits in line with government policy. The scale of the Proposed Development responds to this opportunity, and has been designed to respond sensitively to local context as described in the Design and Access Statement.</p> <p>The Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2] summarises the process of identifying the location of the Order limits. The Order limits</p>

	<p>landscape and/or visual effects outweigh the marginal loss of function.</p>		<p>was chosen as general location as the existing landscape structure provided opportunities to significantly reduce its impact through a combination of setbacks, natural screening through topography and existing landscape and proposed landscape improvements. There are also relatively limited individual dwellings in close proximity to the Proposed Development and this has been reduced further throughout the design evolution of the Proposed Development.</p> <p>With regard to landscape and visual impacts the layout of the Proposed Development has been informed and influenced by the analysis contained in the LVIA [Ref EN010127/APP/6.1] and RVAA [Ref EN010127/APP/6.2] which have identified mitigation measures, including offsets and extensive new planting across the Order limits to strengthen landscape structure, create, and connect habitats and provide visual screening.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise visual impacts upon identified receptors.</p> <p>The scale of the Proposed Development is considered to be sensitively accommodated within the landscape with appropriate measures incorporated to minimise visual effects.</p>
	<p>Paragraphs 5.9.22 states: Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes,</p>	<p>Paragraphs 5.10.24 (no change to paragraph 5.9.22 of adopted EN-1).</p>	<p>Paragraphs 6.4.1 - 6.4.8 of the LVIA refer to the measures that have been embedded into the design of the Proposed Development and illustrated on the proposed Green Infrastructure Strategy Plan (included within the oLEMP [Ref EN010127/APP/7.9]. The design evolution, iterations and changes to the site layout and development parameters in</p>

	depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.		response to consultee feedback has been explained within sections 4.16 – 4.21 of the Design and Access Statement (DAS) including any additional visual screening or offsets from key viewpoints. The materials, colour and finish of the key components of the solar infrastructure are predominantly driven by functional requirements to maximise solar gain although steps have been taken to minimise the landscape and visual effects, where possible. For example, the perimeter security fencing has been proposed as 2-metre-high timber deer fencing with a wide-gauge stockproof mesh, and the inverter and transformer units would potentially be painted green to appear muted in colour and visually recessive in more distant views. The Onsite Substation and ancillary buildings have been clustered to the south of Essendine near the existing industrial complex, the East Coast Mainline Railway and the existing Ryhall substation infrastructure in order to co-locate these effects. Whilst the solar farm is of utility NSIP scale, the development would appear subdivided and compartmentalised by the prevailing landform, woodland and hedgerows such that it would not be entirely visible from any given location.
	Paragraph 5.9.23 states: Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	Paragraphs 5.10.25 (no change to paragraph 5.9.23 of adopted EN-1).	It is not considered that any landscaping outside of the Order limits is required to mitigate landscape or visual impacts.
Land Use including open space, green	Paragraph 5.10.5 states:	Paragraph 5.11.5 (no change to adopted EN-1 paragraph 5.10.5).	Chapter 14 of the ES [Ref EN010127/APP/6.1], Socio-Economics, identifies the existing land uses within the Order

<p>infrastructure and Green Belt</p>	<p>The ES should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan.</p>		<p>limits, confirming that majority of the land is under agricultural use.</p> <p>The Planning Statement identifies the Local Development Plan allocations and designations within and adjacent to the end Order limits. This identifies that there are no allocated sites for development within the Order limits. Some of the land within the Order Limits is designated as Minerals Safeguarding Area. A Mineral Impact Assessment is included in appendix 4 of the Planning Statement [Ref EN010127/APP/7.2] and concludes no material impacts upon minerals resources.</p> <p>The surrounding land is also predominantly agricultural (some of which is under the same ownership as the agricultural land within the Order limits). The Proposed Development is not considered to impact the continued use of this land for agricultural purposes.</p>
	<p>Paragraph 5.10.6 states: Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing</p>	<p>Paragraph 5.11.6 (no change to adopted EN-1 paragraph 5.10.6).</p>	<p>The Proposed Development does not impact any open space, sports or recreational buildings or land.</p>

	<p>open space, sports and recreational buildings and land is surplus to requirements.</p>		
	<p>Paragraph 5.10.8 states: Applicants should seek to minimise impacts on the best and most versatile land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination.</p>	<p>Paragraph 5.11.8 (adds to paragraph 15.10.8 of adopted EN-1): Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination.</p>	<p>The Order limits contain land which is classified as Best and Most Versatile (BMV) agricultural land. Chapter 12 of the ES [Ref EN010127/APP/6.1], Land Use, identifies the environmental effects of the Proposed Development upon BMV agricultural land, and section 7.4 of the Planning Statement considers the implication of this in land use policy terms.</p> <p>No potential contaminated land issues are identified within the Order limits.</p> <p>The Site Selection Report (Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2] sets out the approach for site selection and sets out how the Applicant sought to avoid higher grade of land. Chapter 7.4 of the Planning Statement expands on how the approach to minimise use of BMV has been undertaken, noting that a significant portion (40%) of the BMV land within Order limits has been excluded from the installation of Solar PV Arrays and other infrastructure. It is important to recognise that the Order limits represent, at worst, a characteristic snapshot of the land quality in the locality of the Ryhall substation. In order to maximise the available capacity at the substation the use of BMV land is unavoidable and the case for the temporary loss of land in view of the overwhelming national need, as set out in the Statement of Need (EN/010127/APP/7.1), is robustly justified.</p>

	<p>Paragraph 5.10.9 states:</p> <p>Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.</p>	<p>Paragraph 5.11.9 (no change to adopted EN-1 paragraph 5.10.9).</p>	<p>The Order limits contain land designated as a Mineral Safeguarding Area (MSA). A Mineral Impact Assessment in Appendix 4 of the Planning Statement [Ref EN010127/APP/7.2] and concludes no material impacts upon to the safeguarded minerals.</p>
	<p>Paragraph 5.10.13 states:</p> <p>Where the project conflicts with a proposal in a development plan, the IPC should take account of the stage which the development plan document in England or local development plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document in England or local development plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it.</p>	<p>Adopted EN-1 paragraph 5.10.13 is not replaced in draft revised EN-1</p>	<p>As illustrated in Section 7.1 of the Planning Statement [Ref EN010127/APP/7.2], the proposed development does not conflict with any proposals in a Development Plan.</p> <p>A Mineral Impact Assessment is included in Appendix 4 of the Planning Statement [Ref EN010127/APP/7.2] and concludes no material impacts to the safeguarded minerals.</p>
	<p>Paragraph 5.10.14 states:</p> <p>The IPC should not grant consent for development on existing open space,</p>	<p>Paragraph 5.11.13 (no change to adopted EN-1 paragraph 5.10.14).</p>	<p>The Proposed Development does not impact any open space, sports or recreational buildings or land.</p>

	<p>sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the IPC determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>		
	<p>Paragraph 5.10.15 states: The IPC should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.</p>	<p>Paragraph 5.11.14 (no change to adopted EN-1 paragraph 5.10.15).</p>	<p>The Order limits contain land which is classified as Best and Most Versatile (BMV) agricultural land. Chapter 12 of the ES [Ref EN010127/APP/6.1], Land Use, identifies the environmental effects of the Proposed Development upon BMV agricultural land, and section 7.4 of the Planning Statement considers the implication of this in land use policy terms.</p> <p>The applicants have sought to minimise the impacts of the Proposed development upon BMV land, seeking to utilise areas of poorer quality grades (3b -5) in line with addressing other sustainability considerations.</p> <p>The Site Selection Report (Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2] sets out the approach</p>

			<p>for site selection and sets out how the Applicant sought to avoid higher grade of land. Chapter 7.4 of the Planning Statement expands on how the approach to minimise use of BMV has been undertaken, noting that a significant portion (40%) of the BMV land within Order limits has been excluded from the installation of Solar PV Arrays and other infrastructure. It is important to recognise that the Order limits represent, at worst, a characteristic snapshot of the land quality in the locality of the Ryhall substation. In order to maximise the available capacity at the substation the use of BMV land is unavoidable and the case for the temporary loss of land in view of the overwhelming national need, as set out in the Statement of Need [Ref EN/010127/APP/7.1], is robustly justified.</p>
	<p>Paragraphs 5.10.19 States: Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction). Applicants should seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.</p>	<p>Paragraphs 5.11.18 (no change to adopted EN-1 paragraphs 5.10.19</p>	<p>The Proposed Development has been designed to minimise the impacts on the existing land uses within and surrounding the Order limits.</p> <p>Chapter 14 of the ES [Ref EN010127/APP/6.1], Socio-Economics, confirms the existing land uses within the Order limits is under agricultural use.</p> <p>Chapter 12 of the ES, Land Use, confirms that the existing agricultural use of the land will not be permanently lost as a result of the Proposed Development, and that agricultural production can continue within with Solar PV Site during the operational phase of the development.</p> <p>The Landscape Environmental Management Plan oLEMP [Ref EN010127/APP/7.9] includes prescriptions for the management of grassland within the Sola PV area, which include agricultural grazing.</p>

			An outline Soil Management Plan [Ref EN010127/APP/7.6] is contained within the DCO Application to ensure any soil handling in the construction and decommissioning stages ensures the agricultural grade of the land is retained, and arable cropping can continue post the decommissioning phase.
	<p>Paragraph 5.10.20 state:</p> <p>Where green infrastructure is affected, the IPC should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes.</p>	Paragraphs 5.11.19 (no change to adopted EN-1 paragraphs 5.10.20)	Maintaining and enhancing Green Infrastructure connections across the Order limits has been embedded into the design approach of the Proposed Development. The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] delivers multifunctional green spaces across the Order limits, connecting habitats, delivering Biodiversity Net Gain and new permissive pathways.
	<p>Paragraphs 5.10.22 states:</p> <p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the IPC should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	Paragraphs 5.11.21 (no change to adopted EN-1 paragraphs 5.10.22)	The Order limits contain land designated as a Mineral Safeguarding Area (MSA). A Mineral Impact Assessment is included in in Appendix 4 of the Planning Statement [Ref EN010127/APP/7.2] and concludes no material impacts to the safeguarded minerals.

	<p>Paragraph 5.10.23</p> <p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas.</p>	<p>Paragraphs 5.11.12 (no change to adopted EN-1 paragraphs 5.10.23</p>	<p>The design of the Proposed Development has been efficiently laid out to minimise any ‘sterilisation’ of land within the Order limits and agricultural uses will be able to maintained across the vast majority of the site.</p> <p>The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] demonstrates how areas of the site not used for renewable energy generation are positively incorporated into the Proposed Development.</p>
	<p>Paragraph 5.10.24</p> <p>Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The IPC should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the IPC should consider what appropriate mitigation requirements might be attached to any grant of development consent.</p>	<p>Paragraph 5.11.23 (amends paragraph 5.10.24 of adopted EN-1):</p> <p>Public Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures</p>	<p>There are six Public Rights of Way (PRoW) which cross the Order limits which are described in Table 3.1 of Chapter 3 of the ES [Ref EN010127/APP/6.1]. in addition, the Macmillan Way recreational route follows the south-western boundary before crossing the Solar PV Site and continues along the northern boundary of the south-western extent of the Solar PV Site.</p> <p>All PRoW within the Order limits are retained and the proposed Development has been designed to minimise impacts on these recreational resources, with set-backs incorporated and minimal temporary diversions required. Appendix 6.5, of the ES includes an Access and Recreation Assessment (ARA) [Ref EN010127/APP/6.1).</p> <p>The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] identifies the mitigation measures provided for PRoW which includes stand-off distances of a minimum 15m either side of the PRoWs and screening planting as appropriate.</p>

		should be included in any grant of development consent.	
Noise and Vibration	<p>Paragraph 5.11.1 states:</p> <p>Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government’s policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to assessment of impacts of vibration.</p>	Paragraph 5.12.1 (no change to adopted EN-1 paragraph 5.11.1).	Chapter 10 of the ES, Noise and Vibration, [Ref EN010127/APP/6.1] includes a noise assessment of the Proposed Development, including construction / decommissioning effects and the impacts of operational noise on human receptors in residential settings and from recreational routes (PRoW).
	<p>Paragraph 5.11.2 states:</p> <p>Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the IPC in accordance with the Biodiversity and Geological Conservation section of this NPS</p>	Paragraph 5.12.2 (no change to adopted EN-1 paragraph 5.11.2).	Table 7.1 of Chapter 7 of the ES [Ref EN010127/APP/6.1] considers the impacts of the proposed development on ecological receptors.

	<p>Paragraph 5.11.3 states Factors that will determine the likely noise impact include:</p> <ul style="list-style-type: none"> • the inherent operational noise from the proposed development, and its characteristics; • the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces); • the proximity of the proposed development to quiet places and other areas that are particularly valued for their acoustic environment or landscape quality; and • the proximity of the proposed development to designated sites where noise may have an adverse impact on protected species or other wildlife. 	<p>Paragraph 5.12.3 (minor change from adopted EN-1 paragraph 5.11.3 in third bullet of paragraph to change ‘acoustic environment’ to ‘soundscape’).</p>	<p>The noise characteristics of operational noise from plant within the Solar PV Site and Onsite Substation are identified in Chapter 10 of the ES [Ref EN010127/APP/6.1] and are assessed based on the guidance in BS 4142. This assessment is based on rated noise levels (LAr), which account for the character of the noise, which is compared to typical baseline background noise levels at the receptors, subject to a lower cut-off of 35dB LAr.</p> <p>Appendix 10.2 of the ES [Ref EN010127/APP/6.2] details the methodology for the assessment of Noise and Vibration, and Appendix 10.4 of the ES [Ref EN010127/APP/6.2] includes the baseline noise surveys, including the background noise measurement locations (figure 10.4.1).</p> <p>The noise monitoring locations were selected to identify the baseline noise environment of sensitive premises (as detailed in the policy), as well as locations that may be valued for their acoustic qualities or landscape value. These included PRow throughout the Order limits. Locations where operational or construction phase noise may impact local species or habitats, such as in proximity to SSSIs, are considered in chapter 7 of the ES [Ref EN010127/APP/6.1]</p>
	<p>Paragraph 5.11.4 states: Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p>	<p>Paragraph 5.12.4 amends paragraph 5.11.4 of adopted EN-1 Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p>	<p>In response to the policy a description of the noise and vibration generating aspects of the Proposed Development, and the nature of that noise, are described in section 10.4 of Chapter 10 of the ES [Ref EN010127/APP/6.2].</p> <p>Part a) Noise and vibration from construction, operation and decommissioning activities within the Solar PV Site have been assessed with the guidance of BS 5228 Parts 1 and 2.</p>

	<ul style="list-style-type: none"> a) a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise; b) identification of noise sensitive premises and noise sensitive areas that may be affected; c) the characteristics of the existing noise environment; d) a prediction of how the noise environment will change with the proposed development; <ul style="list-style-type: none"> o in the shorter term such as during the construction period; o in the longer term during the operating life of the infrastructure; o at particular times of the day, evening and night as appropriate; e) an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and f) measures to be employed in mitigating noise. 	<ul style="list-style-type: none"> a) a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive, low frequency or temporal characteristics of the noise b) identification of noise sensitive receptors and noise sensitive areas that may be affected c) the characteristics of the existing noise environment d) a prediction of how the noise environment will change with the proposed development <ul style="list-style-type: none"> o in the shorter term, such as during the construction period o in the longer term, during the operating life of the infrastructure o at particular times of the day, evening and night (and weekends) as appropriate, o and at different times of year e) an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and well-being where appropriate, and noise-sensitive areas f) if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise g) measures to be employed in mitigating the effects of noise – applicants should 	<p>Appendix 10.2 [Ref EN010127/APP/6.2] details magnitude of impact thresholds based on for construction noise and vibration based on BS 5228 guidance.</p> <p>The noise and vibration assessment of construction phase has assumed activities that are likely to be the worst-case in terms of noise generation, including percussive piling of PV Module mounts and earth works within the Solar PV Site. Reasonable worst-case working locations were considered, based on each activity occurring at the closest point within the Solar PV Site to each of the closest noise-sensitive locations. Use of Horizontal Directional Drilling (HDD) was assumed for the cable crossing of the East Coast Mainline Railway, as well as to cross utility connections within the Solar PV Site (assumed no closer than 500m from any dwellings).</p> <p>The noise impacts of construction related traffic passing to and from the Solar PV Site along local surrounding roads has been determined based on the relative change of noise levels for receptors along this route. This is set out in Chapter 9 of the ES [Ref EN010127/APP/6.1].</p> <p>Part b) Sensitive receptors are identified in section 10.2 of Chapter 10 of the ES [Ref EN010127/APP/6.1]. In respect of the proposed Development, the sensitive receptors are considered to be residential properties and users of PRoW.</p> <p>Part c) The characteristics of the baseline noise environment are set out in section 10.2 of Chapter 10 of the ES [Ref EN010127/APP/6.1] and in Appendix 10.4 of the ES [Ref EN010127/APP/6.2]. The baseline noise environment was observed to be varied but typical of the rural location of the</p>
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	<p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<p>consider using best available techniques to reduce noise impacts</p>	<p>Order limits, with a range of natural noise sources and a varying influence of road traffic.</p> <p>The identification of noise sensitive premises is in line with relevant guidance (set out in Appendix 10.1), the ES assessment has focused on residential receptors which were considered to have a high sensitivity to noise. Dwellings within 500m of the Solar PV Site or 800m from the Onsite Substation were considered.</p> <p>Appendix 10.4 of the ES [Ref EN010127/APP/6.2] includes the baseline noise surveys.</p> <p>Part d) The predicted impacts of noise and vibration generated from the Proposed Development are considered in section 10.4 of chapter 10 of the ES [Ref EN010127/APP/6.1].</p> <p>Part e) It considers the noise and vibration generating activities during each phase of the Proposed Development and assesses the worst case scenario in terms of duration of impact, time of day/night it could potentially occur and proximity of the activity to sensitive receptors.</p> <p>In summary, subject to mitigation outlined below, noise and vibration impacts identified for each phase of the Proposed Development can be effectively managed to within acceptable levels in line with the appropriate BS guidance.</p> <p>Part f (of revised draft revised NPS) – not applicable</p> <p>Part f/g) As mitigation, the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes standard good practice measures such as use of Best Practical Means to reduce disturbance associated with noise and vibration during</p>
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			<p>construction as far as reasonably practicable, with reference to relevant guidance in BS 5228.</p> <p>Section 2.4 of the oCEMP sets working hour restrictions for the Proposed Development, with specific restrictions on activities likely to generate substantial levels of noise (including earthworks, trench construction and any piling), and HGV deliveries.</p> <p>HDD activities may be required to operate outside of restricted hours. However, HDD locations for utility crossings within the Solar PV Site would be located at least 500m from the nearest residential property.</p> <p>To mitigate impact during the operational phase the overall design of the work areas included in the Proposed Development has been developed to generally maximise where possible the distance between areas where noise-generating plant may be located from noise-sensitive receptors. The Design and Access Statement [Ref EN010127/APP/7.3] sets out in Design Guidance the parameters for locating central inverters (if used) which will be located at a minimum distance of 250m and 50m from residential properties and PRowS respectively.</p> <p>The outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] includes provision for regular inspections and maintenance of the equipment, to limit the risk of malfunctions creating disturbance associated with increased noise emissions. Furthermore, the oOEMP outlines a procedure for monitoring noise levels following any complaint from members of the public to report noise disturbance from the plant within the Solar PV Site.</p>
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			<p>Similar measures as outlined in the oCEMP are reflected in the outline Decommissioning management Plan [Ref EN010127/APP/7.8] although it is noted that HDD and piling are unlikely to be undertaken during the decommissioning phase.</p> <p>It is considered that the noise assessment as summarised above is proportionate in response to the likely noise impacts of the Proposed Development.</p>
	<p>Paragraph 5.11.5 states: The noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered.</p>	<p>Paragraph 5.12.6 (no change to adopted EN-1 paragraph 5.11.5).</p>	<p>The predicted impacts of noise and vibration generated from the Proposed Development are considered in section 10.4 of chapter 10 of the ES [Ref EN010127/APP/6.1]. Chapter and Appendix 10.5 [Ref EN010127/APP/6.2] provides construction traffic modelling and noise levels. It is not predicted that there will be significant impacts generated from ancillary activities. Increased traffic movements, during the operational phase, are predicted to be low as set out in of Chapter 9 of the ES.</p>
	<p>Paragraph 5.11.6 states: Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance... In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards</p>	<p>Paragraph 5.12.7 (amends paragraph 5.11.6 of adopted EN-1 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise,</p>	<p>Noise and vibration from construction and decommissioning activities within the Solar PV Site have been assessed with the guidance of BS 5228 Parts 1 and 2 in order to assist with the prediction and management of noise activities.</p> <p>Operational noise from plant within the Solar PV Site and Onsite Substation is assessed based on the guidance in BS 4142.</p> <p>BS standards and relevant guidance have been used to identify worst case scenario noise outputs to ensure that management prescriptions are adequate for the potential impacts.</p>

	and other guidance which also give examples of mitigation strategies.	reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	
	<p>Paragraphs 5.11.8 states:</p> <p>The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.</p>	<p>Paragraph 5.12.9 (</p> <p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government's associated planning guidance on noise.</p>	<p>The technical specifications of the plant associated with the Proposed Development is not yet determined. However, good design with regard to minimising noise and vibration impacts is demonstrated though embedded mitigation. The outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] includes parameters for ensuring that noise impacts of installed plant are minimised. To mitigate impact during the operational phase the overall design of the work areas included in the Proposed Development has been developed to generally maximise where possible the distance between areas where noise-generating plant may be located from noise-sensitive receptors. The Design and Access Statement [Ref EN010127/APP/7.3] sets out in Design Guidance the parameters for locating central inverters (if used) which will be located at a minimum distance of 250m and 50m from residential properties and PRoWs respectively.</p> <p>The Onsite Substation will be located more than 500m away from the nearest residential property. These setback parameters are secured in the Design Guidance set out in the Design and Access Statement.</p>
	<p>Paragraph 5.11.9 states:</p> <p>The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims:</p>	<p>Paragraph 5.12.10 (no change to adopted EN-1 paragraphs 5.11.9).</p>	<p>Table 10.3 in Chapter 10 of the ES [Ref EN010127/APP/6.1] confirms that with mitigation no significant adverse noise or vibration impacts are predicted upon any receptors, or upon quality of life or human health.</p>

	<ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life from noise; • mitigate and minimise other adverse impacts on health and quality of life from noise; and • where possible, contribute to improvements to health and quality of life through the effective management and control of noise. 		<p>Mitigation is demonstrated in the design of the Proposed Development and through measures identified in the oCEMP [Ref EN010127/APP/7.6], oOEMP [Ref EN010127/APP/7.7] and oDEMP EN010127/APP/7.8], which include effective management of noise control in line with British Standards.</p> <p>It is considered that the Proposed Development has taken appropriate measures to minimise potential noise and vibration impacts and is in accordance with policy.</p>
	<p>Paragraph 5.11.11 states: The IPC should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the IPC may wish to impose requirements. . Any such requirements should take account of the guidance set out in Circular 11/95 or any successor to it.</p>	<p>Paragraph 5.12.12 (amends paragraph 5.11.11 of adopted EN-1) to state: Any such requirements should take account of the guidance set out in the NPPF or any successor to it.</p>	<p>Given the outcome of the noise and vibration ES assessment for the Proposed Development and the proposed mitigation as set out in ES Chapter 10, it is not anticipated that the Secretary of State will need to consider additional mitigation measures above those already embedded in the design of the Proposed Development and those set out within the oCEMP [Ref EN010127/APP/7.6], oOEMP [Ref EN010127/APP/7.7] and oDEMP [Ref EN010127/APP/7.8].</p>
Socio-economic	<p>Paragraph 5.12.2 states: Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2).</p>	<p>Paragraph 5.13.2 (no change to adopted EN-1 paragraph 5.12.2).</p>	<p>Chapter 14 of the ES [Ref EN010127/APP/6.1] includes an assessment of socio-economic impacts of the Proposed development at local and regional levels.</p>

	<p>Paragraph 5.12.3 states:</p> <p>This assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> a) the creation of jobs and training opportunities; b) the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; c) effects on tourism; d) the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and e) cumulative effects – if development consent were to be granted to for a number of projects within a region and 	<p>Paragraph 5.13.3 (amends EN-1 paragraph 5.12.3 as follows).</p> <p>This assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> a) the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK’s transition to Net Zero b) the contribution to the development of low-carbon industries at the local and regional level as well as nationally c) the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities d) any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains e) effects on tourism f) the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could 	<p>Appendix 14.2 of the ES [Ref EN010127/APP/6.2] sets out the Assessment methodology for the Socio-economic chapter of the ES.</p> <p>Section 14.4 of chapter 14 of the ES [Ref EN010127/APP/6.1] considers the potential effects of the Proposed Development.</p> <p>In response to part a) (and part b) and d) of the draft revised NPS) With regards to jobs and training, the majority of socio-economic impacts experienced during the construction and decommissioning phases relate to the creation of employment opportunities and increased spend on local services. Once operational, impacts on local labour market arising from operational and maintenance jobs would be more limited.</p> <p>The Applicant estimates that an average of 150 FTE gross temporary jobs will be created over the 24 month construction period. It is estimated that 50% of these could be sourced from the local area.</p> <p>It is estimated the 74.5 additional direct and indirect jobs would be supported through the construction phase based on research undertaken by the Centre of Economics and Business Research on the economic impact of large-scale solar developments.</p> <p>It is estimated that a net gain of 4.5 FTE jobs would be created by the Proposed Development would be created during the operational phase.</p> <p>The estimated duration of the decommissioning phase is expected to be between 6 to 12 months and it is anticipated</p>
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	<p>these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</p>	<p>change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development</p> <p>g) cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region</p>	<p>that the employment effects over this period will be similar to the construction phase, although over a shorter term.</p> <p>In terms of contributing to developing skills needed for the UKs transition to net zero, and the contribution to the development low carbon industries, an Employment, Skills and Supply Chain Plan [Ref EN010127/APP/7.10] will be agreed with local stakeholders prior to the commencement of construction which will set out measures the Applicant will implement in order to promote and enable access to the employment and supply chain opportunities associated with the construction phase locally in order to help capture as many of the benefits for study area residents as possible. The objectives of the plan are to focus on the opportunities for the involvement of local companies in the construction and operation supply chain; the ability of local residents to access employment opportunities associated with the construction and operation of the Development; and the ability of research organisations to use the site to enable research and innovation in the renewable energy sector.</p> <p>The plan includes a proposed Requirement to help secure these objectives.</p> <p>With regards to part b) of the NPS EN1/c) of the draft revised NPS EN-1, the Green Infrastructure Strategy Plan contained within and outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] includes opportunities to provide information and interpretation boards with regard to renewable energy, cultural heritage and nature conservation, linked to the public Right of Way and new permissive path network within the Order limits.</p>
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		<p>With regards to part c)/e) Tourism and recreation impacts are considered in section 14.4 of Chapter 14 of the ES and draw on conclusions from in the Amenity and Recreation Assessment, Appendix 6.5 of the ES [Ref EN010127/APP/6.1], the Landscape and Visual Impact Assessment – chapter 6 of the ES [Ref EN010127/APP/6.2], and Noise and Vibration Impact Assessment – chapter 10 of the ES [Ref EN010127/APP/6.1].</p> <p>The above assessments conclude that recreation and tourism impacts of the Proposed Development are not significant at any phase, and can be effectively mitigated through implementation of management plans secured in the DCO application, including the outline Construction Environmental Management Plan [Ref EN010127/APP/7.8], the outline Landscape Environmental Management Plan [Ref EN010127/APP/7.8] the outline Decommissioning Management Plan [Ref EN010127/APP/7.8] and the (Employment, Skills and Supply Chain Plan EN010127/APP/7.10)</p> <p>With regard to part d)/f) The impacts of the changing influx of workers associated with each phase of the development upon the local population, services and facilities is considered in section 14.4 of Chapter 14 of the ES.</p> <p>With regard to part e)/g) Cumulative effects are considered in section 14.8 of Chapter 14 of the ES [Ref EN010127/APP/6.1]. this section concludes that the cumulative impacts of the proposed Development on employment and linked supply chain benefits are positive when considering other proposed Development in the vicinity of the Order limit during construction and decommissioning phases. No additional cumulative effects are considered</p>
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			<p>during the operational phase, and minor beneficial impacts are predicted during decommissioning.</p> <p>It is considered that the assessment of socio-economic effects in chapter 14 of the ES, as summarised above, is compliant with the NPS EN-1 and draft revised NPS EN-1.</p>
	<p>Paragraph 5.12.4 states: Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.</p>	<p>Paragraph 5.13.4 (no change to adopted EN-1 paragraph 5.12.4).</p>	<p>Section 14.2 of chapter 14 of the ES describes the existing baseline conditions [Ref EN010127/APP/6.1].</p> <p>Local policy is considered in Tables 6-10 of Appendix 3 of the Planning Statement [Ref EN010127/APP/7.2].</p>
	<p>Paragraph 5.12.8 states: The IPC should consider any relevant positive provisions the developer has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p>	<p>Paragraph 5.13.9 (adds to paragraph 5.12.8 of adopted EN-1) to state: The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>Mitigation measures as set out in the respective chapters of the ES [Ref EN010127/APP/6.1], to reduce impacts arising from each phase of the Proposed Development (such as noise, air quality, transport and landscape) will also mitigate the effects on the local community and existing facilities from a socio-economic perspective.</p> <p>Chapter 10 of the ES conclude that there will be beneficial employment and linked supply chain impacts associated with the Proposed development. the Employment, Skills and Supply Chain Plan [Ref EN010127/APP/7.10] is aimed at maximising these benefits.</p> <p>The Proposed Development has the potential to deliver significant amounts of low-carbon electricity and make a material contribution to help meet the UK's commitments to decrease carbon emissions and reach net zero by 2050.</p>

			Additional benefits of the to the local community are set out in the Planning Statement and include a Biodiversity Net Gain of 72% and new permissive paths that will be retained during the operational phase of the Proposed Development, improving connectivity across the Order limits.
	<p>Paragraph 5.12.9 states:</p> <p>The IPC should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.</p>	Paragraph 5.13.10 (no change to adopted EN-1 paragraph 5.12.9).	<p>Mitigation measures to manage and minimise potential socio-economic effects are set out in the outline Construction Environmental Management Plan [Ref EN010127/APP/7.6], the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] the outline Decommissioning Management Plan [Ref EN010127/APP/7.8] and the (Employment, Skills and Supply Chain Plan EN010127/APP/7.10].</p> <p>Good design is embedded into the Proposed Development as set out in the Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] which includes a combination of setbacks and screening, and introduces a new networks of permissive paths, to help mitigate the impacts of the proposed Development.</p> <p>The Employment, Skills and Supply Chain Plan [Ref EN010127/APP/7.10] is aimed at maximising local economic benefits.</p>
Traffic and Transport	<p>Paragraph 5.13.3 states:</p> <p>If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport assessment, using the NATA/WebTAG139 methodology stipulated in Department for Transport</p>	Paragraph 5.14.3 (no change to adopted EN-1 paragraph 5.13.3).	<p>Chapter 9 of the ES [Ref EN010127/APP/6.1] assesses the impact of the Proposed Development on traffic and transport. A Transport Assessment is included in appendix 9.4 of the ES [Ref EN010127/APP/6.2]. Appendix 9.3 of the ES [Ref EN010127/APP/6.2] sets out the consultation undertaken which includes National Highways Lincolnshire County Council (LCC) and Rutland County Council (RCC). The</p>

