

# West Burton Solar Project

## Environmental Statement Appendix 2.2: EIA Scoping Opinion

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# **SCOPING OPINION:**

## Proposed West Burton Solar Project

**Case Reference: EN010132**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**02 March 2022**



## TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2.</b>	<b>OVERARCHING COMMENTS .....</b>	<b>2</b>
2.1	Description of the Proposed Development.....	2
2.2	EIA Methodology and Scope of Assessment .....	5
<b>3.</b>	<b>ENVIRONMENTAL ASPECT COMMENTS .....</b>	<b>7</b>
3.1	Climate Change .....	7
3.2	Landscape and Visual.....	8
3.3	Ecology and Biodiversity .....	9
3.4	Hydrology, Flood Risk and Drainage .....	13
3.5	Ground Conditions and Contamination .....	15
3.6	Minerals.....	17
3.7	Archaeology .....	19
3.8	Heritage .....	21
3.9	Transport and Access .....	24
3.10	Noise and Vibration .....	26
3.11	Glint and Glare.....	28
3.12	Electromagnetic Fields.....	29
3.13	Light Pollution.....	30
3.14	Major Accidents and Disasters .....	31
3.15	Air Quality.....	32
3.16	Socio-Economics, Tourism and Recreation and Human Health.....	33
3.17	Agricultural Circumstances.....	35
3.18	Waste.....	36
3.19	Telecommunications, Utilities and Television Receptors.....	38
 <b>APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED</b>		
 <b>APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES</b>		

# 1. INTRODUCTION

- 1.0.1 On 20 January 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from West Burton Solar Project Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed West Burton Solar Project (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:  
<http://infrastructure.planninginspectorate.gov.uk/document/EN010132-000020>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has not agreed to scope out certain aspects/ matters on the basis of the information provided at as part of the Scoping Report.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their Environmental Statement (ES).
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## 2. OVERARCHING COMMENTS

### 2.1 Description of the Proposed Development

(Scoping Report Section 4)

ID	Ref	Description	Inspectorate's comments
2.1.1	4.1.3	NSIP definition	The Proposed Development application will comprise four array sites where solar panels will be installed. The Environmental Statement (ES) should ensure that the generic and specific mitigation requirements for each of the sites are clearly distinguished within the draft Development Consent Order (DCO).
2.1.2	1.1.4	Additional Land for mitigation	Scoping Report paragraph 1.1.4 states that " <i>additional land may be included in the DCO application for mitigation works, such as highway improvement works and ecological mitigation</i> ". The ES should identify any changes in the red line boundary of the Proposed Development and where additional land has been included. The Proposed mitigation should be described, and any associated impacts should be assessed in the ES where significant effects are likely to occur.
2.1.3	4.3.2	Construction phasing timeline and worst-case scenarios	Construction periods are set out in Scoping Report paragraph 4.3.2 for various elements of the Proposed Development. It states that some of the 'larger' sites may have construction crews working at the same time. The ES should set out the construction programme for each of the four sites comprising the Proposed Development to ensure a clear understanding of construction vehicle assumptions and cumulative construction impacts to ensure that the worst-case construction scenarios are understood.
2.1.4	4.3.5	Temporary construction compounds and battery storage	The number, location and maximum parameters of construction compounds and battery storage facilities should be identified in the ES. The ES should explain how the optioneering process for such

ID	Ref	Description	Inspectorate's comments
			development components has sought to avoid or minimise impacts on human and ecological receptors during construction and operation.
2.1.5	Section 4.2	Type of solar panels and set up – tracking or fixed and electrical output parameter	The ES should confirm the number, type and structural set up of panels required including their proposed foundations i.e. the location and quantity of piled foundations or, where relevant, concrete footings (including any ballast required). The description of development should also explain whether panels are tracking or fixed and whether this gives rise to any different effects. Panel spacing and aspect should also be explained and justified, including how spacing between panels has been developed to avoid ground shading effects and any buffers employed. Where different panel solutions give rise to different worst-case scenarios, the ES should include consideration of the range of worst-case scenarios in the relevant aspect chapters e.g. due to soil compaction, traffic and transport or landscape and visual impact.
2.1.6	Table 25.1	Discrepancies between text and tables relating to assessment scope	<p>Table 25.1 summarises aspects/impacts/receptors proposed to be scoped in/out of the ES. The information presented in Table 25.1 does not consistently align with what is written in the relevant aspect Chapter, for example, Scoping Report paragraph 14.5.1 proposes to scope out decommissioning effects from transport and access, however, Table 25.1 proposes to scope this in. Table 25.1 proposes to scope out construction dust, but this is not proposed to be scoped out in Scoping Report Chapter 20. Table 25.1 proposes to scope out lighting from the landscape and visual Chapter but this is not proposed to be scoped out of Scoping Report Chapter 7.</p> <p>When writing this Scoping Opinion, the Inspectorate has therefore disregarded the information provided in Table 25.1 and based all comments on the main body of text set out in the aspect Chapters of the Scoping Report.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
2.1.7	4.3.11	Maintenance activities	Maintenance is referred to throughout the Scoping Report but the activities are not described. The ES should describe the potential scope and duration of maintenance works that would be required during the operation of the Proposed Development, including predicted vehicle movements and staffing numbers.
2.1.8	n/a	Font	The Planning Inspectorate's Advice Note 6 requests that application documents should adopt a clear font such as Arial or Verdana. The ES should format the main body of text in one of these fonts.

## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
2.2.1	Chapter 2	Decommissioning of West Burton A	Cumulative assessments in the Scoping Report do not refer to the decommissioning of West Burton A which is due to start in late 2022. This has potential to lead to significant effects as decommissioning activity could overlap with the construction of West Burton Solar Farm, which is due to commence construction in 2024 at the earliest. The ES should include West Burton A decommissioning in the cumulative assessment where there is potential for likely significant effects.
2.2.2	20.1.1, 8.2.10 and Table 20.1	Cross referencing relevant Chapter assessments	Scoping Report Chapter 20 Air Quality includes ecological receptors in paragraph 20.1.1 but excludes them from receptor criteria in Table 20.1. Air pollution is, however, included as a potential impact in Scoping Report Chapter 8 Ecology, paragraph 8.2.10 but no cross-reference has been made in either Chapter. For clarity, where assessments overlap, the ES should cross-reference where impacts/receptors are assessed.
2.2.3	4.3.10	Co-ordination with other solar farms	Scoping Report paragraph 4.3.10 states that if Cottam and West Burton solar farms proceed in parallel, they will plan and co-ordinate construction activities via the Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) to reduce impacts. Where possible, the Applicant should also make efforts to co-ordinate its activities with other solar projects coming forward in the local area.
2.2.4	n/a	Transboundary effects	The Scoping Report makes no reference to transboundary effects on the environment of any European Economic Area (EEA) state. Given



ID	Ref	Description	Inspectorate's comments
			<p>the nature, scale and location of the Proposed Development, the Inspectorate does not consider that it has the potential for significant transboundary effects on the environment of any EEA State.</p> <p>The ES however should confirm whether the Proposed Development has potential to give rise to significant transboundary effects.</p>

### 3. ENVIRONMENTAL ASPECT COMMENTS

#### 3.1 Climate Change

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	6.3.7 and Table 6.1	In-combination sea level rise impact of climate change and the Proposed Development	<p>Scoping Report Table 6.1 states that the Proposed Development is not located in an area susceptible to sea level rise. However, no evidence is provided to support this statement. The adjacent River Trent is noted to be a tidal river subject to flood defences, for which the Environment Agency has issued new modelling ('Tidal Trent Climate Change Scenarios, 2021').</p> <p>On the basis of the current information, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of in-combination impacts from sea level rise where significant effects are likely to occur. The ES should utilise the most up to date modelling available.</p>

ID	Ref	Description	Inspectorate's comments
3.1.2	6.3.11	Cumulative effects	<p>Scoping Report paragraph 6.3.11 states that the assessment will consider how the surrounding area will be impacted by the Proposed Development cumulatively with other schemes. The ES should also consider how other developments cumulatively may affect the vulnerability of the Proposed Development to climate change e.g. any changes in flood flows, and cumulative GHG emissions/savings.</p>

### 3.2 Landscape and Visual

(Scoping Report Section 7)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.2.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.2.2	Section 4.2	Type of Panels	The Scoping Report states that a decision has not been taken in relation to whether stationary or tracking panels will be used. Where the potential panel solutions are widely different in their physical characteristics, the ES should give consideration to one, or more, worst-case scenarios for the impact of the panel types, as well as considering the maximum parameters of development.

### 3.3 Ecology and Biodiversity

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	8.2.32	Polecat	<p>Scoping Report Appendix 8, paragraph 4.12.23 identifies that all West Burton sites are conducive to the presence of polecat and whilst no records were found in Appendix 8, they are known to be present in Lincolnshire; one record is identified south-east of Coates South in Cottam Solar Project Scoping Report Appendix 8, therefore impacts cannot be ruled out.</p> <p>Therefore, the Inspectorate does not agree to scope this matter out. The ES should assess impacts to polecats where significant effects are likely to occur.</p>
3.3.2	8.2.32	Dormice	<p>Desk-based searches found no records of Dormice in the Lincoln to Gainsborough area in which the Proposed Development is located. Additionally, Scoping Report Appendix 8, paragraph 4.7.1 identified that habitats on site are considered poor for dormice and are unlikely to be linked to or support a population. The Inspectorate is content to scope out effects on dormice on this basis.</p>
3.3.3	8.2.51	Fish	<p>Scoping Report paragraph 8.2.51 states that the potential source of impacts to fish is from pollution events during construction which would be managed through standard avoidance measures secured in the CEMP. The cable route will need to cross rivers but this will be done by using horizontal directional drilling (HDD) methods and buffer zones to avoid direct harm on these watercourses. Night-time working may be proposed for cable route installation and HDD (paragraph 4.3.6).</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Impacts from vibration, noise and lighting during construction have not been considered. As the red line boundary of the solar array at West Burton 2 is adjacent to the River Trent, there is potential for disturbance impacts on fish from activities such as piling for the foundations of the panels and from construction task lighting. Scoping Report paragraph 8.2.51 states that horizontal directional drilling is also proposed for cable crossing of rivers; this has potential to cause impacts on aquatic species due to breakout from drilling fluids and vibration within the riverbed.</p> <p>In the absence of information relating to the potential for impacts from noise, vibration, lighting or sediment breakout from the Proposed Development on fish species the Inspectorate does not agree to scope this matter out.</p> <p>The ES should include a description of the sensitivity of relevant watercourses and any seasonal constraints on such crossings, assessing likely significant effects on riverine species where they are likely to occur from such impacts.</p>

ID	Ref	Description	Inspectorate's comments
3.3.4	4.4.5, 8.2.41 and 8.3.8 to 8.3.14 and 8.4.35	Skylark, yellow wagtail and lapwing mitigation	<p>Following preliminary surveys, skylark, yellow wagtail and lapwing are identified in the Scoping Report as a ground-nesting bird species likely to be impacted by the Proposed Development as they were recorded across all land parcels for the Proposed Development during surveys.</p> <p>Scoping Report paragraph 8.4.35 states that options for the provision of compensatory measures will be explored and paragraph 4.4.5 states that mitigation land will be provided for Skylarks. The location and area of this mitigation land has not been defined at this stage. It</p>

ID	Ref	Description	Inspectorate's comments
			<p>is unclear if this mitigation land is also proposed as mitigation for yellow wagtail and lapwing.</p> <p>The ES should explain the location of such areas and how compensation areas will be secured, delivered and managed/ maintained to be effective.</p>
3.3.5	8.2.43	Bird species breeding in field boundaries	<p>Scoping Report paragraph 8.2.43 states that species breeding in field boundaries are considered less likely to be impacted by the proposal beyond removal of field boundary habitats and that hedgerow removal is anticipated.</p> <p>The ES should assess disturbance impacts to bird species breeding in field boundaries e.g. piling during construction, explain how existing hedgerows within the site will be retained and outline the measures to be taken to mitigate disturbance impacts and the removal of existing field boundary habitats.</p>
3.3.6	8.2.12	20km study area for designated sites with bats as features	<p>Scoping Report paragraph 8.2.12 states that a 20km search area will be used as a study area to search for designated sites with bats and birds as features. A 30km radius of search should be applied in line with standard practice.</p>
3.3.7	8.2.10	Lighting disturbance	<p>Scoping Report paragraph 8.2.10 lists potential impacts during construction but disturbance does not include lighting disturbance. Scoping Report paragraph 4.3.5 identifies that lighting will be required during construction.</p> <p>The ES should assess impacts on ecological receptors from lighting where significant effects are likely to occur and demonstrate measures taken to avoid disruption of ecological corridors such hedgerows that provide flight-lines for bats.</p>

ID	Ref	Description	Inspectorate's comments
3.3.8	8.2.6	Badger Surveys	<p>Scoping Report paragraph 8.2.6 sets out the surveys proposed to be carried out to inform the ES baseline. This does not include badger surveys although they are present on site (paragraph 8.2.27).</p> <p>Badger surveys should be carried out to inform the ecological baseline and impacts should be assessed where significant effects are likely to occur.</p>
3.3.9	n/a	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.</p>

### 3.4 Hydrology, Flood Risk and Drainage

(Scoping Report Section 9)

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

ID	Ref	Description	Inspectorate's comments
3.4.2	9.3.2 and Appendix 9	Hydrological receptors	<p>Scoping Report paragraphs 9.3.2 and 9.3.3 state that a hydrological assessment will be undertaken to establish local catchments and overland flow routes and significance will be informed by the valuation of watercourses. No reference is made to other water features e.g. ponds although they are located at both West Burton 2 and 3 sites (Scoping Report paragraph 8.2.24). These are not identified in Appendix 9 which only establishes the flood risk baseline, and location of, watercourses.</p> <p>The ES assessment should identify and locate all water resources, including ponds, ditches, groundwater resources, wetlands etc. that are hydrologically linked to, and may be impacted by, the Proposed Development site, including the cable route and siting of the storage/substation components. If this is assessed in other Chapters, the ES should cross-reference accordingly.</p>
3.4.3	9.3.2 and Appendix 9	Climate change projections	Scoping Report paragraph 9.3.2 states that hydrological analysis will consider climate change but provides no further detail on how this will be considered in the ES assessment, specifically on what projections will be applied and why.



ID	Ref	Description	Inspectorate's comments
			For clarity, relevant, up to date, climate change allowances as set out in the Planning Practice Guidance for flood risk and coastal change should be applied.
3.4.4	9.3.12	Maintaining existing drainage patterns	Scoping Report paragraph 9.3.12 states that rainwater will be 'shed' to the ground as per the existing situation however, it is not explained whether the concentration of runoff from solar panel faces will impact on existing drainage patterns. The ES, Flood Risk Assessment and Drainage Strategy should explain whether the presence of solar panels will affect runoff rates and distribution, describing any significant effects that may arise.

