

7000 Acres

**7000 Acres Response to ExA's 3rd Set of Written Questions regarding the Gate Burton
Energy Park**

Deadline 5 Submission – 20th November 2023

This WR includes responses to:

Question 3.1.6 Joint Report on Interrelationships between NSIPs

Question 3.1.11 Principle and nature of development

Question 3.4.1 Renewable energy Crops

Question 3.5.3 Compulsory Acquisition, Temporary Possession & Other Land or Rights

Questions 3.8.1 – 3.8.4 Human Health and Wellbeing

Question 3.13.3 Transport and Traffic

Q3.1.6 Joint Report on Interrelationships between NSIPs [REP4-050] Comment on Appendix E (Review of Cumulative effects) to the Joint Report on Interrelationships between NSIPs including the approach and overall conclusions.

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General Comments

The Joint Report on Interrelationships Between NSIP requires updating as it takes no account of the Steeples Renewables NSIP. This latest solar NSIP in the area will be located adjacent to West Burton Power Station and so will be visible from the area of the Gate Burton NSIP.

In Table 1.4 of their report, the Applicant states that the One Earth Solar “Farm” has no potential for cumulative impact. This is disputed, as it is located only 5km away from the West Burton scheme and adds to the regional impact of the 5 other schemes in close proximity to Gate Burton. In their ES Chapter 10 the Applicant has allocated an 8 km zone of influence for Landscape and Visual Amenity (7000Acres believes it should be larger). Using even an 8km zone of influence means that the Applicant’s assertion that One Earth has no cumulative impact is wrong, as it is only 5km from the cluster of schemes addressed in the Joint Report.

Although solar current falls outside the scope of the PA2008, the ExA may wish to take account of EN-1 Paragraph 4 – Assessment Principles:

4.1.4 states:

*“In this context, the Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, **regional and local levels.**”*

paragraph 4.2.6 goes on to state:

*“the Secretary of State should consider how the **“accumulation of, and interrelationship between effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.”***

The One Earth and Steeples schemes clearly add to the regional impact.

Comment on Annex E

In general, 7000Acres disagrees with many of the individual assessments submitted by the Applicants and has submitted written representations on key topics. If the individual assessments are wrong, then the cumulative assessments will also be incorrect.

The Collins dictionary defines cumulative as “*growing in quantity, strength, or effect by successive additions or gradual steps*”. The Applicant does not appear to understand the meaning of “*cumulative*” as Appendix E still appears to address each scheme in its individual silo. For example:

Appendix E page 6 Ecology: The West Burton and Cottam acknowledge there will be adverse effects on local wildlife. West Burton – “*Moderate cumulative adverse effect during operation on skylark, yellow wagtail, grey partridge and quail at a Local to District level*” . Even at a local level this will include the other NSIPs as Gate Burton and Cottam are little over 1,000m away.

This wildlife will be displaced from the area, so closely siting these schemes will have a cumulative effect. No account is taken of Tillbridge, One Earth or the Steeple schemes, which again will displace various species.

Appendix E page 7 Water Environment takes no account of the accelerated water runoff caused by solar panels and the regional impact on flooding.

Appendix E page 8 LVIA. Again the Applicants do not appear to understand the meaning of “*cumulative*”. All the Applicants generally appear to use “*concurrent*” to make their assessments, i.e. can 2 schemes be viewed from the same point. No assessment is made of the cumulative effects when passing through the region, such as travelling to work, cycling, walking or horse riding.

Appendix E page 9 Noise and Vibration. Again the Applicants appear to make an assessment based on noise and vibration impacting a fixed receptor concurrently from 2 or more schemes. This assessment should also consider those transiting through the region and the cumulative effects of being exposed to noise and vibration by passing sequential schemes.

Appendix E page 9 Socio-Economic. 7000Acres has made written submissions on the adverse socio-economic impact on the area. We fundamentally disagree with the individual, and hence cumulative, assessments made by the Applicants.