	<p>guidance, or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation.</p>		<p>assessment methodology is set out in appendix 9.2 of the ES. [Ref EN010127/APP/6.2].</p>
	<p>Paragraph 5.13.4: Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts.</p>	<p>Paragraph 5.14.4 (compared to adopted EN-1 paragraph 5.13.4) adds: The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports).</p>	<p>Given the rural location, it is acknowledged that there are limitations on staff travelling to the Order limits by walking, cycling and public transport. Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11] includes an outline Transport Plan (oTP) which provides measures proposed to mitigate the transport impacts as well as improve existing infrastructure and promote sustainable transport which is secured through DCO Requirement. Given the rural location of the Order limits, it is acknowledged that there are limitations on staff travelling to the Order limits by public transport. However, proposed measures include the provision of a shuttle bus service transporting staff from the primary compound to the relevant areas of work within the Order limits during the construction phase, and cycle parking within construction compounds and investigating a shuttle bus to areas of residence/public transport hubs.</p>
	<p>Paragraph 5.13.6: A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed</p>	<p>Paragraph 5.14.6 (no change to adopted EN-1 paragraph 5.13.6).</p>	<p>The nature of the Proposed Development is such that the greatest impact is likely to occur during the construction and decommissioning phases (with respect to the decommissioning phase, the effects are considered to be similar to, or of a lesser magnitude than the effects generated during the construction phase).</p>

	<p>mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the IPC should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts.</p>		<p>The mitigation measures that have been integrated into the design of the Proposed Development are as follows:</p> <ul style="list-style-type: none"> • Access locations: the location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows. Where there is not a reasonable access location within vicinity of the relevant area of the Solar PV Site, a new vehicle access has been provided that complies with all relevant highway safety requirements. • Consolidation: use of a centralised primary construction compound for deliveries to allow direct access to the Solar PV Site and reduce the need for larger deliveries to impact the LRN, as secured through the oCTMP [Ref EN010127/APP/7.11]. From this centralised primary compound, the deliveries will be distributed out via smaller, local vehicles to the secondary construction compounds. This allows for extra control over the timings of any construction deliveries, whereby arriving/departing vehicles can arrive in platoons to avoid the likelihood of two construction vehicles passing each other. • Layout and Internal Routing: internal access routes will be provided within the Solar PV Site to minimise vehicles needing to use the LRN.
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			<ul style="list-style-type: none"> • Vehicle routing: construction vehicles will only utilise the permitted access routes, which will be secured by a requirement on the DCO application via the oCTMP [Ref EN010127/APP/7.11]. • Highways improvements: permanent improvements will be made to the junction of the A1621 and Uffington Lane, as well as the introduction of passing places well as along Uffington Lane (within the Order limits) (such passing places to be removed post construction to minimise impacts to the Local Wildlife Site (LWS) status of the affected verges), as secured through the Outline CTMP), prior to the commencement of construction, to help facilitate two-way HGV flows. Further details on the mitigation measures are included within the supporting (Appendix 9.4) of the ES [Ref EN010127/APP/6.2]. • Staff Shuttle: a staff shuttle service will be deployed from the primary construction compound to transport staff to the relevant area where works are required, which will be subject to phasing and investigations will be made into a shuttle bus to areas of residence/public transport hubs. • Management Plans: a number of outline management plans including an outline Construction Environmental Management Plan oCEMP [Ref EN010127/APP/7.6] and an outline Construction Traffic Management Plan (oCTMP) (including outline Travel Plan) [Ref EN010127/APP/7.11] have been prepared in support of the DCO and will inform the development of final management plans prior to construction as secured by a DCO Requirement.
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			Table 9.4 in Chapter 9 of the ES summarises the traffic and transport related impacts of the Proposed Development. It concludes that that the potential for adverse effects would be local, temporary, and not significant.
	<p>Paragraph 5.13.7:</p> <p>Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure.</p>	Paragraph 5.14.7 (no change to adopted EN-1 paragraph 5.13.7).	<p>Given the conclusions of chapter 9 of the ES [Ref EN010127/APP/6.1], the mitigation measures embedded into the design of the Proposed Development and measures to minimise impacts out in the oCTMP and oTP [Ref EN010127/APP/7.11], it is considered that impacts related to traffic and transport are acceptable and development consent should not be withheld. These are secured by DCO Requirement so no separate planning obligation is required.</p>
	<p>Paragraph 5.13.8 states:</p> <p>Where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts.</p>	Paragraph 5.14.9 (no change to adopted EN-1 paragraph 5.13.8)	<p>As concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], the impacts of the Proposed Development are such that provision of new transport infrastructure is not required.</p> <p>Required mitigation is embedded into the design of the Proposed Development, and set out in the oCTMP and oTP [Ref EN010127/APP/7.11], which includes demand management measures to minimise traffic and transport related impacts, including consolidation of required HGV movements and internal traffic routing to reduce impacts on the LRN.</p>

	<p>Paragraph 5.13.9 states:</p> <p>The IPC should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p>	<p>Paragraphs 5.14.10 (no change to adopted EN-1 paragraph 5.13.8)</p>	<p>As concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], the impacts of the Proposed Development are such that provision of new transport infrastructure is not required.</p>
	<p>Paragraph 5.13.10 states:</p> <p>Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.</p>	<p>Paragraph 5.14.11 (adds to adopted EN-1 paragraph 5.13.10):</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their Application.</p>	<p>Given the rural location of the Order limits, duration of the construction and decommissioning phases and the limited impact upon the LRN as concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], it is considered that rail and or water transportation methods would not provide suitable alternatives for any phase of the Proposed Development.</p>
	<p>Paragraph 5.13.11:</p> <p>The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> • control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; • make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid ‘overspill’ parking on public roads, prolonged queuing on 	<p>Paragraph 5.14.12 (no change to adopted EN-1 paragraph 5.13.11).</p>	<p>The oCTMP [Ref EN010127/APP/7.11], includes prescriptions to control HGV movements, only allowing deliveries to the construction compound between the hours 9am-3pm. Sufficient HGV parking is provided within the Oder limits, off of the LRN. Sufficient notice will be provided to the police and traffic authority either via the DCO or other legislative requirement where Traffic Regulation Measures require any road closures, speed limit restrictions, temporary traffic signalling or escort of Abnormal inadvisable Loads are required.</p>

	<p>approach roads and uncontrolled on-street HGV parking in normal operating conditions; and</p> <ul style="list-style-type: none"> ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force. 		
Waste Management	<p>Paragraph 5.14.2 states: Sustainable waste management is implemented through the “waste hierarchy”, which sets out the priorities that must be applied when managing waste:</p> <ol style="list-style-type: none"> prevention; preparing for reuse; recycling; other recovery, including energy recovery; and disposal. 	<p>Paragraph 5.15.2 (no change to adopted EN-1 paragraph 5.14.2).</p>	<p>Section 15.7 of Chapter 15 of the ES [Ref EN010127/APP/6.1] considers waste streams during the construction, operation and decommissioning phases of the Proposed Development.</p> <p>The Waste Hierarchy will be adopted throughout the construction, operation and decommissioning phases of the Proposed Development. Minimisation of waste generation is achieved through careful design and creating a ‘waste aware’ culture on-site.</p> <p>The Waste Hierarchy principles are embedded into environmental management plans such as the outline Excavated Material Management Plan (oEMMP) included within the outline Soil Management Plan (oSMP) [Ref EN010127/APP/7.12]. These include requirements for preparation of a Construction Resource Management Plan (CRMP) as required in the outline Construction Environmental Management Plan [Ref EN010127/APP/7.6], and the preparation of a Decommissioning Resource Management Plan (DRMP) as required in the Decommissioning Environmental Management Plan (DEMP) [Ref EN010127/APP/7.8].</p>

			These documents will include measures to control and manage waste onsite in line with the Wates Hierarchy.
	Paragraph 5.14.3 states: Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Paragraph 5.15.3 (no change to adopted EN-1 paragraph 5.14.3).	<p>The oCEMP [Ref EN010127/APP/7.6] includes measures to ensure disposal of wastes is minimised. In order to control the waste generated onsite during the construction phase, the appointed contractor will separate the main waste streams onsite, prior to transport to an approved, licensed third party waste facility for recycling and disposal.</p> <p>All practicable actions will be taken by the contractor to minimise the volume of waste produced as a result of the construction of the Proposed Development. This can be through reducing consumption, reuse, using resources efficiently, and designing for longevity. Waste segregation will be undertaken where possible to maximise the opportunities for reuse and recycling.</p>
	Paragraph 5.14.4 states: All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant EP requirements.	Paragraph 5.15.4 (no change to adopted EN-1 paragraph 5.14.4).	<p>Section 15.7 of Chapter 15 of the ES [Ref EN010127/APP/6.1] describes all waste streams for each phase of the Proposed Development.</p> <p>The commercial nature of the waste to be produced during both construction, operation and decommissioning will mean it will be managed by appropriately permitted carriers and facilities in line with the appropriate environmental permits and requirements. The waste carriers and landfill sites used will be determined by the contractor pre-construction.</p> <p>The oDEMP [Ref EN010127/APP/7.8] contain measures for handling, transportation and disposal of hazardous waste.</p>

	<p>Paragraph 5.14.6 states:</p> <p>The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan.</p> <p>The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p>	<p>Paragraph 5.15.6 (no change to adopted EN-1 paragraph 5.14.6 except for amended final two sentences as follows).</p> <p>The applicant is encouraged to refer to the Waste Prevention Programme for England, and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome. If the applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process.</p>	<p>Preparation of a CRMP as required in the oCEMP [Ref EN010127/APP/7.6], and DRMP as required in the DEMP [Ref EN010127/APP/7.8] will set out the arrangements that are proposed for managing any waste produced. The oCEMP and oDEMP also confirm at 3-12 how waste arisings are minimised and includes provisions for a CRP.</p> <p>Very little waste is predicted to be produced during the operational phase of the development, with no demands anticipated upon waste management facilities.</p>
		<p>New paragraph 5.15.7 states:</p> <p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p>	<p>The oCEMP [Ref EN010127/APP/7.6] at table 3-12 sets out measures for implementing the Proposed Development in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content where feasible.</p>

	<p>Paragraph 5.14.7 states:</p> <p>The IPC should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. It should be satisfied that:</p> <ul style="list-style-type: none"> • any such waste will be properly managed, both on-site and off-site; • the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and • adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome 	<p>Paragraph 5.15.9 (no change to adopted EN-1 paragraph 5.14.7).</p>	<p>The oCEMP [Ref EN010127/APP/7.6], oOEMP [Ref EN010127/APP/7.7]. and oDEMP [Ref EN010127/APP/7.8] contain measures for handling, transportation and disposal of hazardous waste. These documents also identify the steps taken to minimise waste arisings for each phase of the Proposed Development, see table 03-12 in each document.</p> <p>The commercial nature of the waste to be produced during both construction, operation and decommissioning will mean it will be managed by appropriately permitted carriers and facilities in line with the appropriate environmental permits and requirements. The waste carriers and landfill sites used will be determined by the contractor pre-construction.</p> <p>During the operational phase of the Proposed Development, waste arisings are expected to be minimal and as they would be considered to be commercial waste this will be managed by appropriately permitted carriers and facilities in line with the appropriate environmental permits and requirements. Details of how waste during operation will be dealt with are provided in the outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7].</p>
<p>Water Quality and Resources</p>	<p>Paragraph 5.15.2 states:</p> <p>Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the</p>	<p>Paragraph 5.16.2 (no change to adopted EN-1 paragraph 5.15.2).</p>	<p>The assessment of potential impacts on water resources and ground conditions is included in Chapter 11 of the ES [Ref EN010127/APP/6.1]. The chapter presents the existing status of the water environment and the likely effects of the Proposed Development. The chapter concludes that with</p>

	proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES or equivalent.		appropriate mitigation, as set out in the outline Water Management Plan (oWMP) [Ref EN010127/APP/7.13], there are likely to be no significant adverse effects on water quality, water resources or physical characteristics of the water environment as a result of the Proposed Development.
	NA	New Paragraph 5.16.3 states: Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g. from car parks or other areas of hard standing, during operation.	The oWMP [Ref EN010127/APP/7.13] describes water management measures to control surface water runoff and drain hardstanding and other structures during the construction, operation and decommissioning of the Proposed Development. This includes measures to limit discharge of suspended solids through use of check dams and management of topsoil storage away from drainage ditches.
	Paragraph 5.15.3 states: The ES should in particular describe: a) the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges; b) existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction	Paragraph 5.16.5 amends EN-1 paragraph 5.15.3 as follows). a) the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges b) existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed	In respect to part a) of the policy, section 11.2 of Chapter 11 of the ES [Ref EN010127/APP/6.1] describes the existing quality of waters. Section 2.4 of appendix 11.6 of the ES outline Surface Water Drainage Strategy (oSWDS) outlines proposed changes to discharges. In respect to part b) of the policy, water resources including public and private water supplies are considered in Section 11.2 and in tables 11.2 and 11.3 of Chapter 11 of the ES. Details of existing abstraction are set out in section 11.2 of Chapter 11 of the ES and section 11.4 which confirms there are no anticipated changes to abstraction rates as a result of the Proposed Development. In respect to part c) of the policy, the physical characteristics of the water environment are described in section 11.2 of chapter 11 of the ES. It confirms that the hydrological regime within the Order Limits is typical of lowland agricultural plains

	<p>rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies);</p> <p>c) existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and</p> <p>d) any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions.</p>	<p>changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance</p> <p>c) existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics</p> <p>d) any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions</p>	<p>and is drained by man-made ditches of slow running water. These ditches drain to several natural watercourses and in turn the wider hydrological system.</p> <p>There will be no physical modifications to these characteristics as a result of the Proposed Development.</p> <p>In respect to part d) of the policy, section 11.4 of Chapter 11 includes a Water Framework Directive (WFD) Assessment, and table 11.6 presents a screening of the Proposed Development activities against WFD quality. The ‘screens out’ potential risks to water quality arising from the Proposed Development. Section 11.2 of Chapter 11 confirms that SPZ are present within the Order limits. This assessment confirms that general foundations and cabling associated with the Solar PV Site are not of a depth that would impact any of the SPZs. HDD activities are proposed beneath the West Glen River. The implementation of industry standard and best practice construction techniques will manage any potential groundwater rising within pits (e.g., pumping, sheet piling). Upon completion, pits will be backfilled to prevent any impacts on groundwater following the construction phase. These measures are included in the oWMP. [Ref EN010127/APP/7.6].</p>
	<p>Paragraph 5.15.5 states:</p> <p>The IPC will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the</p>	<p>Paragraph 5.16.7 (amends EN-1 paragraph 5.15.5 as follows).</p> <p>The Secretary of State will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the</p>	<p>Chapter 11 of the ES [Ref EN010127/APP/6.1] concludes that with the implementation of mitigation measures identified in the oWMP [Ref EN010127/APP/7.6] no adverse effects upon the water environment are anticipated. The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/6.1] also refers to a Pollution</p>

	<p>environmental objectives established under the Water Framework Directive.</p>	<p>environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017</p>	<p>Prevention Plan to be prepared prior to construction of the Proposed Development.</p>
	<p>Paragraph 5.15.6 states: The IPC should satisfy itself that a proposal has regard to the River Basin Management Plans and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans. The IPC should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline/Estuary Management Plans.</p>	<p>Paragraph 5.16.8 (replaces adopted EN-1 paragraph 5.15.6): The Secretary of State should be satisfied that a proposal has regard to the River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. In terms of Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 compliance, the overall aim of development should be to prevent deterioration in status of water bodies to support the achievement of the objectives in the River Basin Management Plans and not to jeopardise the future achievement of good status for any affected water bodies. If the development is considered likely to cause deterioration of water body status or to prevent the achievement of good groundwater status or of good ecological status potential compliance with regulation 19 of the Water Environment (Water Framework Directive)</p>	<p>Chapter 11 of the ES [Ref EN010127/APP/6.1] assesses all potential effects of the Proposed Development upon the status of water bodies within the Order limit study area. The analysis is set out in Section 11.4 of Chapter 11 of the ES and table 11.6 presents the summary of effects up on potentially effected waterbodies. Chapter 11 concludes that due to embedded mitigation and measures identified within the oWMP [Ref EN010127/APP/7.13], and table 3-7 of the oCEMP [Ref EN010127/APP/7.6] the Proposed Development will not result in the deterioration of any water bodies, or prevent them from achieving good status.</p>

		(England and Wales) 2017 must be demonstrated.	
	Paragraph 5.15.8 states: The IPC should consider whether mitigation measures are needed over and above any which may form part of the project application. (See Sections 4.2 and 5.1.) A construction management plan may help codify mitigation at that stage.	Paragraph 5.16.11 (no change to adopted EN-1 paragraph 5.15.8).	Chapter 11 of the ES [Ref EN010127/APP/6.1] concludes that no additional mitigation beyond that embedded in the design and referred to in the oWMP and oCEMP is required [Ref EN010127/APP/7.6].
	Paragraph 5.15.9 states: The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	Paragraph 5.16.12 (no change to adopted EN-1 paragraph 5.15.9).	<p>The Proposed Development has employed good design including avoidance measures in order to minimise the risk of impacts on the water environment.</p> <p>Section 11.3 of Chapter 11 [Ref EN010127/APP/6.1] of the ES identifies the following mitigation measures relating to the hydrological environment which are embedded into the design and construction of the Proposed Development:</p> <ul style="list-style-type: none"> • 50m watercourse buffers for major construction works (i.e. compound) with the exception of watercourse crossings along access tracks; and • 10m watercourse buffers for minor construction works (i.e. solar panel installation) with the exception of watercourse crossings along access tracks; • The Proposed Development will utilise existing access road and tracks already in place at this location, this will help to minimise ground disturbance and requirement for further watercourse crossings.

			<p>Section 11.3 of Chapter 11 of the ES also notes to good practice will be followed in all aspects of construction, operation and decommissioning, specifically through a Pollution Prevention Plan (PPP), which will be incorporated into a final CEMP.</p> <p>These measures are outlined in the oCEMP [Ref EN010127/APP/7.6] and would form part of the Requirements of the DCO.</p>
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Mallard Pass Solar Farm

Table 2 National Policy Statement for Renewable Energy Infrastructure (EN-3) – Table of Compliance

National Policy Statement for Renewable Energy Infrastructure (EN-3)			
Assessment and Technical Specific Information – Assessment of the specific impacts as set out in Part 2 of EN-3 (2011) and Draft EN-3 (2021) is considered below.			
Policy	EN-3 Policy Text	Draft Policy EN-3 Text	Assessment
Part 2.3 - Climate Change Adaption		<p>Added Paragraph 2.3.4 of draft revised EN-3 states: Solar PV sites may also be proposed in low lying exposed sites. For these proposals, applicants should consider, in particular, how plant will be resilient to:</p> <ul style="list-style-type: none"> • increased risk of flooding • impact of higher temperatures 	<p>A Flood Risk Assessment (FRA) included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] has been prepared in accordance with the requirements of paragraphs section 5.7 of NPS EN1, part 2.3 of NPS EN3 (and the NPPF), and the likely effects of the Proposed Development associated with flood risk have been assessed in Chapter 11 of the ES [Ref EN010127/APP/6.1].</p> <p>The FRA is considered proportionate for the scale and nature and location of the Proposed Development and assesses the risk of flooding from all sources arising from the Proposed Development upon the development itself and identified receptors, accounting for the impact of climate change.</p> <p>The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) in Appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits.</p>

			<p>Section 4 of the FRA includes a sequential test and exception test which have been carried out in line with EN-1 Paragraph 5.7.9 and the draft revised NPS EN-1 paragraph 5.8.11, the NPPF and PPG. This concludes that with the measures identified in the oSWDS in place the benefits of the Proposed Development outweigh the managed flood risk.</p> <p>As outlined in Chapter 13: Climate Change and Resilience of the ES [Ref EN010127/APP/6.1] account of the effects of climate change have been taken in the design of the Proposed Development and its construction and decommissioning.</p>
<p>Part 2.4 – Good Design for Energy Infrastructure</p>	<p>Paragraph 2.4.1 states: Section 10(3)(b) of the Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, to the desirability of good design. Section 4.5 of EN-1 sets out the principles of good design that should be applied to all energy infrastructure.</p> <p>Paragraph 2.4.2 states: Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate</p>	<p>Paragraph 2.4.1 – 2.4.2 (no change to adopted EN-3 paragraphs 2.4.1 – 2.4.2).</p>	<p>The Proposed Development has been designed to minimise the impacts on the existing land uses within and surrounding the Order limits.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise visual impacts upon identified receptors. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. These landscape features have been accurately mapped, with appropriate minimum setbacks applied, as set out in the Green Infrastructure Strategy Plan contained within the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP7.9] and reflected in the Works Plans and the Parameters in ES Appendix 5.1, which has allowed for the vast majority of the existing landscape structure to be retained.</p>

	<p>impacts such as noise and effects on ecology.</p>		<p>The Design and Access Statement [Ref EN010127/APP/7.3] details the design process which enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests. A key element of the strategy has been the identification and retention of beneficial biodiversity or landscape features in the layout of the proposed development.</p> <p>The Design and Access Statement details how good design is implemented. With regard to minimising noise and vibration impacts, this is demonstrated through the embedded mitigation of the scheme design, through the offsetting of noise-generating plant from residential properties and ProW, as shown within the Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9].</p>
<p>Part 2.47 – 2.49 - Solar Photovoltaic Generation - General</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraph 2.48.3 states: In order to maximise irradiance, applicants may choose a site and design its layout with variable and diverse panel aspects, and panel arrays may also follow the movement of the sun in order to further maximise the solar resource.</p> <p>Paragraph 2.48.5 states: In order for a solar farm to generate electricity efficiently, site layout must be designed so as to maximise irradiance levels, and the panel array spacing should also seek to maximise the potential power output of the site. The type, spacing and aspect of panel arrays will depend on the physical characteristics of the site such as site</p>	<p>The Proposed Development is suitable for solar development and located within an area of high irradiance and suitable topography. Lincolnshire is generally flat, with gently undulating topography which is suitable and beneficial for solar, increasing the likelihood of being able to identify a suitable site that is capable of producing a large amount of electricity.</p> <p>The National Grid Ryhall Substation already has capacity without requiring significant upgrades means that best use should be made of this existing infrastructure, before developing new connections. Therefore, this influenced the location of the Order limits within proximity to the Ryhall substation. The general topography of the area immediately surrounding the substation is gently undulating and therefore this makes it particularly suitable for solar.</p>

		<p>elevation. However, this is a matter for the applicant.</p> <p>Paragraph 2.48.11 states: Most solar farms are connected into the local distribution network. The capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical feasibility of a development and as such some larger developments may seek connection to the transmission network if there is available network capacity and/or supportive infrastructure. The connection voltage, availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal.</p> <p>Paragraph 2.48.12 states: The applicant may choose a site based on nearby available grid export capacity. Locating solar farms at places with grid connection capacity enables the applicant to maximise existing grid infrastructure, minimise disruption to local community infrastructure or biodiversity and reduce overall costs. Where this is the case, consideration should be given to the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure.</p> <p>Paragraph 2.48.13 states:</p>	<p>The Proposed Development has been designed to optimise the physical characteristics of the site, taking into account the site elevation when lay-out of the panels to maximise potential power output as well as provide enhancement and mitigation within the area.</p> <p>ALC surveys were undertaken to confirm the land grades across the site. Measures have been taken to minimise and reduce the areas of grade 2 and grade 3a land utilised for solar development. Following further analysis, some additional Grade 2 land was identified and as noted below, where this was in single fields, this was removed from the areas proposed for PV Arrays. Further information on ALC is provided in Chapter 13 of this ES [Ref EN010127/APP/6.1].</p> <p>The grown cover will also allow continued agricultural use of land within the Solar PV area for grazing, which is included in the landscape management prescriptions set out in the outline Landscape Environmental Management Plans (oLEMP) [Ref EN010127/APP/7.9].</p> <p>There is relatively little previously developed land located within a sufficient distance of the National Grid Ryhall Substation that an appropriate grid connection could be provided to.</p> <p>The Site Selection Report at Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2] considers some of the large previously developed sites within the wider area, which are discussed in section 3.1.</p>
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			BMV land (216ha) is required to be temporarily used for the lifetime of the Proposed Development.
<p>Part 2.49 - Solar Photovoltaic Generation - Solar photovoltaic generation: technical considerations for the secretary of state</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraph 2.49.2 states: Applicants will sometimes need to construct access tracks to connect solar farms to the public road network. Applications should include the full extent of the access tracks necessary and an assessment of their effects.</p> <p>Paragraph 2.49.5 states: Developers are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way, where possible during construction, but in particular across the operation of the site, and to minimise as much as possible the visual outlook from existing footpaths. It should be noted that sites may provide the opportunity to facilitate enhancements to the local footpath network and the adoption of new public rights of way through site layout and design of access.</p> <p>Paragraph 2.49.6 states: It is anticipated that detail on how public rights of way would be managed to ensure they are safe to use is detailed in an outline Public Rights of Way Management Plan.</p> <p>Paragraph 2.49.7 states: It is likely that extensive underground cabling will be required to connect the electrical assets of the site, such as from the substation to the panel</p>	<p>The location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including ensuring the nature of the major arm being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows. Where there is not a reasonable access location within vicinity of the relevant area of the Solar PV Site, a new vehicle access has been provided that complies with all relevant highway safety requirements.</p> <p>Mitigation has been considered and embedded into the design of the development of the Proposed Development, including the provision of a consolidation strategy for deliveries, strict routing for vehicles, a shuttle service and off-site highway improvements.</p> <p>The oCEMP [Ref EN010127/APP/7.6], and oCTMP (including outline Travel Plan) [Ref EN010127/APP/7.11] is secured through the DCO and will inform the development of final management plans prior to construction as secured by a DCO Requirement.</p> <p>There are six Public Rights of Way (PRoW) which cross the Order limits which are described in Table 3.1 of Chapter 3 of the ES [Ref EN010127/APP/6.1]. in addition, the Macmillan Way recreational route follows the south-western boundary</p>

		<p>arrays or storage facilities. In the case of underground cabling, developers are expected to provide a method statement describing cable trench design, installation methodology, as well as details of the operation and maintenance regime.</p> <p>Paragraph 2.49.8 states: Perimeter security measures such as fencing, electronic security, CCTV and lighting may also be needed, with the measures chosen considered on a site-specific basis. The visual impact of these security measures, as well as the impacts on local residents, including for example issues relating to intrusion from CCTV and light pollution in the vicinity of the site, should be assessed.</p> <p>Paragraph 2.49.11 states: Applications should set out what would be decommissioned and removed from the site at the end of the operational life of the generating station. There may be some instances where it may be less harmful for the ecology of the site to keep or retain certain types of infrastructure. Furthermore, there may be socio-economic benefits in retaining site infrastructure after the operational life, such as retaining pathways through the site or a site substation.</p> <p>Paragraph 2.49.12 states: Where the consent for a solar farm is to be time-limited, the DCO should impose a requirement setting that time-limit from the date the solar farm starts to generate electricity.</p>	<p>before crossing the Solar PV Site and continues along the northern boundary of the south-western extent of the Solar PV Site.</p> <p>All PRoW within the Order limits are retained and the proposed Development has been designed to minimise impacts on these recreational resources. Appendix 6.5, of the ES includes an Access and Recreation Assessment (ARA) [Ref EN010127/APP/6.1].</p> <p>The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] identifies the mitigation measures provided for PRoW which includes stand-off distances of a minimum 15m on either side of the PRoWs and screening planting as appropriate.</p> <p>During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV.</p> <p>The lighting of the Onsite Substation and ancillary buildings 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, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings.</p> <p>The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7]</p>
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		<p>Paragraph 2.49.15 states:</p> <p>As set out in Chapter 4 of EN-1, at the time of application, solar farm operators may have multiple commercial agreements under consideration and may not know precisely which panels will be procured for the site until sometime after any consent has been granted. If panel details, or any other relevant information, are not available, then the applicant should assess the worst-case effects that the project could have (as set out in EN-1 paragraph 4.2.6) to ensure that the project as it may be constructed has been properly assessed. In this respect some flexibility should be provided in the consent.</p> <p>Paragraph 2.49.17 states:</p> <p>Where other specific details of the design of the site are uncertain at the time of application, this should be made clear by the applicant with the reasons for the uncertainty given. Where elements of the design of the scheme are unknown, the maximum impact case scenario should be assessed, and the Secretary of State should consider the maximum adverse effects in its consideration of the application and consent.</p>	
<p>Part 2.50 -</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraphs 2.50.2 – 2.50.12 are summarised below as relevant:</p>	<p>The biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The Chapter 7 also outlines</p>

<p>Solar Photovoltaic Generation – Biodiversity and Nature Conservation</p>		<p>2.50.2 The applicant’s ecological assessments should identify any ecological risk from developing on the proposed site.</p> <p>2.50.3 The assessment should consider earthworks associated with construction compounds, access roads and cable trenching.</p> <p>2.50.4 The assessment should consider how security and lighting installations may impact on the local ecology.</p> <p>20.50.5 The assessment should consider how site boundaries are managed. If any hedges/scrub are to be removed, further surveys may be necessary to account for impacts. Buffer strips between perimeter fencing and hedges may be proposed, and the construction and design of any fencing should account 46 Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009) https://www.gov.uk/government/publications/code-of-practice-for-the-sustainable-use-of-soils-on-constructionsites National Policy Statement for Renewable Energy Infrastructure (EN-3) 87 for enabling mammal, reptile and other fauna access</p>	<p>the desk and site studies and surveys that have informed the DCO Application. A full description of the ecological baseline conditions identified is set out in the Ecological Baseline Report, which is provided in Appendix 7.4 of the ES [Ref EN010127/APP/6.2].</p> <p>The Proposed Development has incorporated suitable gaps (indicatively 30 x 30cm) into all lengths of security fencing to allow mammals to pass beneath, as secured in the oLEMP [Ref EN010127/APP/7.9]</p> <p>No areas of the Solar PV Site would be continuously lit during the construction, operation and decommissioning stages. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings would be in accordance with Health and Safety requirements. The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7].</p> <p>The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits.</p> <p>Mitigation of potential impacts is embedded into the design of the Proposed Development through avoidance of impacts, including retention of the majority of all HPis across the</p>
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		<p>into the site if required to do so in the ecological report.</p> <p>2.50.6 The assessment should consider the impacts of mobile arrays or trackers (if proposed) to avoid animals becoming trapped in moving parts.</p> <p>2.50.7 The applicant's assessment may be accompanied by a Flood Risk Assessment. This will need to consider the impact of drainage. As solar PV panels will drain to the existing ground, the impact will not in general be significant. Where access tracks need to be provided, permeable tracks should be used, and localised Sustainable Drainage Systems (SuDS), such as swales and infiltration trenches, should be used to control any run-off where recommended.</p> <p>2.50.8 The assessment should consider enhancement, management, and monitoring of biodiversity.</p> <p>2.50.10 Proposed enhancements should aim to achieve environmental and biodiversity net gain in line with the ambition set out in the 25 Year Environment Plan.</p>	<p>Order limits. An unavoidable loss of habitats associated with two LWS has been identified to accommodate visibility splays and facilitate access, and this has been minimised and mitigation provided through the creation of compensatory habitats.</p> <p>Additional habitats are created across the site, improving links between habitats within and adjacent to the Order limits, resulting in a net gain in habitats of over 72% and 40% for hedgerows.</p>
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<p>Part 2.51 - Solar Photovoltaic Generation – Landscape, Visual and Residential Amenity</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraphs 2.51.1 – 2.51.7 are summarised below as relevant:</p> <p>2.51.3 The applicant should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints.</p> <p>2.51.4 Applicants will be expected to direct considerable effort towards minimising the landscape/visual impact of solar PV arrays.</p> <p>2.51.5 The applicant should have regard in both the design layout of the solar farm, and future maintenance plans, to the retention of growth of vegetation on boundaries, including the opportunity for individual trees within the boundaries to grow on to maturity. The landscape and visual impact should be considered carefully at the pre-application stage. Existing hedges and established vegetation, including mature trees, should be retained wherever possible. Trees and hedges should be protected during construction. The impact of the proposed development on established trees and hedges should be informed</p>	<p>Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2].</p> <p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. It considers cumulative effects, visual and light pollution effects and effects on nature conservation. It includes reference to landscape character assessments relevant to the Proposed Development.</p> <p>With regard to landscape and visual impacts, the layout of the Proposed Development has been informed and influenced by the analysis contained in the LVIA [Ref EN010127/APP/6.1] and RVAA [Ref EN010127/APP/6.2] which have identified mitigation measures, including offsets and extensive new planting across the Order limits to strengthen landscape structure, create, and connect habitats and provide visual screening as set out in the oLEMP.</p> <p>The landscape structure within the Order limits is retained as part of the design, and opportunities to restore hedgerows have been included in the mitigation strategy, alongside appropriate and sensitive screening to minimise the visual intrusion of the Proposed Development.</p>
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		<p>by a tree survey or a hedge assessment as appropriate.</p> <p>2.51.6 Applicants should consider the potential to mitigate landscape and visual impacts through, for example, screening with native hedges. Efforts should be made to minimise the use and height of security fencing. Where possible projects should utilise existing features, such as hedges or landscaping, to screen security fencing and use natural features, such as vegetation planting, to assist in site security. Projects should minimise the use of security lighting. Any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises impact.</p> <p>2.51.7 The Secretary of State will consider visual impact of any proposed solar PV farm, taking account of any sensitive visual receptors, and the effect of the development on landscape character, together with the possible cumulative effect with any existing or proposed development.</p>	<p>Impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES, and noise impacts are considered in Chapter 10 of the ES [Ref EN010127/APP/6.1].</p> <p>The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] sets out measure for the control of light and noise during construction of the Proposed Development.</p> <p>During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV.</p> <p>The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] for the Proposed Development has been prepared with a view to securing opportunities to contribute to and enhance the wider natural environment. The scale of the Proposed Development is considered to be sensitively accommodated within the landscape with appropriate measures incorporated to minimise visual effects.</p>
<p>Part 2.52 - Solar Photovoltaic Generation –</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraphs 2.52.1 – 2.52.5 are summarised below as relevant:</p> <p>2.52.2 In some instances, it may be necessary to seek a glint and glare assessment as part of the</p>	<p>A glint and glare assessment (Appendix 15.3 of the ES) [Ref EN010127/APP/6.2] of the operational and construction phase has been prepared to assess the possible effects</p>