### 3.5 Ground Conditions and Contamination

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	10.5.1	West Burton sites one to four array sites	<p>Scoping Report paragraph 10.5.1 proposes to scope out ground conditions and contamination impacts from West Burton one to four sites from the ES on the basis that the potential for impacts is low and mitigation measures will reduce potential impacts to negligible.</p> <p>Appendix 10 provides a Preliminary Risk Assessment (PRA) for West Burton sites one to four. This sets out potential sources of contamination and contamination pathways; only limited contamination sources and pathways have been identified at each site and mitigation measures are described and committed to in Scoping Report paragraphs 10.4.7 to 10.4.12.</p> <p>It is noted that at West Burton one, ground gas sources have been identified and it is recommended that a further limited investigation should be carried out once the site layout design is complete. Nevertheless, impacts are anticipated to be very low.</p> <p>The Inspectorate is content to scope out ground conditions and contamination at West Burton sites two to four, on the basis of the PRA information. In light of the identified ground gas source at West Burton site one, the ES should include an assessment of impacts arising from ground gas sources where significant effects are likely to occur and describe and secure any associated mitigation. The approach to ground gas emissions assessment should be agreed with the local planning authority, where possible.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.5.2	n/a	n/a	n/a

### 3.6 Minerals

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Sections 11.2 and 11.3, paragraphs 11.2.13	Impacts to minerals from West Burton one to four array sites during construction, operation and decommissioning	<p>West Burton 3 is located within approximately 180ha of identified search area in the Lincolnshire Minerals and Waste Local Plan. A small part of the site lies within a sand and gravel mineral safeguarding area (Scoping Report section 11.2).</p> <p>Scoping Report paragraph 11.2.13 states that due to the fact the Proposed Development will be decommissioned, this makes any impact temporary and reversible. Current assessments report that there is no need for new sand and gravel extraction sites up to 2031 (Scoping Report paragraph 11.2.13).</p> <p>The ES should demonstrate that the Minerals Planning Authority has been consulted in respect of all of the proposals and that the Proposed Development does not impact on future ambitions for minerals extraction within the region.</p>

ID	Ref	Description	Inspectorate's comments
3.6.2	Chapter 11	Location of mineral safeguarding areas	<p>Scoping Report Appendix 11 does not provide any figures identifying the location and extent of mineral safeguarding areas although they are stated to overlap at the West Burton 3 array site.</p> <p>The ES should include a figure identifying the location and extent of any mineral safeguarding within the zone of influence of the Proposed Development.</p>
3.6.3	Chapter 11	Sturton le Steeple Quarry	The northern cabling route runs through/close to the sand and gravel quarry site at Sturton le Steeple. This has not been identified in the

ID	Ref	Description	Inspectorate's comments
			<p>Scoping Report although it has been identified by Nottinghamshire County Council in the Nottinghamshire Minerals Local Plan March 2021 as an important contributor to the resource landbank. The ES should set out the implications of the proposed cable routing option for the extraction of sand and gravel in this location and assess the potential for likely significant effects to arise.</p>

### 3.7 Archaeology

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Section 12.4 and 12.3.13	Direct impacts on designated heritage assets within West Burton one to four array sites	<p>Scoping Report paragraph 12.3.13 explains that the Proposed Development will avoid any direct impacts to designated heritage assets within the West Burton sites through design and mitigation including the use of concrete feet instead of piling foundations.</p> <p>Lincolnshire County Council have identified that there remains potential for below ground archaeology associated with scheduled monuments which have not been identified in the geophysical survey and that ploughing and previous drainage activity does not preclude further/initial disturbance of archaeology that should be informed by trial trenching.</p> <p>On this basis, the Inspectorate considers that the potential for direct impacts on heritage assets should be considered. The extent of trial trenching activity should be agreed as part of a Written Scheme of Investigation with Lincolnshire County Council, where possible.</p>
3.7.2	Section 12.4, 12.3.14 and 9.3.13	Indirect impacts on designated heritage assets within West Burton one to four array sites and operational impacts	<p>Scoping Report paragraph 12.4.1 proposes to scope in indirect impacts to designated heritage assets 'within the scheme' and impacts from changes in drainage on both designated and non-designated assets. However, paragraph 12.4.2 proposes to scope out operational impacts and indirect impacts on designated assets in the West Burton one to four sites. For the avoidance of doubt, the Inspectorate considers that indirect impacts on designated heritage assets should be scoped in as potential for impact remains from changes in drainage patterns, compaction and piling during construction and operation.</p>

ID	Ref	Description	Inspectorate's comments
3.7.3	12.2.12 to 12.2.50, 12.2.14 and Appendices 12.1 to 12.4	Geophysical surveys and baseline information for cable route	The baseline information presented in Appendices 12.1 to 12.4 and Scoping Report paragraphs 12.2.12 to 12.2.50 do not present the baseline information for the cable search area. Scoping Report paragraph 12.2.14 and paragraphs 12.3.19 to 12.3.20 do not propose geophysical surveys for the cable route. Whilst the Inspectorate acknowledges that the cable route search areas are not finalised, geophysical surveys should be used to inform the design evolution of route corridors, where possible.

## 3.8 Heritage

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	13.5.3	Operational impacts	<p>Scoping Report paragraph 13.5.3 states that there will be no operational impacts from the Proposed Development on heritage assets however, there are a number of assets located on site or within a visual line of the site as identified in Scoping Report section 13.3. Once operational, there is potential for the presence of infrastructure of the Proposed Development to impact the setting of heritage assets.</p> <p>On this basis, the Inspectorate does not agree to scope this matter out.</p>
3.8.2	13.5.4, Tables 13.1 to 13.8 and Appendix 13	156 Designated heritage assets	<p>Tables 13.1 to 13.8 and Appendix 13 identify assets within the study area but suggest that there would be no pathway for impact due to screening, no visual line to or from the development or else impact would be minimal.</p> <p>The Inspectorate is content to scope these receptors out subject to the provision of evidence in the ES that there is no visual line to or from the development to these receptors. Where possible, the evidence base should be agreed with the local planning authority.</p>
3.8.3	12.3.13 and 13.5.5	Direct impacts to designated assets	<p>On the basis that the potential for impacts on designated assets (i.e. scheduled monuments) has been identified within the archaeology chapter of the Scoping Report and the potential need for further assessment, the Inspectorate considers that it has insufficient evidence to scope out the potential for consideration of direct impacts to designated heritage assets within the West Burton sites at this</p>



<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			time. Impacts on designated assets should be assessed unless the potential for effects can be ruled out through relevant surveys.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.8.4	7.4.32, 7.1.8 and 13.3.2	Study area	<p>Scoping Report paragraph 7.1.8 defines the landscape and visual assessment study area as 5km due to the elevated nature of the landscape to the East of the site and there is a visual line from the ridge across West Burton 1 and 2. Scoping Report paragraph 13.3.2 defines the Heritage study area as 2km which is inconsistent with that defined for the landscape and visual chapter although the setting of a heritage asset is influenced by the environment within the line of site (Annex 2 of the National Planning Policy Framework).</p> <p>Scoping Report paragraphs 13.4.32 to 13.4.33 state that no cumulative or in-combination effects from the construction and operation of the Proposed Development are anticipated on heritage assets.</p> <p>Appendix 7, Figure 7.6 identifies a number of heritage assets along the ridge from which there are lines of sight to both West Burton and Cottam therefore there are potential for cumulative effects on heritage assets.</p> <p>The ES should define an appropriate study area based on the extent of views to and from the Proposed Development and potential impacts to all heritage assets. This should inform the cumulative assessment.</p>
3.8.5	n/a	Cultural heritage and archaeology	There is significant overlap between the cultural heritage and archaeology chapters i.e. the identification of Scheduled monuments as sensitive receptors. The ES should clearly determine which

ID	Ref	Description	Inspectorate's comments
			receptors are assessed in each chapter and/or include appropriate cross-referencing to overlapping assessments.
3.8.6	13.4.21	Decommissioning	<p>The assessment of significant effects is proposed to be undertaken for the construction and operational phases of the Proposed Development but decommissioning is not mentioned.</p> <p>The Inspectorate would expect to see a Decommissioning Plan, agreed with the Local Authority, secured through the inclusion of an Outline Decommissioning Plan or similar with the Application. The ES should clearly set out if and how decommissioning is to be assessed and any components which may remain following decommissioning.</p>

### 3.9 Transport and Access

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	4.3.12, 14.1.2, 14.3.2 and Section 14.4	Effects during operational phase	<p>The Applicant proposes to scope out effects during the operational phase as "<i>there are anticipated to be only a handful of visits to the site per month by vehicle for maintenance</i>". The number of movements required either for each solar array site or the Proposed Development as a whole are not quantified.</p> <p>Scoping Report paragraph 14.4.2 states that further detail to support this will be provided in the ES. The Inspectorate agrees to scope this matter out subject to confirmation that the frequency and type of maintenance visits and vehicles, with reference to relevant thresholds (e.g. as set out in the Guidelines for Environmental Assessment of Road Traffic, 1993) would not give rise to a significant effect, taking account of any potential cumulative traffic effects.</p>
3.9.2	14.5.1 and 14.5.2	Effects during the decommissioning phase	<p>The Applicant proposes to scope out effects during the decommissioning phase since these are not anticipated to exceed that set out for the construction phase.</p> <p>The Inspectorate would expect to see a Decommissioning Plan, agreed with the Local Authority, secured through the inclusion of an Outline Decommissioning Plan or similar with the Application. The ES should clearly set out if and how decommissioning is to be assessed and any components which may remain following decommissioning. The Inspectorate is not content to scope this matter out on this basis.</p>

ID	Ref	Description	Inspectorate's comments
3.9.3	14.3.11	Traffic associated with construction workforce	<p>The Scoping Report states that "<i>the majority of the non-local workforce will stay at local accommodation and be transported to the site by minibuses to minimise the impact on the strategic and local highway network</i>". No indication is given of the expected total workforce during construction, consequently it is unclear what the impact of the traffic movements associated with the local workforce will be.</p> <p>The ES should quantify the number of construction workers and vehicle movements required and explain, with reference to relevant thresholds, whether this is likely to result in significant traffic effects</p>
3.9.4	Chapter 14, 21.3.1 and Tables 21.3 and 21.4	Public Rights of Way (PRoW) Surveys	<p>The Proposed Development site will affect a number of PRoW but no surveys are proposed to understand the baseline use of these PROWs.</p> <p>Surveys should be undertaken to provide baseline data in relation to the use of the PROWs affected by the site where appropriate to define the change in characteristics of tourism and recreational use of PRoW as is required to define receptor sensitivity in Table 21.3 and the magnitude of change in Table 21.4.</p>

### 3.10 Noise and Vibration

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	14.3.10, 15.4.4, 15.4.5 and Table 14.2	Road traffic noise	<p>The Applicant proposes to scope out road traffic noise on the basis that "<i>the scheme is not expected to result in increases in off-site road traffic volumes of greater than 100%</i>" where an increase in 100% would result in a significant adverse effect of 3dB noise.</p> <p>Scoping Report paragraph 14.3.10 states that construction traffic will be dominated by Heavy Goods Vehicles (HGVs). Table 14.2 indicates that increases in construction traffic will not exceed 100%. Traffic noise levels are influenced by the volume of traffic, percentage of HGVs and distance from the source. A 3dB threshold is based on steady state conditions and HGVs can change the character of noise which can result in the nuisance being far greater than the predicted steady state conditions.</p> <p>Therefore, although the scheme is not expected to result in traffic increases greater than 100%, as traffic will be predominantly HGVs, this does not necessarily demonstrate no likely significant effects.</p> <p>Therefore, the Inspectorate does not agree to scope this matter out and the ES should assess noise impacts from construction traffic where significant effects are likely to occur; the noise assessment should characterise noise impacts based on the volume of traffic, percentage of HGVs and distance from the source using a recognised methodology such as BS5228.</p>
3.10.2	15.4.6	Vibration effects during operation	<p>Scoping Report paragraph 15.4.6 states that there would be no significant sources of vibration during operation.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			Considering the nature of the Proposed Development during operation, the Inspectorate is content to scope this matter out. The ES should describe the potential sources of vibration arising from the operation of e.g. substation and battery storage infrastructure and any measures to control emissions.
3.10.3	15.4.7	Vibration effects during construction	<p>Scoping Report paragraph 15.4.7 identifies piling as the only source of vibration impacts during construction. Sensitive receptors would not be located within 14m beyond which, cosmetic damage to properties is unlikely to occur. Effects on human receptors have not been considered and there is no commitment to ensure vibration levels remain below guidance threshold criteria.</p> <p>On this basis, the Inspectorate does not agree to scope out this matter and the ES should include an assessment of significant effects from vibration on human receptors, in line with relevant British Standards, where they are likely to occur.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.10.4	n/a	Tracking Panels	Scoping Report section 4.2 identifies that the type of panel to be used is not yet determined and tracking panels may be used. Should this type of panel be used, the ES should assess the potential for significant noise effects on ecological and human receptors during operation.

### 3.11 Glint and Glare

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	16.3.46, 16.3.47	Cumulative effects during construction	The Applicant proposes to scope out cumulative effects during construction as not all panels will be installed simultaneously so any effects " <i>will be less than or equal to the operational phase</i> ". The Inspectorate agrees that cumulative effects during construction can be scoped out on the basis that they are unlikely to be worse than the operational case, however the ES should note the potential for significant effects during construction and any consequent mitigation requirements should a significant effect be identified during operation.

ID	Ref	Description	Inspectorate's comments
3.11.2	16.1.1	Impacts on navigation	Sensitive receptors for glint and glare impacts are listed in Scoping Report paragraph 16.1.1. This does not include river users. West Burton two and three sites are located adjacent/near navigable waterways and therefore there remains potential for glint and glare to impact on users of the navigation.  The ES should assess glint and glare impacts to river users where significant effects are likely to occur

### 3.12 Electromagnetic Fields

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	17.1.4, 17.1.14 and Appendix 17	Electromagnetic fields (EMF)	<p>Scoping Report paragraph 17.3.14 states that, as demonstrated in Appendix 17, the cable route will be &lt;132kV and therefore is predicted to be below 1998 International Commission on the Non-Ionising Radiation Protection (ICNIRP) reference levels where, if exceeded, further investigation into impacts to human health is warranted.</p> <p>Scoping Report paragraph 17.1.4 explains that a 400kV powerline will be used to connect the underground cable to the grid at the substation location. This will be a short piece of cable and located in an area with existing 400kV powerlines (the proposed solar substation site is located at the existing West Burton A Coal Fired Power Plant). Scoping Report paragraph 17.3.14 states that all residential dwellings will be more than 250m from the Proposed Development's substations and that levels of the electromagnetic radiation are all predicted to be below ICNIRP reference levels.</p> <p>On this basis and subject to the provision of technical reporting to demonstrate that relevant design standards have been met for all cabling the Inspectorate is content to scope out consideration of EMF.</p>



### 3.13 Light Pollution

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Section 18.4 and 7.4.31	Separate Chapter	<p>Impacts of lighting on ecological receptors and glint and glare impacts are proposed to be included in the Landscape and Visual and Ecology assessment Chapters of the ES respectively rather than being assessed in a separate Chapter.</p> <p>The Inspectorate is content with this approach. As highlighted above, the ES should include a detailed description of the lighting philosophy and the measures taken to avoid or minimise lighting impacts on human and ecological receptors.</p>

### 3.14 Major Accidents and Disasters

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Sections 19.2 and 19.3	Separate Chapter	<p>Scoping Report paragraph 19.2.1 sets out a list of potential impacts from major accidents and disasters to/from the Proposed Development and where these will be assessed in other Chapters in the ES. Impacts include:</p> <ul style="list-style-type: none"> <li>• Flooding;</li> <li>• Fires and explosion;</li> <li>• Road Accidents;</li> <li>• Hazardous substances;</li> <li>• Rail Accidents;</li> <li>• Aviation accidents;</li> <li>• Damage or cut-off of utilities;</li> <li>• Disturbance of Unexploded Ordnance;</li> <li>• Unstable ground conditions; and</li> <li>• Vegetation pests and diseases.</li> </ul> <p>The above impacts are proposed to be assessed in other chapters such as Human Health (Scoping Report paragraph 19.3.1), however, Human Health is also proposed to be assessed in other chapters, rather than a stand-alone chapter.</p> <p>The ES should not be a 'paperchase' and should clearly signpost where these impacts are assessed in other relevant chapters and where any relevant mitigation measures are secured.</p>

### 3.15 Air Quality

(Scoping Report Section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	20.2.3, 20.3.10 and Section 20.5	Detailed air quality modelling and assessment of effects from construction	<p>The Scoping Report seeks to scope out detailed air quality modelling and assessment of effects from construction, although a qualitative dust assessment and a CEMP taking account of Institute of Air Quality Management (IAQM) guidance are proposed.</p> <p>Subject to confirmation that the proposed construction vehicle numbers alone or cumulatively with other proposals on relevant links (e.g. for Cottam Solar Project) will not exceed the relevant IAQM-EPUK thresholds e.g. 100 HGV Annual Average Daily Traffic (AADT), the Inspectorate considers that the need for detailed construction air quality modelling and assessment can be scoped out.</p>
3.15.2	20.2.4, 20.3.12 and Section 20.5	Detailed air quality modelling and assessment of effects from operational road traffic	Based on the nature of the development and subject to confirmation of the type and number of maintenance vehicles, the Inspectorate considers that operational traffic movements will be limited and that operational traffic air quality modelling may be scoped out.