Appendix E page 13 Transport and Access. The construction of these 4 schemes could be spread over 7 years. That will have a major adverse impact on local access and transport, especially as the construction will rely on many minor roads, some of which are little more than farm tracks.

Appendix E page 13 Human Health. 7000Acres has made written submissions on human health and wellbeing. We fundamentally disagree with the assessments made by the Applicants, therefore their cumulative assessments are wrong.

Appendix E page 14 Air Quality. None of the schemes take account of the poisonous gasses released by a BESS thermal runaway. Therefore, their individual assessments are flawed, consequently their cumulative assessment is wrong.

Appendix E page 14 Glint and Glare. 7000Acres has provided written submissions on this topic. We consider each Applicant has underplayed the effects, for example by only considering residential receptors viewing schemes from 1.8m (Cottam and West Burton) or 2m (Gate Burton). Again, their assessments make a concurrent assessment of glare if 2 schemes can be viewed from the same point; no account is taken of the true cumulative impact from travelling through the region.

Summary

7000Acres agrees with the landscape and visual review report commissioned by Lincolnshire County Council (AAH Consultants , 2023) paragraph 6.4 states:

“The cumulative change to the landscape will be considerable, and the combination of two or more sites has the potential to change the local landscape character at a scale that would be “of more than local significance” or would be “in breach of recognised acceptability, legislation, policy or standards”. The cumulative impact of the four adjacent NSIP scale solar schemes has the potential to affect the landscape at a regional scale through predominantly a change in land use: from arable to solar, creating what may be perceived as an ‘energy landscape’ as opposed to rural/agricultural one at present. “

Principle and nature of development

Q3.1.11

‘Supporting Environmental Information Report [CR1-043] Does the supporting Environmental Information in relation to the Change request provide sufficient information to support its conclusions and does it alter any of the overall conclusions reached in respect of the Proposed Development that you have previously raised and submitted into the examination. Please explain any response.’

The Examining Authority accepted the Change Request in the letter dated 6th October 2023.

Within this letter, the ExA explains how there ‘is no statutory requirement to consult on or publicise this SEI under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) and this is noted in AN16. The ExA has had regard to the nature and scale of the proposed changes as set out in the material provided by the Applicant so far. The ExA has provisionally considered the environmental effects and finds that the environmental effects of the proposed changes have been covered adequately in the SEI and the updated documents, submitted alongside the Change Request Application in order to enable it to be Examined. As such, the ExA has concluded that consultation on the SEI at this time is not required.

It was therefore concluded that the SEI report had not been publicised. However, it is now apparent that this is not the case. We were not aware that the document was published and we are unsure whether the public were informed of this action. Please advise if the public were informed that this document was available for public sight and use. Thank you.

The majority of the SEI report - Order Limits Change Supporting Environmental Information Document Reference: EN010131/APP/8.25 (Change Request) October 2023, concludes that there will be no change in relation to many of the major issues/facets of the proposed Scheme and that the ‘design changes have been assessed in line with the methodologies set out in the ES [APP-010-026/3.1]. Chapter 5: EIA Methodology [APP014/3.1].’ (3.1.1)

Also, that there will be no significant environmental effects in relation to Climate Change; Cultural Heritage; Ecology and Nature Conservation; Water Environment; Landscape and Visual Amenity; Noise and Vibration; Socio-economics and Land Use; Transport and Access, Human; Air Quality; Glint

and Glare; Major Accidents and Disasters; Telecommunications, Television Reception and Utilities; Waste and Recycling.

The SEI (after review on the 18th November – post Deadline 5) **does not** provide sufficient information to support its conclusions and **does alter** the overall conclusions reached in respect of the Proposed Development that we have previously raised with the ExA.