<p>Glint and Glare</p>		<p>application. This may need to account for ‘tracking’ panels if they are proposed as these may cause differential diurnal and/or seasonal impacts. The potential for solar PV panels, frames and supports to have a combined reflective quality should be assessed. This assessment needs to consider the likely reflective capacity of all of the materials used in the construction of the solar PV farm.</p> <p>2.52.3 Applicants should consider using, and in some cases the Secretary of State may require, solar panels to be of a non-glare/ non-reflective type and the front face of the panels to comprise of (or be covered) with a non-reflective coating for the lifetime of the permission</p>	<p>upon road users, residential amenity, aviation activity, and railway operations and infrastructure in line policies.</p> <p>The assessment has considered both fixed and single-axis tracker solar panel layouts. The Glint and Glare Assessment in Appendix 15.3 of the ES [Ref EN010127/APP/6.2] does not identify the need for any further measures above and beyond one small area of mitigation planting to address impacts arising from the Proposed Development. Therefore, the requirement for the application of any non-glare or reflective materials is not considered necessary.</p> <p>The assessment concludes that with a combination of existing and proposed existing screening, the Proposed Development is not predicted to have significant glint and glare impacts on surrounding aviation activity, road users, or railway operations and infrastructure.</p> <p>The potential additional screening location area is shown in the Glint and Glare Assessment [Ref EN010127/APP/6.2] and secured in the oLEMP [Ref EN010127/APP/7.9].</p>
<p>Part 2.53 - Solar Photovoltaic Generation – Cultural Heritage</p>	<p>Solar technology not specifically covered in adopted EN-3</p>	<p>Paragraphs 2.53.1 – 2.53.8 are summarised below as relevant:</p> <p>2.53.5 Applications should take account of the results of historic environment assessments in their design, for instance through the sensitive planning of installations. The applicant should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their</p>	<p>Chapter 8 of the ES [Ref EN010127/APP/6.1] includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.</p> <p>A heritage settings assessment was undertaken early in the design process in order to allow avoidance and mitigation measures to be designed into the Proposed development.</p>

		<p>setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large-scale solar farms on such assets. Depending on their scale, design and prominence, a large-scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets.</p> <p>2.53.8 Solar farms are generally consented on the basis that they will be time-limited in operation. The Secretary of State should therefore consider the length of time for which consent is sought when considering the impacts of any indirect effect on the historic environment, such as effects on the setting of designated heritage assets.</p>	<p>The incorporation of significant offsets to maintain a degree of separation between the Solar PV Site and surrounding designated heritage assets.</p> <p>The existing landscape structure within the Order limits, including hedgerows and tree-lines defining historic field systems will be preserved, and in many instances enhanced through additional planting. Where possible, new planting has been aligned to historic field boundaries which will serve to repair historic landscape structures, and serve to reduce any visibility of the Proposed Development from the identified heritage assets.</p> <p>Retention and management of these landscape features as detailed in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] would serve to minimise the effect of the Proposed Development upon historic landscape features within the Order limits.</p> <p>The assessment concludes there will be ‘no impact’ upon any of the identified assets or their setting resulting from any phase of the Proposed Development.</p> <p>Given the ‘no impact’ conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area.</p>
<p>Part 2.54 - Solar Photovoltaic Generation –</p>		<p>Paragraphs 2.54.1 – 2.54.10 are summarised below as relevant:</p> <p>2.54.3 The applicant should have assessed the various potential routes to the site for delivery of</p>	<p>The overall construction period is assessed at 24 months, although construction will take place in phases across the Solar PV Site.</p> <p>Chapter 9 of the ES [Ref EN010127/APP/6.1] assesses the impact of the Proposed Development on traffic and</p>

<p>Construction Impacts</p>		<p>materials and components where the source of the materials is known at the time of the application and selected the route that is the most appropriate.</p> <p>2.54.4 The applicant should assess whether the access roads are suitable for the transportation of components which will include whether they are sufficiently wide for the proposed vehicles, or bridges sufficiently strong for the heavier components to be transported to the site.</p> <p>2.54.8 Once consent for a scheme has been granted, applicants should liaise with the relevant local highway authority (or other coordinating body) regarding the start of construction and the broad timing of deliveries. It may be necessary for an applicant to agree a planning obligation to secure appropriate measures, including restoration of roads and verges. It may be appropriate for any non-permanent highway improvements carried out for the development (such as temporary road widening) to be made available for use by other subsequent solar farm developments.</p>	<p>transport. A Transport Assessment is included in appendix 9.4 of the ES [Ref EN010127/APP/6.2].</p> <p>In response to paragraph 2.54.3 The Site Selection Report at Appendix 1 of the Planning Statement explains how the location of the Proposed Development was selected. Section 3.1 confirms that the Order limits is accessible by the rural road network, and in relatively close proximity to the Strategic Road Network (SRN) by virtue of the A1, a major dual carriageway, which is approximately 5.5km to the west of the Order limits. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate HGVs and potential Abnormal Indivisible Loads (AILs). The National Grid Ryhall Substation was granted planning permission in September 2013 (reference 2013/0291/FUL) and a Construction Traffic Management Plan was submitted and approved which included a preferred route for construction traffic (via Ryhall Road and the A6121) and the provision of passing places in the highway verge on Uffington Lane due to its relatively narrow width (3m – 4.5m). The close proximity of the Order limits to the SRN and the ability to use the improvements made at the time of the National Grid Ryhall substation construction, further support the use of the Order limits for a solar project.</p> <p>In response to Paragraph 2.54.4 of the draft revised NPS EN-3, chapter 9 of the ES assesses the suitability of the accessibility of the site and appraises different options in order to select a route which minimises adverse effects. The location of the primary construction compound for the Proposed Development is to be located directly opposite to the Ryhall 400kV Substation at Uffington Lane. The Primary</p>
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			<p>Construction Compound for the Proposed Development will be located opposite the Ryhall Substation, also accessed via Uffington Lane.</p> <p>The noise impacts of construction related traffic passing to and from the Solar PV Site along local surrounding roads has been determined based on the relative change of noise levels for receptors along this route. This is set out in Appendix 10.5 and Section 10.1 of Chapter 10 of the ES [Ref EN010127/APP/6.1].</p> <p>As concluded in Chapter 9 of the ES [Ref EN010127/APP/6.1], the impacts of the Proposed Development are such that the provision of new transport infrastructure is not required.</p> <p>Required mitigation is embedded into the design of the Proposed Development, and set out in the oCTMP and oTP [Ref EN010127/APP/7.11], which includes demand management measures to minimise traffic and transport related impacts, including consolidation of required HGV movements and internal traffic routing to reduce impacts on the LRN. These are secured via DCO requirement.</p> <p>Minor highway improvement are required, as discussed in the OCTMP.</p>
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Mallard Pass Solar Farm

Table 3 National Policy Statement for Electricity Networks Infrastructure (EN5) – Table of Compliance

Policy	EN-5 Policy Text	Draft EN-5 Policy Text	Assessment
<p>Part 2.3 – General assessment principles for electricity networks</p>	<p>Paragraph 2.3.4 states: If the IPC believes it needs to probe further then factors it may wish to consider include whether the project would make a significant contribution to the promotion of renewable energy, the achievement of climate change objectives, the maintenance of an appropriate level of security of electricity supply or whether it helps achieve other energy policy objectives.</p> <p>Paragraph 2.3.5 states: The IPC should also take into account that National Grid, as the owner of the electricity transmission system in England and Wales, as well as Distribution Network Operators (DNOs), are required under section 9 of the Electricity Act 1989 to bring forward efficient and economical proposals in terms of network design, taking into account current and reasonably anticipated future generation demand. National Grid is also required to facilitate competition in the supply and generation of electricity and so has a statutory duty to provide a connection whenever or wherever one is required.</p>	<p>2.4.4 The Secretary of State should also take into account that Transmission Owners (TOs) and Distribution Network Operators (DNOs) are required under Section 9 of the Electricity Act 1989 to bring forward efficient and economical proposals in terms of network design. TOs and DNOs are also required to facilitate competition in the generation and supply of electricity, and electricity distributors have a statutory duty to provide a connection where requested.</p>	<p>As explained in the Statement of Need [Ref EN01012/APP/7.1], solar generation is a critical element of the plan to decarbonise the UK electricity sector with urgency and is already a leading low-cost generation technology in the UK. The national need for solar generation is urgent and the capacity required is significantly greater than the capacity of projects currently understood to be in development.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3], describes how the Mallard Pass Project Principles (which include Project Principle C2 - Design for resilience to future climate change) were developed and have been applied in the design evolution of the Proposed Development from the outset.</p> <p>The Applicant has secured a connection to the National Grid via a new below-ground grid connection cable located within the Grid Connection Route. This will connect the new Mallard Pass Substation with the existing Ryhall</p>

			Substation. Further details of this are included in the Grid Connection statement [Ref EN010127/APP/7.4]
Part 2.4 – Climate change adaptation	<p>Paragraph 2.4.1 states:</p> <p>Part 2 of EN-1 provides information regarding the Government’s energy and climate change strategy including policies for mitigating climate change.</p> <p>Section 4.8 of EN-1 sets out the generic considerations that applicants and the IPC should take into account to help ensure that electricity networks infrastructure is resilient to climate change. As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable and, as appropriate, how it would be resilient to:</p> <ul style="list-style-type: none"> ▪ flooding, particularly for substations that are vital for the electricity transmission and distribution network; ▪ effects of wind and storms on overhead lines; ▪ higher average temperatures leading to increased transmission losses; and ▪ earth movement or subsidence caused by flooding or drought (for underground cables). 	<p>2.6.1 Section 4.9 of [draft revised] EN-1 sets out the generic considerations that Applicants and the Secretary of State should take into account in order to ensure that electricity networks infrastructure is resilient to the effects of climate change. As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, Applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:</p> <ul style="list-style-type: none"> • flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change • the effects of wind and storms on overhead lines • higher average temperatures leading to increased transmission losses • earth movement or subsidence caused by flooding or drought (for underground cables) • coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively <p>2.6.2 Section 4.9 of EN-1 advises that the resilience of the project to the effects of climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, future</p>	<p>As outlined in Chapter 13: Climate Change and Resilience of the ES [Ref EN010127/APP/6.1] account of the effects of climate change have been taken in the design of the Proposed Development and its construction and decommissioning.</p> <p>A Flood Risk Assessment (FRA) included in Appendix 11.5 of the ES [Ref EN010127/APP/6.2] has been prepared in accordance with the requirements of paragraphs section 5.7 of NPS EN1 (and the NPPF), and the likely effects of the Proposed Development associated with flood risk have been assessed in Chapter 11 of the ES [Ref EN010127/APP/6.1].</p> <p>The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give</p>

	<p>Paragraph 2.4.2 states:</p> <p>Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Section 5.7 in EN-1).</p>	<p>increased risk of flooding would be covered in any flood risk assessment (see Section 5.8 in EN-1). Add final bullet coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively</p>	<p>rise to any adverse flood effects either within, or outside of the Order limits.</p>
<p>Part 2.5 – Consideration of good design</p>	<p>Paragraph 2.5.2 states:</p> <p>Proposals for electricity networks infrastructure should demonstrate good design in their approach to mitigating the potential adverse impacts which can be associated with overhead lines, particularly those set out in Sections 2.7 to 2.10 below.</p>	<p>2.7.1 The 2008 Act requires the Secretary of State to have regard, in designating an NPS, to the desirability of good design. Section 4.6 of EN-1 sets out general criteria for good design that, where possible, all energy infrastructure should embody.</p> <p>2.7.2 However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant’s ability to influence the aesthetic appearance of that infrastructure. While the above principles should govern the design of an electricity networks infrastructure application to the fullest possible extent – including in its avoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9-2.14 below) – the functional performance of the infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.</p>	<p>The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise visual impacts upon identified receptors.</p> <p>No visual impacts arise from the grid connection or other cabling arising from the Proposed Scheme, as it is underground.</p>

<p>Part 2.10 15</p>	<p>Paragraph 2.10.2 stages:</p> <p>Undergrounding of a line would reduce the level of EMFs experienced, but high magnetic field levels may still occur immediately above the cable. It is not the Government's policy that power lines should be undergrounded solely for the purpose of reducing exposure to EMFs. Although there may be circumstances where the costs of undergrounding are justified for a particular development, this is unlikely to be on the basis of EMF exposure alone, for which there are likely to be more cost-efficient mitigation measures. Undergrounding is covered in more detail in paragraphs 2.8.8 – 2.8.9 (landscape and visual).</p>	<p>2.13.2 All overhead power lines produce EMFs. These tend to be highest directly under a line, and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health. The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a micro shock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.</p>	<p>Low voltage distribution and grid connection cables will typically be buried as set in Chapter 5 of the ES [Ref EN010127/APP/6.1] and appendix 5.1 [Ref EN010127/APP/6.2].</p> <p>The depth and separation of the cables will be designed in accordance with the British Standard and National Grid Recommendation (E.g.- CDS-GFS-00-001-R1 underground cable installation, XDS GFS 00 001 R4 Substation General Requirements etc.) boundaries to minimise the potential for magnetic field effects on relevant receptors.</p>
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Mallard Pass Solar Farm

Table 4 National Planning Policy Compliance Table

National Planning Policy Framework		
Policy	Policy Text	Assessment
<p>Section 2: Achieving sustainable development</p> <p>Paragraph 8</p>	<p>Paragraph 8 states:</p> <p>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <p>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</p> <p>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p>	<p>The Proposed Development achieves the three objectives of sustainable development.</p> <p>The Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UKs ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation. Chapter 13 of the Environmental Statement (ES) [Ref EN010127/APP/6.1] demonstrates the important contribution the Proposed Development will make to reducing Greenhouse Gas emissions.</p> <p>Chapter 14 of the ES confirms that the Proposed Development will support the rural economy by supporting an estimated 150 FTE gross temporary jobs during the 24-month construction period. An outline Skills, Supply Chain and Employment Plan [Ref EN010127/APP/7.1] is to be prepared to support and enable local residents and businesses to access the employment and supply chain opportunities that will be presented.</p>

	<p>c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>A series of measures are included to minimise and offset the GHG footprint of the Proposed Development, which are detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]. These documents also include an obligation to prepare a Pollution Prevention Plan by Requirement of the DCO.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] sets out how good design has been embedded in the Proposed Development vision and objectives, how these have influenced the overall siting and aesthetics of the Proposed Development, how this has been considered and how good design will be taken forward at detailed design stage.</p> <p>The Design and Access Statement details the design process which has enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests. A key element of the strategy has been the identification and retention of beneficial biodiversity features into the layout of the proposed development. Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9], and in the oCEMP oDEMP, all of which are secured in under the DCO. The habitat creation and enhancements identified that will deliver a significant net gain in biodiversity value of the land within the Order Limits. This has been shown to be</p>
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		<p>just over 72% Net Gain with the use of the Biodiversity Metric 3.1.</p> <p>The Waste Hierarchy principles are embedded into the outline environmental management plans that form part of the DCO. These include a requirements for preparation of a Construction Resource Management Plan (CRMP) as required in the oCEMP, and the preparation of a Decommissioning Resource Management Plan (DRMP) as required in the oDEMP.</p>
<p>Section 6: Building a strong, competitive economy Paragraphs 81 and 84</p>	<p>Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.</p> <p>Paragraph 84 states that in supporting a prosperous rural economy planning decisions should enable the development and diversification of agricultural and other land-based rural businesses.</p>	<p>Chapter 14 of the ES [Ref EN010127/APP/6.1] includes an assessment of socio-economic impacts of the Proposed development at local and regional levels.</p> <p>With respect to paragraph 81, the socio-economic assessment indicates that the majority of socio-economic impacts experienced during the construction and decommissioning phases relate to the creation of employment opportunities and increased spend on local services. The socio-economic assessment estimates that an average of 150 FTE gross temporary jobs will be created over the 24 month construction period. An outline Skills, Supply Chain and Employment Plan [Ref EN010127/APP/7.1] is to be prepared to support and enable local residents and businesses to access the employment and supply chain opportunities that will be presented. With respect to paragraph 84, the application allows the diversification of existing agricultural businesses. Chapter 12 of the ES confirms that the land occupied by the Solar PV site only involves part of their respective wider agricultural land holding, allowing farming activities to continue on land outside of the Solar PV Site. The potential</p>

		<p>for grazing amongst the solar arrays within the Solar PV Site is included within in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9].</p>
<p>Section 8: Promoting healthy and safe communities</p> <p>Paragraphs 92, 93, 97, 98 and 100</p>	<p>Paragraph 92 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:</p> <p>a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;</p> <p>b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and</p> <p>c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p>	<p>With respect to part (a) the Proposed Development has been designed in a way not support the objectives of this part of the policy. The Proposed Development retains all PRow and introduces new permissive paths as described in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] which will help to enhance recreational opportunities and potentially connect communities.</p> <p>With respect to paragraph 92, part (b) and paragraph 97 the Proposed development has been designed to ensure that solar infrastructure is secured via proportionate measures to reduce the opportunity for crime whilst respecting the character of the location of the Order limits. The Solar PV areas have been set back from PRow in proximity to the order limits have been designed to ensure these routes remain reasonable open so as not to cause opportunities for intimidation.</p> <p>With respect to paragraph 92 part (c) the impacts upon health are assessed in the ES [Ref EN010127/APP/6.1]. Any interactions with human health arising from the Proposed Development are considered in relevant environmental topic Chapters such as air quality, noise, socio-economics and climate change. Accounting for mitigation measures identified in the ES, the Proposed Development has been designed and would be maintained</p>

	<p>Paragraph 97 states that planning policies and decisions should promote public safety and take into account wider security and defence requirements by:</p> <p>a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and</p> <p>b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.</p> <p>Paragraph 98 states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine</p>	<p>to operate safely and there are considered to be no unacceptable impacts of risk to human health.</p> <p>With respect to paragraphs 98 and 100, the Proposed Development maintains and enhances Green Infrastructure connections across the Order Limits as illustrated in the Green Infrastructure Strategy Plan included within the oLEMP [Ref EN010127/APP/7.9]. This will be secured by Requirement in the DCO. The Design and Access Statement [Ref EN010127/APP/7.3] outlines that as well as retaining all existing Public Rights of Way (PRoW) across the Site, 8.1km of new permissive routes have been incorporated into the Proposed Development as illustrated on the Green Infrastructure Strategy Plan.</p>
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	<p>what open space, sport and recreational provision is needed, which plans should then seek to accommodate.</p> <p>Paragraph 100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p>	
<p>Section 9: Promoting sustainable transport Paragraphs 104, 110, 111 and 113</p>	<p>Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <ul style="list-style-type: none"> a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and 	<p>In relation to paragraph 104, Chapter 9 of the ES [Ref EN010127/APP/6.1] assesses the impact of the Proposed Development on traffic and transport. A Transport Assessment is included in Appendix 9.4 of the ES [Ref EN010127/APP/6.2] Chapter 9 of the ES outlines the transport related mitigation measures that have been integrated into the design of the Proposed Development. Section 7.12 of the Planning Statement confirms that the potential for adverse effects would be local, temporary and medium term and not significant. Therefore, it is not considered that there would be any adverse impacts upon the transport network.</p> <p>The options for promoting walking, cycling and public transport are limited due to the rural location of the Order limits. However, the outline Construction traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11], which includes an outline Travel Plan includes measures to promote sustainable travel.</p> <p>The environmental effects related to traffic and transport arising from the proposed development reconsidered in Chapter 13 of the ES. A series of measures are included to</p>

	<p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p> <p>Paragraph 110 requires that safe and suitable access to a site can be achieved for all users and states that it should be ensured that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</p> <p>Paragraph 111 directs that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.</p> <p>Paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.</p>	<p>minimise and offset the GHG footprint of the Proposed Development, which are detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8].</p> <p>With respect to paragraph 110, the location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including ensuring the nature of the major arm being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows. Where there is not a reasonable access location within vicinity of the relevant area of the Solar PV Site, a new vehicle access has been provided that complies with all relevant highway safety requirements.</p> <p>With respect to paragraph 111, Chapter 9 of the ES [Ref EN010127/APP/6.1] concludes that no unacceptable impacts are caused to highway safety and no residual cumulative impacts arise.</p> <p>With respect to paragraph 113, Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11] includes an outline Transport Plan (oTP) which outlines measures proposed to mitigate the transport impacts as well as improve existing infrastructure</p>
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		and promote sustainable transport which is secured through DCO Requirement.
Section 11: Making effective use of land Paragraph 120(a)	Paragraph 120(a) states that planning policies and decisions should 'encourage multiple benefits from both urban and rural land, including through [...] taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation [...].'	<p>The Statement of Need [Ref EN010127/APP/7.1] demonstrates the importance of utilising existing grid capacity to deliver renewable energy generating development.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] details the design process which enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests.</p> <p>The resultant embedded mitigation is described in section 7.3 of Chapter 7 of the ES [Ref EN010127/APP/6.1] and identified in the Green Infrastructure Strategy Plan included in the outline Landscape and Ecological Management plan (oLEMP) [Ref EN010127/APP/7.9]. The habitat creation and enhancements identified that will deliver a significant net gain in biodiversity value of the land within the Order Limits. This has been shown to be just over 72% Net Gain with the use of the Biodiversity Metric 3.1</p>
Section 12: Achieving well-designed places Paragraphs 126, 130, 132 and 134	<p>Paragraph 126 acknowledges that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.</p> <p>Paragraph 130 outlines that planning decisions should ensure that developments function well and add to the</p>	With respect to paragraph 126 and 130, the Design and Access Statement [Ref EN010127/APP/7.3] sets out how good design has been embedded in the Proposed Development vision and objectives, how these have influenced the overall siting and aesthetics of the Proposed Development, how this has been considered and how good design will be taken forward at detailed design stage. Good design is embedded into the Proposed Development as set

	<p>overall quality of the area over the lifetime of the development. They should be visually attractive as a result of good layout and appropriate and effective landscaping. Furthermore, they should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.</p> <p>Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.</p> <p>Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:</p>	<p>out in the Green Infrastructure Strategy Plan included in the oLEMP which includes a combination of setbacks and screening, and introduces a new network of permissive paths, to help mitigate the impacts of the Proposed Development.</p> <p>With respect to paragraph 132, the design evolution, iterations and changes to the site layout and development parameters in response to consultee feedback has been explained within the Design and Access Statement.</p> <p>In respect of paragraph 134, the Design and Access Statement [Ref EN010127/APP/7.3] outlines how the Proposed Development has taken into account the guidance in the National Policy Statement for Energy (EN-1), the draft revisions EN-1, the National Policy Statement for Renewable Energy Infrastructure (EN-3) and the emerging new EN-3 in relation to good design. The National Infrastructure Commission (NIC) 'Design Principles for National Infrastructure' of climate, people, place and value have been adopted to guide the design development of the Proposed Development. These NIC Design Principles have been 'localised' throughout the design development process and have now been developed into project specific Design Guidance to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy.</p> <p>In response to paragraph 134 a), local design policy has been considered in the design development of the Proposed Development and is set out in tables 6- 10 at</p>
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	<p>a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or</p> <p>b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings</p>	<p>Appendix 3 of the Planning Statement [Ref EN010127/APP/7.2]</p> <p>In response to paragraph 134 b), the landscape-led design approach for the Proposed Development ensures that the layout responds to and fits with the existing landscape structure within the Order limits. This is demonstrated through the design approach described in the Design and Access Statement and shown within the Green Infrastructure Strategy Plan contained within the oLEMP [Ref EN010127/APP/7.9] which details how the Proposed Development will fit in with the overall form and layout of the surroundings.</p>
<p>Section 14: Meeting the challenge of climate change, flooding and coastal change</p> <p>Paragraphs 152, 154 158, 159, 167 and 169</p>	<p>Paragraph 152 identifies that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It states that it should shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, and support renewable and low carbon energy and associated infrastructure.</p> <p>Paragraph 154 states that new development should be planned for in ways that:</p> <p>a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and</p>	<p>With respect to paragraph 152, as explained in the Statement of Need [Ref EN010127/APP/7.1] and summarised in Section 3 of the Planning Statement [Ref EN010127/APP/7.2], the Proposed Development has the potential to deliver significant amounts of low-carbon electricity and make a material contribution to help meet the UK's commitments to decrease carbon emissions and reach net zero by 2050.</p> <p>With respect to paragraph 154, the Proposed Development has been planned in a way to avoid increased vulnerability to impacts arising from climate change, and to reduce greenhouse gas emissions. Chapter 13 of the ES [Ref EN010127/APP/6.1] includes a carbon assessment that considers the effects of Greenhouse Gas (GHG) emissions generated at all stages of the Proposed Development, being construction, operation, and decommissioning. A series of measures are included to minimise and offset the GHG footprint of the Proposed Development, which are</p>

	<p>b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards.</p> <p>Paragraph 158 outlines that, ‘When determining planning applications for renewable and low carbon development, local planning authorities should:</p> <p>a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and</p> <p>b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.’</p> <p>Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p>	<p>detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8].</p> <p>In respect of paragraph 159, 167 and 169, The Proposed Development is mainly located in the Flood Zone 1 area to avoid risk of flooding. The Flood Risk Assessment included in Appendix 11.4 of the ES [Ref EN010127/APP/6.2] includes a sequential test which has assisted in identifying and avoiding land which is susceptible to flooding. Chapter 11 of the ES [Ref EN010127/APP/6.1] sets out how measures to avoid and minimise impacts have been embedded into the design of the Proposed Development. Part of the Solar PV Site is located in Flood Zone 2 areas, infrastructure in these areas has been limited to solar PV arrays which will be raised above the 1 in100 year (plus climate change) flood event and will not increase the risk of flooding to the rest of the Order limits or downstream. Appendix In response to paragraph 169, an oSWDS is included in Appendix 11.6 of the ES [Ref EN010127/APP/6.2] and has been prepared in accordance with NPS EN-1, NPPF, and the advice raised from the consultation with LLFA. An outline Water Management Plan [Ref EN010127/APP/7.6], and outline Surface Water Drainage Strategy included Appendix 11.6 of the ES [Ref EN010127/APP/6.2] are submitted as part of the DCO Application. These documents have been prepared in accordance with NPS EN-1, NPPF, and the advice raised from the consultation with LLFA. They describe water management measures to control surface water runoff and drain areas of hardstanding and other structures during the</p>
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	<p>Paragraph 167 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <ul style="list-style-type: none"> a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan. <p>Paragraph 169 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p>	<p>construction, operation and decommissioning of the Proposed Development.</p>
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	<p>a) take account of advice from the lead local flood authority;</p> <p>b) have appropriate proposed minimum operational standards;</p> <p>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</p> <p>d) where possible, provide multifunctional benefits.</p>	
<p>Section 15: Conserving and enhancing the natural environment</p> <p>Paragraphs 174, 175, 176, 180, 183 ,185 and 186</p>	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <p>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p> <p>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</p> <p>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</p> <p>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or</p>	<p>With respect to paragraph 174:</p> <p>Part a) and b) the ES [Ref EN010127/APP/6.1] at Chapter 6 includes a Landscape and Visual Impact Assessment (LVIA), Chapter 7 considers sites of biodiversity or ecological value, and Chapter 12 considers land use and soils. Each assess the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. The LVIA confirms that the Order Limits are not located within a statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA). Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], and within the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline</p>

	<p>being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</p> <p>Paragraph 175 of the NPPF advises that plans should allocate land with the least environmental or amenity value, consistent with other policies in the Framework. The footnote (58) advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p> <p>Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p>	<p>Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.6] of which are secured in under the DCO.</p> <p>Chapter 12 refers to the outline Soil Management Plan (oSMP) [Ref EN010127/APP/7.12] which contains measures to ensure soil qualities across the Order limits are preserved.</p> <p>Part d) A Biodiversity Net Gain calculation [Ref EN010127/APP/6.5] is included in the DCO Application. The habitat creation and enhancement works being proposed for within the Order limits will provide a high net gain in biodiversity value for the area within it. This has been shown to be just over 72% with the use of the Biodiversity Metric 3.1.</p> <p>Part e) The assessment of potential impacts on water resources and ground conditions is included in Chapter 11 of the ES [Ref EN010127/APP/6.1]. The Chapter presents the existing status of the water environment and the likely effects of the Proposed Development. The Chapter concludes that with appropriate mitigation, as set out in the outline Water Construction Management Plan (oWCMP) which is included in the outline Construction Environmental management Plan (oCEMP) [Ref EN010127/APP/7.13], there are likely to be no significant adverse effects on water quality, water resources or physical characteristics of the water environment as a result of the Proposed Development.</p> <p>With respect to paragraph 175 and footnote 58, the Order limits contain land which is classified as Best and Most Versatile (BMV) agricultural land. Chapter 12 of the ES [Ref</p>
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	<p>Paragraph 180 sets out the principles that local planning authorities should apply with regard to habitats and biodiversity when determining planning applications including refusing applications where significant harm to biodiversity cannot be mitigated/compensated for; protecting SSSIs; refusing developments that result in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional; and encouraging opportunities to incorporate biodiversity improvements especially where this can secure measurable gains for biodiversity.</p> <p>Paragraph 183 states that planning policies and decisions should ensure that:</p> <p>a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);</p> <p>b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and</p>	<p>EN010127/APP/6.1, Land Use, identifies the environmental effects of the Proposed Development upon BMV agricultural land, and section 7.4 of the Planning Statement considers the implication of this in land use policy terms.</p> <p>Regarding 176, Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. The LVIA confirms that the Order Limits are not located within a statutory or non-statutory landscape designations such as a National Park, Area of Outstanding Natural Beauty (AONB) or a local plan Special Landscape Area (SLA).</p> <p>With respect to paragraph 180, the biodiversity and geological conservation impacts of the Proposed Development are considered in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The Chapter sets out all relevant the designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits. Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], and within the outline Construction Environmental Management</p>
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	<p>c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.</p> <p>Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <p>a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;</p> <p>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation</p> <p>Paragraph 186 states that Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual</p>	<p>Plan (oCEMP) [Ref EN010127/APP/7.6] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.6] of which are secured in under the DCO.</p> <p>With respect to paragraph 183, no potential contaminated land issues are identified within the Order limits.</p> <p>With respect to paragraph 185, part (a) and (b) Chapter 10 of the ES, Noise and Vibration, [Ref EN010127/APP/6.1] includes a noise assessment of the Proposed Development, including of the impacts of construction, decommissioning and operational noise on human receptors in residential settings and from recreational routes (PRoW). As mitigation, the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes standard good practice measures such as use of Best Practical Means to reduce disturbance associated with noise and vibration during construction as far as reasonably practicable, with reference to relevant guidance in BS 5228.</p> <p>Section 2.4 of the oCEMP sets working hour restrictions for the Proposed Development, with specific restrictions on activities likely to generate substantial levels of noise (including earthworks, trench construction and any piling), and HGV deliveries.</p> <p>To mitigate impact during the operational phase the overall design of the work areas included in the Proposed Development has been developed to generally maximise where possible the distance between areas where noise-generating plant may be located from noise-sensitive receptors. In addition, general design principles have been</p>
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	<p>sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.</p>	<p>set out for the Proposed Development meaning that central inverters (if used) will be located at a minimum distance of 250m and 50m from residential properties and PRowS respectively. Operational noise has been assessed and the layout of noise-generating equipment has been set back from sensitive receptors (including heritage assets) as embedded mitigation. The detailed design of the Proposed Development will be controlled through a requirement of the DCO in line with the Design Guidance contained within the Design and Access Statement [Ref EN010127/APP/7.3].</p> <p>With respect to paragraph 185, part (c), impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES. During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings 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, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings. The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7].</p> <p>In addition, the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] sets out measure for the control of light and noise during construction of the Proposed Development.</p>
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		<p>186, an Air Quality Assessment has been undertaken, the results of which are set out in section 15.2 of Chapter, 15 of the ES, [Ref EN010127/APP/6.1] It is concluded that the Proposed Development would not lead to a deterioration in air quality locally or lead to any air quality breaches elsewhere.</p> <p>An outline Construction Transport Management Plan (oCTMP) [Ref EN010127/APP/7.11] and an oCEMP prepared in support of the DCO Application set out measures to manage potential air quality effects during construction. The oCEMP includes measures to minimise dust emissions and establish non-road mobile machinery (NRMM) controls during the construction phase. The oCTMP includes a one-way system for HDVs accessing the Order limits to minimise the number of HDVs travelling on any one road link, as well as other measures to reduce construction traffic movements on the public highway network.</p>
<p>Section 16: Conserving and enhancing the historic environment. Paragraph 194, 200 and 205</p>	<p>Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which</p>	<p>With respect to paragraph 194, Chapter 8 of the ES [Ref EN010127/APP/6.1] includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets. The heritage assessments are set out in Appendix 8.4 of the ES [Ref EN010127/APP/6.2].</p> <p>The Chapter confirms that there are no designated or non-designated heritage assets comprising Listed Buildings,</p>