ID	Ref	Description	Inspectorate's comments
3.15.3	n/a	n/a	n/a

### 3.16 Socio-Economics, Tourism and Recreation and Human Health

(Scoping Report Section 21)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	21.2.7	Human Health	<p>Human Health is scoped out of this Chapter as the assessment of impacts to human health are proposed to be incorporated into the following aspect Chapters in the ES:</p> <ul style="list-style-type: none"> <li>• 9: Hydrology, Flood Risk and Drainage</li> <li>• 10: Ground Conditions and Contamination</li> <li>• 14: Transport and Access</li> <li>• 15: Noise and Vibration</li> <li>• 16: Glint and Glare</li> <li>• 17: Electromagnetic Fields</li> <li>• 18: Light Pollution</li> <li>• 19: Major Accidents and Disasters</li> <li>• 20: Air Quality</li> <li>• 22: Agricultural Circumstances</li> <li>• 23: Waste</li> <li>• 24: Telecommunications, Utilities and Television Receptors</li> </ul> <p>It is noted that some of the Chapters referenced above are scoped out or proposed to be assessed in other relevant Chapters.</p> <p>The Inspectorate is content with this approach on the basis that the ES clearly signposts in which other Chapters impacts to human health are assessed.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.16.2	21.3.1	Census data	New census data is set to be published in spring 2022. This should be used to inform baseline data and the ES assessment.
3.16.3	21.3.14 to 21.3.15 and Table 21.5	Significance	The Scoping Report explains that significance is assessed based on comparison of receptor sensitivity and impact magnitude criteria in Table 21.5 but does not explain what constitutes a significant effect. The ES should confirm the threshold for determination of a significant effect in relation to impacts on Human Health, Socio-economics and Tourism.

### 3.17 Agricultural Circumstances

(Scoping Report Section 22)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.17.1	Section 22.4 and paragraph 21.2.3	Separate Chapter	<p>Scoping Report paragraph 22.4.1 proposes to assess impacts to agricultural land resources, soil resources and farming circumstances in the socio-economics, tourism and recreation and human health Chapter of the ES.</p> <p>The Inspectorate is content with this approach although the ES should signpost where effects to these receptors have been incorporated into the relevant Chapter assessments. Where impacts to soils and agricultural land is assessed in other relevant Chapters, this should include determining the degree and extent to which soils have been disturbed or damaged and any relevant mitigation measures employed to avoid/reduce impacts to soils; these should be secured via the DCO.</p>

### 3.18 Waste

(Scoping Report Section 23)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.18.1	Section 23.4	Whole aspect	<p>Scoping Report paragraphs 23.3.1 to 23.4.1 propose to scope out impacts from waste on the basis that the following information will be provided:</p> <ul style="list-style-type: none"> <li>• A Site Waste Management Plan detailing how waste will be managed in line with relevant legislation;</li> <li>• Appropriate mitigation measures to minimise waste in line with the waste hierarchy will be secured via the CEMP;</li> <li>• A description of construction waste streams and estimated volumes;</li> <li>• A description of the likely impact of component replacement and implications on waste arisings/recycling; and</li> <li>• An assumption that 'almost' all of the solar panels will be recycled at decommissioning in line with best practice guidance at the time of decommissioning.</li> </ul> <p>There is no commitment to recycle solar panels at decommissioning and no evidence to support the viability and/or methodology of recycling.</p> <p>Scoping Report paragraph 23.3.2 also states that '<i>any likely significant effects identified by the CEMP, including cumulative impacts, will be assessed as part of the ES in the relevant chapter</i>'. For clarity, the ES should be the means for identifying likely significant effects and the CEMP should provide the means to mitigate such effect. Any potential likely significant effects should be assessed</p>

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
			<p>through an appropriate methodology set out in a separate aspect Chapter in the ES.</p> <p>Based on the above information, the Inspectorate does not agree to scope waste out as the potential remains for significant effects to occur both from the Proposed Development alone and cumulatively with other developments during construction and decommissioning. The ES should include an assessment of waste impacts where significant effects are likely to occur and include and outline what measures, if any, are in place to ensure that panels and any associated components are able to be diverted from the waste chain.</p>



### 3.19 Telecommunications, Utilities and Television Receptors

(Scoping Report Section 24)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.19.1	Section 24.3	Whole aspect	<p>Scoping Report paragraph 24.1 states that the location and safeguarding areas related to utilities, telecommunications and television assets will be identified and consultation will inform how the proposal will embed mitigation to avoid any direct impacts on these assets. It is noted that Scoping Report paragraph 12.2.6 identifies Ministry of Defence (MoD) pipelines running through the western part of the West Burton 3 site. These should be included as receptors for which direct impacts should be avoided and consultation should be undertaken with the MOD in relation to safeguarding these assets.</p> <p>No indirect impacts are anticipated due to the nature of the Proposed Development.</p> <p>Subject to the inclusion of measures to avoid direct impacts on utilities, telecommunications and television assets in the ES, the Inspectorate is content to scope this matter out from further assessment.</p>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>1</sup>**

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
	NHS Bassetlaw Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Lincolnshire Fire and Rescue Service
	Nottinghamshire Fire and Rescue Service
The relevant police and crime commissioner	Lincolnshire Police and Crime Commissioner
	Nottinghamshire Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Scampton Civil Parish
	Marion Civil Parish
	Gate Burton Civil Parish
	Knaith Civil Parish
	North Leverton with Hablesthorpe Civil Parish
	Sturton Le Steeple Civil Parish

<sup>1</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Cottam Civil Parish Saxilby with Ingleby Parish Council Sturton by Stow Parish Council Stow Parish Council Torksey Parish Council Broxholme Parish council Gringley on the Hill Parish Council Clayworth Parish Council North and South Wheatley Parish Council
The Environment Agency	The Environment Agency (Lincolnshire and Northamptonshire and East Midlands)
The Civil Aviation Authority	Civil Aviation Authority
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	South Yorkshire Passenger Transport Executive
The Relevant Highways Authority	Lincolnshire County Council Nottinghamshire County Council
The relevant strategic highways company	Highways England (Midlands)
The Coal Authority	The Coal Authority
The relevant internal drainage board	Upper Witham Internal Drainage Board Witham First Internal Drainage Board Witham Third Internal Drainage Board Doncaster East Internal Drainage Board Scunthorpe and Gainsborough Water Management Board

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
	Isle of Axholme and North Nottinghamshire Water Level Management Board
	Trent Valley Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency of the Department of Health	UK Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	East and East Midlands Forestry Commission
The Secretary of State for Defence	Ministry of Defence

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>2</sup>**

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Clinical Commissioning Group	NHS Lincolnshire Clinical Commissioning Group
	NHS Bassetlaw Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
	East Midland Waterways

<sup>2</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency (Lincolnshire and Northamptonshire and East Midlands)
The relevant water and sewage undertaker	Anglian Water
	Severn Trent
The relevant public gas transporter	Cadent Gas Limited
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Quadrant Pipelines Limited
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
	The Electricity Network Company Limited
The relevant electricity generator with CPO Powers	Cottam Development Centre
	Cottam Power Station

STATUTORY UNDERTAKER	ORGANISATION
	West Burton Power Station
The relevant public gas transporter	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Murphy Gas Networks limited
	Squire Energy Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Forbury Assets Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Western Power Distribution (East Midlands) plc
	National Grid Electricity Transmission Plc
National Grid Electricity System Operator Limited	

**TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>3</sup>**

<b>LOCAL AUTHORITY<sup>4</sup></b>
West Lindsey District Council
Bassetlaw District Council
Nottinghamshire County Council
Lincolnshire County Council
North Kesteven District Council
Lincoln City Council
Newark and Sherwood District Council
Mansfield District Council
Bolsover District Council
East Lindsey District Council
North East Lincolnshire Council
North Lincolnshire Council
Rotherham Metropolitan Borough Council
Doncaster Metropolitan Borough Council
Rutland County Council
North Northamptonshire Council
Nottingham City Council
Peterborough City Council
Cambridgeshire County Council
Norfolk County Council
Derbyshire County Council

<sup>3</sup> Sections 43 and 42(B) of the PA2008

<sup>4</sup> As defined in Section 43(3) of the PA2008

<b>LOCAL AUTHORITY<sup>4</sup></b>
Leicestershire County Council
Sheffield City Region Combined Authority ITA

**TABLE A4: NON-PRESCRIBED CONSULTATION BODIES**

<b>ORGANISATION</b>
Sheffield City Region Combined Authority ITA





## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Bassetlaw District Council
Bolsover District Council
Broxholme District Council
Cambridgeshire County Council
Canal and River Trust
Clayworth Parish Council
Coal Authority
Energy Assets Networks
Environment Agency
ESP Utilities
Forestry Commission
Gringley on the Hill Parish Council
Historic England
Health and Safety Executive
Lincolnshire County Council
Marton Parish Council
Gate Burton Parish Council
National Grid
NATS
Natural England
Network Rail
Newark and Sherwood District Council

NHS Lincolnshire Clinical Commissioning Group
North Kevesten District Council
North Northamptonshire Council
Nottinghamshire County Council
Peterborough City Council
UK Health Security Agency
West Lindsey District Council
Witham Internal Drainage Board

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

Our Ref: 22/00140/PREAPP  
Your Ref: EN010131-000027  
Officer: Clare Cook/Daniel Galphin  
Email: [REDACTED]

1 March 2022

Dear Emily,

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

**Application by West Burton Solar Projects Ltd (the Applicant) for an Order granting Development Consent for the Cottom Solar Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

I refer to your letter and enclosures dated 28<sup>th</sup> January 2022 regarding the above development.

The District Council understands that its views are sought, as a statutory consultee on the scoping opinion which has been submitted to the Secretary of State under the terms of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The District Council also understands that the Secretary of State will consult all the relevant statutory bodies in respect of this scoping opinion.

The submitted scoping report contains the following chapters and I comment on them accordingly:

**The Scheme**

The sites for built development are identified as being within a 19km radius of Cottam Power Station and are identified as West Burton 1, 2, 3 and 4. It is positive to see that a description of each of the sites has been included and sets out the key constraints as this will set the basis for the rest of the EIA.

It is noted that the exact type of solar panels is not yet decided and that the options have been separated into 'Option A – Tracking panels' and 'Option B – Fixed panels'. Further assessment of the potential implications of the design should be considered and assessed in the ES when this option has been decided. The majority of the project will be situated in West Lindsey but West Burton 4 and the grid connection infrastructure and energy storage located within the administrative boundary of Bassetlaw District Council and Nottinghamshire County Council.

It is difficult to make more precise comments about the cabling as the exact routing of the cables is not yet known. Once these details become clearer, it will be easier to make a better judgement on the constraints that will be most likely to be impacted.

### **Alternatives Considered**

Although the Scoping Report states that a section in the EIA will include a chapter on alternatives that have been considered, this should ideally be completed much earlier in the process. This section contains very little detail and opportunity for statutory consultees to view the justification for not using the alternative sites. I am not aware through the consultation to date that any information has been presented in regards to alternative sites. This really should be front loaded and available in initial consultation.

### **Consultation**

In terms of consultation this needs further detail in respect of how this will be undertaken. The District Council is supportive of the broad principles in respect of consultation; however it is key that public consultation is meaningful and wide reaching. It would be useful to understand what is meant by 'local community', it will be important that a number of methods are used to engage people both in Bassetlaw and West Lindsey. The District is happy to assist the developer in this regard.

Consultation with the Parish Councils, Neighbourhood Planning Groups and elected Members will also need to be a key aspect of the proposal.

### **Comments on the general approach**

In respect of the cabling routes, connection points and energy storage (5<sup>h</sup> site) the Council reserves the right to make further comments when more information is available to review in regards to the exact location of the cable corridor. Once these exact details are known it would be expected that the same exercise will be undertaken for these routes/sites as the exercise that has been undertaken with regards to the rest of the NSIP.

It is welcomed that the applicant acknowledges that baseline conditions will need to be agreed with the relevant consultees and that there is an acknowledgement of the need to assess future baselines.

The issue of cumulative impact will need to be carefully considered as there are other NSIP projects in this locality for similar developments along with planning applications for the same. Whilst renewable energy is supported the ES must ensure that these cumulative impacts are assessed within both Bassetlaw, West Lindsey and other adjoining Districts. It is noted that the scoping report states significant and committed developments will be assessed in this regard. However it should be noted that there are a number of other NSIPs in this locality that are at a similar stage to this application; these have not yet attained permission but need to be considered within the heading of cumulative impacts. Omitting the other potential NSIP sites gives a false assessment of environmental impacts. The District would be happy to assist in assessing and agreeing the applicant's list of other similar schemes in Nottinghamshire and Lincolnshire.

Each topic chapter should assess mitigation, this should be detailed and include a schedule of deliverable environmental commitments along with monitoring and control mechanisms. The order for mitigation should be avoid, minimise or reduce impact and remedy or compensate.

The ES should contain an appendix which sets out the evidence base documents that are to be used to inform the baseline would be welcomed. The evidence should be up to date and in accordance with the Regulations, the District would be happy to assist in providing evidence where possible

In terms of the proposed built development there are options set out in the scoping report as to what form this will take and therefore once this is known the scope for the ES should be reassessed to ensure that all environmental impacts are covered for the specific development.

In relation to the emerging Local Plan there have been further developments in this regard. The Council has recently undertaken a Regulation 19 Addendum consultation (ended on the 17 February, 2022). This Addendum together with the Publication version of the Plan will be submitted for Examination by the Secretary of State on 11 March 2022. This should be acknowledged and updated (eg para 9.2.6).

There has been references made to ST51 throughout the Scoping Document. This policy was part of the focussed Addendum consultation. Therefore, the reference at Paragraph 14.6.4 of the report will need to be updated to reflect this.

It is noted that the Sturton Ward Neighbourhood Plan (Review), adopted in November 2021, is not referenced in the list of Host Authority Planning Policies. The Neighbourhood Plan covers the full extent of the West Burton Power Station site, the proposed areas for storage, and a significant portion of the cable corridor search area.