To explain the above assertions, may we draw the ExA's attention to impacts on Landscape and Visual Amenity. The Applicant states the change 'will result in an increase in construction activity in the area south of Torksey Ferry Road, the construction upgrades to Torksey Ferry Road, and the removal of existing vegetation and localised changes to the landform to facilitate the cable installation works.' (4.1.68), also that;

'Significant and temporary visual effects during construction as described in the ES are likely to increase slightly from Moderate to Moderate-Major due to the extended area within which construction work will take place. This effect therefore remains significant, as identified and described in the ES. These additional visual effects will affect mainly recreational users of PRoW including: PRoW NT|Rampton|BOAT13 and to a lesser extent road users given the currently poor condition of the road. It will also adversely affect recreational users of PRoW's NT|Rampton|FP06, NT|Rampton|BOAT12, NT|Rampton|FP10 and NT|Rampton|FP20 at their junctions with PRoW NT|Rampton|BOAT13. In addition, it will also adversely affect recreational users in middle distance views from NT|Rampton|FP9 and close distance views from sections of NT|Rampton|FP7 in the vicinity of Torksey Ferry Road.' (4.1.71)

However, the Applicant then goes onto say that 'no new significant effects'...will be' caused by Order limits change 1.' (4.1.72)

These two statements (4.1.71 & 4.1.72) by the Applicant are contradictory.

With the Written Representation submitted by the 7000 Acres Group at Deadline 8A, evidence was provided of use and value of the PRoW's and BOAT's by residents and visitors to the area.

Also, in 4.1.94 the Applicant states that the Rampton Fishing club is assessed as having a medium sensitivity to the proposed changes due to lack of access to their fishing ground but that the magnitude of that impact is low due to the ability to access on foot to other parts of the river bank. It

concludes that the impact on the 'Rampton Fishing Club accessing the River Trent is considered to be minor adverse, which is not considered to be a new significant effect'.

These assertions by the Applicant are not reasonable. The members of the club will find it difficult to walk along the proposed alternative footpath with all the fishing equipment they require and so in effect access and enjoyment of the area by this group is significantly affected.

No consultation of non-statutory parties has been carried out by the Applicant. Therefore, they have no evidence to state there will be no new significant effects in relation to the proposed changes.

Another concern is that the Applicant uses open-ended language such as; 'effects **may** occur' (4.1.79); 'replanting of removed vegetation, **where feasible**, shall be carried out' (4.1.69) and 'noise and vibration effects **may** occur due to construction activities' (4.1.79).

The 7000 Acres Group understands that the Applicant needs to state the worst-case scenario in terms of harms and impacts of the Gate Burton Scheme. The use of this open-ended language is not compliant with the worst-case scenario remit.

Q3.4.1 Renewable energy Crops: In terms of the assessment of effects on climate change in the ES has the loss of crops used for the production of renewable energy been taken into account. If so, how has this been done and where is this identified. 5 Compulsory Acquisition, Temporary Possession and Other Land

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The Applicant takes no account of growing renewable energy crops in the carbon assessment or elsewhere. This means that the future baseline they have applied to their GHG calculations is flawed.

Energy crops, such as Miscanthus are already grown in the area. In addition to providing biomass fuel, these crops can store carbon and help in improving the soil as they require little to no fertiliser.

Consuming large areas of farmland would displace displace such fuels from being grown in the area, and would negatively impact of decarbonisation activities, as these fuels would need to be sourced elsewhere – perhaps creating longer supply chains to meet local facilities such as the anaerobic digestion plant at Hackthorn and the biomass plant at Brigg. There is also a key difference in the different abilities of solar and biofuels to contribute to decarbonisation. While their energy is ostensibly measured using the same units, the capacity to store and use biofuels flexibly means that biofuels are seen as an essential route to be able to decarbonise other sectors of industry, such as transport.

To this end there are local companies in the area already developing the complete supply chain for biofuels, for example Terravesta, based in Saxilby.

Apart from crops such as Miscanthus, cereals are required for Sustainable Aviation Fuel (SAF). Jet and gas turbine aeroplanes and helicopters are already certified to run on 10% SAF. Virgin Atlantic plan to fly the first transatlantic flight using 100% SAF on 28 November 2023, using a Boeing 787.

On the 4 September 2023 the Department for Transport (DfT) committed to introducing a revenue certainty mechanism to support sustainable aviation fuel (SAF) production in the UK and boost its uptake, giving producers greater assurance about earnings from the SAF they produce.