	<p>development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p> <p>Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:</p> <p>a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;</p> <p>b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p> <p>The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset</p>	<p>Conservation Areas, Scheduled Monuments or Registered Parks located within the Order limits. Only a limited number of historic assets have been identified which could potentially be affected by the Proposed Development. These are:</p> <p>the Scheduled Monument of Essendine Castle and the Grade II* Listed Church of St.Mary located 50m to the west of the Order limits;</p> <p>the Grade II Listed Banthorpe Lodge located 190m to the east of the Order limits; and</p> <p>the non-designated heritage asset Braceborough Grange is located 10m to the north of the Order limits.</p> <p>The Chapter identifies that no significant effects upon these assets, or upon buried archaeological remains, the historic landscape or historic buildings will result from the construction, operation or decommissioning of the Proposed Development.</p> <p>Given the ‘no impact’ conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 5.8.15 of NPS EN-1 or the draft revised NPS EN-1 paragraph 5.9.23, or paragraph 202 of the NPPF.</p> <p>Regarding the potential impacts upon buried archaeological remains, paragraph 5.9.26 of the draft revised NPS EN-1 and Paragraph 203 of the NPPF are engaged. The policies state that balanced judgements are required having regard to the scale of any harm or loss of significance to non-</p>
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		designated heritage assets. Section 8.4 of the ES confirms that both the scale of the impact, and significance of the potentially affected non-designated assets is 'limited'.
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Mallard Pass Solar Farm

Table 5 National Planning Practice Guidance accordance

National Planning Practice Guidance		
Policy	Policy Text	Assessment
<p>Paragraph: 013 Reference ID: 5-013-20150327</p> <p>What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?</p>	<p>The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively.</p> <p>Particular factors a local planning authority will need to consider include:</p> <ul style="list-style-type: none"> encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value; 	<p>The Site Selection Report (Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2]) explains the process for identifying the location of the Order limits.</p> <p>Section 3.1 of the Site Selection Report state the outcomes of a consideration of alternative sites comprising previously developed land (PDL) and concludes that there are no available and suitable PDL sites within reasonable proximity of the National Grid's 400kv Ryhall Substation.</p> <p>The countryside location for the Proposed Development is considered justified as essential infrastructure with a primary function to import energy from renewable sources providing wider sustainability benefits to the community through the delivery of a considerable amount of renewable energy generation capacity that is urgently needed to help meet national energy and climate change objectives and commitments, as detailed by the Statement of Need [Ref EN010127/APP/7.1].</p>
	<ul style="list-style-type: none"> where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be 	<p>Section 3.1 of the Site Selection Report (Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2]) clarify how agricultural land</p>

	<p>necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015.</p>	<p>quality has been considered and explains the process in locating the Order limits in proximity to the available capacity at the Ryhall 400KV Substation. Predictive and provisional Agricultural Land Classification / Best and Most Versatile (BMV) mapping show that there are no locations that were obviously more favourable for the Proposed Development in terms of agricultural land quality in proximity to the Ryhall Substation.</p> <p>Measures have been taken to minimise and reduce the areas of higher grade (grades 3a and above) land utilised for solar development. There is no grade 1 agricultural land within the Order limits. Fields that were identified as consisting entirely of grade 2 land, i.e. single agricultural units, have been removed from solar development. These are retained within the Order limits as Mitigation and Enhancement Areas and where these areas form all or part of an existing agricultural land use, they will be retained as that use.</p> <p>With regards to grade 3a land, Solar PV arrays and other infrastructure have been removed from agricultural fields where this also aligns with other environmental or sustainability objectives or mitigation measures identified in the Environmental Statement (ES) [Ref EN010127/APP/6.1]. For instance, grade 3a land has been removed where the land also forms an important settling setting to settlements, and /or heritage assets, corresponds, with areas of grade 2 or 3 flood zones, and/or are is in proximity to individual residential units where offsets are considered appropriate mitigation.</p>
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		<p>The agricultural land amongst the Solar PV arrays will not be lost to agricultural production. The outline Landscape Environmental management Plan (oLEMP) [Ref EN010127/APP/7.9] identifies land management procedures which include livestock grazing amongst the solar arrays during the operational phase of the proposed Development. An outline Soils Management Plan (including outline Excavated Materials Management Plan) (oSMP) [Ref EN010127/APP/7.13] has been prepared and will be secured via a Requirement of the DCO. This document sets out soil handling procedures to ensure that the BMV soil resource is protected and preserved during the construction, operational and decommissioning phases of the Proposed Development.</p> <p>Following the operational phase of the Proposed Development, the Solar PV Site would be removed in accordance with the Decommissioning Environmental Management Plan (DEMP) and the land returned to agricultural use. The DEMP will be subject to the approval of the local planning authorities and will be required to be in accordance with the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] which has been prepared to support the DCO Application. As such, the agricultural land asset will be protected through all phases of the Proposed Development to ensure the agricultural land asset of the district is not adversely impacted.</p>
	<ul style="list-style-type: none"> that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are 	<p>No operational time limit is proposed for the Proposed Development. However, f once the operational life of the Proposed</p>

	<p>removed when no longer in use and the land is restored to its previous use;</p>	<p>Development has completed, the Solar PV Site would be removed in accordance with the Decommissioning Environmental Management Plan (DEMP). The DEMP will be required to be in accordance with the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] which has been prepared to support the DCO Application.</p> <p>The DEMP will be subject to the approval of the local planning authorities. It is likely that decommissioning would include the removal of any permissive paths and potential reversion of grassland underneath the PV Arrays. Any landscape structural planting, such as tree planting, hedgerows, scrub etc created to deliver biodiversity mitigation and enhancement associated with the Proposed Development that have potential to contain protected species would be left in-situ.</p>
	<ul style="list-style-type: none"> the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety; 	<p>A glint and glare study has been undertaken and a summary of key findings is provided in Chapter 15 of the ES [Ref EN010127/APP/6.1]. Chapter 15 concludes that there is no significant impact upon surrounding aviation activity, road users or railway operations. With the implementation of proposed mitigation in the form of screening planting, impacts on residential dwellings would be not significant.</p> <p>A Residential Visual Amenity Assessment (RVAA) has been undertaken (contained in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]) to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions, and outlines how residential visual amenity</p>

		<p>mitigation has been embedded within the Proposed Development. This mitigation also accounts for potential impacts arising from glint and glare, as set out in the glint and glare assessment included Appendix 15.4 of the ES [Ref EN010127/APP/6.2].</p>
	<ul style="list-style-type: none"> the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun; 	<p>As explained in chapter 5 of the ES [Ref EN010127/APP/6.1], there are two options for the Mounting Structures:</p> <ul style="list-style-type: none"> Fixed South Facing (FSF) Arrays; and Single Axis Tracker (SAT) Arrays <p>The Glint and Glare Study (Appendix 15.2 of the ES [Ref EN010127/APP/6.2] includes an assessment of potential glint effects for both FSF and SAT Arrays.</p> <p>The Glint and Glare Study concludes that no significant impacts upon surrounding aviation activity, road users or railway operations are predicted for either fixed or tracker panel layouts.</p>
	<ul style="list-style-type: none"> the need for, and impact of, security measures such as lights and fencing; 	<p>Chapter 5 of the ES [Ref EN010127/APP/6.1] outlines the components of the operational development and confirms that the DCO allows for works including, ‘fencing, gates and boundary treatment’, as well as ‘security and monitoring measures such as CCTV columns, lighting columns and lighting, cameras, and lighting protection masts’ to take place within each and all of the Work Areas. It is confirmed that this has been taken into account in the assessments undertaken in the ES. Section 5.11 of the ES [Ref EN010127/APP/6.1] provides more detail on the fencing, security and ancillary infrastructure.</p>

		<p>Impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES. During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings 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, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings. The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7].</p>
	<ul style="list-style-type: none"> great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset; 	<p>Chapter 8 of the ES [Ref EN010127/APP/6.1] includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets. The sources of information, including relevant historic records, used to inform the heritage assessment are set out in Appendix 8.2 of the ES [Ref EN010127/APP/6.2].</p> <p>The chapter confirms that there are no designated or non-designated heritage assets comprising Listed Buildings, Conservation Areas, Scheduled Monuments or Registered Parks</p>

		<p>located within the Order limits. Only a limited number of historic assets have been identified which could potentially be affected by the Proposed Development. These are:</p> <ul style="list-style-type: none"> • the Scheduled Monument of Essendine Castle and the Grade II* Listed Church of St. Mary located 50m to the west of the Order limits; • the Grade II Listed Banthorpe Lodge located 190m to the east of the Order limits; and • the non-designated heritage asset Braceborough Grange is located 10m to the north of the Order limits. <p>The chapter identifies that no significant effects upon these assets, or upon buried archaeological remains, the historic landscape or historic buildings will result from the construction, operation or decommissioning of the Proposed Development.</p> <p>Given the ‘no impact’ conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 5.8.15 of NPS EN-1 or the draft revised NPS EN-1 paragraph 5.9 23, or paragraph 202 of the NPPF.</p> <p>Regarding the potential impacts upon buried archaeological remains, paragraph 5.9.26 of the draft revised NPS EN-1 and Paragraph 203 of the NPPF are engaged. The policies state that balanced judgements are required having regard to the scale of any harm or loss of significance to non-designated heritage assets. Section 8.4 of the ES [Ref EN010127/APP/6.1] confirms that both</p>
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		<p>the scale of the impact, and significance of the potentially affected non-designated assets is 'limited'.</p> <p>In balancing the limited degree of potential harm, the Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.</p>
	<ul style="list-style-type: none"> the potential to mitigate landscape and visual impacts through, for example, screening with native hedges; 	<p>A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. The DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed landscape mitigation and enhancement measures that would be delivered through the Proposed Development, which includes hedgerows where appropriate.</p>
	<ul style="list-style-type: none"> the energy generating potential, which can vary for a number of reasons including, latitude and aspect. 	<p>The Proposed Development presents a significant and vital opportunity to develop large-scale low-carbon generation increasing materially the UK's ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation.</p>

		<p>The Proposed Development makes use of existing available capacity on the National Electricity Transmission, which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the Proposed Development delivers as much low-carbon power as possible in the most affordable way. The Site Selection Report (Appendix 1 to the Planning Statement [Ref EN010127/APP/7.2] outlines how solar irradiation levels have influenced the site selection to ensure the proposed Development produces an energy yield that is both useful and economic.</p>
	<p>The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.</p>	<p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. Chapter 6 of the ES includes an assessment of cumulative landscape and visual effects where the approach to the assessment is explained.</p> <p>Chapter 6 of the ES includes Zone of Visual Influence (ZVI) to inform the LVIA.</p> <p>In addition, Chapter 16 of the ES considers cumulative impacts of the Proposed Development across all topic assessments in the ES and concludes that no cumulative significant effects will arise.</p>

Mallard Pass Solar Farm

Table 6 South Kesteven Local Plan Policy – Table of Compliance

South Kesteven District Council Local Plan 2011- 2036		
Policy	Policy Text	Assessment
SD1: The Principles of Sustainable Development in South Kesteven	<p>Development proposals in South Kesteven will be expected to minimise the impact on climate change and contribute towards creating a strong, stable and more diverse economy.</p> <p>Development proposals shall consider how they can proactively minimise:</p> <ul style="list-style-type: none"> a) the effects of climate change and include measures to take account of future changes in the climate; b) the need to travel, and wherever possible be located where services and facilities can be accessed more easily through walking, cycling or public transport; c) the use of resources, and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency; and d) the production of waste both during construction and occupation 	<p>In response to part a), the Proposed Development presents a significant and vital opportunity to develop large-scale low-carbon generation increasing materially the UKs ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation.</p> <p>The Proposed Development makes use of existing available capacity on the National Electricity Transmission, which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the Proposed Development delivers as much low-carbon power as possible in the most affordable way.</p> <p>Chapter 13 of the ES [Ref EN010127/APP/6.1] addresses the impacts of the Proposed Development on Greenhouse Gas (GHG) emissions and climate change and identifies the measures to reduce embedded carbon at every phase (construction, operation and decommissioning) of the Proposed Development. These measures are detailed in Table 3-9 Climate Change of the oCEMP</p>

	<p>Development proposals shall consider how they can proactively avoid:</p> <ul style="list-style-type: none"> e) developing land at risk of flooding or where development would exacerbate the risk of flooding elsewhere. f) the pollution of air, land, water, noise and light <p>Development proposals shall consider how they can proactively encourage, as appropriate:</p> <ul style="list-style-type: none"> g) the use of previously developed land, conversions or the redevelopment of vacant or unutilised land or buildings within settlements; and h) the use of sustainable construction materials <p>Development proposals shall consider how they can proactively support:</p> <ul style="list-style-type: none"> i) strong, vibrant and healthy communities, by providing a supply of housing which meets the needs of present and future generations <p>Development proposals shall consider how they can proactively enhance the district's:</p> <ul style="list-style-type: none"> j) character; 	<p>[Ref EN010127/APP/7.6], Table 3-9 Climate Change of the oOEMP [Ref EN010127/APP/7.7] and oDEMP [Ref EN010127/APP/7.8]. These documents also include a commitment to produce a detailed GHG Reduction Strategy, to be approved by the Local Authorities prior to commencement of the Proposed Development</p> <p>In response to part b), the Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2] explains the process for identifying the location of the Order limits and the importance of locating the Proposed Development in proximity to the Ryhall 400kv substation. The transport impacts of the Proposed Development are considered in Chapter 9 of the Environmental Statement (ES) [Ref EN010127/APP/6.1]. Given the rural location, it is acknowledged that there are limitations on staff travelling to the Order limits by walking, and public transport. However, Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11] includes an outline Transport Plan (oTP) which outlines measures proposed to mitigate the transport impacts as well as improve existing infrastructure and promote sustainable transport which is secured through DCO Requirements. This includes provision of a shuttle service from the main construction compound to works areas across the Order limits, and provision of cycle parking at the main and secondary construction compounds across the Order limits.</p> <p>In response to parts c) and d), the Applicant has considered the production of waste both during construction and occupation and has set out waste strategy that seeks to proactively reduce waste</p>
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	<p>k) natural environment, l) cultural and heritage assets; services and infrastructure, as needed to support development and growth proposals.</p>	<p>streams in the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] which includes an obligation to prepare a Construction Resource Management Plan (CRMP), and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] which include a similar obligation.</p> <p>In response to part e), the Proposed Development is mainly located in the Flood Zone 1 area to avoid risk of flooding. The Flood Risk Assessment included in Appendix 11.4 of the ES [Ref EN010127/APP/6.2] includes a sequential test which has assisted in identifying and avoiding land which is susceptible to flooding. ES Chapter 11 sets out how measures to avoid and minimise impacts have been embedded into the design of the Proposed Development. Part of the Solar PV Site is located in Flood Zone 2 areas, infrastructure in these areas has been limited to solar PV arrays which will be raised above the 1 in100 year (plus climate change) flood event and will not increase the risk of flooding to the rest of the Order limits or downstream. An outline Water Management Plan [Ref EN010127/APP/7.6], and outline Surface Water Drainage Strategy included Appendix 11.6 of the ES [Ref EN010127/APP/6.2] are submitted as part of the DCO Application and describes water management measures to control surface water runoff and drain areas of hardstanding and other structures during the construction, operation and decommissioning of the Proposed Development.</p> <p>In response to part f), the potential pollution of air, noise, water and light generated by the Proposed Development has been assessed</p>
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		<p>and in Chapters 10,11 and 15 of the ES [Ref EN010127/APP/6.1]. These Chapters conclude that mitigation embedded into the design of the Proposed Development, and implementation of measures identified in oCEMP [Ref EN010127/APP/7.6], oDEMP [Ref EN010127/APP/7.8] and outline Operational Environmental Management Plan (oOEMP) [Ref EN010127/APP/7.7] will ensure that potential effects are minimised to acceptable levels.</p> <p>In response to part g), the Applicant has been through a thorough site selection process which is set out in Chapter 4 of the ES [Ref EN010127/APP/6.1] and prepared a Site Selection Report at Appendix 1 of the Planning Statement. It details how the site was selected and why the location is deemed acceptable for solar farm development.</p> <p>With respect to part h), the oCEMP at Table 0-9 sets out measures for the designing, constructing and implementing the Proposed Development to be implemented in in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content where feasible. The oCEMP includes an obligation for the preparation of a Construction Resource Management Plan (CRMP) which is also aimed at reducing waste and maximising opportunities for use of sustainable construction materials.</p> <p>Part i) is not applicable to the Proposed Development.</p> <p>In response to parts j – m), the Proposed Development is also accompanied by an Environmental Statement (ES) which</p>
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		<p>addressed impacts upon landscape character at Chapter 6, ecological and biodiversity impacts at Chapter 7, cultural heritage in Chapter 8 and highways and access and impacts upon existing unfractured require to deliver the proposed development at Chapter 9.</p>
<p>SP1: Spatial Strategy</p>	<p>The Local Plan will deliver sustainable growth across the District and throughout the Plan Period (2011 – 2036). To achieve new growth the Local Plan includes allocations for both housing and employment land.</p> <p>All allocations proposed in the plan are the most suitable and sustainable development options and provide for a variety of site types and sizes to ensure choice is offered to the market and delivery is achievable.</p> <p>The Objectively Assessed Need for South Kesteven is 16,125 new dwellings. To ensure the Objectively Assessed Need is met in full, the minimum Local Plan requirement for South Kesteven is 16,125 dwellings across the period 2011 to 2036, this applies an uplift from 625 to 650 dwellings per annum from 2016 to take into account market signals.</p> <p>The overall strategy of the Plan is to deliver sustainable growth, including new housing and job creation, in order to facilitate growth in the local</p>	<p>The Order limits do not conflict with any allocations within the Local Plan and would not restrict the achievement of the objectives of policy SP1.</p> <p>An Agricultural Land Classification assessment has been undertaken as part of the ES (see details in Chapter 12 of the ES, [Ref EN010127/APP/6.1]). It shows that the Order limits contain land which is classified as Best and Most Versatile (BMV) agricultural land. Chapter 12 of the ES identifies the environmental effects of the Proposed Development upon BMV agricultural land, and section 7.4 of the Planning Statement [Ref EN010127/APP/7.2] considers the implication of this in land use policy terms.</p> <p>The Site Selection Report (Appendix 1 of the Planning Statement) also outlines the process of locating the Order limits in proximity to the agreed capacity at the Ryhall 400KV Substation. Predictive and provisional ALC / BMV mapping shows that there are no locations that were obviously more favourable for the Proposed Development in terms of agricultural land quality where the agreed capacity could be utilised.</p> <p>The measures taken to minimise and reduce the areas of grade 2 and grade 3a land utilised for solar development are described in</p>

	<p>economy and support local residents. The focus for the majority of growth is in and around the four market towns, with Grantham being a particular focal point. Larger Villages will provide a supporting role in meeting the development needs of the District. Development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of appropriate previously developed land (where possible) and enabling a larger number of people to access jobs, services and facilities locally. Development should provide the scale and mix of housing types that will meet the identified need for South Kesteven (as informed by the Peterborough Sub Regional Housing Market Assessments) and a range of new job opportunities in order to secure balanced communities (as informed by the Employment Land Study).</p> <p>Decisions on investment in services and facilities, and on the location and scale of new development, will be taken on the basis of the Settlement Hierarchy as set out in Policy SP2.</p> <p>Proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.</p>	<p>section 7.4 of the Planning Statement. The land retained within the Solar PV Site would not be lost to agricultural use. The outline Landscape Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] describes the management of grasslands beneath and amongst the solar PV site, which includes for agricultural grazing during the Operational phase of the Proposed Development.</p> <p>Following the Operational phase of the Proposed Development, the Solar PV Site would be removed in accordance with a Decommissioning Environmental Management Plan (DEMP), allowing the land within the Order limits to return to unrestricted agricultural use. The DEMP will be required to be in accordance with the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8] which has been prepared to support the DCO Application.</p> <p>The DEMP will be subject to the approval of the local planning authorities. It is likely that decommissioning would include the removal of any permissive paths and potential reversion of grassland underneath the PV Arrays. Any landscape structural planting, such as tree planting, hedgerows, scrub etc created to deliver biodiversity mitigation and enhancement associated with the Proposed Development that have potential to contain protected species would be left in-situ.</p>
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	<p>Development affecting the best and most versatile agricultural land will only be permitted if:</p> <ul style="list-style-type: none"> • There is insufficient lower grade land available at that settlement (unless development of such lower grade land would be inconsistent with other sustainability considerations); and <p>Where feasible, once any development which is permitted has ceased its useful life the land will be restored to its former use, and will be of at least equal quality to that which existed prior to the development taken place (this requirement will be secured by planning condition where appropriate).</p>	
<p>SP4: Development on the Edge of Settlements</p>	<p>Proposals for development on the edge of a settlement, as defined in Policy SP2, which are in accordance all other relevant Local Plan policies, will be supported provided that the essential criteria a – f below are met. The proposal must:</p> <ol style="list-style-type: none"> a) demonstrate clear evidence of substantial support from the local community* through an appropriate, thorough and proportionate pre-application community consultation exercise. <p>Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or</p>	<p>The Applicant has adopted a two-stage approach to pre-application consultation and carried out non-statutory consultation and statutory consultation. The Consultation Report has been prepared [Ref EN010127/APP/5.1].</p> <p>The issues that have been raised through consultation and how these have been considered and addressed within the design evolution of the Proposed Development are set out in the ES [Ref EN010127/APP/6.1] and the Design and Access Statement [Ref EN010127/APP/7.3].</p> <p>The Statement of Need [Ref EN010127/APP/7.1] demonstrates the important benefits of developing renewable energy generating infrastructure in locations where grid capacity exists. Section 3 of the Planning Statement outlines that maximising the generating capacity of schemes improves their economic efficiency, bringing</p>

	<p>Forum, based upon material planning considerations:</p> <ul style="list-style-type: none"> b) be well designed and appropriate in size / scale, layout and character to the setting and area; c) be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan; d) not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area; e) in the case of housing development, meet a proven local need for housing and seeks to address a specific targeted need for local market housing; and f) enable the delivery of essential infrastructure to support growth proposals. <p>As an exception to criterion a) above, a housing scheme which meets a demonstrable local need for affordable housing will be considered acceptable as a Rural Exception scheme (regardless of whether criterion a) above has been satisfied),</p>	<p>power to market at the lowest cost possible. Figure 10-5 in section 10 of the Statement of Need [Ref EN010127/APP/7.1] confirms that larger solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reduction and economic benefits in line with government policy. The scale of the Proposed Development responds to this opportunity, and has been designed to respond sensitively to local context as described in the Design and Access Statement.</p> <p>The Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2] explains the process for identifying the location of the Order limits and the importance of locating the Proposed Development in proximity to the Ryhall 400kv substation.</p> <p>To ensure good design has been embedded into the design evolution of Proposed Development, a set of Project Principles were identified early in the project using the structure of headings from the NIC design guide advice (Climate, People, Places and Value).</p> <p>These Project Principles have been 'localised' and developed into project specific Design Guidance for the post-consent stage to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy.</p>
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	<p>provided that it is supported by clear up-to-date evidence that the proposal:</p> <ul style="list-style-type: none"> g) is justified by evidence of local need and affordability, from an appropriate local housing needs survey; and h) meets the affordable housing needs of households who are currently resident, or have a local connection to the parish as defined in the Council's published housing allocations policy; and i) the occupation of the dwellings will be secured in perpetuity to meet local need; and j) that no other more suitable site(s) is available within the settlement. <p>On Rural Exception sites the Council may consider market housing provision alongside affordable housing as a means of cross-subsidising the essential affordable housing provision. In such cases the total number of market dwellings must not exceed the number of affordable homes needed and should be supported by the submission of a robust viability assessment which demonstrates that the scheme only promotes the minimum number of market houses required to make the scheme viable (viability assessment will</p>	<p>The design of the Proposed Development, and how the project specific Design Guidance will be applied to the DCO Application are set out in the Design and Access Statement.</p> <p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes an LVIA which identifies measures to minimise the landscape and visual impacts of the proposed development, and to minimise the impacts of intrusion into the countryside.</p> <p>The Green Infrastructure Strategy Plan included in the outline Landscape and Environmental Management Plan [Ref EN010127/APP/7.9] sets out the embedded mitigation which will be delivered as part of the Proposed Development.</p>
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	<p>be independently verified and the applicant will be expected to meet the cost of this assessment)</p> <p>* The term ‘demonstration of clear local community support’ means that at the point of submitting a planning application to the local planning authority, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application consultation exercise, where demonstrable evidence of local community support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council or Neighbourhood Plan Group. If an application is in doubt as to what would constitute a ‘thorough but proportionate’, preapplication consultation exercise, then the applicant should contact the applicable local planning authority.</p>	
<p>SP5: Development in the Open Countryside</p>	<p>Development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement. In such instances, the following types of development will be supported:</p> <ul style="list-style-type: none"> a. agriculture, forestry or equine development; b. rural diversification projects; c. replacement dwellings (on a one for one basis) or; 	<p>The application allows the diversification of existing agricultural businesses. Chapter 12 of the ES [Ref EN010127/APP/6.1] confirms that the land occupied by the Solar PV site only involves part of their respective wider agricultural land holding, allowing farming activities to continue on land outside of the Solar PV Site. Grazing is also proposed to be undertaken amongst the solar arrays within the Solar PV Site, as described in the oLEMP [Ref EN010127/APP/7.9].</p>

	<p>d. conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and</p> <p>e. are in sound structural condition; and</p> <p>f. are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting.</p>	
<p>E7: Rural Economy</p>	<p>Proposals for the following types of small business schemes will be supported, provided that it is demonstrated that the business will help to support, or regenerate the rural economy:</p> <ul style="list-style-type: none"> • Farming; • Forestry; • Equine; • Rural enterprise; • Sport and Recreation; and • Tourism <p>Proposals must demonstrate that they meet all of the following criteria:</p> <p>a) be of a scale appropriate to the rural location;</p>	<p>The Proposed Development is a Nationally Significant Infrastructure project that would not fall into one of the development types supported by this policy. The considerable benefits associated with the generation of a considerable amount of renewable electricity are considered a benefit in the wider public interest.</p> <p>Notwithstanding this, in response to part a), Proposed Development has been designed to minimise impacts upon its location, as demonstrated in the Design and Access Statement [Ref EN010127/APP/7.3] specifically, the size of the Solar PV Site has been reduced to allow substantial set backs from sensitive receptors in several locations including from settlements, individual residential properties and landscape features.</p> <p>In response to part b), the Site Selection Report included in Appendix 1 of the Planning Statement sets out the justification for the location of the Order limits, and why the rural location is necessary. The Proposed Development will also bring benefits to the rural economy. Chapter 14 of the ES [Ref EN010127/APP/6.1]</p>

	<p>b) be for a use(s) which is(are) appropriate or necessary in a rural location, providing local employment opportunities which make a positive contribution to supporting the rural economy;</p> <p>c) the use / development respects the character and appearance of the local landscape, having particular regard to the Landscape Character Assessment, and will not negatively impact on existing neighbouring uses through noise, traffic, light and pollution impacts; and</p> <p>d) avoid harm to areas, features or species which are important for wildlife, biodiversity, natural, cultural or historic assets, including their wider settings.</p> <p>Schemes will also be required to ensure that the development meets the requirements of national and local planning policies which control the form, scale, design and impact of new development.</p> <p>Any new building or extension to an existing building will only be permitted where it is clearly demonstrated that it is an essential element of the viability of the business proposal. The scale, design and construction of any new building or</p>	<p>provides an overview of socio-economic study of the Proposed Development.</p> <p>The Applicant estimates that an average of 150 Full Time Equivalent (FTE) gross temporary jobs will be created over the 24-month construction period. It is estimated that 50% of these could be sourced from the local area.</p> <p>It is estimated the 74.5 additional direct and indirect jobs would be supported through the construction phase based on research undertaken by the Centre of Economics and Business Research on the economic impact of large-scale solar developments.</p> <p>It is estimated that a net gain of 4.5 FTE jobs would be created by the Proposed Development would be created during the operational phase.</p> <p>In response to part c), Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a LVIA which assesses the impact of the Proposed Development on the local Landscape Character Areas, and identifies mitigation measures to minimise adverse effects to landscape. The LVIA also considers the impacts of lighting on neighbouring uses and residential amenity. A Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. Other impacts upon amenity are considered to be acceptable as concluded in Chapter 9 highways and access, Chapter 10 noise</p>
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	<p>extension must be appropriate to its rural setting and fully justified by the business proposal.</p> <p>Proposals which generate high levels of visitor traffic or increased public use, such as large scale sport and leisure facilities should only be permitted within or on the edge of the towns and Larger Villages, or where they can be easily accessed by public transport, foot and cycle.</p>	<p>and vibration and Chapter 15 other topics (including glint and glare and air quality) of the ES.</p> <p>In response to part d), the biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES. The Chapter sets out all the designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits, and the measure undertaken to avoid impacts.</p>
<p>EN1: Landscape Character</p>	<p>South Kesteven's Landscape Character Areas are identified on the map above (Figure 6).</p> <p>Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.</p> <p>In assessing the impact of proposed development on the Landscape, relevant Landscape Character Appraisals should be considered, including those produced to inform the Local Plan and Neighbourhood Plans. Consideration should also be given to the Capacity and Limits to Growth Studies produced for Grantham and Stamford and</p>	<p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. It considers cumulative effects, visual and light pollution effects and effects on nature conservation. It includes reference to landscape character assessments relevant to the Proposed Development and takes account of development local development plan policies.</p> <p>Chapter 6 of the ES includes Zone of Theoretical Visibility (ZTV) to inform the LVIA. The ZTV analysis concludes that visual impacts are generally contained to within 2km of the Order limits, and beyond 2km are considered to be negligible. The visual aids</p>