7.2.2: As above, the Sturton Ward Neighbourhood Plan (Review), adopted November 2021, is not currently identified in the Local Planning Policy section. In particular, the Plan is accompanied by a Design Code, which has influenced policies within the Plan (see pages 24 – 36 / Policy 2a - Protecting the landscape character, significant green gaps and key views).

It is important to have a consistent approach is taken with regards to the policy context of each chapter. In any event it appears that little reference has been made to Bassetlaw Local Plan policies, emerging Local Plan policies or made Neighbourhood Plans

## **Proposed Topics**

### **Climate Change**

The Council comments as follows in respect of climate change

The methodology for climate and biodiversity related assessments are sound. The reference at Paragraph 6.2.3 regarding BDC's climate commitment is welcome

It is considered that a full climate change chapter should be scoped into the ES rather than a proportionate one to allow a full assessment to be undertaken in this regard.

### **Landscape and Visual Amenity**

No reference is made to the relevant policies within the Bassetlaw Core Strategy, the Emerging Bassetlaw Local Plan (2020 – 2037) or made Neighbourhood Plans.

A further review of relevant policies contained within the NPPF is also recommended eg para 174 is not quoted. It also appears that there are errors in the NPPF paragraph numbering eg should paragraph 98 be paragraph 100?

This is one of the key considerations for the District. Obviously the issue of cumulative development will be critical to this chapter and will need to be considered when agreeing the study area and receptor points eg until an analysis of cumulative development has been undertaken it is not possible to agree a study area of 5km. The fact that West Burton 4 is on a sloping topography may mean that it needs a different study areas compared to a latter landscaping and vice versa. Whilst it is accepted that this is one NSIP it is clear from descriptions of sites that West Burton 1-3 are different certainly in terms of topography compared to West Burton 4 and it is therefore questioned as to whether West Burton 4 in terms of landscape needs its own methodology and justification for analysis.

As the Council is in the process of appointing a landscape consultant we are not in a position to agree the methodology, viewpoints and study area at this point in time. Once a landscape consultant is appointed it is expected that they in conjunction with the Council will work collaboratively with the applicant's consultant to agree these important starting points.

As stated in Paragraph 7.1.4, West Burton 4 is located on sloping landform which falls from north to south and the landscape surrounding the Site is peppered by numerous woods and coverts which visually combine to form wooded horizons and provide enclosure to the landscape. A further scoping into landscape impacts of West Burton 4 may be useful to fully realise the potential impact the proposal may have on the small rural settlements of Gringley on the Hill and Clayworth, as well as the surrounding area.

With regards to the cabling and sub station it is impossible at this stage to assess whether a 500m study area is going to be sufficient without knowing the full extent and the design of the cabling.

The Council cannot therefore agree at this point in time to scope out the study area/visual study area beyond 5km as there is insufficient information to justify this and we have not had any evidence presented in terms of cumulative development. The scoping report seems to justify this approach with regards to the eastern element of the development (para 7.5.1) but does not give full assessment to the west.

### **Ecology and Biodiversity**

Please see attached comments from Nottinghamshire Wildlife Trust.

West Burton 4 identified on Figure 3.5 borders a Minor green corridor in the form of the Trent Valley Way (Policy ST39: Green and Blue Infrastructure). Should the area be chosen care should be taken to protect the function, setting, biodiversity value, landscape, access and recreational value of the minor corridor. Furthermore, the proposed location of West Burton 4 is located within 2.5KM of the Sutton & Lound Gravel Pits SSSI, as well as the Chesterfield Canal SSSI. Local Wildlife Site designations can also be found over Chesterfield Canal (Site reference - 1/82), Lovers Lane – Clayworth (Site reference 2/464) , Lancaster Lane Hedge – Clayworth (Site reference 2/465). It is understood that scoping has been undertaken for residual effects on ecological features as indicated in Table 8.5.1 It would be prudent to understand the level of impact and ensure that mitigation is commensurate to address impacts identified.

The LPA is pleased to see that the applicant acknowledges that this is an iterative process and that further surveys may be required subject to consultation with the ecological bodies. It is important that given the timescales of these projects that ecological surveys are kept up to date.

With regards to cabling and the substation location the effects on ecology and biodiversity cannot be established until the routes / locations have been defined.

Whilst the Bassetlaw Core Strategy 2011 is quoted in the policy section, there is no reference to the emerging Local Plan or any made Neighbourhood Plans. Another key document is 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' as this is the most recent Defra approved strategy for biodiversity in the UK. For meaningful policy to enhance local biodiversity the core 4 principles **must** be included in their enhancement criteria: Better, Bigger, More, Joined.

The need for 10% net gain is welcomed and this should be scoped into the assessment. The Environment Act 2021 promotes biodiversity net gain in new development, albeit from 2023. However, the NPPF recommends securing net gains now. Reflecting the principles of national planning policy and the emerging provisions of the Act we would strongly recommend that the proposal secures at least 10% net gain in biodiversity to ensure that the value of the development exceeds the pre-development on site habitat value by at least 10%.

Lighting, even during construction phase, has the potential to impact on ecology and given the fact that there are still unknowns in respect of the location and design of this proposal it is considered that lighting should remain in the EIA and its effect on ecology should form part of this chapter.

It is considered that nothing should be scoped out of this chapter.

### **Hydrology, Flood Risk and Drainage**

The Council welcomes reference to Policies ST52 Flood Risk and Drainage and ST53 Protecting Water Quality and Management in Paragraph 9.2.60. Further detail on flood impacts and drainage solutions would be welcome especially in the context of the small rural settlements of Gringley on the Hill and Clayworth. Paragraph 9.2.19 highlights that the EA's Flood Risk Map for Planning indicates that the majority (>90%) of the Site is located within Flood Zone 1 (Low Probability) of flooding, with a small portion of the extreme southwest of the Site located in Flood Zone 2 (Medium Probability). Therefore, inclusion of scoping for Fluvial risk of the Flood Zone 2 area within the Site that is associated with Chesterfield Canal is supported.

Given the nature of the application for West Burton it does not appear to seek to significantly increase the impermeable area. The LLFA would comment that surface water run-off from the site should not be exacerbated, and that any runoff from any hardstanding/small buildings on the site should be captured on site, to prevent increasing runoff from the site.

Policy 4 (Reducing the risk of flooding) of the Sturton Ward Neighbourhood Plan (Review) has relevance to this section of the assessment

It is welcomed that nothing is proposed to be scoped out of this chapter

### **Ground Conditions and Contamination**

It is considered that this topic should be scoped into the ES.

### **Minerals**



The County Planning Authority at Nottinghamshire County Council has drawn attention to Policy SP7 in the emerging Minerals Local Plan due to the potential risk of mineral unnecessary mineral sterilisation. The County Planning Authority also drew attention to Adopted Minerals Local Plan March 2021 (Policy MP2c) and Policies Map Inset 4.

Although the project is only for a temporary period and as such there would not be any permanent sterilisation of potential mineral resources, attention should be drawn to Sturton le Steeple Quarry. As the site is not active, it may not have been picked up as part of the initial scoping project. The northern cabling route therefore could have the potential to cause issues for this site if operations were to re-commence.

Please find below the response from the Coal Authority:

*"I have reviewed the project site against our coal mining information and can confirm that, whilst the area falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority; meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface.*

*Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the Local Planning Authority will not need to consult us on any subsequent planning application for this site."*

## **Archaeology**

Advice from the Council's Archaeological Advisor states:

*'The West Burton Solar Farm Scoping Opinion provides details for the construction of a 480MW solar farm spread over four sites and a substation/energy store facility and cable corridors. Three sites are located in Lincolnshire and one in Nottinghamshire (Bassetlaw District). The proposed cable connection routes and substation are also largely located in Nottinghamshire with the connection point proposed at the West Burton Power Station. The following relates to the proposed site in Bassetlaw (West Burton 4) and the cable connection routes.*

*I have not been consulted prior to submission of this scoping report and have significant concerns on the Cultural Heritage section (section 12) of the submitted documents.*

*I am disappointed to note that the applicant has not engaged prior to this submission or to undertaking/commissioning geophysical survey work, which may not meet the standards and quality control requirements expected.*

*It is also concerning that the substation and cable corridor routes have not been determined and therefore not considered other than a vague statement in section 12.1.2. The Environmental Impact Assessment (EIA) will need to include all scoped in cable routes and substation sites in the form of desk-based research, non-intrusive and intrusive evaluation and be included in the ES (Environmental Statement) prior to submission of the Development Consent Order (DCO) application.*

*The review and initial assessment of assets presented in this document is based on very limited data and many of the conclusions drawn cannot be justified at this stage without further desk-based research, non-intrusive and intrusive evaluation. The following are just some of the statements with which I cannot currently agree:*

12.1.1. says the document has considered 'the potential for the survival archaeological remains' but as no fieldwork has been completed this seems to be based entirely upon a limited selection of desk-based sources and a partial ongoing geophysical survey. This are entirely insufficient grounds as a basis for competent assessment of the archaeological potential.

The document states that each site 'has been subject to modern ploughing and drainage scheme which may have impacted any previously unrecorded sub-surface archaeological remains' (12.2.4, 12.2.3 which oddly follows the above, 12.2.6, 12.2.9). This statement is entirely unfounded until it is informed by trial trench evaluation.

12.2.50 states that 'any potential impact on buried archaeological remains could be mitigated by appropriate design to remove the potential for any direct impacts on archaeological features'. This cannot be considered until the location, depth, extent and importance of surviving archaeology has been determined through a programme of effective evaluation.

12.3.13 Trial trench evaluation is part of the process for assessing archaeological potential. The scheme cannot rely on desk-based and geophysical sources alone to identify archaeological potential as indicated in this section.

Section 12.3.13 offers non-intrusive mitigation proposals. These cannot be accepted at this early stage. Data from intrusive evaluation and a detailed assessment of impact from decommissioning will need to be presented before this can be considered.

There needs to be an approach with sufficient evaluation in order to fully understand the archaeological potential and to inform a reasonable appropriate mitigation strategy to be submitted with the DCO application. The full suite of available desk-based information needs to be competently assessed including all available records, air photos, LiDAR and local sources. This understanding and the geophysical survey results then inform a robust programme of trial trenching to provide evidence for the site-specific archaeological potential of the development.

Given the above, the general methodology proposed in this document is currently insufficient and there is insufficient baseline evidence to support it.

### **Requirements for Environmental Statement**

The ES will require further desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact areas, including the cable route corridors and substation. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation secured in the DCO.

Regarding desk-based sources, the Environmental Statement will require:

Full LiDAR coverage and assessment; full aerial photo coverage and assessment; archaeological reports; relevant documents from the Record Office covering each site; and the Portable Antiquities Scheme (PAS) data must also be consulted.

Map regression should include all available maps to provide a reasonable understanding of the development and time depth of the sites.

The HER search should be for at least 5km for visual impact on designated assets.

### **Full impact zone**

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

*The full extent of the proposed impact area including the cable connector route corridors must be included in the evaluation process. The wide-ranging options for the routes currently impact known scheduled monuments and highly sensitive areas of known archaeology. There will also be multiple areas of as yet unknown archaeological remains which must be identified and characterised at the assessment phase.*

*The subsequent mitigation strategy has the potential for significant financial and scheduling impacts. Sufficient evaluation is essential in informing the selection process and in ensuring the subsequent design and work programme is devised with an understanding of the level of archaeological work which may be required before and during the construction phase. Pre-determination evaluation of the cable connection corridors and substation location can be very useful with informing a decision on the most cost effective and viable route.*

#### *Geophysical Survey*

*It is apparent from the documents that geophysical survey has already commenced. As there has been no engagement to date and no Written Scheme of Investigation has been submitted, I also have concerns about the methodology, practice and extent of the work which is currently being undertaken and what quality control mechanisms have been put in place.*

*Regardless of the approach to geophysical survey already employed, I would expect the following as a minimum: a single Written Scheme of Investigation that all contractors adhere to. This must include appropriate quality and control measures to ensure consistency of data recovery across the site. The proposed cable route(s) must be included in the survey. Separate reports from each contractor should be supplied in full with an overarching report presenting the combined results as this will be the basis for the subsequent evaluation trenching.*

#### *Evaluation Trenching*

*Trenching results are essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. A programme of trial trenching is required to inform a robust mitigation strategy which will need to be agreed by the time the Environmental Statement is produced and submitted with the DCO application.*

#### *Settings Assessment*

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

*In conclusion, the Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact including the cable connection corridor routes and substation. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.*

*The EIA will need to contain sufficient information on the archaeological potential and must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or adequately record the impact of the proposal on archaeological remains.*

*This is in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states "**The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape.**" (Regulation 5 (2d)) ‘*

Based on this consultation response it is concluded that this approach taken in this chapter is not acceptable and comments from the consultee should be addressed.

## **Heritage**

Please find attached comments from the Council's Conservation Officer:

Please find further comments from the Archaeological Advisor with respect to potential heritage impacts.

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

It is difficult to recommend that the assessment on a large number of designated and non-designated heritage assets be scoped out when a statutory consultee has stated that *‘the application site may affect the setting of several Scheduled Monuments as well as a large number of designated and non-designated heritage assets’*. Although of the relevant policies (both national and local) have been included in the legislative context, reference to them throughout the chapter appears limited. The claim that there are ‘no impacts’ on a large of number of identified heritage assets appears to be more of an assertion than a substantiated claim.

Based on the above, it is considered that a more broad scale analysis of the potential impacts on the identified heritage assets should not be scoped out. More direct emphasis should be given to Policy DM8 of the Bassetlaw Core Strategy, Section 16 of the NPPF and the relevant sections of the Planning (Listed Buildings & Conservation Areas Act) 1990.

## **Transport and Access**

Nottinghamshire County Council Highways have raised the following:

*‘The Transport Assessment (TA) methodology will be based on the Guidance for Transport Assessments (GTA), 2007. Although this has been archived, the methodology in the GTA complies with National Planning Practice Guidance and is therefore considered to be acceptable. The scope of the TA should include all main junctions within Nottinghamshire that would ‘that would be likely to experience an increase in traffic greater than 30 two-way peak hour movements (based on passenger car units (PCU))’.*

*‘The proposed construction route to Site 4 is the A1, A614, A638, A631, and B1403 Clayworth Road. This is likely to be acceptable subject to the TA demonstrating that there is*

*sufficient highway network capacity and road space for abnormal loads. It should be noted that the route passes through Bawtry and the A631/A638 junction which is the responsibility of Doncaster Metropolitan Borough Council as local highway authority. Where the TA addresses environmental impacts, this should be contained within a separate section to avoid confusion. It would also be helpful if the study area could be split into respective local highway authority areas.'*

The following further comments are made by the County Council

*'The West Burton Solar Project: Environmental Impact Assessment Scoping Report (EIASR) confirms that West Burton 4 is crossed by rights of way and has rights of way along its boundaries. The Grid Connection Corridor (GCC) also has the potential to affect several public rights of way in Nottinghamshire. Sites 1 to 3 are not in Nottinghamshire.*

*The EIASR confirms that a Transport Assessment (TA), Construction Traffic Management Plan (CTMP), and a Construction Environment Management Plan will form part of the Environmental Impact Assessment to be submitted in support of the proposal. The scope of the TA and CTMP will include the GCC. The CTMP should also include a chapter on construction worker travel patterns and measures to encourage travel by alternative modes to single occupancy vehicle.'*

The Public Rights of Way Team welcome the provisions set out in the Environmental Impact Assessment Scoping Report for the protection and enhancement of the network of Public Rights of Way within the proposed development site. The focus is on both the physical installation of solar Panels and the cabling requirements. Only one of the four solar panel sites are within the Nottinghamshire boundaries (West Burton 4) and all comments will relate to this site only.