SAF is the most developed pathway for aviation decarbonisation and while the UK's SAF programme is already one of the most comprehensive in the world, the government recognises the importance of providing long-term certainty for the industry. This scheme, along with the introduction of

a SAF mandate in 2025, will provide fuel security, grow the economy and help to create over 10,000 jobs by 2030, rising to 60,000 by 2050. To do this, DfT will launch a consultation on the design and delivery of the scheme to bolster the development of SAF and drive further investment. The revenue certainty scheme, which is intended to be funded by industry, will give the aviation sector the launchpad to confidently invest in SAF and transition away from fossil fuel reliance.

Due to its high energy density, SAF is easily produced from food grade cereal crops. As the “bread basket of the UK”, Lincolnshire must be able to provide crops to produce SAF, if not importing SAF will result in an increased carbon footprint.

Land use must remain flexible to meet all the Country’s competing Net Zero demands. Covering thousands of acres of productive farmland in solar panels will be detrimental to meeting the national target and remove flexibility. Using the same farmland for a flexible combination of crops and woodlands will help meet our national Net Zero goals.

Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations**Q3.5.3**

'Nicholas Hill and Emma Hill - In Response to my Further written question 2.5.6 Nick and Emma Hill provided a letter [REP4-073 and 074] suggesting a wayleave or a lease of the land. Explain why these options would not fulfil your requirements for the scheme given that it is suggested it is for a temporary period (albeit 60 years) and why a permanent easement is necessary. Furthermore, detail the alternatives that you have explored to Compulsory Acquisition (CA) of rights, including investigating alternative nearby parcels of land and why this does not resolve your need to CA rights of this land.'

It is noted in the Change Request applied to the ExA by the Applicant that accommodation is being made for the development potential for EDF at its' Cottam site and Bassetlaw District Council in relation to possible regeneration of the area. However, it is noted that, this same accommodation cannot be afforded Nick and Emma Hill. They have repeatedly advised the Applicants that they wish to develop their farm business and have many plans for future use but the Applicant still seeks to use their land for the Gate Burton Scheme (GBS).

Tillbridge Solar are investigating land adjacent to Nick and Emma Hill's land, therefore, it seems there is capacity for alternative land to be utilised to meet the Applicants proposed needs for the Gate Burton Scheme. Notices re land ownership have been placed near land next to Nick and Emma Hill's field in Marton by Tillbridge Solar.

Questions 3.8.1 – 3.8.4 Human Health and Wellbeing

Question 3.8.1 Health Impact Assessment

Thank you for asking this important question. We believe that a Health Impact Assessment should have been requested for the following reasons and that their guidance should have been taken from the following 2 documents:

Health and Environmental Impact Assessment: A Briefing for Public Health Teams in England July 2017 PHE

Health Impact Assessment in spatial planning: A guide for local authority public health and planning teams October 2020 PHE

We feel Lincolnshire Public Health should have been fully engaged for the following reasons. Local knowledge is important to understand and this should be incorporated and linked to the Environmental Impact statement outlining the health issues that exists in the area that will be impacted. A desktop review is not satisfactory, and understanding a broad depth of current quantitative data is essential. The only way to find out whether or not health will affect the population in the impact area, is to ask the relevant questions through a well thought out meaningful survey. The new Integrated Care Board (NHS) should have been consulted as they hold intelligence on health and could direct the applicant of potential health inequalities. The open forum has identified how this and the other schemes could potentially worsen mental health in the community.

We maintain that these projects should have been seen as one, as there is a cumulative impact effect on health and wellbeing that needs to be considered. As four separate single schemes, this potentially negates an assessment, however as one scheme, this would definitely prompt one due to scale and potential impacts on people.

The main focus of the Health Impact Assessment is to reduce health inequalities, and more importantly these schemes do not impact the NHS Core20Plus5, and by doing this, deprived areas such as in Gainsborough would have been identified.

By not doing this assessment, demonstrates the applicant's inability to clearly understand how the project will not improve health and wellbeing in a rural community. Rural issues are not clearly understood and the methodologies used do not demonstrate this.