	<p>the Points of the Compass Assessments prepared for the Larger Villages.</p>	<p>utilised to help determine the impact of the proposal include annotated photo panels of both representative and illustrative viewpoints and photomontages to illustrate visual effects.</p> <p>Section 6.3. of Chapter 6 of the ES sets out the national, regional, and local character areas that the Order limits relate to. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site.</p> <p>Section 6.5 of the LVIA set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs within the ZVI, the key characteristics of the wider LCAs would prevail.</p> <p>It is considered that these impacts are clearly outweighed by the benefits of the proposed development, including biodiversity net gain and permissive path network, and the delivery of significant level of low carbon energy generation.</p>
<p>EN2: Protecting Biodiversity and Geodiversity</p>	<p>The Council, working in partnership with all relevant stakeholders, will facilitate the conservation, enhancement and promotion of the District's biodiversity and geological interest of the natural environment. This includes seeking to enhance ecological networks and seeking to deliver a net gain on all proposals, where possible.</p>	<p>Chapter 7 of the ES [Ref EN010127/APP/6.1] considered ecology and biodiversity and outlines the desk and site studies and surveys that have informed the DCO Application. A full description of the ecological baseline conditions identified is set out in the Ecological Baseline Report, which is provided in Appendix 7.4 of the ES [Ref EN010127/APP/6.2]. The surveys were undertaken at the early stages of the project and the assessments enabled the Applicant's</p>

	<p>Proposals that are likely to have a significant impact on sites designated internationally, nationally or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan, Geodiversity Strategy and the Natural Environment and Rural Communities (NERC) Act 2006 will only be permitted in exceptional circumstances:</p> <ul style="list-style-type: none"> • In the case of internationally designated sites (alone or in combination), where there is no alternative solution and there are overriding reasons of public interest for the development. • In the case of National Sites (alone or in combination) where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites. • In the case of Local Sites (e.g. Local Wildlife Sites) or sites which meet the designation criteria for Local Sites, the reasons for development must clearly outweigh the long term need to protect the site. <p>In exceptional circumstances where detrimental impacts of development cannot be avoided</p>	<p>ecological team to provide input into the design of the Proposed Development to respond positively to sites of biodiversity and geological conservation interest.</p> <p>The Chapter sets out all the relevant designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits.</p> <p>It confirms that there are no internationally important designated sites within the Order limits. A shadow Habitats Regulation Assessment, ES Appendix 7.5 [Ref EN010127/APP/6.2] has been undertaken to support the DCO Application. This concludes that no likely significant effects on any Special Protection Areas (SPA), or Special Areas of Conservation (SAC) within the study area of the Proposed Development, and no specific residual mitigation measures are required with regard to impacts on these sites.</p> <p>Chapter 7 of the ES confirms there will be some temporary impacts upon three Local Wildlife Site (LWS) within the Order limits related to the construction phase for the creation of passing places, and for visibility splays to facilitate access. This results in the loss of some hedgerow and areas of grassland. The installation of the Solar PV Site will also result in the loss of some nesting areas for ground nesting birds.</p> <p>The impact of this loss has sought to be avoided though review of alternative access points, passing points and minimised through</p>
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	<p>(through locating an alternative site) the Council will require appropriate mitigation to be undertaken by the developers or as a final resort compensation. Where none of these can be achieved then planning permission will be refused. Where any mitigation and compensation measures are required, they should be in place before development activities start that may disturb protected or important species.</p>	<p>micro-siting. The impact is mitigated through habitat creation in the form of new hedge and tree planting along a parallel line to the existing LWS hedgerow and wider grassland enhancements across the Order limits. Additional ground nesting plots are provided in the Mitigation and Enhancement Areas within the Order limits.</p> <p>Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9], and in the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline decommissioning Environmental Management plan (oDEMP) [Ref EN010127/APP/7.8], all of which are secured under the DCO.</p> <p>A Biodiversity Net Gain calculation [Ref EN010127/APP/6.5] is included in the DCO Application. The habitat creation and enhancement works being proposed for within the Order limits will provide a high net gain in biodiversity value for the area within it. This has been shown to be just over 72% with the use of the Biodiversity Metric 3.1.</p>
EN3: Green Infrastructure	<p>The Council will maintain and improve the green infrastructure network in the District by enhancing, creating and managing green space within and around settlements that are well connected to each other and the wider countryside.</p> <p>Development proposals should ensure that existing and new green infrastructure is considered and integrated into the scheme design, taking</p>	<p>The Proposed Development will maintain and enhance the existing and new green infrastructure by the following measures:</p> <ul style="list-style-type: none"> • Siting the Solar PV Site within the existing landscape framework allowing for the retention of the existing woodland, hedgerows, ditches, field margins and watercourses, subject to minor hedgerow removals related to access;

	<p>opportunities to enrich biodiversity habitats, enable greater connectivity and provide sustainable access for all.</p> <p>Proposals which may result in recreational and visitor pressure on designated biodiversity sites will be particularly expected to provide such green infrastructure.</p> <p>Proposals that cause loss or harm to this network will not be permitted unless the need for and benefits of the development demonstrably outweigh any adverse impacts. Where adverse impacts on green infrastructure are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided.</p>	<ul style="list-style-type: none"> • Substantial new native planting across the Solar PV Site providing visual screening and other benefits to landscape character throughout the operational lifespan of the Proposed Development and an enduring positive legacy following decommissioning; • Infilling and gapping up of existing hedgerows where required, reconnecting landscape features and providing visual screening; • Ongoing future management for biodiversity benefits including hay meadow style management of new species diverse grassland areas, low intensity grazing, less intensive hedgerow management allowing vegetation to grow out more fully providing biodiversity benefits; • Retention of all existing PRoW passing through the Solar PV Site; • Offset of the proposed solar arrays at least 15 metres either side from centre of existing PRoW and proposed permissive paths to remove any channelling visual effects; and • New native planting to provide additional visual screening from the surrounding settlements and residential properties overlooking the Solar PV Site, where appropriate. <p>These measures, along with other benefits includes delivery of ecological enhancements and permissive paths of approximately 8.1km in total length connecting into the wider network of PRoW</p>
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		<p>and rural lanes as a recreation benefit. are set out in the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.7] which is secured as part of the DCO.</p>
<p>EN4: Pollution Control</p>	<p>Development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land and water. In achieving this:</p> <p>Development should be designed from the outset to improve air, land and water quality and promote environmental benefits.</p> <p>Development that, on its own or cumulatively, would result in significant air, light, noise, land, water or other environmental pollution or harm to amenity, health well-being or safety will not be permitted. New development proposals should not have an adverse impact on existing operations.</p> <p>Development will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals.</p> <p>Development that would lead to deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards in the Anglian River Basin Management</p>	<p>An Air Quality Assessment has been undertaken, the results of which are set out in section 15.2 of Chapter 15 of the ES [Ref EN010127/APP/6.1]. It is concluded that the Proposed Development would not lead to a deterioration in air quality locally or lead to any air quality breaches elsewhere.</p> <p>An assessment of the noise and vibration impacts of the Proposed Development is set out in Chapter 10 of the ES [Ref EN010127/APP/6.1]. The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes measures for the control of noise during construction. Operational noise has been assessed and the layout of noise-generating equipment has been set back from sensitive receptors (including heritage assets) as embedded mitigation. The detailed design of the Proposed Development will be controlled through a requirement of the DCO in line with Design Guidance of the Design and Access Statement [Ref EN010127/APP/7.3] to ensure the detailed layout of the Proposed Development addresses noise impacts.</p> <p>Chapter 10 of the ES [Ref EN010127/APP/6.1] confirms that no significant adverse noise or vibration impacts are predicted upon any receptors, or upon quality of life or human health or impacts upon heritage assets.</p>

	<p>Plan (required by the Water Framework Directive) will not be permitted.</p> <p>Where development is situated on a site with known or high likelihood of contamination, remediation strategies to manage this contamination will be required.</p> <p>Subject to the Policies in this Plan, planning permission will be granted for development on land affected by contamination where it can be established by the proposed developer that the site can be safely and viably developed with no significant impact on either future users or on ground and surface waters.</p>	<p>The assessment of potential impacts on water resources and ground conditions is included in Chapter 11 of the ES [Ref EN010127/APP/6.1]. The Chapter presents the existing status of the water environment and the likely effects of the Proposed Development. Chapter 11 concludes that due to embedded mitigation and measures identified within the outline Water Management Plan (oWMP) [Ref EN010127/APP/7.6.13], and table 3-7 of the oCEMP [Ref EN010127/APP/7.6] the Proposed Development will not result in the deterioration of any water bodies, or prevent them from achieving good status, and there are likely to be no significant adverse effects on water quality, water resources or physical characteristics of the water environment as a result of the Proposed Development. Therefore, the Proposed Development is in compliance with this element of the policy.</p> <p>No potential contaminated land issues are identified within the Order limits.</p>
<p>EN5: Water Environment and Flood Risk Management</p>	<p>Development should be located in the lowest areas of flood risk, in accordance with the South Kesteven Strategic Flood Risk Assessment (SFRA). Where this is not possible the sequential approach to development will be applied. Where the requirements of the sequential test are met, the exception test will be applied, where necessary.</p> <p>A Flood Risk Assessment (FRA) will be required for all development in Flood Zones 2 and 3 and for sites greater than 1 hectare in Flood Zone 1, and</p>	<p>A Flood Risk Assessment (FRA) is included in Appendix 11.4 of the ES [Ref EN010127/APP/6.2] and the results presented in Chapter 11 of the ES, [Ref EN010127/APP/6.1].</p> <p>In line with the SFRA, the majority of the Order limits is located in the Flood Zone 1 area. However, part of the Order limits are located within Flood Zones 2 and 3. In response, the layout of the site has been designed to minimise the development within areas at greater risk of flooding, and where this is unavoidable, ensuring that the infrastructure located in these areas will not increase the risk of flooding within the Order limits or elsewhere.</p>

	<p>where a development site is located in an area known to have experienced flood problems from any flood source, including critical drainage.</p> <p>All development must avoid increasing flood risk elsewhere. Runoff from the site post development must not exceed pre-development rates for all storm events up to and including the 1% Annual Exceedance Probability (AEP)* storm event with an allowance for climate change. The appropriate climate change allowances should be defined using relevant Environment Agency guidance.</p> <p>Surface water should be managed effectively on site through the use of Sustainable Drainage Systems (SuDs) unless it is demonstrated to be technically unfeasible. All planning applications should be accompanied by a statement of how surface water is to be managed and in particular where it is to be discharged. Surface water connections to the public sewage network should only be made in exceptional circumstances. On-site attenuation and infiltration will be required as part of any new development wherever possible. Opportunities must be sought to achieve multiple benefits, for example through green infrastructure provision and biodiversity enhancements in</p>	<p>The FRA includes a sequential test and exception test which have been carried out to identify that there is no alternative site with a lower probability of flooding, and that the benefits of the Proposed Development outweigh flood risk.</p> <p>In order to mitigate flood risk, the majority of the Solar PV Site has been located within Flood Zone 1. Part of the Solar PV Site is located in Flood Zone 2 (no infrastructure is located within Flood zone 3). The infrastructure within Flood Zone 2 has been limited to solar PV Arrays which will be raised above the 1 in 100 year (plus climate change) flood event and will not impact risk of flooding to the site or downstream. No areas of hardstanding are located within Flood Zones 2 or 3.</p> <p>Areas of hardstanding within Flood Zone 1 associated with the onsite substation will be underlain by a free draining sub-base and local interception with a flow restriction device before discharge to the West Glen River. Areas of hardstanding associated with the Solar Stations will be underlain by a free draining sub-base and include local interception measures.</p> <p>Section 2.6 of the outline Surface Water Drainage Strategy (oSWDS) (Appendix 11.6 of the ES [Ref EN010127/APP/6.2] confirm that exceedance rates for all storm events, inclusive of the climate change allowances, will dispense as per the baseline scenario. Section 2.3 of the oSWDS confirms that the climate change allowance has been calculated using appropriate Environment Agency guidance.</p>
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	<p>addition to their drainage function. The long-term maintenance of structures such as swales and balancing ponds must be agreed in principle prior to permission being granted.</p> <p>Development proposals should demonstrate that water is available to serve the development and adequate foul water treatment and disposal already exists or can be provided in time to serve the development. Foul and surface water flows should be separated where possible.</p> <p>Suitable access should be maintained for water resource and drainage infrastructure.</p> <p>Where development takes place in Flood Zones 2 and 3, opportunities should be sought to:</p> <ul style="list-style-type: none"> a) Reduce flooding by considering the layout and form of the development and the appropriate application of sustainable drainage techniques; b) Relocate existing development to land in zones with a lower probability of flooding; and <p>Create space for flooding to occur by restoring functional floodplains and flood flow pathways and by identifying, allocating and safeguarding open space for storage.</p>	<p>The oSWDS confirms that the PV Arrays will not result in an increase in hardstanding areas and therefore will not significantly increase surface water runoff rate and no specific SuDSs measure are required to mitigate impacts from these areas.</p> <p>Following implementation of the proposed mitigation measures, the limited introduction of hard-standing associated with the Proposed Development will not lead to an increase in surface water runoff from the Onsite Substation above greenfield levels</p> <p>The oSWDS at Appendix 11.6 of the ES [Ref EN010127/APP/6.2] sets the management prescriptions for responsibility for maintaining the SuDS structures within the Order limits. The oSWDS confirms it will be the responsibility of the Applicant to appoint a nominated persons to maintain effective drainage measures and rectify drainage measures that are not functioning adequately.</p>
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<p>EN6: The Historic Environment</p>	<p>The Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm.</p> <p>Proposals which would conserve or enhance the significance of the asset shall be considered favourably. Substantial harm or total loss will be resisted. Proposals will be expected to take Conservation Area Appraisals into account, where these have</p> <p>been adopted by the Council. Where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure mitigation of impact through preservation of the remains in situ as a preferred solution.</p> <p>When in situ preservation is not practical, the developer will be required to make adequate provision for excavation and recording before or during development.</p>	<p>A Cultural Heritage Assessment has been undertaken and prepared as part of the ES (see details in Chapter 8, [Ref EN010127/APP/6.1]). It encompasses the assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.</p> <p>It concludes that no significant effects upon heritage assets, or upon buried archaeological remains, the historic landscape or historic buildings will result from the construction, operation or decommissioning of the Proposed Development.</p>
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<p>DE1: Promoting Good Quality Design</p>	<p>To ensure high quality design is achieved throughout the District, all development proposals will be expected to:</p> <ul style="list-style-type: none"> a) Make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area; b) Ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime; and c) Provide sufficient private amenity space, suitable to the type and amount of development proposed. <p>Development proposals should seek to:</p>	<p>To ensure good design has been embedded into the design evolution of the Proposed Development, a set of Project Principles were identified early in the project using the structure of headings from the NIC design guide advice (Climate, People, Places and Value).</p> <p>These Project Principles have been ‘localised’ and developed into project specific Design Guidance for the post-consent process to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy.</p> <p>The design of the Proposed Development, and how the project specific Design Guidance will be applied to the DCO Application are set out in the Design and Access Statement [Ref EN010127/APP/7.3].</p> <p>In response to part a), Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a LVIA which assesses the impact of the Proposed Development on the local Landscape Character Areas, and identifies mitigation measures to minimise adverse effects to landscape.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] outlines the design process and decisions made from the outset of the design process in order to minimise landscape impacts. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order</p>
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	<ul style="list-style-type: none"> d) Retain and incorporate important on site features, such as trees and hedgerows and incorporate, where possible, nature conservation and biodiversity enhancement into the development; e) Provide well designed hard and soft landscaping; and f) Effectively incorporate onsite infrastructure, such as flood mitigation systems or green infrastructure, as appropriate. <p>All major development (as defined in the Glossary) must demonstrate compliance with:</p> <ul style="list-style-type: none"> g) Neighbourhood Plan policies; h) Manual for Streets guidance and relevant Lincolnshire County Council guidance i) Village design statements, where approved by the Council. 	<p>limits. As confirmed in Chapter 6 of the ES, this approach helps the wider landscape character to prevail.</p> <p>The LVIA also considers impacts of lighting on neighbouring uses and residential amenity. A Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. Other impacts upon amenity are considered to be acceptable as concluded in Chapter 9 highways and access and Chapter 10 noise and vibration of the ES. Specific measures had been taken to ensure the layout of the proposed development responds to and respects local landscape character.</p> <p>In response to part b), the potential pollution of air, noise, water and light generated by the Proposed Development has been assessed and concluded in Chapters 10,11 and 15 of the ES [Ref EN010127/APP/6.1]. A Residential Visual Amenity Assessment (RVAA) has also been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2].</p> <p>In response to part c), the Proposed Development will not have impacts on amenity space.</p> <p>In response to parts d and e), and as noted in the response to part a) the Proposed Development will maintain and enhance the existing landscape features as indicated in the Green Infrastructure</p>
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		<p>Strategy Plan included in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.7]</p> <p>In response to part f), the Proposed Development is mainly located in the Flood Zone 1 area to avoid risk of flooding. The Chapter sets out how measure to avoid and minimise impacts have been embedded into the design of the Proposed Development. Part of the Solar PV Site is located in Flood Zone 2, infrastructure in these areas have been limited to solar PV arrays which will be raised above the 1 in100 year (plus climate change) flood event and will not impact risk of flooding to the site or downstream. An outline Water Construction Management Plan [Ref EN010127/APP/7.6] is submitted as part of the DCO Application and describes water management measures to control surface water runoff and drain hardstanding and other structures during the construction, operation and decommissioning of the Proposed Development.</p> <p>In response to part g), sections below have set out how the Proposed Development complies with Carlby Neighbourhood Plan.</p> <p>In response to part h) Appendix 9.1 [Ref EN010127/APP/7.1] of the ES sets out the guidance and policy referred to in the Access and Highways Chapter of the ES [Ref EN010127/APP/6.1].</p> <p>In response to part i) the Design and Access Statement refers to the adopted Design Guidelines for Rutland and South Kesteven, November 2021 and to the Design Guidelines for Rutland, March 2022.</p>
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Mallard Pass Solar Farm

Table 7 South Kesteven Local Plan Policy – Table of Compliance

South Kesteven Local Plan 2011 – 2036 Renewable Energy Appendix 3 (Criteria)		
Policy	Policy Text	Assessment
Large scale Ground mounted proposals (aka solar farms)		
Solar Energy Criterion 1	<p>The Council requires a LVIA is required as part of an EIA for large solar farm energy developments. The required study area for the LVIA may vary depending on the size of development proposed (see Scottish Heritage Visual Representations of Windfarms and the Landscape Institute's Advice Note 01/11 (Photography and Photomontage in Landscape Visual Impact Assessment as a guide)). The LVIA shall cover all the points above. Information on landscape and visual impacts shall also be provided for non-EIA development. Visualisations should be based on photography with a 70/75 mm lens. The Council welcomes pre-application discussions with developers to agree the scope of LVIA required.</p>	<p>An LVIA has been undertaken and prepared as part of ES (see details in Chapter 6 of the ES, [Ref EN010127/APP/6.1] to assess the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development.</p>
Solar Energy Criterion 2	<p>The Council requires that a residential visual amenity assessment, covering a study area of at least 2km from any proposed solar farm shall be undertaken. The study area should be agreed with the Planning Authority.</p>	<p>A Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. The Proposed Development has identified all residential properties within 100m of the Order limits. Each identified property was then</p>

		<p>reviewed to understand the potential impact of the proposals and appropriate mitigation measures. Following application of suitable mitigation measures, which includes setting back the Solar PV Site and introduction of screening, as detailed in the Green Infrastructure Strategy Plan included in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9], the RVAA concludes that there will be no overbearing impacts arising from the Proposed Development upon any individual residential properties. On the basis that no visual amenity impacts arise on any property within 100m of the Proposed Development, the study area has not been extended beyond this.</p>
Solar Energy Criterion 3	<p>The Council requires that a cumulative impact assessment, taking account of the points in paragraph 3.20 above, shall be undertaken. This shall consider solar farm developments that are under construction, consented or the subject of a valid planning application, or formally notified at the scoping stage. The study area for the cumulative assessment shall be proportionate to the size of the development and enable the assessment to focus on significant cumulative effects as required by the EIA Regulations. The study area will need to be agreed with the Planning Authority.</p>	<p>A Cumulative Impact Assessment is included in Chapter 16 of the ES [Ref EN010127/APP/6.1]. It has been prepared in accordance with the EIA Regulations and it reports the results of the interaction of effects assessment associated with the construction, operation and maintenance, and decommissioning of the Proposed Development and other committed developments. A 2km study area from the Solar PV Site and Onsite Substation was considered appropriate and was agreed through stakeholder consultation.</p>
Solar Energy Criterion 4	<p>Further to Policy EN5 of the Local Plan, development on a heritage asset (designated or undesignated) or within its setting which would adversely impact upon the significance of the heritage asset (for example, by detracting from its</p>	<p>A Cultural Heritage Assessment has been undertaken and prepared as part of the ES (see details in Chapter 8, [Ref EN010127/APP/6.1]. It encompasses assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.</p>

	<p>established character or appeal, or by causing irreversible physical damage) should be avoided.</p> <p>In accordance with the NPPF, development must not lead to harm to or total loss of significance of a heritage asset, unless the tests set out in section 12 of the NPPF are met.</p>	<p>Section 8.2 of Chapter 8 of the ES describes the heritage assets (designated and non designated) within the study area for the Proposed Development, their significance and the contribution of their setting to that significance.</p> <p>Section 8.4 of Chapter 8 describes the potential effects of construction, operation and decommissioning phase of the Proposed Development upon the identified assets and their setting. The assessment concludes there will be 'no impact' upon any of the identified designated assets or their setting resulting from any phase of the Proposed Development.</p> <p>Given the 'no impact' conclusions of the heritage assessment upon designated assets, the Proposed Development will not result in less than substantial harm to any heritage asset or their setting within the study area. As such, no public benefits weighing exercise is required under paragraph 202 of the NPPF.</p> <p>Regarding the potential impacts upon buried archaeological remains, section 8.4 of Chapter 8 of the ES confirms that both the scale of the impact, and significance of the potentially affected non-designated assets is 'limited'.</p> <p>Responding to the 'limited' impact, paragraph 203 of the NPPF is engaged. The Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit,</p>
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		<p>alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.</p> <p>These benefits are considered to significantly outweighs the potential limited impact identified to non-designated buried archaeological remains.</p>
<p>Solar Energy Criterion 5</p>	<p>The Council will require solar farm proposals to:</p> <p>a) Be strategically sited so as to minimise the noise experienced by nearby residents and occupiers of business premises and important buildings (including, but not limited to hospitals and schools)</p> <p>b) In any instance, operate with minimal noise output to avoid undue disturbance to nearby residents, wildlife and livestock. Where necessary, mitigation measures, such as the establishment of vegetation buffers for example, should be used to prevent adverse noise impact.</p>	<p>In response to part a), the Proposed Development has been carefully designed to mitigate noise impacts. The Onsite Substation will be located more than 500m away from the nearest residential property. In terms of the PV Array layout, using a central inverter design approach, minimum buffer distances of 250m from residential properties, and 50m from PRowS. This is secured in the DCO Application via the Design Guidance within the Design and Access Statement [Ref EN010127/APP/7.3]. A noise impact assessment has been undertaken as part of the ES (see details in Chapter 10 of the ES, EN010127/APP/6.1]. It concludes that the effects of noise and vibration from construction, operational and decommissioning activities would not be significant.</p> <p>In response to part b) mitigation measures, the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes standard good practice measures such as use of Best Practical Means to reduce disturbance associated with noise and vibration during construction as far as reasonably practicable, with reference to relevant guidance in BS 5228.</p>

<p>Solar Energy Criterion 6</p>	<p>The Council will require that proposals for solar farms shall consider, and incorporate as appropriate, the following considerations:</p> <p>a) The design and positioning of active solar technology should be carefully considered to avoid the potential nuisance of glint and glare onto high speed roads. Where vegetation is proposed as a form of mitigation against glint and glare, species which will provide effective screening all year round are preferable.</p> <p>b) In relation to large scale ground mounted installations (commonly referred to as ‘solar farms’), a construction statement should be prepared by the developer which forecasts the vehicle trips that are likely to be generated during construction and the routes which are likely to be used, so that the anticipated impact of the development upon traffic and highways safety can be considered. South Kesteven District Council may require further detailed information, such as a traffic management plan, if necessary.</p>	<p>In response to part a), a glint and glare study has been undertaken and a summary of key findings is provided in Chapter 15 of the ES [Ref EN010127/APP/6.1]. It concludes that there are no impacts upon road users along the A6121 and B1176.</p> <p>In response to part b), a Transport Assessment has been prepared and undertaken as part of the ES (see details in Chapter 9 of the ES, [Ref EN010127/APP/6.1]. It assesses the impact of the Proposed Development on traffic and transport. In addition, Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11] includes an outline Transport Plan (oTP) which provides measures proposed to mitigate the transport impacts as well as improve existing infrastructure and promote sustainable transport which is secured through DCO Requirement. The final CTMP will be approved by requirements of the DCO Application by the local authorities.</p>
<p>Solar Energy Criterion 7</p>	<p>The Council will require that proposals should demonstrate that due consideration has been given to the potential impacts of the proposal on local, national and international designated sites, including those outside the District. Where a proposal is likely to have adverse impacts, applicants should demonstrate how these potential impacts have been addressed in the proposal, with</p>	<p>The Applicant has considered the impacts of the Proposed Development on local, national and international designated sites. Chapter 7 of the ES [Ref EN010127/APP/6.1] considered ecology and biodiversity and outlines the desk and site studies and surveys that have informed the DCO Application. A full description of the ecological baseline conditions identified is set out in the Ecological</p>

	<p>proposed mitigation measures being commensurate to the significance of the designation, in relation to the local national, international hierarchy. This applies to all proposals, regardless of scale. In instances where a proposal would have an adverse effect on a protected habitat or species, the applicant should demonstrate that the need for and public benefits of the development clearly outweigh the harm caused, and that mitigation and/ or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity (see also paragraph 118 of the NPPF).</p> <p><i>Developers are encouraged to consider opportunities to achieve net biodiversity gains (i.e. gains in addition to any measures deployed to mitigate any adverse impacts that may result from the development), regardless of whether the proposal will result in adverse impacts in order to conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout South Kesteven.</i></p> <p>In relation to the above applicants will be required to undertake surveys and provide evidence as necessary in relation to the anticipated impacts of their proposal, including the impact of the loss of agricultural land on biodiversity. In instances where the evidence supplied includes uncertainty in relation to the anticipated</p>	<p>Baseline Report, which is provided in Appendix 7.4 of the ES [Ref EN010127/APP/6.2]. The surveys were undertaken at the early stages of the project and the assessments enabled the Applicant's ecological team to provide input into the design of the Proposed Development to respond positively to sites of biodiversity and geological conservation interest.</p> <p>The Chapter sets out all the relevant designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits.</p> <p>It confirms that there are no internationally important designated sites within the Order limits. A shadow Habitats Regulation Assessment, ES Appendix 7.5 [Ref EN010127/APP/6.2] has been undertaken to support the DCO Application. This concludes that no likely significant effects on any Special Protection Areas (SPA), or Special Areas of Conservation (SAC) within the study area of the Proposed Development, and no specific residual mitigation measures are required with regard to impacts on these sites.</p> <p>Chapter 7 of the ES confirms there will be some temporary impacts upon three Local Wildlife Site (LWS) within the Order limits related to the construction phase for the creation of passing places, and for visibility splays to facilitate access. This results in the loss of some hedgerow and areas of grassland. The installation of the Solar PV</p>
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	<p>impacts of a proposal, or in instances where there is a lack of evidence, a precautionary approach will be taken by South Kesteven District Council.</p>	<p>Site will also result in the loss of some nesting areas for ground nesting birds.</p> <p>The temporary impact of this loss has sought to be avoided through review of alternative access points, passing points and minimised through micro-siting. The impact is mitigated through habitat creation in the form of new hedge and tree planting along a parallel line to the existing LWS hedgerow and wider grassland enhancements across the Order limits. Additional ground nesting plots are provided in the Mitigation and Enhancement Areas within the Order limits.</p> <p>The Statement of Need [Ref EN010127/APP/7.1] sets out the significant contribution made by the Proposed Development in relation to urgent need to deliver low carbon renewable energy to meet the aim of decarbonising the UK's electricity supplies by 2050; providing security of supply as well as affordability for end consumers. This would deliver a considerable public benefit, alongside the Biodiversity Net Gain and permissive path network delivered by the Proposed Development.</p> <p>These benefits are considered to significantly outweigh the potential limited impact identified.</p> <p>Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9], and in the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline decommissioning Environmental Management plan (oDEMP) [Ref</p>
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		<p>EN010127/APP/7.8], all of which are secured under the DCO. A Biodiversity Net Gain calculation [Ref EN010127/APP/6.5] is included in the DCO Application. The habitat creation and enhancement works being proposed for within the Order limits will provide a high net gain in biodiversity value for the area within it. This has been shown to be just over 72% with the use of the Biodiversity Metric 3.1.</p>
<p>Solar Energy Criterion 8</p>	<p>The Council will require that solar farm proposals shall demonstrate that the design and positioning of proposed solar installations have been carefully considered to avoid the potential nuisance of glint and glare to aircraft movements.</p>	<p>A glint and glare study has been undertaken and a summary of key findings is provided in Chapter 15 of the ES [Ref EN010127/APP/6.1]. It concludes that there is no significant impact upon surrounding aviation activity.</p>

Mallard Pass Solar Farm

Table 8 Rutland County Council Local Planning Policy – Table of Compliance

Rutland County Council Core Strategy Development Plan Document (July, 2011)		
Policy	Policy Text	Assessment
Policy CS1 – Sustainable development principles	<p>New development in Rutland will be expected to:</p> <ul style="list-style-type: none"> a) minimise the impact on climate change and include measures to take account of future changes in the climate; (see Policy CS19 and 20) b) maintain and wherever possible enhance the county’s environmental, cultural and heritage assets;(see Policies CS21 and 22) c) be located where it minimises the need to travel and wherever possible where services and facilities can be accessed safely on foot, by bicycle or public transport; (see Policy CS4 and CS18) d) make use of previously developed land or conversion or redevelopment of vacant and under-used land and buildings within settlements before development of new green field land;(see Policy CS4) 	<p>In response to part (a), the Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UKs ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation and deliverable in the 2020s, a critically important time period on the journey to achieving the UKs Net Zero commitments. The Proposed Development makes use of existing available capacity on the National Electricity Transmission which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the development delivers as much low-carbon power as possible in the most affordable way.</p> <p>Further to the above, Chapter 13 of the ES [Ref EN010127/APP/6.1] includes a carbon assessment that considers the effects of Greenhouse Gas (GHG) emissions generated at all stages of the Proposed Development, being construction, operation, and decommissioning. A series of measures are included</p>