A number of public right of way (PROW) have been identified within and alongside West Barton 4 site. These PROW (status and location) should be confirmed as correct by contacting the team on [row.landsearches@nottscc.gov.uk](mailto:row.landsearches@nottscc.gov.uk)

Consideration should be given to:

- how these are affected by the solar installation, such as width and surface of PROW corridors within or adjacent to the site, views of the installations affecting amenity or the rural route, ensuring that views are still available,
- how PROW within the buffer zones will be affected visually, what methods will be employed to screen the sites from view, will the geography assist
- vehicular access – if PROW are used as access how will the public safety be managed (will this require a temporary TRO), how is the surface to be managed to take the traffic, restoration and repair after installation and future maintenance for the duration of the development
- Potential Increased connectivity of the PROW network is noted in para 4.4.8. Any plans will need to be shared at an early stage with PROW team for consideration. Will these be permissive routes for the duration of the site and removed on decommissioning or dedicated in perpetuity.

With regard to the cabling and public rights of way, until this corridor has been narrowed down it is impossible to comment. Underground cabling may affect PROW in the short term during the construction phase and it is requested that these closures, wherever practicable, are employed sensitively to optimise the connectivity of the wider PROW network and any works that affect the safe use of the PROW should be closed temporarily under a formal Traffic Regulation Orders (TRO), which is managed by Nottinghamshire County Council as Highway Authority.

The Rights of Way team would welcome discussions regarding the enhancement and improvements to the Public Rights of Way network at the earliest opportunity.

### **Noise and Vibration**

It is considered that noise and vibration should not be scoped out of the ES. The development is likely to give rise to these issues and should be fully assessed in conjunction with other topic areas.

With specific regard to vibration, it is accepted that the impact from vibration to the occupiers of neighbouring dwellings from the installation of the solar panels, (eg pile driving of the support posts) is unlikely to be significant, and will be very limited in duration. However, as the siting of the electrical transformers and battery storage facilities (which could take up to 24 months to complete), and the cabling routes have not yet been finalised, I would consider it too early to disregard the possibility of nuisance from vibration and it should not, therefore, be “scoped out”.

In addition, the Scoping Report refers to the levels of vibration not exceeding those at which “cosmetic damage” may occur to properties. It is suggested that vibration could amount to a nuisance to residents at levels significantly below those that could result in damage, and that this possibility should be considered in any subsequent Environmental Impact Assessment.

### **Glint and Glare**

The District is pleased to see that it is scoped into the ES.

The Public Rights of Way Officer has questioned how glint and glare is this being assessed with regard to walkers and equestrians. Although identified in para 16.1.1, no further consideration or assessment has been given; it is expected that this will be covered in the final ES.

It should also be noted that Gamston Airport, sited to the south of Retford at approximately 11km to the south east of the West Burton 4 site, is within the 15km assessment area proposed within the Scoping Report and should, therefore, be considered in the Assessment.

### **Electromagnetic Fields**

Human health is a material consideration and the District consider that this should be scoped into the ES.

### **Light Pollution**

It is agreed that this does not have to be a standalone chapter; however it will need to be addressed in other relevant chapters such as biodiversity, transport etc.

The summary table needs clarification as it states a chapter on lighting is scoped out but will be covered in the landscape chapter; however the landscape chapter states that lighting is scoped out.

### **Major Accidents and Disasters**

The scope for this topic is agreed

### **Air Quality**

The scope for this topic is agreed providing that mitigation measures are reported in the CEMP.

### **Socio-Economics, Tourism and Recreation and Human Health**

As stated in Paragraph 21.2.1 of the Scoping Report, the scale and geographic distribution of the proposals means that its effects have the potential to impact a significant geographic area and the associated population. As part of the cable route and the connection point are within Bassetlaw District, the inclusion of a joint district area assessment in the form of a Local Impact Area for socio-economic, tourism and recreation, and human health impacts is welcomed. It is welcomed that this topic is to be scoped into the ES.

Public Health comments are contained within the response from Nottinghamshire County Council.

### **Agricultural Circumstances**

It is considered that this is an important issue for the District, especially when considering these proposals cumulatively with other similar proposals. It therefore should be scoped into the ES. If this approach is not taken then it is crucial that it is addressed elsewhere in another topic.

### **Waste**

Please refer to Nottinghamshire County Council response.

### **Telecommunication, Utilities and TV Receptors**

The proposed approach to this chapter is agreed

This forms a response from Bassetlaw District Council on the applicant's scoping opinion for the West Burton NSIP and we would be grateful if the comments contained within it can be considered as part of your formal scoping response.

Yours faithfully



Development Team Manager

Enc

Response from BDC Conservation Officer  
Response from Archaeological Advisor  
Response from Nottinghamshire Wildlife Trust  
Response from Coal Authority

Response from Nottinghamshire County Council  
Response from Nottinghamshire County Council Highways



## West Burton Solar Farm, Scoping Opinion – Historic Environment Comments

The West Burton Solar Farm Scoping Opinion provides details for the construction of a 480MW solar farm spread over four sites and a substation/energy store facility and cable corridors. Three sites are located in Lincolnshire and one in Nottinghamshire (Bassetlaw District). The proposed cable connection routes and substation are also largely located in Nottinghamshire with the connection point proposed at the West Burton Power Station. The following relates to the proposed site in Bassetlaw (West Burton 4) and the cable connection routes.

I have not been consulted prior to submission of this scoping report and have significant concerns on the Cultural Heritage section (section 12) of the submitted documents.

I am disappointed to note that the applicant has not engaged prior to this submission or to undertaking/commissioning geophysical survey work, which may not meet the standards and quality control requirements expected.

It is also concerning that the substation and cable corridor routes have not been determined and therefore not considered other than a vague statement in section 12.1.2. The Environmental Impact Assessment (EIA) will need to include all scoped in cable routes and substation sites in the form of desk-based research, non-intrusive and intrusive evaluation and be included in the ES (Environmental Statement) prior to submission of the Development Consent Order (DCO) application.

The review and initial assessment of assets presented in this document is based on very limited data and many of the conclusions drawn cannot be justified at this stage without further desk-based research, non-intrusive and intrusive evaluation. The following are just some of the statements with which I cannot currently agree:

12.1.1. says the document has considered *'the potential for the survival archaeological remains'* but as no fieldwork has been completed this seems to be based entirely upon a limited selection of desk-based sources and a partial ongoing geophysical survey. This are entirely insufficient grounds as a basis for competent assessment of the archaeological potential.

The document states that each site *'has been subject to modern ploughing and drainage scheme which may have impacted any previously unrecorded sub-surface archaeological remains'* (12.2.4, 12.2.3 which oddly follows the above, 12.2.6, 12.2.9). This statement is entirely unfounded until it is informed by trial trench evaluation.

12.2.50 states that *'any potential impact on buried archaeological remains could be mitigated by appropriate design to remove the potential for any direct impacts on archaeological features'*. This cannot be considered until the location, depth, extent and importance of surviving archaeology has been determined through a programme of effective evaluation.

12.3.13 Trail trench evaluation is part of the process for assessing archaeological potential. The scheme cannot rely on desk-based and geophysical sources alone to identify archaeological potential as indicated in this section.

Section 12.3.13 offers non-intrusive mitigation proposals. These cannot be accepted at this early stage. Data from intrusive evaluation and a detailed assessment of impact from decommissioning will need to be presented before this can be considered.

There needs to be an approach with sufficient evaluation in order to fully understand the archaeological potential and to inform a reasonable appropriate mitigation strategy to be submitted with the DCO application. The full suite of available desk-based information needs to be competently assessed including all available records, air photos, LiDAR and local sources. This understanding and the geophysical survey results then inform a robust programme of trial trenching to provide evidence for the site-specific archaeological potential of the development.

Given the above, the general methodology proposed in this document is currently insufficient and there is insufficient baseline evidence to support it.

### **Requirements for Environmental Statement**

The ES will require further desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact areas, including the cable route corridors and substation. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation secured in the DCO.

Regarding desk-based sources, the Environmental Statement will require:

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Map regression should include all available maps to provide a reasonable understanding of the development and time depth of the sites.

The HER search should be for at least 5km for visual impact on designated assets.

### *Full impact zone*

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

The full extent of the proposed impact area including the cable connector route corridors must be included in the evaluation process. The wide-ranging options for the routes currently impact known scheduled monuments and highly sensitive areas of known archaeology. There will also be multiple areas of as yet unknown archaeological remains which must be identified and characterised at the assessment phase.

The subsequent mitigation strategy has the potential for significant financial and scheduling impacts. Sufficient evaluation is essential in informing the selection process and in ensuring the subsequent design and work programme is devised with an understanding of the level of archaeological work which may be required before and during the construction phase. Pre-determination evaluation of the cable connection corridors and substation location can be very useful with informing a decision on the most cost effective and viable route.

### *Geophysical Survey*

It is apparent from the documents that geophysical survey has already commenced. As there has been no engagement to date and no Written Scheme of Investigation has been submitted, I also have

concerns about the methodology, practice and extent of the work which is currently being undertaken and what quality control mechanisms have been put in place.

Regardless of the approach to geophysical survey already employed, I would expect the following as a minimum: a single Written Scheme of Investigation that all contractors adhere to. This must include appropriate quality and control measures to ensure consistency of data recovery across the site. The proposed cable route(s) must be included in the survey. Separate reports from each contractor should be supplied in full with an overarching report presenting the combined results as this will be the basis for the subsequent evaluation trenching.

#### *Evaluation Trenching*

Trenching results are essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. A programme of trial trenching is required to inform a robust mitigation strategy which will need to be agreed by the time the Environmental Statement is produced and submitted with the DCO application.

#### *Settings Assessment*

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

In conclusion, the Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact including the cable connection corridor routes and substation. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.

The EIA will need to contain sufficient information on the archaeological potential and must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or adequately record the impact of the proposal on archaeological remains.

This is in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states ***"The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape."*** (Regulation 5 (2d))



The Coal  
Authority

Resolving the **impacts** of mining

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Mansfield  
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NG18 4RG

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[www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

Planning Team  
Bassetlaw District Council

**[By email: [planning@bassetlaw.gov.uk](mailto:planning@bassetlaw.gov.uk)]**

08 February 2022

Dear Sir / Madam

**Reference No:** 22/00140/PREAPP

**Proposal:** Proposed National Strategic Infrastructure Project Consultation from The Planning Inspectorate on Behalf of the Secretary of State for a Scoping Opinion

**Location:** West Burton 4 along with cabling and connection

Thank you for your notification of 02 February 2022 on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the site at West Burton 4 with cabling and connections.

I have reviewed the project site against our coal mining information and can confirm that, whilst the area falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority; meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface.

Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the Local Planning Authority will not need to consult us on any subsequent planning application for this site.

I hope that this is helpful however please do not hesitate to contact me if you require any further assistance with this matter.

Yours faithfully

[REDACTED]

Deb Roberts *M.Sc. MRTPI*  
Planning & Development Manager

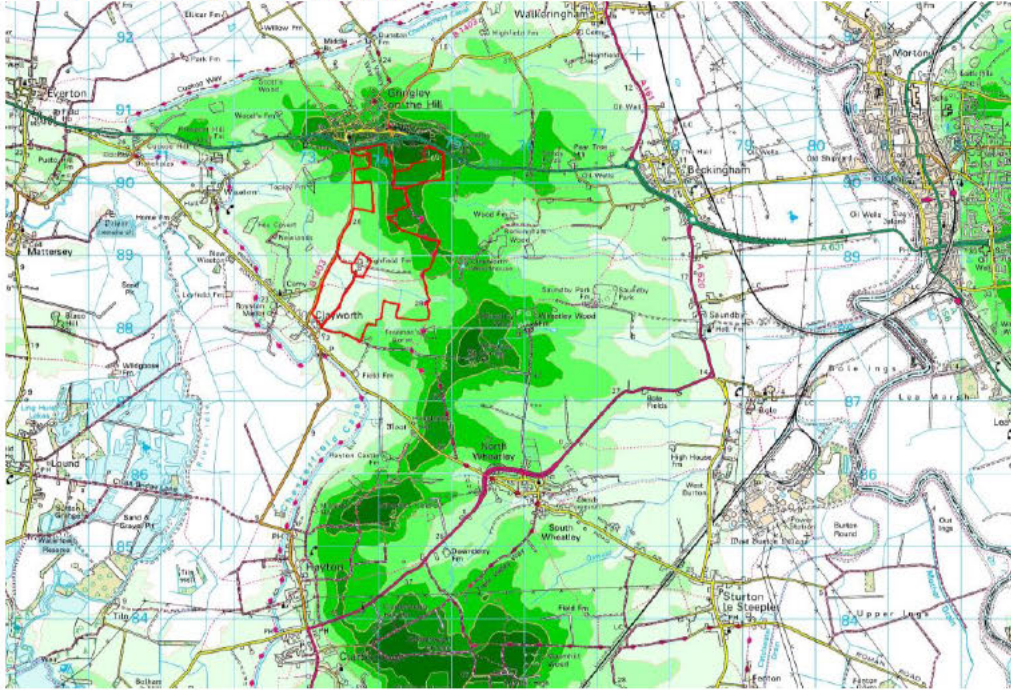
#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

**Bassetlaw District Council  
Heritage/Conservation Consultation**

<b>From: Michael Tagg</b> <i>Conservation Manager</i>		<b>To: Clare Cook</b> <i>Development Team Officer</i>	
<b>Application ref:</b> 22/00140/PREAPP		<b>Date:</b> 1 <sup>st</sup> March 2022	
<b>Proposal</b>	Proposed National Strategic Infrastructure Project Consultation from The Planning Inspectorate on Behalf of the Secretary of State for a Scoping Opinion – West Burton Solar Project		
<b>Location</b>	West Burton Solar Project		
<b>Date consulted</b>	2 <sup>nd</sup> February 2022	<b>Site visit date</b>	Previous visits