This assessment would integrate local health and wellbeing needs and priorities into the plan for better decision making by putting people at the heart of the process.

A good example, where there is failing by the applicant, is in the Equality Impact Assessment, where there was an attempt to engage with a hard-to-reach group e.g. the Traveller Community, where they wrote to the Lincolnshire Gypsy Liaison Group requesting engagement. As they did not receive a response (others included Youth Connect, Age UK, Lincoln Lindsey Blind Society), the applicant felt they had executed their duty. We maintain this was not adequate engagement. If a Health Impact Assessment had been part of the process, then Public Health and the NHS would have provided data showing potential issues. In fact, West Lindsey have a document from **2014 PRCC.47 13/14 Subject: Gypsy and Traveller Accommodation Assessment** with a consultant report detailing the issues the Traveller Community face in our community. Knowing about the Traveller site at Odder, who by the way were not consulted as being too far away from this and the other schemes, could have identified that this site is at real risk during flooding as demonstrated in the recent storms, as their permanent site is on the banks of the River Till. Where is the consideration for this group when it comes to mitigation around flooding? This could have potential health risks.

We know that the applicant did not consult with the Lincolnshire Director of Public Health.

Question 3.8.2 Rapid Health Impact Assessment Matrix (HUDU)

The applicant did mention the WHIASU Quality Assurance Framework. Given this, there has been no attempt to subject their health and wellbeing assessment using their matrix. In this document, they reference Governance around the Health Impact Assessment and the rights of people to participate in major decisions that affect their lives. We don't think this has been clearly understood.

Question 3.8.3 Deprivation in Gainsborough wards

In understanding the issues around the 2 wards with significant deprivation, the applicant needs to understand the most significant mosaic profiles of these 2 wards. They need to identify the health needs and priorities first to understand how their scheme will impact on them.

These 2 wards have issues around alcohol, high movement of people into and out of these wards, increased family needs, a high disconnect with the youth, increase renting, low employment, many single parents, or living alone, no child care, reduced home ownership and a real concern around lower life and health life expectancy in both males and females as compared with the rest of West Lindsey.

Question 3.8.4 Human Health Impacts

We do not understand the 500m buffer around human health. This needs an explanation. If this is around the buffer to mitigate against noise, air pollution, please see the Written Representation on Noise and Light pollution which are both health hazards.

Our main concern is the impact over the operator's life cycle and its effect on human health and wellbeing. People come as tourists to this area to get away from busy cities to enjoy the countryside and improve their mental and physical health. This definitely will have an impact on those businesses who rely on tourists, with consequences to the owners and their income (which then has an effect on their mental and physical health).

No buffer can mitigate against the impact on Human Health and Wellbeing. This is well documented in the Written Representation Human Health and Wellbeing 7000 Acres.

Transport and Traffic**Q3.13.3**

'The Applicant has sought to accommodate a joint CTMP by way of including wording suggested from a Host Authority. See above question (Q3.13.2). The Gate Burton Energy Park FCTMP if including appropriate wording could thereby secure a joint CTMP at a future date in co-operation with the other promoters with similar provisions included in each of the other promoters CTMP's for their respective schemes. The Report on Interrelationships between NSIPs suggests that such a commitment cannot be made. Is this undermining the suggested change to the FCTMP? Which at paragraph 7.6.3 seeks to include such a provision and Appendix D and at section 1.6 on the shared grid connection corridor states that " For example Joint CTMP could be prepared between the scheme, the IGP projects and Tillbridge solar post consent to manage and mitigate cumulative effects if necessary once further details are known on project time frames and the approach for a shared grid connection corridor. This would be secured as part of the detailed CTMPs"

See above at Q3.5.3

Tillbridge Solar is seeking alternative sites and IGP and Low Carbon are adopting different terms of agreement (easement or lease) with land owners and persons with interests in land. These two diverging factors suggests that co-operation and commitment cannot be made between developers or accommodation of a joint CTMP be established.