	<ul style="list-style-type: none"> e) respect and wherever possible enhance the character of the towns, villages and landscape; (see Policies CS19, 20, 21, 22) f) minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste; (see Policies CS19 and 20) g) avoid development of land at risk of flooding or where it would exacerbate the risk of flooding elsewhere (see Policy CS19); h) contribute towards creating a strong, stable and more diverse economy (see Policies CS13, 14, 15, 16, and 17) i) include provision, or contribute towards any services and infrastructure needed to support the development (see Policy CS8) 	<p>to minimise and offset the GHG footprint of the Proposed Development through the adoption of measures detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8].</p> <p>With respect to part (b), maintaining and enhancing Green Infrastructure connections across the Order limits has been embedded into the design approach of the Proposed Development. The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] delivers multifunctional green spaces across the Order limits, connecting habitats, delivering Biodiversity Net Gain and new permissive pathways. Furthermore, Chapter 8 of the ES includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.</p> <p>With respect to part c, Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11] includes an outline Transport Plan (oTP) which outlines measures proposed to mitigate the transport impacts as well as improve existing infrastructure and promote sustainable transport which is secured through DCO Requirement.</p> <p>With respect to part (d), the Site Selection Report at Appendix 1 of the Planning Statement [Ref EN010127/APP/7.2] explains the process for identifying the location of the Order limits and the</p>
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		<p>importance of locating the Proposed Development in proximity to the Ryhall 400kv substation. Chapter 4 of the ES also sets out the alternatives considered by the Applicant.</p> <p>With respect to part (e), Chapter 6 of the ES includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The DCO Application is accompanied by an oLEMP which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed landscape mitigation and enhancement measures that would be delivered through the Proposed Development.</p> <p>With respect to part (f), the DCO Application is accompanied by an oCEMP and oDEMP. The oCEMP sets out measures for the designing, constructing and implementing the Proposed Development to be implemented in in such a way as to minimise the creation of waste and maximise the use of alternative materials with lower embodied carbon such as locally sourced products and materials with a higher recycled content where feasible. The oDEMP include similar measures.</p> <p>With respect to part (g), the majority of the Order limits is located in the Flood Zone 1 area. However, part of the Order limits is located within Flood Zones 2 and 3. In response, the layout of the site has been designed to minimise the development within areas at greater risk of flooding, and where this is unavoidable, ensuring that the infrastructure located in these areas will not increase the risk of flooding within the Order limits or elsewhere.</p>
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		<p>The FRA includes a sequential test and exception test which have been carried out to identify that there is no alternative site with a lower probability of flooding, and that the benefits of the Proposed Development outweigh flood risk.</p> <p>In order to mitigate flood risk, the majority of the Solar PV Site has been located within Flood Zone 1. Part of the Solar PV Site is located in Flood Zone 2 (no infrastructure is located within Flood zone 3). The infrastructure within Flood Zone 2 has been limited to solar PV Arrays which will be raised above the 1 in 100 year (plus climate change) flood event and will not impact risk of flooding to the site or downstream. No areas of hardstanding are located within Flood Zones 2 or 3.</p> <p>The FRA concludes that the risk of the Proposed Development flooding from all sources is negligible and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) Appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits.</p> <p>With respect to part (h), Chapter 14 of the ES includes an assessment of socio-economic impacts of the Proposed development at local and regional levels. Chapter 14 of the ES conclude that there will be beneficial employment and linked supply chain impacts associated with the Proposed development. the Employment, Skills and Supply Chain Plan [Ref EN010127/APP/7.10] is aimed at maximising these benefits.</p>
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		<p>With regard to part i) all works required to facilitate the Proposed Development, including works to the local road network, are included in the description of development in Chapter 5 of the ES.</p>
<p>Policy CS4 - The location of development</p>	<p>In order to contribute towards the delivery of sustainable development and meet the vision and the strategic objectives of the Core Strategy:</p> <p>Development in Rutland will be directed towards the most sustainable locations in accordance with the settlement hierarchy of Oakham, Uppingham, Local Service Centres, Smaller Service Centres and Restraint Villages. The rest of Rutland, including settlements not identified in settlement categories will be designated as countryside.</p> <p>[...]</p> <p>Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs.</p> <p>The conversion and re-use of appropriately located and suitably constructed rural buildings for residential and employment-generating uses in the countryside will be considered adjacent or closely related to the towns, local services centres and smaller services centres provided it is of a scale</p>	<p>The Order Limits are located within the area designated as countryside as defined in Policy CS4.</p> <p>The Grid Connection Statement [Ref EN010127/APP/7.4] confirms the capacity secured by the Applicant at the Ryhall 400kv Substation and the Statement of Need [Ref EN010127/APP/7.1] confirms the importance of utilising capacity within the National Grid where this can be secured. The Site Selection assessment at Appendix 1 of the Planning [Ref EN010127/APP/7.2] provides an overview of the site selection process undertaken to identify a suitable development site in proximity to the Ryhall 400KV Substation.</p> <p>In response to policy CS4, the countryside location for the Proposed Development is considered justified as essential infrastructure with a primary function to import energy from renewable sources providing wider sustainability benefits to the community through the delivery of a considerable amount of renewable energy generation capacity that is urgently needed to help meet national energy and climate change objectives and commitments, as detailed by the Statement of Need.</p> <p>Chapter 14 of the ES [Ref EN010127/APP/6.1] includes an assessment of socio-economic impacts of the Proposed Development at local and regional levels. An outline Employment</p>

	<p>appropriate to the existing location and consistent with maintaining and enhancing the environment and would contribute to the local distinctiveness of the area.</p> <p>New development will be prioritised in favour of the allocation and release of previously developed land within or adjoining the planned limits of development where it can support sustainable patterns of development and provides access to services by foot, public transport and cycling.</p>	<p>and Skills Action Plan (oESAP) is to be prepared to support and enable local residents and businesses to access the employment and supply chain opportunities that will be presented.</p>
<p>Policy CS13 – Employment and economic development</p>	<p>The strategy is to:</p> <ul style="list-style-type: none"> a) support the provision of a greater range of employment opportunities focused on high skilled, knowledge based, leisure and tourism industries in the county; b) support small scale and start up businesses including through the provision of additional managed incubator and start-up premises; c) safeguard all of the land and premises in the existing industrial estates for employment uses (B1, B2, B8) unless it can be demonstrated that an alternative use would have economic benefits and would not be detrimental to the overall supply and quality of employment land within the County.; 	<p>Parts b, c, d, e, f, h of policy CS 13 are not relevant to the Proposed Development.</p> <p>With regards to Part (a), Chapter 14 of the ES [Ref EN010127/APP/6.1] includes an assessment of socio-economic impacts of the Proposed development at local and regional levels. The Chapter confirms that the majority of socio-economic impacts experienced during the construction and decommissioning phases relate to the creation of employment opportunities and increased spend on local services. Once operational, impacts on local labour market arising from operational and maintenance jobs would be more limited.</p> <p>An Employment, Skills and Supply Chain Plan [Ref EN010127/APP/7.10] will be agreed with local stakeholders prior to the commencement of construction which will set out measures the Applicant will implement in order to promote and enable access to the employment and supply chain opportunities associated with the</p>

	<ul style="list-style-type: none"> d) safeguard the current undeveloped high quality employment allocations at Lands End Way, Oakham; Uppingham Gate and Pit Lane, Ketton for employment uses (B1, B2, B8) and waste related uses unless it can be demonstrated that an alternative use would have economic benefits and would not be detrimental to the overall supply and quality of employment land within the County. Provide new employment allocations as set out in Policy CS14.; e) safeguard local employment uses located outside the employment areas where they are important to sustaining the role of the settlements and the local economy; f) support the re-use or re-development of redundant military bases and prisons as set out in Policy CS6; g) improve workforce skills by: <ul style="list-style-type: none"> i) working with local education and skill agencies, and local businesses to establish training facilities to enhance workforce skills; ii) Supporting the development of new training facilities on employment sites; 	<p>construction phase locally in order to help capture as many of the benefits for study area residents as possible.</p> <p>Parts b – f and h of this Policy are not considered relevant to the Proposed Development.</p> <p>With regards to Part (g) of Policy CS13, an Employment, Skills and Supply Chain Plan will be agreed with local stakeholders prior to the commencement of construction which will set out measures the Applicant will implement in order to promote and enable access to the employment and supply chain opportunities associated with the construction phase locally in order to help capture as many of the benefits for study area residents as possible.</p>
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	<p>h) support the introduction and development of the superfast broadband and information and communications technology networks to support local businesses and flexible working in particular in the rural areas.</p>	
<p>Policy CS16 – The rural economy</p>	<p>The strategy for the rural economy is to:</p> <ul style="list-style-type: none"> a) encourage agricultural, horticultural and forestry enterprises and farm diversification projects where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness; b) support the mineral industry as set out in the Minerals Core Strategy and Policies DPD; c) support waste management development as set out in Policy CS25; d) safeguard existing rural employment sites and permit the improvement and expansion of existing businesses provided it is of a scale appropriate to the existing development where this would be consistent with maintaining and enhancing 	<p>The application allows the diversification of existing agricultural businesses. Chapter 12 of the ES [Ref EN010127/APP/6.1] confirms that the land occupied by the Solar PV site only involves part of their respective wider agricultural land holding, allowing farming activities to continue on land outside of the Solar PV Site. Grazing is also proposed to be undertaken amongst the solar arrays within the Solar PV Site, as described in the oLEMP [Ref EN010127/APP/7.9].</p>

	<p>the environment, and contribute to local distinctiveness of the area;</p> <p>e) allow small scale developments for employment purposes in the local services centres and smaller services centres provided it is of a scale appropriate to the existing location where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness of the area;</p> <p>f) support the conversions and re-use of appropriately located and suitably constructed rural buildings in the countryside (adjacent or closely related to the towns, local services centres and smaller services centres) for employment generating uses particularly where they would assist in the retention or expansion of existing rural businesses or encouragement of enterprises that have little adverse environmental impact,</p> <p>support the local delivery of services and retention of local shops and pubs as set out in Policy CS7.</p>	
<p>Policy CS18– Sustainable transport and accessibility</p>	<p>The Council will work with partners to improve accessibility and develop the transport network</p>	<p>With respect to parts a – c of Policy CS18, the transport related mitigation measures that have been integrated into the design of</p>

	<p>within and beyond Rutland and accommodate the impacts of new development by focusing on:</p> <ul style="list-style-type: none"> a) supporting new development in the towns and local service centres in line with the locational strategy in Policy CS4 which are accessible by range of sustainable forms of transport and minimise the distance people need to travel to shops, services and employment opportunities; b) supporting development proposals that include a range of appropriate mitigating transport measures aimed improved transport choice and encourage travel to work and school safely by public transport, cycling and walking, including travel plans; c) providing safe and well designed transport infrastructure; d) improving bus routes, services and passenger facilities around the key transport hubs of Oakham and Uppingham and linkages to the larger service villages and nearby cities and towns, such as Leicester, Peterborough, Corby and Stamford; e) improving passenger rail services and facilities to Oakham and other parts of the 	<p>the Proposed Development are outlined in Chapter 9 of the ES [Ref EN010127/APP/7.11] and are as follows:</p> <p>Access locations: the location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including ensuring the nature of the major arm being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows. Where there is not a reasonable access location within vicinity of the relevant area of the Solar PV Site, a new vehicle access has been provided that complies with all relevant highway safety requirements.</p> <p>Consolidation: use of a centralised primary construction compound for deliveries to allow direct access to the Solar PV Site and reduce the need for larger deliveries to impact the LRN, as secured through the an outline Construction Traffic Management Plan (oCTMP) (including outline Travel Plan) [Ref EN010127/APP/7.11]. From this centralised primary compound, the deliveries will be distributed out via smaller, local vehicles to the secondary construction compounds. This allows for extra control over the timings of any construction deliveries, whereby arriving/departing vehicles can arrive in platoons to avoid the likelihood of two construction vehicles passing each other.</p> <p>Layout and Internal Routing: internal access routes will be provided within the Solar PV Site to minimise vehicles needing to use the</p>
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	<p>region and bus, pedestrian and cycle links to the rail station;</p> <p>f) supporting opportunities for sustainable freight movement by rail where possible;</p> <p>g) Integration between the different modes particularly bus and rail services through provision of a sustainable transport interchange in Oakham;</p> <p>h) providing adequate levels of car parking in line with Council's published car parking standards;</p> <p>i) co-ordination and joint working between the education, public, business, voluntary and community sectors to achieve affordable and sustainable transport, wherever possible; and</p> <p>j) the delivery of highways and transport improvements as guided by the Local Transport Plan through joint working with neighbouring authorities and transport providers, where necessary.</p>	<p>LRN. The setbacks included in the layout of PV Solar arrays from settlements and residential properties also reduces the impact of vehicle routes in relation to these receptors.</p> <p>Vehicle routing: construction vehicles will only utilise the permitted access routes, which will be secured by a requirement on the DCO application via the oCTMP.</p> <p>Highway improvements: permanent improvements will be made to the junction of the A1621 and Uffington Lane, as well as the introduction of passing places well as along Uffington Lane (within the Order limits), prior to the commencement of construction (such passing places to be removed post construction to minimise impacts to the Local Wildlife Site status of the affected verges), as secured through the Outline CTMP), to help facilitate two-way HGV flows. Further details on the mitigation measures are included within the supporting (Appendix 9.4) of the ES [Ref EN010127/APP/6.2].</p> <p>Staff Shuttle: a staff shuttle service will be deployed from the primary construction compound to transport staff to the relevant area where works are required, which will be subject to phasing, with investigations for a shuttle to areas of residence/public transport hubs.</p> <p>Management Plans: a number of outline management plans including an outline Construction Environmental Management Plan oCEMP [Ref EN010127/APP/7.6] and the oCTMP (including outline Travel Plan) have been prepared in support of the DCO and will inform the development of final management plans prior to construction as secured by a DCO Requirement.</p>
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		Parts d – j are not considered relevant for the Proposed Development.
Policy CS19 – Promoting good design	<p>All new development will be expected to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.</p> <p>All new developments will be expected to meet high standards of design that:</p> <ul style="list-style-type: none"> a) are sympathetic and make a positive contribution towards the unique character of Rutland’s towns, villages and countryside; b) reduce the opportunity for crime and the fear of crime and support inclusive communities, particularly in terms of access and functionality; c) incorporate features to minimise energy consumption and maximise generation of 	<p>In response to part a) the Design and Access Statement [Ref EN010127/APP/7.3] sets out how good design has been embedded in the Proposed Development vision and objectives, how this has influenced the overall siting and aesthetics of the Proposed Development, how the local landscape and visual character has been considered and how good design will be taken forward at detailed design stage.</p> <p>Mallard Pass Solar Farm has adopted the NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development These NIC Design Principles have been used to frame a set of specific Project Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy., to be taken forward in detailed design through further developed Design Guidance.</p> <p>Chapter 3 of the ES [Ref EN010127/APP/6.1] sets out a description of the Order limits and their context, and the Design and Access Statement describes the key elements of the landscape character with reference to the Landscape Character Areas (LCA), and management measures to ensure these LCAs are preserved. These management measures have been carried through to the Project Principles and Design Guidance section of the Design and Access Statement to ensure the Proposed Development is</p>

	<p>renewable energy as part of the development (see Policy CS20);</p> <p>d) minimise water use and the risk of flooding to and from the development including the use of Sustainable Urban Drainage Systems wherever possible;</p> <p>e) minimise the production of waste during their construction and operation and maximise the re-use and recycling of materials arising from construction and demolition and;</p> <p>f) allow the sorting, recycling and biological processing of waste through the development's operational life.</p> <p>New developments of 10 or more dwellings will be expected to meet a "good" or "very good" rating (14 or more positive answers out of 20) against Building for Life criteria unless it can be demonstrated that this is not feasible or viable on a particular site. New housing developments will be required to meet "Lifetime Homes" standards in order to ensure that they meet the current and future needs of occupiers.</p>	<p>sympathetic towards the unique character of countryside, and responds positively to nearby settlements.</p> <p>In addition, a Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. In response to part b) Security requirements for the Proposed Development have been embedded into the design of the proposals from the outset and are considered proportionate. Facing and CCTV are employed across the site to secure and monitor solar infrastructure. The oOEMP [Ref EN010127/APP/7.7] sets out measures for the security management, including a programme of security management threat risks assessments. Section 7.1 of the Planning Statement describes how the Proposed Development has been designed in order to address security concerns.</p> <p>In response to part c) The Operational phase of the Proposed Development by its nature will generate substantial levels of renewable energy. Section 3 of the Planning Statement outlines that maximising the generating capacity of schemes improves their economic efficiency, bringing power to market at the lowest cost possible. Figure 10-5 in section 10 of the Statement of Need [Ref EN010127/APP/7.1] confirms that larger solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reduction and economic benefits in line with government policy. The scale of the Proposed Development responds to this</p>
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		<p>opportunity, and has been designed to respond sensitively to local context as described in the Design and Access Statement. In addition, a series of measures are included to minimise and offset the GHG footprint of the Proposed Development from the construction and decommissioning phases. The adoption of measures detailed in Table 3-9 Climate Change of the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], and Table 3-9 Climate Change of the outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8].</p> <p>In response to part d) a Flood Risk Assessment (FRA) included in Appendix 11.54 of the ES [Ref EN010127/APP/6.2] has been prepared, and the likely effects of the Proposed Development associated with flood risk have been assessed in Chapter 11 of the ES [Ref EN010127/APP/6.1]. The FRA concludes that the risk of the Proposed Development flooding from all sources is minimised and can be effectively managed via drainage measures identified in the outline Surface Water Drainage Strategy (oSWDS) Appendix 11.6 of the ES [Ref EN010127/APP/6.2], and the Proposed Development is not considered to give rise to any adverse flood effects either within, or outside of the Order limits. The Proposed Development requires minimal use of water. However, a Water Management Plan (WMP) [Ref EN010127/APP/7.13]. has been prepared and to manage abstraction of water during construction activities.</p> <p>In response to part e) and f) Section 15.7 of Chapter 15 of the ES considers waste streams during the construction, operation and</p>
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		<p>decommissioning phases of the Proposed Development. The Waste Hierarchy principles are embedded into the outline environmental management plans that form part of the DCO. An obligation to prepare a Construction Resource Management Plan (CRMP) is set out in the oCEMP and an obligation for a Decommissioning Resource Management Plan (DRMP) is set out in the oDEMP.</p>
<p>Policy CS20 - Energy efficiency and low carbon energy generation</p>	<p>Renewable, low carbon and de-centralised energy will be encouraged in all development. The design, layout, and orientation of buildings should aim to minimise energy consumption and promote energy efficiency and use of alternative energy sources.</p> <p>All new housing developments will be encouraged to meet the minimum energy efficiency standards of the Code for Sustainable Homes in accordance with the government’s proposed timetable for improving energy efficiency standards beyond the requirements of the Building Regulations. All new non-domestic buildings will be encouraged to meet BREEAM design standards for energy efficiency.</p> <p>Wind turbines and other low carbon energy generating developments will be supported where environmental, economic and social impacts can be addressed satisfactorily and where they address the following issues:</p>	<p>The Proposed Development comprises a low carbon energy generating development which is subject to criteria a – e of Policy CS20.</p> <p>With respect to part (a), Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. It also considers cumulative effects, visual and light pollution effects and effects on nature conservation. The LVIA has been informed by, amongst other documents, the Rutland Landscape Character Assessment and the Rutland Historic Landscape Character assessment. Section 7.2 of the Planning Statement presents a summary of the LVIA assessment conclusions. In summary the LIVA has concluded that the Proposed Development will result in some limited adverse landscape and visual effects. However, the applicants have demonstrated that considerable effort has been made to minimise landscape and visual impacts of the Proposed Development. The measures that have been effective in containing the adverse impacts are demonstrated in the Green Infrastructure</p>

	<ul style="list-style-type: none"> a) landscape and visual impact, informed by the Rutland Landscape Character Assessment and the Rutland Historic Landscape Character assessment; b) effects on the natural and cultural environment including any potential impacts on the internationally designated nature conservation area of Rutland Water; c) effects on the built environment, public and residential amenity, including noise intrusion; d) the number and size of wind turbines and their cumulative impact; <p>the contribution to national and international environmental objectives on climate change and national renewable energy targets</p>	<p>Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9]. It is considered that the wider benefits of the Proposed Development, including biodiversity net gain, provision of permissive footpaths and the delivery of significant level of low carbon energy generation outweigh these impacts and that the Proposed Development is considered acceptable in terms of overall landscape, visual and residential amenity impacts.</p> <p>With respect to part (b), Chapter 7 of the ES [Ref EN010127/APP/6.1] considers the biodiversity and nature conservation impacts of the Proposed Development.</p> <p>Some temporary impacts are identified on habitats related to the construction phase for the creation of passing places, and for visibility splays to facilitate access. The installation of the Solar PV Site will also result in the loss of some nesting areas for ground nesting birds. However, the Chapter concludes that, subject to mitigation, there are anticipated to be no potential significant adverse effects on any designated ecological sites, habitats or protected species.</p> <p>A shadow Habitats Regulation Assessment, ES Appendix 7.5 [Ref EN010127/APP/6.2] has been undertaken to support the DCO Application. This concludes that no likely significant effects on any Special Protection Areas (SPA), including Rutland Water, or Special Areas of Conservation (SAC) within the study area of the Proposed Development, and no specific residual mitigation measures are required.</p>
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		<p>With respect to part (c), a Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2]. An assessment of the noise and vibration impacts of the Proposed Development is set out in Chapter 10 of the ES [Ref EN010127/APP/6.1]. The outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] includes measures for the control of noise during construction.</p> <p>Operational noise has been assessed and the layout of noise-generating equipment has been set back from sensitive receptors (including heritage assets) as embedded mitigation. Noise levels at detailed design will be controlled through a requirement of the DCO.</p> <p>Part (f) is considered to relate to cumulative impact of wind turbines and therefore does not apply to the Proposed Development. Notwithstanding this, cumulative impacts of the Proposed Development have been assessed in the Environmental Statement and are summarised/presented in Chapter 16.</p> <p>With respect to part (e), the Proposed Development includes infrastructure capable of generating up to 350 megawatts (MW) of renewable energy connecting to the National Electricity Transmission System. The Statement of Need [Ref EN010127/APP/7.1] accompanying the DCO Application sets out a detailed case for why the Proposed Development is urgently required, concluding that it will be a critical part of the development</p>
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		<p>of the UK's portfolio of renewable energy generation, and required to decarbonise its energy supply quickly and provide secure and affordable energy supplies. The Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UKs ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation and deliverable in the 2020s, a critically important time period on the journey to achieving the UKs Net Zero commitments. The Proposed Development makes use of existing available capacity on the National Electricity Transmission which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the development delivers as much low-carbon power as possible in the most affordable way.</p>
<p>Policy CS21 - The natural environment</p>	<p>Development should be appropriate to the landscape character type within which it is situated and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.</p> <p>The quality and diversity of the natural environment of Rutland will be conserved and enhanced. Conditions for biodiversity will be maintained and</p>	<p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development. the Design and Access Statement [Ref EN010127/APP/7.3] describes the key elements of the landscape character with reference to the Landscape Character Areas (LCA), and management measures to</p>

	<p>improved and important geodiversity assets will be protected.</p> <p>Protected sites and species will be afforded the highest level of protection with priority also given to local aims and targets for the natural environment.</p> <p>All developments, projects and activities will be expected to:</p> <ul style="list-style-type: none"> a) Provide an appropriate level of protection to legally protected sites and species; b) Maintain and where appropriate enhance conditions for priority habitats and species identified in the Leicestershire, Leicester and Rutland Biodiversity Action Plan; c) Maintain and where appropriate enhance recognised geodiversity assets d) Maintain and where appropriate enhance other sites, features, species or networks of ecological interest and provide for appropriate management of these; e) Maximise opportunities for the restoration, enhancement and connection of ecological or geological assets, particularly in line with the Leicestershire, Leicester and Rutland Biodiversity Action Plan; 	<p>ensure these LCAs are preserved. These management measures have been carried through to the Project Principles and Design Guidance section of the Design and Access Statement to ensure the Proposed Development is sympathetic towards the unique character of landscape, and identifies opportunities for restoration or enhancement of landscape features.</p> <p>The biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES on ecology and biodiversity. With respect to parts a – c of Policy CS21, the Chapter sets out all relevant designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits.</p> <p>With respect to part d) the Green Infrastructure Strategy Plan which is included in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP7.7] which is secured as part of the DCO sets out the potential mitigation and enhancement measures identified, such as enhanced or new structural planting, and prescriptions for management of these features. With respect to parts (e), (f) and (h), biodiversity and nature geodiversity conservation considerations have informed the design of the Proposed Development from the outset and integrated as part of the design process, as described in the Design and Access Statement. This has facilitated an approach to mitigating impacts that first seeks to avoid impacts, then minimise them, and then take on-site measures to rehabilitate or restore biodiversity, before finally</p>
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	<p>f) Mitigate against any necessary impacts through appropriate habitat creation, restoration or enhancement on site or elsewhere;</p> <p>g) Respect and where appropriate enhance the character of the landscape identified in the Rutland Landscape Character assessment;</p> <p>Maintain and where appropriate enhance green infrastructure. (see Policy CS23)</p>	<p>offsetting residual, unavoidable impacts. The Design and Access Statement [Ref EN010127/APP/7.3] details the design process which has enabled the layout of the proposed development to maximise opportunities to enhance and conserve biodiversity and geological conservation interests. A key element of the strategy has been the identification and retention of beneficial biodiversity or geological landscape features into the layout of the Proposed Development.</p> <p>Chapter 7 describes the mitigation measures embedded into the layout as identified in the Green Infrastructure Strategy Plan which is included in the oLEMP [Ref EN010127/APP/7.9], and in the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6] and outline decommissioning Environmental Management plan (oDEMP) [Ref EN010127/APP/7.8], all of which are secured under the DCO</p> <p>The habitat creation and enhancements identified that will deliver a significant net gain in biodiversity value of the land within the Order Limits. This has been shown to be just over 72% Net Gain with the use of the Biodiversity Metric 3.1</p> <p>With respect to part (g), as set out above, the Proposed Development has been designed to respect, and where possible enhance the relevant Landscape Character as outlined within the Design and Access Statement [Ref EN010127/APP/7.3] and ES Chapter 6, LVIA [Ref EN010127/APP/6.1].</p>
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<p>Policy CS22 - The historic and cultural environment</p>	<p>The quality and character of the built and historic environment of Rutland will be conserved and enhanced.</p> <p>Particular protection will be given to the character and special features of:</p> <ul style="list-style-type: none"> a) listed buildings and features; b) conservation areas; c) scheduled ancient monuments; d) historic parks and gardens; e) known and potential archaeological sites. <p>All developments, projects and activities will be expected to protect and where possible enhance historic assets and their settings, maintain local distinctiveness and the character of identified features.</p> <p>Development should respect the historic landscape character and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.</p> <p>The adaptive re-use of redundant or functionally obsolete listed buildings or important buildings will be supported where this does not harm their essential character.</p>	<p>Chapter 8 of the ES [Ref EN010127/APP/6.1] includes a Cultural Heritage Assessment of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets.</p> <p>The Chapter confirms that there are no non-designated or designated heritage assets comprising Listed Buildings, Conservation Areas, Scheduled Monuments or Registered Parks are located within the Order limits.</p> <p>A limited number of historic assets have been identified which could potentially be affected by the Proposed Development. These are:</p> <ul style="list-style-type: none"> • the Scheduled Monument of Essendine Castle and the Grade II* Listed Church of St.Mary located 50m to the west of the Order limits; • the Grade II Listed Banthorpe Lodge located 190m to the east of the Order limits; • the non-designated heritage asset Braceborough Grange is located 10m to the north of the Order limits; and • the potential for buried impacts upon non-designated buried archaeological remains within the Solar PV Site area of the Order limits. <p>The Chapter identifies that no significant effects upon these assets, or upon buried archaeological remains, the historic landscape or</p>
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		<p>historic buildings will result from the construction, operation or decommissioning of the Proposed Development.</p> <p>A heritage settings assessment was undertaken early in the design process in order to allow avoidance and mitigation measures to be designed into the Proposed Development.</p> <p>The incorporation of offsets to maintain a degree of separation between the Solar PV Site and surrounding designated heritage assets, including the Scheduled Essendine Castle and Grade II* Listed Church of St. Mary, and Grade II Listed Banthorpe Lodge have been incorporated into the design. These ensure that the characteristics of their existing settings are maintained. The farmland immediately surrounding the non-designated Braceborough Grange is maintained.</p> <p>The existing landscape structure within the Order limits, including hedgerows and tree-lines defining historic field systems will be preserved, and in many instances enhanced through additional planting. Where possible, new planting has been aligned to historic field boundaries which will serve to repair historic landscape structures, and serve to reduce any visibility of the Proposed Development from the identified heritage assets. This includes circa 670 metre native treebelt planting south of Carlby Road which broadly follows the alignment of a historic field boundary previously lost through arable intensification.</p> <p>Retention and management of these landscape features as detailed in the outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] would serve to minimise the</p>
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		effect of the Proposed Development upon historic landscape features within the Order limits.
Policy CS23- Green infrastructure, open space, sport and recreation	<p>The existing green infrastructure network will be safeguarded, improved and enhanced by further provision to ensure accessible multi-functional green spaces by linking existing areas of open space. This will be achieved by:</p> <ul style="list-style-type: none"> a) the continued development of a network of green spaces, paths and cycleways in and around the towns and villages; b) requiring new development to make provision for high quality and multifunctional open spaces of an appropriate size and will also provide links to the existing green infrastructure network; c) resisting development resulting in the loss of green infrastructure or harm to its use or enjoyment by the public. Proposals involving the loss of green infrastructure will not be supported unless there is no longer a need for the existing infrastructure or an alternative is provided to meet the local needs that is both accessible and of equal or greater quality and benefit to the community; 	<p>The DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9] which includes a proposed Green Infrastructure Strategy Plan.</p> <p>With respect to parts (a) - (c) of Policy CS23, maintaining and enhancing Green Infrastructure connections across the Order limits has been embedded into the design approach of the Proposed Development. The Green Infrastructure Strategy Plan included in the oLEMP [Ref EN010127/APP/7.9] delivers multifunctional green spaces across the Order limits, connecting habitats, delivering Biodiversity Net Gain and new permissive pathways. There are six Public Rights of Way (PRoW) which cross the Order Limits which are described in Table 3.1 of Chapter 3 of the ES [Ref EN010127/APP/6.1]. in addition, the Macmillan Way recreational route follows the south-western boundary before crossing the Solar PV Site and continues along the northern boundary of the south-western extent of the Solar PV Site. All PRoW within the Order limits are retained and the proposed Development has been designed to minimise impacts on these recreational resources. The Proposed Development would also include new permissive paths approximately 8.1km in total length connecting into the wider network of PRoW and rural lanes as a recreation benefit. Appendix 6.5, of the ES includes an Access and Recreation Assessment (ARA) [Ref EN010127/APP/6.1].</p>

	<p>d) resisting the loss of sport and recreation facilities where they are deficient and supporting the provision of additional new facilities in an equally accessible location as part of the development, particularly where this will provide a range of facilities of equal or better quality on a single site or provide facilities that may be used for a variety of purposes.</p>	<p>With respect to part (d), the Proposed Development does not result in the loss of sport and recreation facilities.</p>
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Mallard Pass Solar Farm

Table 9 Rutland County Council Local Planning Policy – Table of Compliance

Rutland Site Allocations and Policies Development Plan Document (adopted October 2014)		
Policy	Policy Text	Assessment
Policy SP1 – Presumption in favour of sustainable development	<p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p>	<p>The National Planning Policy Framework (NPPF) Table of Compliance (Table 4 at Appendix 3) outlines how the Proposed Development complies with Paragraph 8 in terms of achieving sustainable development.</p>

	<ul style="list-style-type: none"> any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or <p>specific policies in that Framework indicate that development should be restricted.</p>	
<p>Policy SP7 – Non-residential development in the countryside</p>	<p>Sustainable development in the countryside will be supported where it is:</p> <ol style="list-style-type: none"> essential for the efficient operation of agriculture, horticulture or forestry; essential for the provision of sport, recreation and visitors facilities for which the countryside is the only appropriate location; essential investment in infrastructure including utilities, renewable energy and road side services required for public safety purposes; a rural enterprise comprising small scale alterations, extensions or other development ancillary to an existing established use appropriate to the countryside; new employment growth comprising small scale, sustainable rural tourism, leisure or 	<p>The Proposed Development represents essential investment in renewable energy infrastructure and is therefore considered to fall under part I of Policy SP7. The Proposed Development presents a significant and vital opportunity to develop a large-scale low-carbon generation increasing materially the UKs ability to meet future Carbon Budgets and Net Zero by 2050. The Statement of Need [Ref EN010127/APP/7.1] demonstrates that the Proposed Development is of a scale which makes a meaningful contribution to decarbonisation and deliverable in the 2020s, a critically important time period on the journey to achieving the UKs Net Zero commitments. The Proposed Development makes use of existing available capacity on the National Electricity Transmission which means that the power it generates will be easily transmitted to wherever it is needed, without bearing additional costs to develop connection infrastructure thereby ensuring that the development delivers as much low-carbon power as possible in the most affordable way. Section 3 of the Planning Statement [Ref EN010127/APP/7.2] provides an overview of the need for, and benefits of, the Proposed Development, and the Statement of Need accompanying the DCO Application sets out a detailed case for why</p>