<b>Heritage assets affected</b>	<p>The area covered by the proposed solar farm, including the cable runs, is extensive. This area, and its vicinity, contains a range of heritage assets, which may be affected by the development, whether directly or by impact on setting. The range of heritage assets is set out below:</p> <p><b>Conservation Areas:</b></p> <ul style="list-style-type: none"> <li>• Clayworth Conservation Area;</li> <li>• Gringley on the Hill Conservation Area;</li> <li>• Wiseton &amp; Drakeholes Conservation Area;</li> <li>• Saundby Conservation Area.</li> </ul> <p><b>Listed Buildings:</b></p> <ul style="list-style-type: none"> <li>• Church of St Peter, Clayworth (grade I);</li> <li>• Remains of St Helen’s Church, South Wheatley (grade I);</li> <li>• Church of St Nicholas, Littleborough (grade I);</li> <li>• Church of St Martin, North Leverton (grade I);</li> <li>• Church of St Martin, Saundby (grade I);</li> <li>• Church of St Peter &amp; St Paul, Gringley on the Hill (grade II*);</li> <li>• Church of All Saints, Beckingham (grade II*);</li> <li>• Church of St Peter &amp; St Paul, North Wheatley (grade II*);</li> <li>• Old Hall, North Wheatley (grade II*);</li> <li>• Church of All Saints, South Leverton (grade II*);</li> <li>• Church of St Peter &amp; St Paul, Sturton le Steeple (grade II*);</li> <li>• A range of grade II Listed Buildings in Clayworth, Wiseton, Drakeholes, North Wheatley, South Wheatley, Sturton le Steeple, Fenton, Littleborough, Beckingham, Bole, Saundby, North Leverton, South Leverton and Cottam.</li> </ul> <p><b>Scheduled Ancient Monuments:</b></p> <ul style="list-style-type: none"> <li>• Beacon Hill, Gringley on the Hill;</li> <li>• Market Cross, Gringley on the Hill;</li> <li>• Hayton Castle Moated Site, Clayworth;</li> <li>• West Burton DMV;</li> <li>• Segelocum Roman Town, Littleborough;</li> <li>• St Helen’s Church, South Wheatley.</li> </ul> <p><b>Non-designated heritage assets:</b></p> <ul style="list-style-type: none"> <li>• Wiseton unregistered park &amp; garden;</li> <li>• Clayworth Cemetery unregistered park &amp; garden;</li> <li>• Hayton Castle Farm unregistered park &amp; garden;</li> <li>• South Wheatley Churchyard unregistered park &amp; garden;</li> <li>• Hablesthorpe Churchyard unregistered park &amp; garden;</li> </ul>		
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	<ul style="list-style-type: none"> <li>• A range of buildings of local interest, as identified on the 'Bassetlaw Heritage Mapping' website and the Nottinghamshire HER.</li> </ul>
<p><b>Comments on Scoping Report</b></p>	<ol style="list-style-type: none"> <li>1. It is concerning that the Council's Conservation Team were not consulted prior to the submission of this Scoping Report. There are a range of heritage assets that would likely be affected by the proposed development, both above and below ground, and there is limited evidence as to why this exact location has been chosen, or why nearby sites have been discounted.</li> <li>2. Legislation, Policy &amp; Guidance – Neither the main report, nor the appendix, mention Historic England's Advice Note 15: Commercial Renewable Energy Development (Feb 2021).</li> <li>3. The heritage asset maps in Chapter 13 Appendix does not identify all non-designated heritage assets, including buildings of local interest and unregistered park &amp; gardens. These are all viewable on the Council's 'Bassetlaw Heritage Mapping' website and on the HER through the Heritage Gateway.</li> <li>4. The Appendix does not cover all the NPPF Section 16 paragraphs. For example, 189, 197, 203 and 206 are also very relevant to this project.</li> <li>5. Conservation would question the usefulness of a 1km and 2km radius when assessing impact on setting. Historic England's Good Practice Advice Note 3 on Setting (2017) makes it clear that setting can be extensive and is dependent on a range of factors. The local topography (see contour map), together with the roads and footpaths in the wider area, mean that the proposal is likely to be visible from a significant distance in certain directions.</li> </ol>  <p>It is therefore suggested that the setting of all main heritage assets in the wider area (e.g. the Listed Buildings, Conservation Areas and Scheduled Ancient Monuments) are assessed individually, on the basis of impact and visibility, rather than an arbitrary 1km or 2km radius. Notable locations to assess such impact include:</p>

	<p>a. From high points along the Drakeholes to Littleborough road (a roman road);</p> <p>b. From high points along the A631 (especially at Wiseton and Gringley);</p> <p>c. From listed farms on nearby hills, especially Blaco Hill and Pusto Hill;</p> <p>d. From the top of the Gringley Beacon Hill Scheduled Ancient Monument;</p> <p>e. From points along public footpaths that connect historic sites, such as those near Clayworth Woodhouse, Wheatley Wood and Highfield Farm; and</p> <p>f. From points along the Clayworth to Gringley road, where the open landscape contributes to the setting of heritage assets in and around both historic settlements.</p> <p>6. Any harm to designated heritage assets, including to setting, whether 'substantial' or 'less than substantial', has to be fully justified. In addition, the Planning (Listed Buildings &amp; Conservation Areas) Act 1990 places a presumption in favour of conservation of both Listed Buildings and Conservation Areas. Proposals should therefore include an assessment of all the public benefits of the proposal, together with a justification for the location (this should include details of sites which have been discounted, together with an understanding of why this particular site and boundary have been chosen).</p> <p>7. More information is required on the exact route of cable trenches. These have the potential to be very damaging to complex archaeology. Although I refer to the views of our Archaeologist on matters of archaeology.</p> <p>In reaching these views, I have had regard to: Section 66(1) of the Planning (Listed Buildings &amp; Conservation Areas) Act 1990; Policy DM8 of the Bassetlaw Core Strategy (December 2011); Section 16 of the NPPF (July 2021); and a range of national guidance, including that contained in Historic England's:</p> <ul style="list-style-type: none"> <li>• GPA 2 – Managing Significance in Decision-Taking in the Historic Environment (March 2015);</li> <li>• GPA 3 – The Setting of Heritage Assets (December 2017);</li> <li>• AN 1 – Conservation Area Appraisal, Designation and Management (February 2019);</li> <li>• AN 12 – Statements of Heritage Significance (October 2019);</li> <li>• AN 15 - Commercial Renewable Energy Development (Feb 2021).</li> <li>• Conservation Principles (2008).</li> </ul>
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***These are the views of the Conservation Team only and should be taken into account alongside other material planning considerations in determining the merits of the application.***



**TOWN AND COUNTRY PLANNING ACT**

**HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT (PRE-PLANNING APPLICATION ADVICE)**

<b>DISTRICT:</b>	Bassetlaw	Date received	02/02/2022
<b>OFFICER:</b>	Clare Cook	by D.C.	
<b>PROPOSAL:</b>	Application for an Order Granting Development Consent for the West Burton Solar Project	D.C. No.	22/00140/PREAPP
<b>LOCATION:</b>	West Burton 1, 2 and 3 located east of the River Trent, south of the A1500 and north of Saxilby, in the district of West Lindsey, Lincolnshire. West Burton 4 located circa 12km north-west of West Burton 1 between the villages of Clayworth and Gringley on the Hill, in the district of Bassetlaw, Nottinghamshire		
<b>APPLICANT:</b>	West Burton Solar Project Limited		

It is noted that the Countryside Access Team has been consulted. The West Burton Solar Project: Environmental Impact Assessment Scoping Report (EIASR) confirms that West Burton 4 is crossed by rights of way and has rights of way along its boundaries. The Grid Connection Corridor (GCC) also has the potential to affect several public rights of way in Nottinghamshire. Sites 1 to 3 are not in Nottinghamshire.

The EIASR confirms that a Transport Assessment (TA), Construction Traffic Management Plan (CTMP), and a Construction Environment Management Plan will form part of the Environmental Impact Assessment to be submitted in support of the proposal. The scope of the TA and CTMP will include the GCC. The CTMP should also include a chapter on construction worker travel patterns and measures to encourage travel by alternative modes to single occupancy vehicle.

The TA methodology is to be based on the DfT Guidance on Transport Assessments, 2007 (GTA) and the Institute of Environmental Management and Assessment Guidelines for the Environmental Assessment of Road Traffic, 1993. Whilst the GTA is now archived, this still would provide a methodology that complies with more recent National Planning Practice Guidance. The methodology is therefore acceptable. The Nottinghamshire Highway Authority will require the scope of the TA to consider all main junctions within Nottinghamshire that would be likely to experience an increase in traffic greater than 30 two-way peak hour movements (based on passenger car units (PCU)).

The proposed construction route to Site 4 is the A1, A614, A638, A631, and B1403 Clayworth Road. This is likely to be acceptable subject to the TA demonstrating that there is sufficient highway network capacity and road space for abnormal loads. It should be noted that the route passes through Bawtry and the A631/A638 junction which is the responsibility of Doncaster Metropolitan Borough Council as local highway authority. Where the TA addresses environmental impacts, this should be contained within a separate section to avoid confusion. It would also be helpful if the study area could be split into respective local highway authority areas.

Martin Green  
Principal Officer  
3rd February 2022

This matter is being dealt with by:

**Nina Wilson**

**Ref: 2200140**

**T** [REDACTED]

**E** [REDACTED]

**W** [nottinghamshire.gov.uk](http://nottinghamshire.gov.uk)

Sent via email to:

[planning@bassetlaw.gov.uk](mailto:planning@bassetlaw.gov.uk)

12<sup>th</sup> February 2021

Dear Sir/Madam,

**Ref: 22/00140/PREAPP - Proposed National Strategic Infrastructure Project Consultation from The Planning Inspectorate on Behalf of the Secretary of State for a Scoping Opinion**

Thank you for your email dated 2<sup>nd</sup> February 2022 requesting strategic planning observations on the above planning application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities there are a number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications these include Minerals and Waste, Education, Transport and Public Health.

### **County Planning Context**

#### Transport and Flood Risk Management

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

Should further information on the highway and flood risk elements be required contact should be made directly with the Highway Development Control Team and the Flood Risk Management Team to discuss this matter further with the relevant officers dealing with the application.

#### Minerals and Waste

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the adopted Nottinghamshire Minerals Local Plan (adopted March 2021), form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, these should be taken into account where proposals for non-minerals development fall within them.

From the point of the Scoping Report, Chapter 11: Minerals, draws attention to the Minerals Safeguarding Area policies within the respective Minerals Local Plans. West Burton 4 being the only site within Nottinghamshire. Contact has already been made by the consultants to source the appropriate GIS constraint mapping for MSA's and existing minerals sites. The County Council would draw attention to the 'Cable Route Corridor Search Areas', as identified in Figure 3.6. and reference is drawn to the detailed response in the following sections of these comments.

## *Minerals*

As the Mineral Planning Authority, it is the responsibility of Nottinghamshire County Council to form policies and determine applications relating to mineral development. One of the key responsibilities of both the County Council but also the District and Borough Councils is to safeguard mineral resource (PPG, Paragraph 005, 2014). As minerals are a finite resource that can only be worked where they are found, the emerging Minerals Local Plan contains a policy, **SP7, Adopted Minerals Local Plan | Nottinghamshire County Council** which seeks to safeguard mineral resource from unnecessary sterilisation from non-mineral development and so establishes Mineral Safeguarding and Consultation Areas (MSA/MCA).

As a two-tier authority, the Minerals Local Plan forms part of the overall Development Framework for Bassetlaw District Council. The entire western side of the River Trent lies within a Sand and Gravel Mineral Safeguarding Area, but that given relatively small land take we do not foresee any problems.

There is an area of concern however. The northern cabling route option, the buffer zone for which, runs through or at least very close to the permitted sand and gravel site at Sturton Le Steeple quarry (1/46/06/00014/). This site is operated by TARMAC. As this site is not presently active, it may not have been picked up as part of the initial scoping exercise. NCC would draw attention to Adopted Minerals Local Plan March 2021 (**Policy MP2c**) and Policies Map Inset 4. [Adopted Minerals Local Plan | Nottinghamshire County Council](#)

Sturton le Steeple Quarry is an important source of sand and gravel and is a significant contributor to the resource landbank, as identified within the Adopted Nottinghamshire Minerals Local Plan March 2021.

## *Waste*

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

## Strategic Highways

The West Burton Solar Project: Environmental Impact Assessment Scoping Report (EIASR) confirms that West Burton 4 is crossed by rights of way and has rights of way along its boundaries. The Grid Connection Corridor (GCC) also has the potential to affect several public rights of way in Nottinghamshire. Sites 1 to 3 are not in Nottinghamshire.

The EIASR confirms that a Transport Assessment (TA), Construction Traffic Management Plan (CTMP), and a Construction Environment Management Plan will form part of the Environmental Impact Assessment to be submitted in support of the proposal. The scope of the TA and CTMP will include the GCC. The CTMP should also include a chapter on construction worker travel patterns and measures to encourage travel by alternative modes to single occupancy vehicle.

The TA methodology is to be based on the DfT Guidance on Transport Assessments, 2007 (GTA) and the Institute of Environmental Management and Assessment Guidelines for the Environmental Assessment of Road Traffic, 1993. Whilst the GTA is now achieved, this still would provide a methodology that complies with more recent National Planning Practice Guidance. The methodology is therefore acceptable. The Nottinghamshire Highway Authority will require the scope of the TA to consider all main junctions within Nottinghamshire that would be likely to experience an increase in traffic greater than 30 two-way peak hour movements (based on passenger car units (PCU)).

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within a separate section to avoid confusion. It would also be helpful if the study area could be split into respective local highway authority areas.

### Flood Risk Management

Given the nature of the application for West Burton it does not appear to seek to significantly increase the impermeable area. The LLFA would comment that surface water run-off from the site should not be exacerbated, and that any runoff from any hardstanding/small buildings on the site should be captured on site, to prevent increasing runoff from the site.

### Planning Obligations

This application is a Screening/ Scoping Opinion therefore at this stage no detailed comments are provided regarding planning obligations. The County Council can however confirm that, should an application be submitted to the Council, it may seek planning obligations to mitigate the impact of the development. These contributions would be subject to negotiation and would be based on the approach set out in the County Council's Planning Obligations Strategy.

Further information about the County Councils approach to planning obligations can be found in its Planning Obligations Strategy which can be viewed at <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/planning-obligations-strategy>

If the Council has any queries regarding planning obligations please contact William Lawrence, the County Councils Developer Contributions Practitioner on 0115 804 2738 or by email [william.lawrence@nottscc.gov.uk](mailto:william.lawrence@nottscc.gov.uk)

### Public Health

The Public Health response is outlined at Appendix 1 however if any further information is required, the Public Health team will be able to provide further advice via email [planning.publichealth@nottscc.gov.uk](mailto:planning.publichealth@nottscc.gov.uk)

### **Conclusion**

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Nina Wilson  
Principal Planning Officer  
Nottinghamshire County Council

*This document is unsigned as it is electronically forwarded. If you require a signed copy, then please contact the sender.*

### **Appendix 1 – Public Health**

View our privacy notice at [www.nottinghamshire.gov.uk/privacy](http://www.nottinghamshire.gov.uk/privacy)  
Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP

The Public Health response is outlined below however if any further information is required, the Public Health team will be able to provide further advice via email [planning.publichealth@nottsc.gov.uk](mailto:planning.publichealth@nottsc.gov.uk)

[The Nottinghamshire Health and Wellbeing Strategy](#) sets out the ambitions and priorities for the Health and Wellbeing Board with the overall vision to improve the health and wellbeing of people in Nottinghamshire:

- To give everyone a good start in Life
- To have healthy and Sustainable places
- To enable healthier decision making
- To work together to improve healthcare services

[The Nottinghamshire Joint Strategic Needs Assessment \(JSNA\)](#) provides a picture of the current and future health needs of the population of the county. This is a useful source of information when considering the health and wellbeing of residents in planning process.

The use of [local health profile](#) report pulls together existing information in one place about localities affected by a development proposal, highlights issues that can affect health and wellbeing of residents covered within the planning process. Promoting health and wellbeing enhances resilience, employment and social outcomes. For example, consider limiting long term illness or disability as part of the development needs of a localities to ensure that it is age friendly providing good access to health and social care facilities.

[The Nottinghamshire Spatial Planning and Health Framework](#) identifies that local planning policies play a vital role in ensuring the health and wellbeing of the population and how planning matters impact on health and wellbeing locally. In addition, a health checklist is included to be used when developing local plans and assessing planning applications:

It is recommended that this checklist is completed to enable the potential positive and negative impacts of the planning application on health and wellbeing to be considered in a consistent, systematic and objective way, identifying opportunities for maximising potential health gains and minimizing harm and addressing inequalities taking account of the [wider determinants of health](#).