	<p>rural enterprise that supports the local economy and communities;</p> <p>f) farm diversification that supports waste management development.</p> <p>Provided that:</p> <ul style="list-style-type: none"> i. the development cannot reasonably be accommodated within the Planned Limits of Development of towns and villages; ii. the amount of new build or alteration is kept to a minimum and the local planning authority is satisfied that existing buildings are not available or suitable for the purpose iii. the development itself, or cumulatively with other development, would not adversely affect any nature conservation sites or be detrimental to the character and appearance of the landscape, visual amenity and the setting of towns and villages; iv. the development would not adversely affect the character of, or reduce the intervening open land between settlements so that their individual identity or distinctiveness is undermined; and 	<p>the Proposed Development is urgently required, concluding that it will be a critical part of the development of the UK’s portfolio of renewable energy generation, and required to decarbonise its energy supply quickly and provide secure and affordable energy supplies.</p> <p>In response to part (i) of Policy SP7, the Proposed Development could not be reasonably accommodated within the Planned Limits of Development of towns and villages. The Site Selection assessment at Appendix 1 of the Planning Statement provides an overview of the site selection process undertaken to identify the development site.</p> <p>In response to part (ii), Section 3 of the Planning Statement outlines that maximising the generating capacity of schemes improves their economic efficiency, bringing power to market at the lowest cost possible. Figure 10-5 in section 10 of the Statement of Need [Ref EN010127/APP/7.1] confirms that larger solar schemes deliver more quickly and at a lower unit cost than multiple independent schemes which make up the same total capacity, bringing forward carbon reduction and economic benefits in line with government policy.</p> <p>In response to part (iii), the biodiversity and geological conservation impacts of the Proposed Development are considered in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The Chapter sets out all the designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order</p>
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	<p>the development would be in an accessible location and not generate an unacceptable increase in the amount of traffic movements including car travel.</p>	<p>limits. The Chapter concludes that, subject to implementation of mitigation, there are anticipated to be no potential for significant adverse effects on any designated ecological sites, habitats or protected species.</p> <p>The DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) [Ref EN010127/APP/7.9], which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed landscape mitigation and enhancement measures that would be delivered through the Proposed Development.</p> <p>In response to part iv) Chapter 6 of the ES assesses the impacts upon landscape character of the Proposed Development. Section 6.3. of Chapter 6 of the ES sets out the national, regional, and local character areas that the Order limits relate to. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site. Section 6.5 of the of Chapter 6 of the ES set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs within the ZVI, the key characteristics of the wider LCAs would prevail.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] describes the process undertaken to minimise potential impacts upon the character of nearby settlements. Embedded mitigation</p>
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		<p>measures including substantial setbacks from settlements to the Solar PV Site, retention of existing landscape features and substantial new planting ensures the character and identify of individual settlements is preserved. In response to part (v), Chapter 9 of the ES summarises the traffic and transport related impacts of the Proposed Development. It concludes that that the potential for adverse effects would be local, temporary, and not significant.</p>
<p>Policy SP15 – Design and amenity</p>	<p>All new developments will be expected to meet the requirements for good design set out in Core Strategy CS19 – Promoting good design. Proposals will be assessed to ensure they effectively address the following matters:</p> <p>a) Siting and layout The siting and layout must reflect the characteristics of the site in terms of its appearance and function.</p> <p>b) Relationship to surroundings and to other development The development must complement the character of the local area and reinforce the distinctiveness of the wider setting. In particular, development should respond to surrounding buildings and the distinctive features or qualities that contribute to the landscape and streetscape quality of the local area. Design should also promote permeability and accessibility by making places connect with each other and ensure ease of movement between homes, jobs and services.</p> <p>c) Amenity The development should protect the amenity of the wider environment, neighbouring uses and</p>	<p>The Design and Access Statement [Ref EN010127/APP/7.3] demonstrates how the Proposed Development complies with parts a – d; f – g, and part l of Policy SP15 Pal(e) is not considered to be relevant to the Proposed Development. In addition, and in response to part c of the Policy, a Residential Visual Amenity Assessment (RVAA) has been undertaken (contained in Appendix 6.4 of the ES [Ref EN010127/APP/6.2] to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions, and outlines how residential visual amenity mitigation has been embedded within the Proposed Development. This mitigation also accounts for potential impacts arising from glint and glare, as set out in the glint and glare assessment included Appendix 15.4 of the ES [Ref EN010127/APP/6.2].</p> <p>In response to parts a – d; f – g, the Design and Access Statement sets out how good design has been embedded in the Proposed Development vision and objectives, how these have influenced the overall siting and aesthetics of the Proposed Development, how this has been considered and how good design will be taken forward at detailed design stage. Mallard Pass Solar Farm has adopted the</p>

	<p>occupiers of the proposed development in terms of overlooking, loss of privacy, loss of light, pollution (including contaminated land, light pollution or emissions), odour, noise and other forms of disturbance.</p> <p>d) Density, scale, form and massing The density, scale, form, massing and height of a development must be appropriate to the local context of the site and to the surrounding landscape and/or streetscape character.</p> <p>e) Appropriate facilities The development should incorporate appropriate waste management and storage facilities, provision for the storage of bicycles, connection to broadband networks.</p> <p>f) Detailed design and materials The detailing and materials of a building must be of high quality, respect and contribute to enhancing the local vernacular in respect of building traditions and appropriate to its context. New development should employ sustainable materials, building techniques and technology where appropriate.</p> <p>g) Crime prevention The design and layout of development should be safe and secure, with natural surveillance. Measures to reduce the risk of crime and anti-social behaviour must however not be at the expense of overall design quality.</p> <p>h) Energy and water consumption measures The development should incorporate measures to minimise energy and water consumption, through carefully considered design, layout and orientation of buildings and to make provision for recycling of</p>	<p>NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development. These NIC Design Principles have been 'localised' and developed into project specific Project Principles (and then on into Design Guidance for the post-consent process) to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy.</p> <p>Section 7.1 of the Planning Statement describes how the Proposed Development has been designed in order to address security concerns. Security requirements for the Proposed Development have been embedded into the design of the proposals from the outset and are considered proportionate. Facing and CCTV are employed across the site to secure and monitor solar infrastructure. The oOEMP [Ref EN010127/APP/7.7] sets out measures for the security management, including a programme of security management threat risks assessments.</p> <p>In response to part (h) An outline Water Management Plan [Ref EN010127/APP/7.6], is submitted as part of the DCO Application and describes water management measures. However, the Proposed Development will not result in water consumption other than possible minor abstraction for construction.</p> <p>In response to pl-ts (i - k) of Policy SP15, the DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed</p>
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	<p>waste, in particular ensuring that adequate bin storage areas are provided.</p> <p>i) Landscaping The development will only be acceptable if it provides for adequate landscaping, which preserves visual amenity and is designed as an integral part of the layout. Where development would abut or be within open countryside and be exposed to view, landscaping will be required to help integrate it into the surroundings. Landscaping will be expected to make use of native and local species of plants which are resilient to climate change. The use of invasive and non-native plants will be discouraged. For major development an acceptable integrated structural landscaping scheme will need to be submitted.</p> <p>j) Trees and hedgerows Development that would result in the loss of trees and hedgerows will only be acceptable where it would not detract from visual amenity in the area (see also Policy SP-9 - Biodiversity and geodiversity conservation).</p> <p>k) Outdoor playing space and amenity open space The development will only be acceptable if it makes adequate provision for open space which: i) is integrated and well located in relation to the proposed and existing development; ii) has step free access, making the site accessible for those with disabilities and pushchair users; iii) provides pathways to and through the open space</p>	<p>landscape mitigation and enhancement measures that would be delivered through the Proposed Development.</p> <p>In response to part (l) of Policy SP15, the location of the proposed vehicle access points to the Solar PV Site has been identified through a review of the Local Road Network (LRN) to identify suitable locations in highway safety terms, including ensuring the nature of the major arm being sufficient to accommodate HGVs and the provision of appropriate visibility splays. The use of existing access points onto the LRN has been prioritised to minimise the environmental impacts associated with the creation of new points of vehicular access, such as the removal of hedgerows. Where there is not a reasonable access location within vicinity of the relevant area of the Solar PV Site, a new vehicle access has been provided that complies with all relevant highway safety requirements. All PRow within the Order limits are retained and the proposed Development has been designed to minimise impacts on these recreational resources. The Proposed Development would also include three new permissive paths approximately 8.1km in total length connecting into the wider network of PRow and rural lanes as a recreation benefit.</p> <p>In response to part (m), Chapter 9 of the ES outlines the transport related mitigation measures that have been integrated into the design of the Proposed Development. The Chapter confirms that the assessment of transport impacts confirms that the potential for adverse effects would be local, temporary and medium term and not significant.</p>
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	<p>Standards for provision of new open space are set out in Policy SP22 (Provision of new open space).</p> <p>l) Access and Parking</p> <p>The development should make provision for safe access by vehicles, pedestrians, wheelchair users and cyclists as well as provide good links to and from public transport routes. Developers will be expected to retain existing footpaths, cycle routes and bridleways or to make provision for their reinstatement, and to make provision for new routes to link with existing networks. This includes taking opportunities to enhance access to the countryside through improvements to the rights of way network. Adequate vehicle parking facilities must be provided to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with the parking standards set out in Appendix 2, including parking for people with disabilities. There should where practicable be convenient external access for mobility scooters to the rear gardens of residential properties to facilitate parking and storage, if suitable provision has not been made at the front or side of the dwelling. In exceptional circumstances, particularly in the town centres of Oakham and Uppingham, the application of these standards may be varied in order to reflect the accessibility of the site by non-car modes or other identified local requirement.</p> <p>m) Impact on the highway network</p> <p>Development should be designed and located so that it does not have unacceptable adverse impact</p>	
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	<p>on the highway network. Where necessary mitigation measures will be required to ensure that any impact is kept within acceptable limits. Development that would have an unacceptable adverse impact on the highway network will not be permitted.</p>	
<p>Policy SP18 - Wind turbines and low carbon energy developments</p>	<p>Proposals for wind turbines and other low carbon energy developments will be supported where environmental, economic and social impacts can be addressed satisfactorily in accordance with Core Strategy Policy CS20 (Energy efficiency and low carbon energy developments).</p> <p>1. Wind turbine developments</p> <p>Proposals for wind turbine developments will be supported where they are acceptable in terms of:</p> <p>a) impact on the landscape, having regard to the findings of the Rutland Landscape Sensitivity and Capacity Study (Wind Turbines);</p> <p>b) visual impact;</p> <p>c) cumulative impact;</p> <p>d) shadow flicker;</p> <p>e) noise;</p> <p>f) separation distances from:</p> <p>i) residential dwellings in order to protect residential amenity and to minimise any</p>	<p>In response to Part 2 of Policy SP18 relating to ‘other low carbon energy generating developments’, the Planning Statement [Ref EN010127/APP/7.2] presents a summary of the assessment of impacts and proposed mitigations in relation to various environmental topic areas (covering landscape and visual, noise, the natural environment (biodiversity and geological conservation), the historic and cultural environment, air quality, water quality and resources, and transport) with a view to demonstrating that proposals are acceptable with respect to parts a – h of the Policy.</p> <p>In addition to this, and with respect to part (a) of Policy SP18, a Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2].</p> <p>With response to part b) Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed</p>

	<p>impact of noise or shadow flicker;</p> <p>ii) public footpaths and bridleways;</p> <p>iii) power lines, roads and railways;</p> <p>g) the natural environment;</p> <p>h) the local economy and tourism;</p> <p>i) the historic and cultural environment;</p> <p>j) grid connection;</p> <p>k) air traffic and radar;</p> <p>l) form and siting;</p> <p>m) mitigation;</p> <p>n) decommissioning and reinstatement of land at the end of the operational life of the development.</p> <p>Further guidance on these issues is provided in the Supplementary Planning Document on Wind Turbine Developments.</p> <p>2. Other low carbon energy generating developments</p> <p>Proposals for other low carbon energy developments will be supported where they are acceptable in terms of:</p> <p>a) impact on residential amenity;</p> <p>b) landscape and visual effects;</p>	<p>Development. It considers cumulative effects, visual and light pollution effects and effects on nature conservation. It includes reference to landscape character assessments relevant to the Proposed Development and takes account of development local development plan policies. The impacts are presented in Chapter 6 of the ES and considered in section 7.2 of the Planning Statement.</p> <p>With respect to part c) The biodiversity and nature conservation impacts of the Proposed Development are considered in Chapter 7 of the ES on ecology and biodiversity. The Chapter sets out all relevant designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits. The impacts are presented in Chapter 7 the ES and considered in section 7.6 of the Planning Statement.</p> <p>With respect to part d) Appendix 8.4 of the ES includes a Cultural Heritage Impact Assessment [Ref EN010127/APP/6.2] of the construction, operation and decommissioning phases of the Proposed Development, encompassing assessment of buried archaeological remains, built heritage and the historic landscape including designated and non-designated heritage assets. The impacts are presented in Chapter 8 the ES Chapter and considered in section 7.3 of the Planning Statement.</p> <p>With respect to part e) Chapter 10 of the ES includes a noise assessment of the Proposed Development, including construction / decommissioning affects and impacts of operational noise. The</p>
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	<p>c) the natural environment; d) the historic and cultural environment; e) noise; f) emissions to ground, watercourses and air; g) odour; h) vehicular access and traffic; i) proximity of generating plants to the renewable energy source; j) grid connection; k) form and siting; l) mitigation; m) the decommissioning of the development and reinstatement of land at the end of its operational life.</p>	<p>impacts are presented in Chapter 10 of the ES and considered in section 7.10 of the Planning Statement.</p> <p>With respect to part f) Chapters 13 (Climate Change), 11 (Water Resources and Ground Conditions) and section 15.2 (Air Quality) of Chapter 15 (other environmental topics) assess the potential effects of the Proposed Development upon ground, watercourses and the air. These Chapters refer to embedded mitigation incorporated into the design of the Proposed Development and environmental management included within the outline Construction Environmental Management Plan (oCEMP) [Ref EN010127/APP/7.6], outline Operational Management Plan (oOEMP) [Ref EN010127/APP/7.7] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]. With these measures in place it is concluded that the proposed development would be acceptable in terms of part f) of the policy.</p> <p>With respect to part (g), the Proposed Development is not anticipated to give rise to any impacts from emissions of odour.</p> <p>With respect to part (h) vehicular access and traffic impacts are assessed in Chapter 9 of the ES. Appendix 9.4 of the ES [Ref EN010127/APP/6.2] includes a Transport Assessment. The results of the assessment are set out in Chapter 9 of the ES and section 7.12 of the Planning Statement.</p> <p>With respect to part i) the nature of the Proposed Development is such that the generating plants are located at the renewable energy source (i.e site irradiance levels). The Site Selection Report at</p>
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		<p>Appendix 1 of the Planning Statement sets out the process for identifying the location of the proposed development in relation to the available capacity at the Ryhall 400kv Substation.</p> <p>With respect to part j) the Grid Connection Statement [Ref EN010127/APP/7.4] confirms the capacity secured by the Applicant.</p> <p>With respect to part (k) of Policy SP18, the Design and Access Statement [Ref EN010127/APP/7.3] sets out how good design has been embedded in the Proposed Development vision and objectives, how these have influenced the overall siting and aesthetics of the Proposed Development, how this has been considered and how good design will be taken forward at detailed design stage. Siting within the Order Limits is shown on the Works Plans.</p> <p>With respect to part (l), mitigation measures have been embedded in the design and layout of the proposals and are described in Chapter 16 of the ES.</p> <p>With respect to part (m) of Policy SP18, The Solar PV Site would be removed in accordance with a Decommissioning Environmental Management Plan (DEMP) [Ref EN010127/APP/7.8]. The DEMP will be required to be in accordance with the outline Decommissioning Environmental Management Plan (oDEMP) which has been prepared to support the DCO Application.</p>
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<p>Policy SP19 – Biodiversity and geodiversity conservation</p>	<p>Development proposals will normally be acceptable where the primary objective is to conserve or enhance biodiversity or geodiversity.</p> <p>All new developments will be expected to maintain, protect and enhance biodiversity and geodiversity conservation interests in accordance with Core Strategy CS21 (The natural environment).</p> <p>Sites of biodiversity and geodiversity importance</p> <p>a) Areas of international importance</p> <p>Development proposals that may individually or cumulatively have an adverse effect on sites of international importance for nature conservation will be subject to the requirements of the Conservation of Habitats and Species Regulations 2010 (the “Habitats Regulations”) and other legislation that may apply to such sites.</p> <p>b) Areas of national importance</p> <p>Development proposals within or outside a Site of Special Scientific Interest (SSSI) that may individually or in combination with other developments have an adverse effect on the site will not normally be acceptable.</p> <p>Where an adverse effect on the notified special interest of the site is likely, an exception will only be</p>	<p>The biodiversity and geological conservation impacts of the Proposed Development are considered in Chapter 7 of the ES [Ref EN010127/APP/6.1]. The Chapter sets out all the designated sites (international, national and local) of ecological or geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order limits. The Chapter concludes that, subject to implementation of mitigation, there are anticipated to be no potential for significant adverse effects on any designated ecological sites, habitats or protected species.</p> <p>The Proposed Development has been designed to retain the existing landscape structure, including hedgerows and trees, within the Order limits. An Arboricultural Impact Assessment (AIA) is included in Appendix 15.2 of the ES [Ref EN010127/APP/6.2] and has identified veteran trees within the Order limits. Impacts on trees are avoided via embedded mitigation measures including standard offsets from all woodland, trees and hedges within and immediately adjacent to the Order limits and micro siting of infrastructure where cable routes or access tracks are in proximity to veteran and other trees as detailed in the outline Landscape and Environmental Management plan (oLEMP) [Ref EN010127/APP/7.9]. Measures to protect trees from accidental damage during the construction and decommissioning phases of the Proposed Development have been set out within the Construction Environmental Management Plan (oCEMP) [Ref</p>
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	<p>made for development where its benefits clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.</p> <p>In exceptional cases where development is permitted which would affect the special interest of a SSSI, development will only be permitted if the detrimental impact has been minimised through the use of all practicable prevention, mitigation and compensation measures.</p> <p>c) Areas of local importance</p> <p>Development that is likely to result in significant harm to a site of local importance for biodiversity or geodiversity conservation will not be acceptable unless the harm can be avoided (for example by locating development on an alternative site with less harmful impacts), adequately mitigated or as a last resort compensated for. Where compensatory habitat is created, it should be of equal or greater ecological value than the area lost as a result of the development.</p> <p>Protected species</p> <p>Where there is reason to suspect the presence of protected species, applications should be accompanied by a survey assessing their presence</p>	<p>EN010127/APP/7.6] and outline Decommissioning Environmental Management Plan (oDEMP) [Ref EN010127/APP/7.8]</p>
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	<p>and if present the proposal must make necessary measures to protect the species.</p> <p>Development proposals that are likely to have an adverse effect on protected species will be subject to the requirements of the Conservation of Habitats and Species Regulations 2010 (the “Habitats Regulations”) and other legislation that may apply to such species.</p> <p>In exceptional circumstances, development may be acceptable that would have an effect on protected species, subject to requirements to:</p> <ul style="list-style-type: none"> a) facilitate the survival of individual members of the species; b) reduce disturbance to a minimum; c) provide adequate alternative habitats to sustain at least the current levels of population. <p>Irreplaceable habitats</p> <p>Development that would result in the loss or deterioration of irreplaceable habitats, including ancient woodland and ancient semi-natural grasslands and the loss of aged or veteran trees found outside ancient woodland will not be acceptable unless the need for, and benefits of development in that location clearly outweigh the loss.</p>	
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	<p>Trees and hedgerows</p> <p>Development that would result in the loss of trees and hedgerows of biodiversity importance will not be acceptable unless the trees or hedgerows are dead, dying, diseased or dangerous or in exceptional circumstances due to the practicalities of development – see also Policy SP15 (Design and amenity).</p>	
<p>Policy SP23 – Landscape character in the countryside</p>	<p>Proposals to develop on land in the countryside will only be permitted where the development complies with either Policy SP6 (Housing in the countryside) or Policy SP7 (Non-residential development in the countryside) and Policy SP15 (Design and amenity) and Policy SP19 (Biodiversity and geodiversity conservation).</p> <p>New development in and adjoining the countryside will only be acceptable where it is designed so as to be sensitive to its landscape setting. Development will be expected to enhance the distinctive qualities of the landscape character types in which it would be situated, including the distinctive elements, features, and other spatial characteristics as identified in the Council’s current Rutland Landscape Character Assessment.</p> <p>Proposals will be expected to respond to the recommended landscape objectives for the character area within which it is situated.</p>	<p>Compliance with Policies SP7 (Non-residential development in the countryside), SP15 (Design and amenity) and Policy SP19 (Biodiversity and geodiversity conservation) is discussed and demonstrated against the relevant Policy in this table.</p> <p>The Design and Access Statement [Ref EN010127/APP/7.3] sets out how good design has been embedded in the Proposed Development vision and objectives, how this has influenced the overall siting and aesthetics of the Proposed Development, how the local landscape and visual character has been considered and how good design will be taken forward at detailed design stage.</p> <p>Mallard Pass Solar Farm has adopted the NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development. These NIC Design Principles have been ‘localised’ and developed into project specific Project Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst</p>

	<p>delivering low carbon energy, to be taken forward in detailed design through further developed Design Guidance.</p> <p>The DAS sets out a description of the Order limits and their context, describes the key elements of the landscape character with reference to the Landscape Character Areas (LCA), and management measures to ensure these LCAs are preserved. These management measures have been carried through to the Project Principles and Design Guidance section of the Design and Access Statement to ensure the Proposed Development has been designed so as to be sensitive towards the unique character of countryside, and responds positively to nearby settlements.</p> <p>Chapter 6 of the ES [Ref EN010127/APP/6.1] includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation and decommissioning phases of the Proposed Development. The LVIA assesses the landscape character and visual amenity of the Order limits and its surrounding context, its sensitivity to change, and the likely significance of effects arising from the Proposed Development.</p> <p>Section 6.3. of Chapter 6 of the ES sets out the national, regional, and local character areas that the Order limits relate to. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site.</p>
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		<p>Section 6.5 of the LVIA set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits and its immediate environs, the key characteristics of the wider LCAs would prevail.</p> <p>It is considered that these impacts are clearly outweighed by the Benefits of the proposed development, including biodiversity net gain and permissive path network, and the delivery of significant level of low carbon energy generation.</p> <p>The DCO Application is accompanied by an Outline Landscape and Ecological Management Plan (oLEMP) which includes a proposed Green Infrastructure Strategy Plan. These documents set out the proposed landscape mitigation and enhancement measures that would be delivered through the Proposed Development.</p>
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Mallard Pass Solar Farm

Table 10 Carlby Parish Neighbourhood Development Plan Policy – Table of Compliance

Carlby Parish Neighbourhood Development Plan 2018-2036 (adopted 2019)		
Policy	Policy Text	Assessment
P.O. Pollution Control	P.1 Subject to the provisions of other development plan policies, development that would conserve the rural character and tranquillity of the neighbourhood area will be supported where they have no unacceptable impact on residential amenity, air and light quality, and traffic movements or where the impacts can be satisfactorily mitigated	<p>Mallard Pass Solar Farm has adopted the NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development. These NIC Design Principles have been used to frame a set of specific Project Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy, to be taken forward in detailed design through further developed Design Guidance.</p> <p>Design and Access Statement [Ref EN010127/APP/7.3] describes the key elements of the landscape character with reference to the Landscape Character Areas (LCA), and management measures to ensure these LCAs are preserved. These management measures have been carried through to the Project Principles and Design Guidance section of the Design and Access Statement to ensure the Proposed Development is sympathetic towards the unique character of countryside, and responds positively to nearby settlements.</p>

		<p>Section 6.3. of Chapter 6 of the ES sets out the national, regional, and local character areas that the Order limits relate to. Locally the Order Limits are located within the Rutland Plateau D(ii) Clay Woodlands Landscape Character Area (LCA) broadly covering the north, eastern and southern parts of the Solar PV Site, and Kesteven Uplands LCA broadly covering Essendine village and the eastern and western parts of the Solar PV Site.</p> <p>Section 6.5 of the LVIA set out landscape effects of the Proposed Development upon these LCAs. In summary, the LVIA concludes that whilst the development would affect the character and appearance of the Order limits, the key characteristics of the wider LCAs would prevail</p> <p>Residential Visual Amenity Assessment (RVAA) has been undertaken to consider the significance of effects on the private views of the surrounding properties and the acceptability of living conditions in Appendix 6.4 of the ES [Ref EN010127/APP/6.2].</p> <p>With respect to air quality, an Air Quality Assessment has been undertaken, the results of which are set out in section 15.2 of Chapter, 15 of the ES, [Ref EN010127/APP/6.1]. It is concluded that the Proposed Development would not lead to a deterioration in air quality locally or lead to any air quality breaches elsewhere.</p> <p>With respect to light quality, impacts of artificial light during each phase of the development are considered in Chapter 6 of the ES. During operation, no areas of the Solar PV Site would be continuously lit. No visible lighting would be required at the perimeter fencing and Infra-Red (IR) lighting would be provided by the security system to provide night vision functionality for the CCTV. The lighting of the Onsite Substation and ancillary buildings would be in accordance with Health and Safety requirements, particularly around any emergency exits where there would be</p>
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		<p>lighting, similar to street lighting that operates from dusk. Otherwise, lighting sensors for security purposes will be implemented around the Onsite Substation and ancillary buildings. The lighting design would seek to limit any impacts on sensitive receptors through directional cowls, as secured through the oOEMP [Ref EN010127/APP/7.7]</p> <p>With respect to traffic movements, a Transport Assessment has been prepared and undertaken as part of the ES (see details in Chapter 9 of the ES, [Ref EN010127/APP/6.1]. It assesses the impact of the Proposed Development on traffic and transport. In addition, Appendix G of the outline Construction Traffic Management Plan (oCTMP) [Ref EN010127/APP/7.11], which also includes an outline Transport Plan (oTP) which provides measures proposed to mitigate the transport impacts as well as improve existing infrastructure and promote sustainable transport. These documents are included are in the DCO Application and the details of the full CTMP would be approved by South Kesteven District Council as a Requirement of the DCO.</p>
<p>V.0. Village rural character and appearance,</p>	<p>V.1. All proposed development, including conversions, extensions and new development, should ensure that the scale of buildings does not unacceptably impact on the character or appearance of the village.</p> <p>V.2. Development which would have a negative impact, which impedes or changes the views and green spaces on the entrance to the west of the village will not be supported.</p>	<p>In response to V.1. and V.2. Great care has been taken in the design development of the proposals to ensure that the Proposed Development does not unacceptably impact upon the character or appearance of the village, and the green spaces on it's western entrance. The Proposed Development and Solar PV Site has been set back circa 400m from Carlby Village at it's closest point. Key viewpoints have been assessed in the Carlby Village and is summarised in Chapter 6 of the ES [Ref EN010127/APP/6.1].</p> <p>Visual Receptor Group 3 covers those visual receptor groups within Carlby village. The LVIA confirms that the Solar PV Site would be distantly perceptible to a limited degree from Carlby High Street</p>

	<p>V.3. Developments which would affect 'Carlby Rag' dry stone and dressed wall features will be supported where they retain, repair and/or reinstate these vernacular materials as appropriate to the particular proposal.</p> <p>V.4. Developments should safeguard and where appropriate incorporate traditional hedgerows and trees both in general, and on the approaches into the village in particular. Development that results in the loss of such features will not be supported, and</p> <p>V.5. The plan will support small residential installations up to a maximum of 4500 kWh per year that are sensitively located . Commercial P.V. panel and wind generator farms which impact on natural views from and to the village will not be supported.</p>	<p>(rural lane) on the rising ground between the railway underpass and the village centre and from the PRow and properties on the southern fringe of Carlby village.</p> <p>Embedded mitigation would be provided through additional woodland planting along the disused railway embankment to the west of the eastern part of the Order limits to reduce the visual effects. Given the existing vegetation along the embankment, effective screening will be in place from year 1, with the impacts reducing as planting establishes resulting in minimal adverser effects.</p> <p>With regard to V.3. the proposal will not impact up on the Carlby Rag' dry stone and dressed wall features.</p> <p>with regard to V.4. A fundamental structuring element of the design has been to retain as far as possible the existing landscape features within the Order limits. The Green Infrastructure Strategy Plan which is included in the outline Landscape and Environmental Management Plan (oLEMP) [Ref EN010127/APP/7.9] which is secured in DCO Application, identifies how trees and hedgerowns are retained.</p> <p>With regard to V.5. as noted in response to V.1. and V.2. the visual impacts of the proposed development from Carlby Village have been assessed in Chapter 6 of the ES, which concludes that, accounting for the embedded mitigation designed into the Proposed Development, minimal adverse visual impacts will be experienced.</p>
<p>D.0. Generic Development "where suitable & acceptable"</p>	<p>D.0.1. All new development should demonstrate good quality design that respects the scale and character of existing and surrounding buildings. Development proposals that would result in poor</p>	<p>Mallard Pass Solar Farm has adopted the NIC Design Principles of climate, people, place and value to guide the design development of the Proposed Development. These NIC Design Principles have been 'localised' and developed into project specific Project</p>

	<p>design that fails to take the opportunities available for improving local character and quality of an area and the way it functions will not be supported.</p>	<p>Principles to ensure the Proposed Development fits sensitively into the local context, mitigating environmental effects, respects local communities and provides enhancements where possible whilst delivering low carbon energy, to be taken forward in detailed design through further developed Design Guidance.</p> <p>Design and Access Statement [Ref EN010127/APP/7.3] sets out a description of the Order limits and their context, describes the key elements of the landscape character with reference to the Landscape Character Areas (LCA), and management measures to ensure these LCAs are preserved. These management measures have been carried through to the Project Principles and Design Guidance section of the Design and Access Statement to ensure the Proposed Development is sympathetic towards the unique character of countryside, and responds positively to nearby settlements.</p>
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Mallard Pass

Solar Farm

Mallard Pass Solar Farm

Planning Statement
Appendix 4 - Minerals Assessment
November 2022

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1.0 Introduction

1.1. Background to the Proposed Development

- 1.1.1. This Minerals Assessment has been prepared on behalf of Mallard Pass Solar Farm Limited (the Applicant) in relation to an application for a Development Consent Order (DCO) (the DCO Application) to be made to the Secretary of State (SoS) for the Department for Business, Energy & Industrial Strategy (BEIS), pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2. Drawing **[Ref EN010127/APP/2.9]** shows the Order limits for the Proposed Development, which is located on approximately 852 hectares (ha) of land within Rutland County Council (RCC) South Kesteven District Council (SKDC) and Lincolnshire County Council (LCC). Of this, 556 ha of the Order limits is located within RCC's administrative boundary and the remaining 296 ha is located within SKDC and LCC's administrative boundary.
- 1.1.3. The DCO Application is a Nationally Significant Infrastructure Project (NSIP) for the installation of solar photovoltaic (PV) modules and associated infrastructure which would allow for the generation and export of electricity (the Proposed Development).
- 1.1.4. The Proposed Development will comprise the installation of PV Modules and associated infrastructure including an onsite Substation and a Grid Connection Route as described in Chapter 5 of the Environmental Statement (ES) **[Ref EN010127/APP/6.1]**. The principal components of the Proposed Development comprise the following:
- PV Modules;
 - Mounting Structures;
 - Inverters.

- Transformers;
- Switchgear;
- Onsite Substation and Ancillary Buildings;
- Low Voltage Distribution Cables;
- Grid Connection Cables;
- Fencing, security and ancillary infrastructure;
- Access tracks; and
- Green infrastructure (GI).