Obesity is a major public health challenge for Nottinghamshire. Obesity is a complex problem with many drivers, including our behaviour, environment, genetics and culture. [Nearly a quarter of children in England are obese or overweight by the time they start primary school aged five, and this rises to one third by the time they leave aged 11.](#)

To address Childhood Obesity in 10-11-year olds. It is recommended that the six themes by the TCPA document [Planning Healthy Weight Environments](#) are considered to promote a healthy lifestyle as part of this application.

In addition to [Active Design](#) Sport England 10 principles that promote activity, health and stronger communities through the way our towns and cities are built and designed to encourage activity in our everyday lives.

The six TCPA themes are:

1. Movement and access: Walking environment; cycling environment; local transport services.
2. Open spaces, recreation and play: Open spaces; natural environment; leisure and recreational spaces; play spaces.
3. Food: Food retail (including production, supply and diversity); food growing; access.
4. Neighbourhood spaces: Community and social infrastructure; public spaces.
5. Building design: Homes; other buildings.
6. Local economy: Town centres and high streets; job opportunities and access.

The Ten Principles of Active Design.

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Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP

1. Activity for all
2. Walkable communities
3. Connected walking & cycling routes
4. Co-location of community facilities
5. Network of multifunctional open space
6. High quality streets & spaces
7. Appropriate infrastructure
8. Active buildings
9. Management, maintenance, monitoring & evaluation
10. Activity promotion & local champions

Please note for major developments (over 25 dwellings) the Clinical Commissioning Groups (CCG) should be consulted for impact on primary care which may lead to a request for infrastructure support through S106/CIL.

Bassetlaw developments contact Bassetlaw Strategic Estates Group. Nottinghamshire developments email the Nottingham and Nottinghamshire Estates team [Noweccg.estates@nhs.net](mailto:Noweccg.estates@nhs.net)

## FAO Island Green Power

### Re: West Burton and Cottam Solar Projects

29 October 2021

Thank you for providing an opportunity for Nottinghamshire Wildlife Trust (NWT) to provide comments on the West Burton and Cottam Solar Projects.

NWT supports the deployment of solar arrays on built infrastructure where few if any risks are posed to the natural environment. We also support appropriately sited and managed solar farms that benefit wildlife. Where the development of a solar farm would have a significant and detrimental impact on biodiversity, however, we would oppose it. The wildlife impact of a ground-mounted solar array scheme will be largely determined by location. Where proposals are not within or close to protected areas and functionally linked land, it is unlikely that NWT will have major concerns. However, this will depend on the ecological characteristics of the site and its sensitivity to the proposed changes. In all cases, we would seek to ensure implementation of appropriate mitigation and enhancement measures (see Mitigation and Enhancements).

We note within the literature that cable routes will avoid Sites of Special Scientific Interest (SSSI). We would expect that the solar arrays, storage units and cable routes to not only avoid SSSIs but also there should be a presumption against development of sites of local biodiversity value, that is, Local Wildlife Sites (LWS). LWSs, previously known in Nottinghamshire as 'Sites of Importance for Nature Conservation' are a local, non-statutory designation, that sits below (but complements) the national suite of statutorily designated Sites of Special Scientific Interest (SSSIs). They are of substantive value for the conservation of biodiversity and are home to rare and scarce species, or represent the best surviving examples of habitats that were once widespread and typical of the Nottinghamshire landscape. Collectively, these sites form an essential ecological network and act as wildlife corridors and stepping stones, allowing species to migrate and disperse between sites. The continued existence of these sites is vital to safeguard wildlife from the pressures of development, intensive agriculture and climate change. The LWS network is comprehensive (meaning that every site which qualifies as a LWS is designated as one), whereas SSSIs are representative of the best sites in an area, such that not all sites which meet the SSSI selection criteria have been, or will be, designated as a SSSI. Because of this, a number of LWS would potentially qualify as SSSIs, meaning that LWS are best described as sites that are of at least county-level importance for their flora and/or fauna.

Proposals having a direct or indirect adverse impact on Habitats and Species of Principal Importance identified under the Natural Environment and Rural Communities Act 2006 including legally protected species, as well as Local Nature Reserves, Local Wildlife Sites or Local Geological Sites and their buffer zones and Local Biodiversity Action Plan species will be required to submit ecological information to enable an assessment of their impact, in accordance with relevant national legislation. In all cases, where the principle of development is considered appropriate the mitigation hierarchy must be applied so that: firstly harm is avoided wherever possible including consideration of other locations; secondly appropriate mitigation is provided to ensure no net loss or a net gain of priority habitat and local populations of priority species; as a last resort, compensation is delivered to offset any residual damage to biodiversity. The objective should be to protect, restore,



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enhance and provide appropriate buffers around wildlife and geological features at a local and wider landscape-scale to deliver robust ecological networks, to help deliver priorities in the Nottinghamshire Biodiversity Opportunity Mapping (BOM) model for the district of Bassetlaw.

As this is a pre-application consultation and no ecological information is available to review we can only provide general comments. We would therefore, expect a full Ecological Appraisal and Impact Assessment to be undertaken at the site which should include:

- The survey and report to be undertaken using the most recent guidance from CIEEM\* and the Bat Conservation Trust (Collins, 2016) as well as British Standard BS 42020: 2013.
- A fully comprehensive desk study and assessment with species and sites data obtained from the Local Records Centre (Nottinghamshire Biological and Geological Records Centre (NBGRC)) and County species recorders
- Outline all methodology used and results of the field survey
- Detail all relevant planning policy and legislation to the proposed scheme
- Provide results and an appropriate ecological assessment for species and habitats
- Provide an assessment and details of any anticipated effects and proposed mitigation measures
- A fully comprehensive assessment of the likely effects the proposed development may have to the LWS and any other statutory and non-statutory sites of nature conservation in the area
- Outlined the results of any protected species surveys undertaken
- Provide scheme specific enhancement measures and recommendations
- Detail further monitoring, compensation and EPS licence (if required)

\* CIEEM's Guidelines for Ecological Report Writing (2017), and CIEEM's Guidelines for Preliminary Ecological Appraisal (GPEA) (2017). It should also be noted that CIEEM's Guidelines for Ecological Impact Assessment (EclA) in the UK September 2018) is recommended to support planning applications.

If the initial field survey identifies the need for further species surveys we would also expect these surveys to be completed within the recommended survey season for that species and the results presented within a suitable format and submitted as part of any application for the proposed application site.

As well as the recommended field survey and report, overall we would expect the hedgerows within the site boundaries to be retained, protected and enhanced as part of any development proposals and the application to contain suitable site specific recommendations for providing net gains for biodiversity and to provide enhancements specific for Nottinghamshire BAP species, Section 41 Species of Principal Importance (NERC Act 2006) and habitats e.g. hedgehogs and hedgerows, as required by the National Planning Policy Framework (2019). With regard to Biodiversity Net Gain (BNG), Defra 3.0 or above should be used (there is soon to be a 3.1), but in addition to the calculations spreadsheet, we would also expect to see the completed conditions assessment and a design stage report if we are expected to provide comments <https://cieem.net/wp-content/uploads/2021/07/CIEEM-BNG-Report-and-Audit-templates2.pdf>

All new development should make provision for a minimum 10% net biodiversity gain on site, or where it can be demonstrated that for design reasons this is not practicable, off site through a financial contribution. A commuted sum equivalent to 30 years



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maintenance will be sought to manage the biodiversity assets in the long term. Habitat gain should be maximised to meet Nature Recovery targets and contribute to 30x30. The Wildlife Trusts are calling for at least 30% of our land and sea to be connected and protected for nature's recovery by 2030.

[30 by 30 | The Wildlife Trusts](#)

### **Mitigation and enhancement**

If correctly sited (so as not to impact on sensitive sites and species) and with appropriate land / habitat management and other mitigation measures employed, the deployment of solar could be of benefit to wildlife. The following are suggestions for mitigation and enhancement measures that can be adopted by solar developers to reduce their environmental impact and enhance biodiversity on solar sites. The suggestions are taken from a more extensive document produced by the BRE National Solar Centre in conjunction with other conservation organisations that we have also provided. It is important to note, however, that mitigation and enhancement should be considered on a case-by-case basis, and not all of these measures will necessarily be relevant to any particular site.

#### **Mitigation**

- Avoid legally protected areas (SSSIs) and sites of county value (LWS).
- Retain landscape features such as hedgerows and mature trees. If removal of a section of hedge is essential, the loss should be mitigated elsewhere on the site.
- All overhead power lines, wires and supports should be designed to minimise electrocution and collision risk (for example, bird deflectors may be necessary).
- Power lines passing through areas where there are species vulnerable to collision and/or electrocution should be undergrounded unless there is adequate evidence that mitigation measures will reduce the risk to an acceptable level.
- Time construction and maintenance to avoid sensitive periods (e.g. during the bird breeding season).
- White borders and white dividing strips on PV panels may reduce attraction of aquatic invertebrates to solar panels (Horváth et al., 2010).

Vegetation will grow under the solar panels and this will require management. Grazing by sheep may be acceptable and is preferable to mowing, spraying or mulching. There may however, be more appropriate management options for wildlife of farmland that could be incorporated. In situations where grazing hasn't been adopted and vegetation clearance is required it **must** first be subject to a vantage point survey for breeding birds followed by ecological supervision. Ideally sites should be maintained without chemicals, fertilisers and pesticides. In terms of future management, it is important the current interest is maintained or enhanced in line with national and local planning policies.

#### **Enhancement**

Because panels are raised, a large proportion of a field utilised for solar farm development is still accessible for plant growth and potentially for wildlife enhancements. Furthermore, solar sites are secure sites with little disturbance from humans and machinery once construction is complete. Most sites have a lifespan of at least 20 years which is sufficient time for appropriate land management to yield real wildlife benefits.

- Biodiversity gains are possible where intensively cultivated arable or grassland is converted to extensive grassland and/or wildflower meadows between and/or beneath



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solar panels and in field margins. The best results are likely to come from sites that contain both wild flower meadows and areas of tussocky un-cropped grassland.

- Planting wild bird seed or nectar mixes could benefit birds and insects. Pollen and nectar strips provide food for pollinating insects through the summer period, and wild bird seed mixes provide food for wild birds through the winter.
- Bare cultivated strips for rare arable plants and invertebrates and rough grassland margins could also be beneficial.
- It may be possible for panels to be at a sufficient height for regular cutting or grazing to be unnecessary. Rough pasture could then develop, potentially providing nesting sites for birds.
- Boundary features such as hedgerows, ditches and field margins can provide nesting and foraging areas, as well as a means for wildlife to move between habitats.
- A variety of artificial structures can be built to provide hibernacula for reptiles and amphibians, log piles for invertebrates, and nesting or roosting boxes for birds and bats. Built structures such as control buildings can be designed to provide access to loft spaces.
- Biodiversity enhancements should be appropriate for the scale of the site and should link with existing habitats on and around the site.

Do not hesitate to contact us if you wish to discuss the above comments.

Kind regards,

[REDACTED]

Mark Speck  
Senior Conservation Officer (North)  
Nottinghamshire Wildlife Trust  
Tel: [REDACTED]  
[REDACTED]



**Nottinghamshire  
Wildlife Trust**

The Old Ragged School  
Brook Street  
Nottingham  
NG1 1EA  
Tel: 0115 958 8242

Email:  
info@nottswt.co.uk

Website:  
[REDACTED]

**President**  
*Sir Andrew Buchanan Bt.*

*Registered Charity No.  
224168R  
A company limited by  
guarantee.  
Registered in England  
No. 748865.*

**Your Ref:** EN010132-000014  
**Our Ref:** 22/00038/NCO  
**Case Officer:** Mr Peter Sawdon  
**Telephone:** 01246 242317  
**E-mail:** [dev.control@bolsover.gov.uk](mailto:dev.control@bolsover.gov.uk)  
**Date:** 24th January 2022



Emily Park, Senior EIA Advisor  
The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

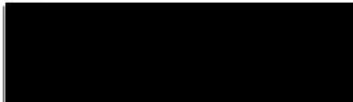
**Sarah Kay MRTPI**  
**Planning Manager**



Application No: 22/00038/NCO  
Proposal: West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification  
and Consultation  
Location: West Burton Power Station, Near Gainsborough, Nottinghamshire

I refer to the above consultation and am writing to confirm that Bolsover District Council has no comments to make in respect of this submission.

Yours sincerely



Peter Sawdon  
Principal Planner



Tel 01246 242424

Email [enquiries@bolsover.gov.uk](mailto:enquiries@bolsover.gov.uk)



CUSTOMER  
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EXCELLENCE



0137

**From:** [REDACTED]

**Sent:** 17 February 2022 20:30

**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>

**Cc:** [REDACTED]

**Subject:** Re: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation

Dear Ms Park

Further to your 21.1.22 letter to Broxholme Parish , I wish to confirm the following :-

1. We wish to remain a consultee as this process continues .
2. We wish to engage with the applicant in a constructive ongoing dialogue .
3. From this dialogue changes are made that are acceptable to the community .
4. We naturally have concerns under various of the 19 headings identified .

We would echo the CPRE statement that “ the need for energy does not justify damaging developments “ .

Yours

Chair Broxholme Parish

# CLAYWORTH PARISH COUNCIL

The Planning Inspectorate

Chairman: Mr. J. Hunter-Shaw

Communications Team  
West Burton Solar Project

Clerk: Mr. C Hollands

Telephone: Retford [REDACTED]

E-mail: clerk@clayworth-parish.org.uk

10 February 2022

Dear Sirs

## **Cottam Solar Project and West Burton Solar Project**

I write with regards to above to convey the preliminary comments of Clayworth Parish Council following the Parish Council Meeting on the 9<sup>th</sup> February.

The Parish Council is very disappointed and concerned that IGP have not held a meeting in Clayworth to date. The matters scoped in this document are complex and wide ranging and we understand that this is as prescribed in Planning Legislation.

At this stage of the process (and without the benefit of a meeting with you) we highlight the following strategic issues:

1. The scoping document acknowledges that due to the scale and proximity of the proposal to Clayworth that it is likely to have a detrimental impact on the setting, character and heritage value of Clayworth and the surrounding landscape. Noting this impact at this stage does substantiate our concerns that this proposal is incongruous with our environs.
2. In addition, the scoping documents' review of the impact of the sub station, battery storage, fencing, roads and access on this agricultural land and historic setting is cursory.
3. With regards to economic and social impact we consider that the loss of such a percentage of agricultural land and farming enterprises within our community has not been noted and scoped within the document.
4. The consideration of the Agricultural Land Classification appears to be based on historic data. We understand that the 2 district Councils are instructing soil analysis to update this, and EIA scope should acknowledge this.
5. The comments in relation to impact on biodiversity, wildlife specifically the large

- run of badger sets seems very generic and specific to this location.
6. Similarly the comments on run off water, impact on Toft Dyke and the relation to flooding in Clayworth does not fully appraise local conditions nor does it acknowledge past significant flooding events.

Without the benefit of discussion with you. The Parish Council is concerned that this document is process led and not fully cognisant of the impact of this proposal on Clayworth Village. Our community remains very concerned and the impact that this large scale proposal will have on our well-being.

I urge you to respond to our communications to you specifically and to meet with Clayworth Village Residents as soon as possible.

Yours sincerely

J Hunter Shaw - Chairman

**From:** [REDACTED] >

**Sent:** 26 January 2022 08:57

**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>

**Subject:** Re: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation

Hello Emily

I do apologise, I thought the development was in Nottinghamshire.