- 1.1.5. The Order limits comprises five different areas, which are broadly defined below and described on plan Figure 3.1 of the ES [**Ref EN010127/APP/6.3**].
- 1.1.6. The Solar PV Site - areas within the Order limits that are being considered for solar development, the primary onsite substation, access tracks and associated infrastructure.
- 1.1.7. Onsite Substation - comprising electrical infrastructure such as the transformers, switchgear and metering equipment required to facilitate the export of electricity from the Proposed Development to the National Grid. The Onsite Substation will convert the electricity to 400kV for onward transmission to the Ryhall Substation via the Grid Connection Cables.
- 1.1.8. Mitigation and Enhancement Areas – areas within the Order limits that are being considered for landscape screening, habitat creation and provision of permissive paths.
- 1.1.9. Potential Highway Works Site - areas beyond the Solar PV Site which are being considered for cable route connections and temporary/permanent

improvements to existing highways to facilitate the construction and decommissioning of the Proposed Development.

- 1.1.10. Grid Connection Corridor — area within the Order limits that is being considered for the Grid Connection Cable between the Onsite Substation and the National Grid Ryhall Substation and the new connection at National Grid Ryhall Substation.

1.2. Minerals Context

- 1.2.1. The Order limits are within the jurisdiction of two Minerals Planning Authorities:

- RCC is the Minerals Planning Authority relevant to the area of the Order limits that is within Rutland County, and
- LCC is the Minerals Planning Authority relevant to the area of the Order limits within South Kesteven District.

- 1.2.2. The Order limits are partially within areas that have been allocated by both RCC and LCC as Mineral Safeguarding Areas (MSAs) (see Figure 1). Development proposed within MSAs are subject to the requirements of relevant Minerals policies (discussed further in Section 2). This includes a requirement to prepare a Minerals Assessment.

- 1.2.3. Consultations have been held with RCC and LCC with regard to the scope of the Minerals Assessment.

1.3. Purpose of the Report

- 1.3.1. The purpose of this Minerals Assessment is to address the requirements of national and local policies relating to Minerals and provides an assessment of the impact of the Proposed Development on the safeguarded minerals resource.

- 1.3.2. The report is structured as follows:

- Section 2 provides a review of relevant national and local minerals policies;
- Section 3 provides an assessment of impact of the Proposed Development on minerals resource; and
- Section 4 presents the conclusions of the assessment.

2.0 Minerals Policy Review

2.1.1. The Proposed Development constitutes a Nationally Significant Infrastructure Project (NSIP) development in accordance with the Planning Act 2008 (PA 2008), as it comprises:

The construction or extension of a generating station (Part 3, Section 14(1)(a) of the PA 2008) with a generating capacity of more than 50MW (Part 3, Section 15(2)(c)).

2.1.2. In accordance with Part 4 of PA 2008, development consent is required for development to the extent that the development is or forms part of a NSIP.

2.1.3. Part 6 of PA 2008 is to be applied when determining applications for orders granting development consent. Sections 103 to 107 provide the framework for decision-making, which in turn frames the focus of the examination of the application for a draft development consent order. Section 104 applies when a National Policy Statement (NPS) has effect for a specified NSIP, whereas Section 105 applies when no NPS has effect.

2.1.4. At present Section 105 applies to the Proposed Development as the existing NPSs do not apply to solar projects. This means the SoS must have regard to

- any local impact report;
- any matters prescribed in relation to development of the description to which the application relates; and
- any other matters the Secretary of State considers to be important and relevant to a decision.

2.1.5. On this basis, the existing NPS EN-1 and EN-3 are considered to be important and relevant to deciding the application. The draft revised NPS EN-1 and EN-3 are also important and relevant (unless and until they

become the primary policy consideration in line with section 104). Particularly in the absence of the new NPS' being in force, it is also considered likely that the National Planning Policy Framework (and its associated Guidance) and the Local Plans of RCC, SKDC and LCC will be considered as 'important and relevant'. The Minerals related policies of these documents relating to Minerals are therefore presented below.

2.2. National Policy Statements

Overarching National Policy Statement for Energy (EN-1) (July 2011)

- 2.2.1. The Overarching NPS for Energy (EN-1) (July 2011), sets out the current national policy for delivering NSIP energy infrastructure in England and Wales.
- 2.2.2. NPS EN-1 Paragraph 5.10.9 states: 'Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.'
- 2.2.3. Paragraphs 5.10.25 to 5.10.23 states: 'Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), appropriate mitigation measures to safeguard mineral resources should be put in place to safeguard mineral resources.'

Draft Revised National Policy Statements

- 2.2.4. The Energy White Paper (December 2020) signalled a commitment to review the Energy NPS' to ensure that the planning policy framework enables the delivery of the infrastructure required for the transition to Net Zero. The Draft Revised Energy NPSs were published by BEIS following a period of engagement and consultation in 2021, and subsequent parliamentary scrutiny, with a final Revised NPS EN-1 and EN-3 anticipated for publication later in 2022.

Draft Revised Overarching National Policy Statement for Energy (EN-1) (September 2021)

- 2.2.5. The Draft NPS EN-1 does not add any further policy considerations with respect to minerals from the adopted NPS EN-1. Paragraph 5.11.9 of the revised Draft EN-1 reflects the wording of Paragraph 5.10.9 of the adopted NPS EN-1. Paragraphs 5.11.21 – 5.11.22 of the revised Draft EN-1 reflect the existing wording of Paragraphs 5.10.25 to 5.10.23 of NPS EN-1.

Draft Revised National Policy Statement for Renewable Energy Infrastructure (EN-3) (September 2021)

- 2.2.6. The Draft revised NPS EN-3, published by BEIS in September 2021, introduces a new section (Section 2.47) on solar photovoltaic generation, recognising that Solar Farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation worldwide. There are no specific references to mineral safeguarding in Draft EN-3.

2.3. National Planning Policy Framework (NPPF)

- 2.3.1. Paragraph 203 of the NPPF highlights that 'it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs'. It goes on to state that 'since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation'.
- 2.3.2. In order to meet this objective, Paragraph 204 of the NPPF sets out that Minerals planning authorities (MPAs) should safeguard mineral resources by defining MSAs. Minerals planning authorities (MPAs) should also adopt appropriate policies so that known locations of specific mineral resources of local and national importance are not sterilised by non-mineral development where this should be avoided. In addition, MPAs should set out policies to encourage the prior extraction of minerals, where practical

and environmentally feasible, if it is necessary for non-mineral development to take place; and should safeguard existing, planned and potential sites for: 'the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material'.

2.4. Local Policy

Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies DPD (June 2016)

2.4.1. The Lincolnshire Minerals and Waste Local Plan consists of two parts:

- Core Strategy and Development Management Policies (June 2016) - this outlines the principles for the future winning and working of minerals and the form of waste management. It also provides the criteria under which we consider minerals and waste development applications.
- Site Locations (adopted December 2017) - this includes specific proposals and policies for the provision of land for mineral and waste.

2.4.2. Figure 1 of the Lincolnshire Minerals and Waste Core Strategy and Development Management Policies identifies the MSAs for sand and gravel, limestone and blown sand. This is reproduced in Appendix 1.

2.4.3. Policy M11 'Safeguarding of mineral resources' seeks to protect MSAs from permanent sterilisation by other development. Applications for non-minerals development in a MSA must be accompanied by a Minerals Assessment. Where proposed development in MSAs will not sterilise mineral resources or prevent future minerals extraction on neighbouring land, planning permission will be granted when: demonstrating that the development could not reasonably be sited elsewhere;

- ‘The applicant can demonstrate to the MPA that prior extraction of the mineral would be impracticable, and that the development could not be reasonably sited elsewhere; or
- The incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- There is an overriding need for the development to meet local economic needs, and the development could not reasonably be sited elsewhere; or
- The development is of a minor nature which would have a negligible impact with respect to sterilising the mineral resource; or
- The development is, or forms part of, an allocation in the Development Plan’.

2.4.4. Figure 1 of the Site Locations document comprises the Site Locations Policies Map (reproduced in Appendix 2). This identifies the allocated minerals sites within LCC.

2.4.5. LCC recently undertook an in-depth review of the Lincolnshire Minerals and Waste Plan to assess whether its policies remain relevant and effective, and it was concluded that the plan should be updated as a whole. LCC are currently at an early stage of preparation of the new Minerals and Waste Local Plan. A consultation on the issues and options for updating the plan along with a call for sites exercise was undertaken from 28 June 2022 – 12 August 2022. LCC are currently considering the comments and site nominations received. The next stage will be to publish a draft plan (preferred approach) for consultation next year (2023).

Rutland Minerals Core Strategy and Development Control Policies (October 2010)

- 2.4.6. Figure 5 of the Rutland Minerals Core Strategy and Development Control Policies shows the Mineral Safeguarding areas. This is reproduced in Appendix 3.
- 2.4.7. MCS Policy 10 ‘Minerals Safeguarding’ provides the control over built development within safeguarding areas. MCS Policy 10 stipulates that, ‘all deposits of limestone and clay that are considered to be of current or future economic importance and significant infrastructure such as rail linked facilities within the Minerals Safeguarding Areas shown on Figure 5 will be safeguarded from unnecessary sterilisation by surface development. The safeguarding of sources of building and roofing stone will be progressed through the establishment of a list of important sources of this resource.’
- 2.4.8. The Minerals Allocations within Rutland are shown on Figure 3 ‘Key Diagram’ of the Rutland Minerals Core Strategy and DCP (reproduced in Appendix 4). This identifies existing quarries, two broad areas for future extraction (one related to limestone for aggregates covering the north east of the County and the other limestone and clay for cement purposes covering the area in the vicinity of Ketton Cement Works) together with a protection area around Rutland Water.

2.5. Industry Guidance

Mineral Safeguarding in England: Good Practice Advice, British Geological Survey Open Report OR/11/046 (2011)

- 2.5.1. The Planning Practice Guidance (Paragraph: 003 Reference ID: 27-003-20140306) makes reference to the Mineral Safeguarding in England: Good Practice Advice for detailed advice on minerals safeguarding.

2.5.2. The Good Practice Advice guidance states that the presence of a MSA neither precludes other forms of development being permitted nor conveys any presumption that the mineral will be worked. MSAs simply provide a policy tool which will be an alert to the fact that minerals may be sterilised by the proposed non-mineral development and that this should be taken into account in the planning process.

3.0 Assessment of Impact of the Proposed Development on Mineral Resource

3.1.1. This section identifies the minerals-related policy allocations relevant to the Order limits. It considers the potential for the Proposed Development to impact on the supply of mineral reserves following a review of information in local policy on landbanks. It then considers the potential impact of the Proposed Development on safeguarded minerals in line with policy requirements protecting MSAs.

3.2. Minerals allocations relevant to the Order limits

3.2.1. Figure 1 presents an overlay of the Order limits on relevant local policy designations. Mapping of the MSAs as shown on Figure 1 has been prepared by georeferencing the available mapping published in the Rutland Minerals Core Strategy and Development Control Policies, October 2010 (Figure 5: Mineral Safeguarding) and the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies DPD, June 2016 (Figure 1: Lincolnshire Mineral Safeguarding Areas Map). It should be noted that the mapping in the Minerals Planning Authorities plans is provided at a relatively low resolution and as such the accuracy of the boundaries for the MSAs shown on Figure 1 may be affected.

3.2.2. A review of Figure 1 of the Lincolnshire Minerals and Waste Local Plan: Site Locations document (see Appendix 2) and Figure 3 of the Rutland Minerals Core Strategy and DCP (see Appendix 4) confirms that there are no allocated minerals sites within the Order limits.

3.2.3. Approximately 212 ha of the Solar PV Site is located on land also identified as an MSA. In terms of how this is split across the Minerals Planning Authorities, within Rutland County Council approximately 202 ha of the Solar PV Site is located within an MSA (as allocated through Rutland

Minerals Core Strategy and Development Control Policies, see Appendix 3).

3.2.4. Within South Kesteven District, approximately 10 ha of the Solar PV Site is located within an MSA (as allocated by the Lincolnshire Minerals and Waste Local Plan Core Strategy, see Appendix 1). This MSA is designated for Limestone and it extends in a north-south direction across the whole of Lincolnshire. It is noted that Figure 1 suggests that approximately 10 ha of the MSA allocated under Policy 10 RCC's Minerals Core Strategy and Development Control Policies) falls within South Kesteven District boundary. It is assumed that this discrepancy is due to the limitations in mapping discussed in paragraph 3.2.1 above.

3.3. Impact on supply of minerals

3.3.1. Consideration is given to the availability of permitted reserves of minerals in both Rutland and Lincolnshire in order to assess whether the Proposed Development may prevent sufficient supply of minerals coming forward.

3.3.2. A landbank is a stock of planning permissions for mineral extraction. The government requires MPAs to have landbanks for aggregates and raw industrial minerals such as limestone and clay for cement manufacture. Landbanks are principally a monitoring tool to provide an early indication of possible disruption to the provision of an adequate and steady supply of mineral in the county and indicate when new permissions are likely to be needed. Government policy requires provision to be made for the maintenance of landbanks of at least 10 years for crushed rock and provision of a stock of permitted reserves to support maintenance of cement production of at least 15 years for cement primary and secondary materials to maintain an existing plant.

Rutland Landbank

- 3.3.3. The Rutland County Council Local Aggregates Assessment (LAA) 2022 (August 2022) forecasts the demand for aggregates based on average 10 year sales data and other relevant local information, analyses all aggregate supply options, and assesses the balance between demand and supply. The LAA reports that, ‘in 2019 14.1 Mt of crushed rock [(limestone)] was produced in the Leicestershire and Rutland sub-region of which 8 Mt (57%) was exported. 0.36 Mt of crushed rock was imported, leaving an export/import balance of -7.6 Mt; making the sub-region a significant net exporter. The average crushed rock sales for the most recent ten year rolling period (2012 – 2021) and most recent three year rolling period (2019 – 2021), are 0.262 million tonnes per annum (Mtpa) and 0.276 Mtpa respectively. Under every provision rate there are sufficient permitted reserves (as of 31/12/2021) to maintain the government required ten year landbank.’

Lincolnshire Landbank

- 3.3.4. The Lincolnshire Local Aggregates Assessment (September 2021) reported that there should be sufficient sand and gravel resources to last beyond the LMWLP period which extends to the end of 2031.
- 3.3.5. In respect of limestone, the LAA reported the following:
- ‘There were 15 limestone quarries in the county (excluding dormant sites), but four were either inactive or only produced non-aggregate. In 2020 sales of limestone aggregate amounted to 1.17mt, significantly higher than the 10 year average (0.77mt). There has been some sustained growth in sales, indicated in particular by the three year average figure which at 1.13mt is a 47% increase over the 10 year average. This more recent increase in sales appears to have been in part driven by an increase in exports, evidenced by the sales distribution data recorded in 2019 that*

shows around 48% (0.69mt) of aggregates were exported outside the county.

To reflect the higher level of demand, the method for calculating the landbank will continue to be calculated using the last 3 years average sales as opposed to the 10 year sales average. Using this approach, the permitted reserves of limestone (22.16mt) at the end of 2020 provides a landbank of 17.05 years. Although no sites have been allocated in the Site Locations Document, these reserves should last beyond the period of the Lincolnshire Minerals and Waste Local Plan.'

Summary of availability of minerals reserves

- 3.3.6. In summary, both Rutland and Lincolnshire both have sufficient permitted reserves of crushed rock (limestone) to provide in excess of a 10-year landbank. There is therefore no need for any additional permitted provision to be made for the foreseeable future.

3.4. Impact on Safeguarded Resource

- 3.4.1. As outlined above, the Order limits are located in part within MSAs. Paragraph 204 of the NPPF as well as both LCC's Policy M11 and RCC's MCS Policy 10 require that development must not permanently sterilise minerals resource in MSAs.
- 3.4.2. In addition to requiring development to demonstrate that it will not sterilise minerals resource, Policy M11 also outlines further criteria where development impacting an MSA would be considered acceptable. The criteria includes: demonstrating that prior extraction of the mineral would be impracticable and that the development could not be reasonably sited elsewhere; or demonstrating that the development is temporary in nature and that the site can be restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or demonstrating that there is an overriding need for the development to meet

local economic needs, and the development could not reasonably be sited elsewhere.

- 3.4.3. The sections below outline how the Proposed Development can demonstrate that they will not sterilise minerals resource and can demonstrate that it meets the additional criteria of Policy M11.

Sterilisation of Minerals Resource

- 3.4.4. The Proposed Development is of a nature that it will not permanently sterilise resource or hinder future extraction as the Solar PV Site can be removed and the land restored to its former use following its operational life.
- 3.4.5. The Applicant is not seeking a time limited consent and the operational life of the Proposed Development will not be specified within the DCO Application. However, it is recognised that solar panel efficiency deteriorates over time, and the electrical infrastructure will have an operational lifespan, after which it will need to be replaced or removed. The Applicant is not proposing any systematic repowering or wholesale replacement of PV modules or of other infrastructure across the Order limits, beyond routine servicing and maintenance (for instance, in the event of damage or operational failure outside of anticipated degradation). Therefore, while a time limited consent is not sought, it is anticipated that the development will be decommissioned at some point in the future, and any impacts that are caused by the Proposed Development related to the use of the land are considered to be reversible, and management plans secured by the DCO Application to ensure that site can be returned to an agreed baseline condition in the future. The Applicant will commit to decommissioning the Proposed Development when it ceases being operational.
- 3.4.6. For the purposes of assessing decommissioning with the ES, it has been assumed that the Proposed Development would take place after 40 years,

although it is noted that decommissioning could take place prior to or after this timeframe subject to how the technology is performing at that time. The assessment does not assume that the operational phase will be limited to 40 years as the solar infrastructure may continue to be operating successfully and safely beyond this period.

Need for Development and Site Selection

- 3.4.7. The Statement of Need **[Ref EN010127/APP/7.1]** accompanying the DCO Application sets out a detailed case for why the Proposed Development is urgently required, concluding that it will be a critical part of the development of the UK's portfolio of renewable energy generation, and required to decarbonise its energy supply quickly and provide secure and affordable energy supplies.
- 3.4.8. The Site Selection Report (Appendix 1 to the Planning Statement **[Ref EN010127/APP/7.2]**) provides an overview of the site selection process undertaken to identify the development site and presents the reason why the Proposed Development and Order limits are located in this particular location. Section 5 of the Planning Statement **[Ref EN010127/APP/7.2]** gives an overview of the principles and the technical and environmental requirements of a large-scale solar farm development project that have guided the site selection. Both demonstrate that there are limitations and external factors influencing the siting of the Proposed Development, including availability of a suitable grid connection with sufficient capacity, suitable topography of the land and level of irradiance, and availability of large areas of undeveloped land and a generally sparse settlement pattern once those criteria are met, meaning that there is the opportunity to develop this site to a sufficient scale to deliver meaningful contributions towards meeting net zero.

Summary on Impact on Safeguarded Resource

3.4.9. It is demonstrated that the Proposed Development will be decommissioned at some point in the future and any impacts that are caused by the Proposed Development related to the use of the land are considered to be reversible. As such, the minerals within the Order limits will not be permanently sterilised and post decommissioning the land could be worked for minerals. Furthermore, it is demonstrated through the DCO Application that there is an overriding need for the Proposed Development and that the development could not reasonably be sited elsewhere, in line with the requirements of Policy M11 of the Lincolnshire Minerals and Waste Core Strategy and Development Management Policies.

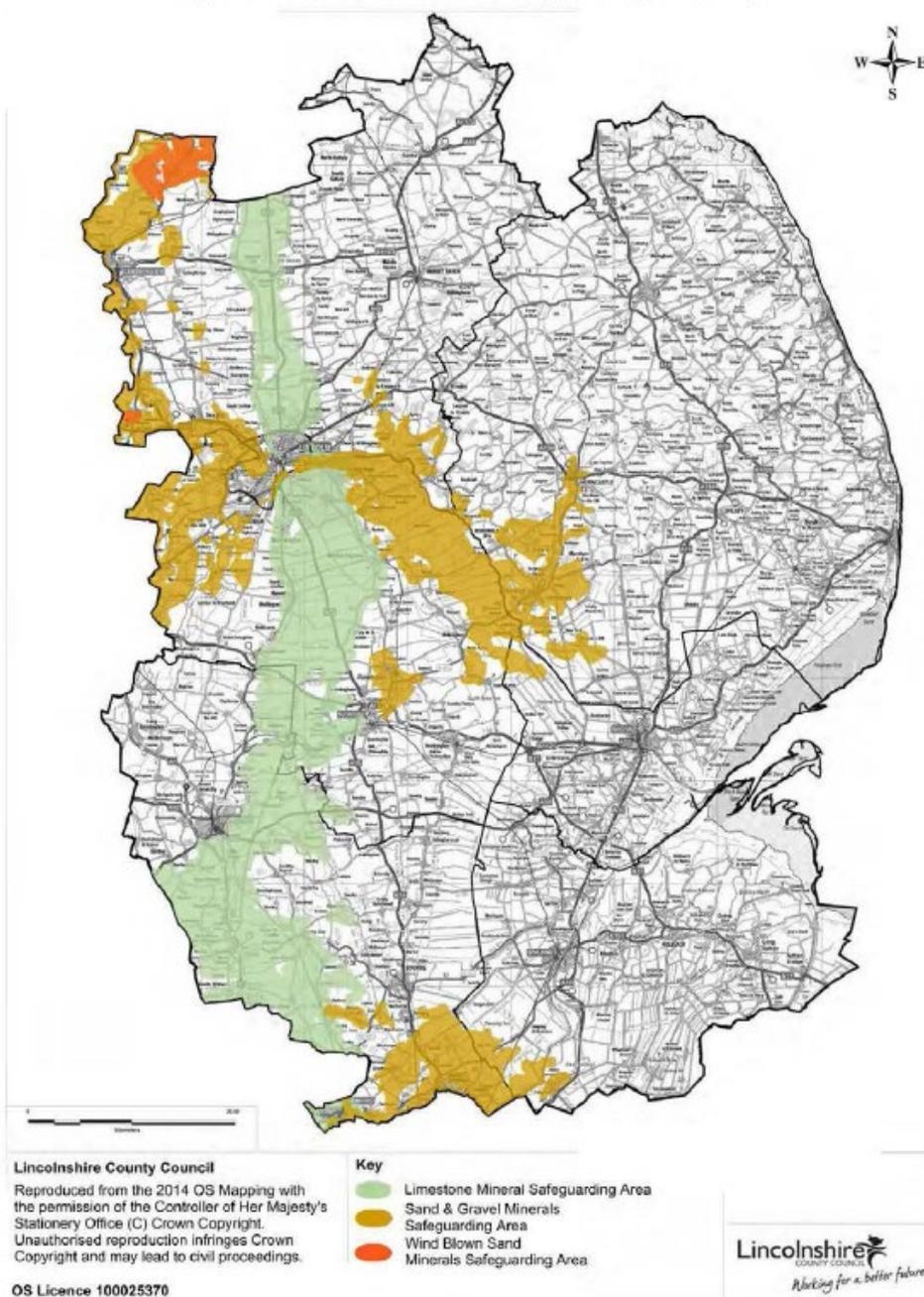
4.0 Conclusion

- 4.1.1. The Order limits (approximately 852 ha) are located within MSAs designated by both Rutland and Lincolnshire County Councils. There are no allocated minerals sites within the Order limits.
- 4.1.2. Rutland and Lincolnshire both have sufficient permitted reserves of crushed rock (limestone) to provide in excess of a 10-year landbank. There is therefore no need for any additional permitted provision to be made for the foreseeable future.
- 4.1.3. It is demonstrated that the Proposed Development will be decommissioned at some point in the future and any impacts that are caused by the Proposed Development related to the use of the land are considered to be reversible. As such, the minerals within the Order limits will not be permanently sterilised and post decommissioning the land could be worked for minerals. Furthermore, it is demonstrated through the DCO Application that there is an overriding need for the Proposed Development and that the development could not reasonably be sited elsewhere, in line with the requirements of Policy M11 of the Lincolnshire Minerals and Waste Core Strategy and Development Management Policies.
- 4.1.4. In light of the above it is considered that the Proposed Development is in accordance with NPS, NPPF and Local Minerals planning policy.

6.0 Appendix:

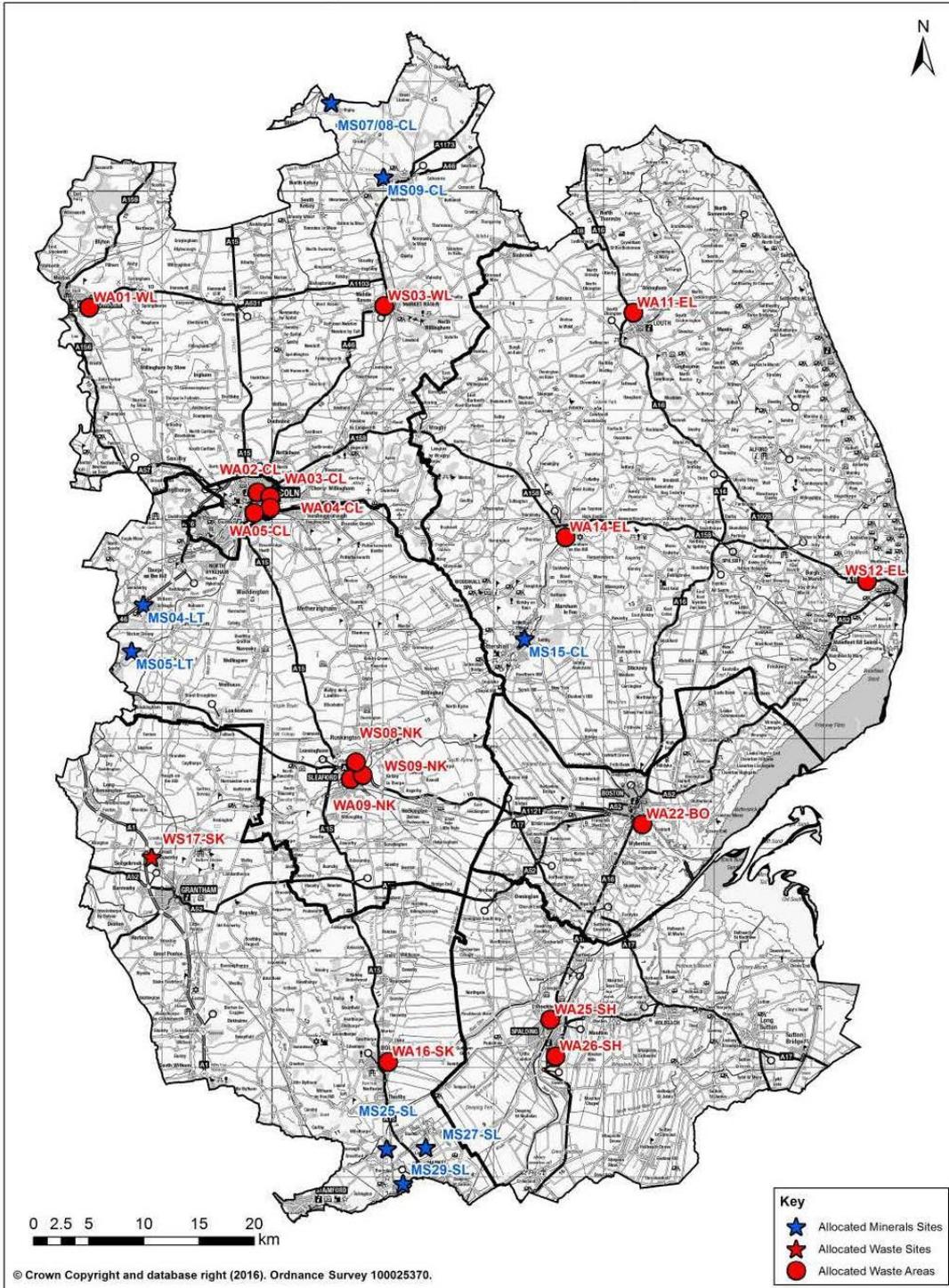
6.1. Appendix 1: Figure 1 (Lincolnshire Minerals Safeguarding Areas Map) of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies

Figure 1: Lincolnshire Minerals Safeguarding Areas Map



6.2. Appendix 2: Figure 1 (Site Locations Policies Map) of the Lincolnshire Minerals and Waste Local Plan: Site Locations

Figure 1: Site Locations Policies Map



6.3. Appendix 3: Figure 5 (Mineral Safeguarding areas) of the Rutland Minerals Core Strategy and Development Control Policies

Figure 5 - Mineral Safeguarding

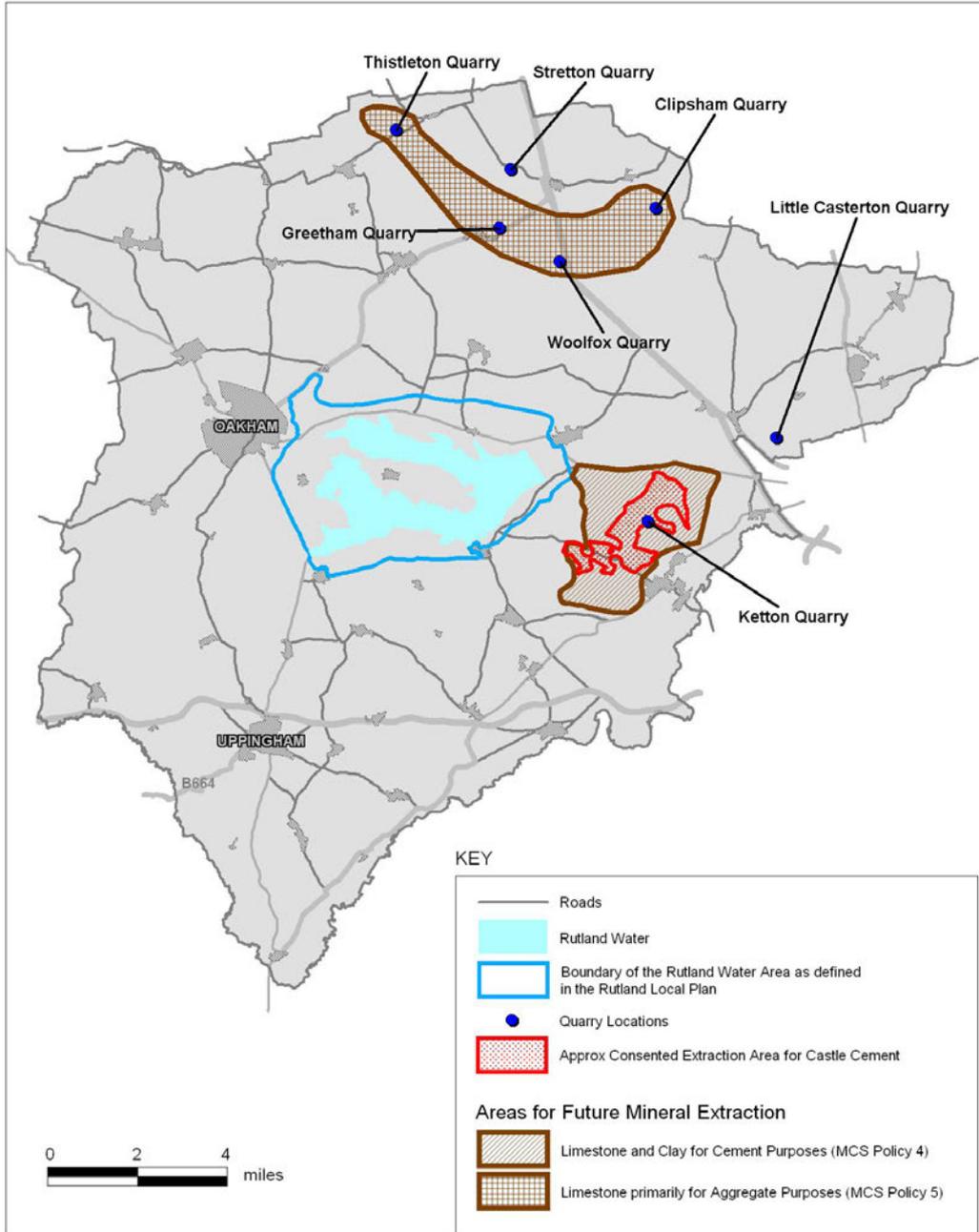


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6.4. Appendix 4: Figure 3 (Key Diagram) of the Rutland Minerals Core Strategy and Development Control Policies

Figure 3 - Key Diagram



0 2 4 miles



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