I can confirm that Cambridgeshire County Council does not have any comments to make at this stage of the process

Best wishes,  
Gareth Blakett  
Interim Consents Team Leader  
[REDACTED]



**Canal &  
River Trust**

Making life better by water

Secretary of State  
The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**Your Ref** EN010132-000014

**Our Ref** IPP-146

**Monday 14<sup>th</sup> February 2022**

**BY EMAIL ONLY** [WestBurtonSolarProject@planninginspectorate.gov.uk](mailto:WestBurtonSolarProject@planninginspectorate.gov.uk)

Dear Sirs

**EN010132-000014 West Burton Solar - EIA Scoping Report Notification and Consultation**

Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

Having reviewed the location of the proposed project and the Scoping Report, we wish to make the following comments:

The Trust are Navigation Authority for the River Trent, and also have freehold landowner interests with respect to the river bed. The Trust also own and manage the Fossdyke Canal, located to the south of the project area.

The river is included within the development boundary of the West Burton Solar project, as it is included within the proposed cable corridor search area. Due to the nature of the need for cable connections to the West Burton Power Station site, we understand that a crossing of the river is required. The river is classified as a freight waterway, and can accommodate large craft.

Long distance views of the solar farms from our waterways are considered likely, based on the submitted information.

**Landscape and Visual Impact Assessment (LVIA)**

Boats and waterside walkers will likely have long distance views of the proposed solar farm, notably with regards to 'West Burton 3' from the River Trent and 'West Burton 2' from the Fossdyke Canal. Our waterways are utilised by leisure walkers and boaters, as well as other leisure users such as fishermen. Unlike road users, people on the waterway are not likely to transverse through the area at significant speed, and are more likely to notice changes to the local environment, including the potential visual intrusion of a new solar farm.

**Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN  
T 0303 040 4040 [REDACTED]



The Trust note that an LVIA assessment is proposed, which we would recommend is carried out as it would enable an appropriate assessment to be made with regards to the visual impact of the scheme as viewed from the river and canal. Whilst we note that two viewpoints (35 and 49) are proposed to be taken next to our water spaces, we advise that table 7.6 should be updated to include boaters as a receptor. Boats travel through our water spaces at low speed, and their users are as likely to be impacted as walkers and horse riders as already included in the table. In addition, boaters mooring on the Fossdyke canal may be in situ for the long term, and may be at greater risk of impact.

The submitted information, based on the Zone of Theoretical Visibility (ZTV) findings, indicate that the project will likely be visible from the River Trent to the west of viewpoint 50. We would suggest that an additional viewpoint is included taken from the River Trent in this area, so that the LVIA can take into account any impact on this part of the River Trent Corridor.

The scoping report does not suggest that impacts from any construction compounds, or disturbance to soil for the construction of caballing between the solar farms, will be considered in the LVIA. We advise that this should be included in the assessment, especially as the cable corridors could result in a significant area of land being disturbed, which could take time to re-seed or restore. We advise that, for any construction compounds near the river corridor, the LVIA should consider views during construction phase and indicate what efforts will be made to minimise the visual impact during the construction works.

### **Ecology and Biodiversity**

Paragraph 8.2.51 highlights that impacts to fish species will be scoped out of the assessment as directional drilling is proposed under the River Trent, which is considered to not cause direct harm or emissions to the watercourse. We wish to highlight that directional drilling can still cause sediment discharges and problems arising from mud toxicity due to vibration below the river. As a result, we believe the impact should be **scoped in**, with consideration given to the provision of field studies into invertebrates and fish species found in the water to assess the sensitivity of these species to potential sediment movement. A bubble barrier and/or hay bales could be used to manage a portion of suspended sediment.

We note that chapter 18 highlights that impacts on the use of artificial lighting within the development will be assessed as part of other environmental topics, including the Ecology and Biodiversity chapter. We advise that temporary construction lighting, including upon the cable corridor routing, has the potential to disturb wildlife. It is mentioned in the scoping report that barn owls, short-eared owls and little owls breed on site and bats are present, and we advise that the Environmental Assessment should consider the positioning, use and lighting intensity of any construction compounds that may be required, which could impact upon these species.

### **Ground Conditions and Contamination**

We note that it is proposed to scope Ground Conditions and Contamination out of the Environmental Assessment. This is due to the identification of limited potential sources of contamination being identified in the Preliminary Risk Assessments for Sites WB1-4.

We wish to highlight that the Preliminary Risk Assessment does not appear to have made judgements with regards to the potential for contamination within the cable route areas. As a buried cable is likely to involve the disturbance of soils, there is a risk that the installation works could expose the wider environment to contamination if any contaminants are present that the risk not fully remediated against.

We wish to highlight that land used for dredging tips in proximity to the River Trent are included within the cable route search corridor, which may contain elevated levels of contamination. This includes land at Marton, to the east of Coates Lane, which is included within the cable search area.

### **Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN  
T 0303 040 4040

We advise that the applicant should ensure that the cable routing area does not include the potential for the disturbance of land currently or formerly uses as a dredging tip so as to ensure that Ground Conditions and Contamination can be scoped out of the assessment.

The Trust would be able to provide more information to the applicant so as to ensure that the cable search area does not impact with potentially contaminated land associated with dredging tips along the River Trent corridor.

### **Impact on the use of Dredging Tips**

Existing dredging tips on the River Trent are included within the search area for the cable routing. Notably, this includes Marton Dredging Tip to the east of Coates Lane. Any cable routing across an existing dredging tip could reduce the ability of the Trust to carry out dredging activities on the River Trent, especially to enable continued navigation transport on the river.

Whilst the Scoping Report includes an assessment of the impact of the development on highway traffic, we advise that the Scoping Report is amended so that the impact of any cable routing within areas used as dredging tips can be fully considered. For example, the 'Transport and Access' chapter could be expanded so that any impact of the cable routing on the carrying out of Navigable Transport on the river is fully included; or a separate chapter considering the impacts on the river could be included. Alternatively, the cable routing area could be amended so as to not include existing dredging tips. The Trust would be able to provide more information to the applicant on the location of dredging tips.

### **Use of the River for Freight**

The installation of new solar farm equipment could involve the importation of significant indivisible heavy loads. The River Trent is a commercial waterway, where the transport of equipment may be possible which could help to minimise the need to utilise the Highway Network. We advise that consideration of the use of the Trent should be included within the Transport and Access chapter, so as to ensure that every possibility to reduce the impact on highways is considered.

### **Noise and Vibration**

We note that vibrational impacts are proposed to be scoped out of the EIA assessment. We wish to highlight that works to install a cable below the River Trent, as suggested in the scoping document, would need to be carefully managed to avoid any significant vibration or loading that could adversely impact the stability of the river bank above.

We advise that methodology and associated risk mitigation details should be submitted prior to the commencement of development on site. We advise that we do not believe this information need to be incorporated into the EIA. However, we would request that the need for this is addressed in any subsequent submission.

### **Glint and Glare**

Solar panels have the potential to result in glint and glare impacts which could impact boaters on the River Trent and Fossdyke Canal. In the worst case scenario, this could affect Navigational Safety.

The inclusion of a 'Glint and Glare' chapter in the Scoping Report is welcome. However, we advise that some revisions to ensure that the impact on boaters is fully considered may be required.

16.1.1 and 16.2.5 list the potential receptors to 'Glint and Glare' effects, but does not list boaters. We advise that this paragraph should be amended to include these users, so as to ensure that the full assessment considers these users and the potential impact on navigation. We advise that the impact on boaters should be considered in full as part of the scoping document with a separate sub-headings within section 16.3, identifying the potential impact and the assessment methodology to be undertaken.

### **Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN  
T 0303 040 4040

The users of footpaths next to the waterspace could be likely covered as they are listed in paragraph 16.1.1. However, we note that a caveat has been included to indicate that any assessment will be 'at a high level'. We are unsure as to what this implies, and note section 16.3 does not include reference to these users. We advise that, to ensure that impacts on these users are fully assessed, section 16.3 should be expanded to include some reference to how impacts will be assessed.

### **General Comment on the Routing of the Cables**

The submitted documents indicate that new cables will be sited underground. The Trust generally welcomes this approach, as it would help to minimise any impact on the visual appearance of our waterway corridors. It would also minimise any potential harm to navigation that could be caused through the positioning of cables above navigable channels.

Should the scheme be amended to incorporate above ground caballing or crossings of the River Trent, then we advise that the Scoping Report would need to be amended to ensure that the visual impacts of the cables would be considered and mitigated for.

Should the applicant wish to amend the scheme for an above-river crossing, we advise that consideration should be given to the use of an existing crossing, including Torksey Viaduct or existing cable crossings, so as to minimise any visual and navigational impact on the waterway.

### **Other Comments**

The applicant is advised that the Trust is not a land drainage authority and any surface water discharge to our waterways will require prior consent from the Trust. Such discharges are not granted as of right and when and if they are granted they will usually be subject to completion of a commercial agreement prior to the commencement of any development.

Landowner consent may be required for the installation of a new cable below the River Trent, due to the Trust's land ownership. The applicant is advised to contact the Trust's Utilities section at [utilitiesenquiry@canalrivertrust.org.uk](mailto:utilitiesenquiry@canalrivertrust.org.uk) for further advice.

Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways. Accordingly, it is likely that we will resist the use of compulsory purchase powers which may affect our land or undertakings. We reserve the right to seek protections under S16 of the Acquisition of Land Act 1981 should any proposals affect land which has been acquired for the purposes of our undertaking.

Accordingly, we require that the acquisition of any Trust land or rights over Trust land should be secured by agreement.

The proposals include works in close proximity to the Trust's waterways. In our capacity as landowner, we wish to advise that the applicant/landowner would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'. The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.

Yours Sincerely

**Simon Tucker MRTPI**

Area Planner – Yorkshire and North East

[REDACTED]  
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire, DE13 7DN

**Canal & River Trust**

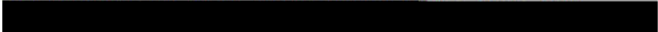
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 [REDACTED]



**Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 



The Coal  
Authority

Resolving the **impacts** of mining

200 Lichfield Lane  
Mansfield  
Nottinghamshire  
NG18 4RG  
T: 01623 637 119

E: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)  
[www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

For the attention of: Ms E Park – Senior EIA Advisor  
on behalf of the Secretary of State

**[By email: [WestBurtonSolarProject@planninginspectorate.gov.uk](mailto:WestBurtonSolarProject@planninginspectorate.gov.uk)]**

**Your ref: EN010132-000014**

26 January 2022

Dear Ms Park

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

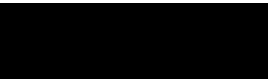
Thank you for your notification of 21 January 2022 on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the above site.

I have reviewed the site location plan / study area (Figure 7.1 of the Environmental Impact Assessment Scoping Report, January 2022) against our coal mining information. I can confirm that Areas 1 – 3 fall outside the coalfield area and whilst Area 4 lies within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. Accordingly, there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability at the surface for the above project.

Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the determining authority will not need to consult us on any subsequent application for this site.

I hope that this is helpful however please do not hesitate to contact me if you require any further assistance with this matter.

Yours sincerely



Deb Roberts *M.Sc. MRTPI*

Planning & Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

**From:** AssetEnquiriesEAN <[REDACTED]>  
**Sent:** 24 January 2022 15:35  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** RE: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation

Hello,  
Thank you for your email.  
I can confirm we have no assets in the area.

Kind regards,

Ms Emily Park  
The Planning Inspectorate  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
Avon  
BS1 6PN  
(submitted via email only)

**Our ref:** AN/2022/132712/01-L01  
**Your ref:** EN010132-000014  
**Date:** 18 February 2022

Dear Ms Park

**Application by West Burton Solar Project Limited (The Applicant) for an Order granting Development Consent for the West Burton Solar Project (The Proposed Development) - Scoping Consultation  
West Burton Solar Project, across 4 sites within the counties of Lincolnshire and Nottinghamshire, plus grid connection at West Burton Power Station**

Thank you for referring the above scoping consultation on the 21 January 2022.

We have reviewed the Scoping Report, prepared by Lanpro, and have the following comments to make on topics that fall within the Environment Agency's remit.

**1.0 Chapter 8 Ecology & Biodiversity**

- 1.1 We welcome the Applicant's intention to carry out Spring surveys of all water courses and ditches within the red line boundaries for water vole and otters (May 2022), having previously undertaken Autumn surveys of these.
- 1.2 Paragraph 8.2.51 indicates that fish species are being scoped out of the assessment "*due to the avoidance precautions which will be taken to safeguard wetland environments*" and that "*the cable installation process, which is likely to be required to cross underneath the River Till as well as the Trent*". We can confirm that this will be the case and accordingly we agree that fish species can be scoped out of the assessment.
- 1.3 We welcome the commitment to include a Biodiversity Net Gain assessment within the Environmental Impact Assessment (EIA).



## **2.0 Chapter 9 Hydrology, Flood Risk and Drainage**

### **2.1 *General comments on the supporting flood risk assessment:***

The comments below relate to flood risk from fluvial and tidal sources only. We do not provide advice on the risk of flooding from ground water, drainage systems, reservoirs, canals or ordinary watercourses.

2.2 The Flood Risk Assessment (FRA) accompanying the EIA should demonstrate that the development is safe from flooding. The FRA should also demonstrate that the development will not increase risk elsewhere and where possible reduce flood risk overall. The supporting FRA must consider the risk from all sources of flooding and suggest mitigation as appropriate to manage the identified risks.

2.3 We suggest that the development would be considered as 'essential utility infrastructure' as classified in Annex 3 to the National Planning Policy Framework (NPPF). In this instance the essential utility infrastructure should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

2.4 Where possible, all essential support/control infrastructure should be located in flood zone 1. Where structures are built in the floodplain, floodplain compensation should be provided. Ground levels should also not be raised and the solar arrays should allow water to pass underneath with minimal obstruction. Any fencing within the floodplain should be post and rail or post and wire with wide apertures to allow the free flow of floodwater and minimise debris collection on the fencing during flood events.

2.5 If there are staff facilities/buildings planned on site they should be located within flood zone 1 where possible. If it is essential to locate them within flood zones 2 or 3 they should have a safe refuge provided above the maximum modelled flood level at the site. Access and egress to the sites during periods of flooding should also be considered within the FRA.

2.6 Our comments below focus around the specific areas of proposed development, based on the boundaries highlighted in Figure 3.1 – Site Plan within the EIA Scoping Report Appendices (Part 1 of 4): Chapters 3-9 document, dated January 2022.

### **2.7 *West Burton 1 as identified in figure 3.2:***

Parts of this site lie within flood zones 2 and 3 on the eastern and southern boundaries, which is acknowledged in paragraph 9.2.7.

### **2.8 *West Burton 2 as identified in figure 3.3:***

Parts of this site lie within flood zones 2 and 3, which is acknowledged in paragraph 9.2.10. The site also lies partially within the flood storage area of the Till Washlands. As mentioned above, all critical electrical infrastructure should ideally be located in flood zone 1. Where this is not possible, in order ensure the development will remain operational during times of flooding, we recommend critical infrastructure should be set above the 0.1% event scenario.

2.9 A flood risk activity permit (from the Environment Agency) will be required for any works within this area. Consideration must be given to compensating for any loss of flood storage capacity within the flood storage area resulting from the

development. More detailed plans of what is proposed in this area will be required to enable us to give full flood risk advice and we look forward to seeing these in due course. The Environment Agency has already provided some flood risk information (for the risk in the Witham catchment) to the Applicant to assist in preparing an appropriate FRA. The Applicant can request EA flood model data (if they have not already done so) for the Trent catchment by emailing [EMDenquiries@environment-agency.gov.uk](mailto:EMDenquiries@environment-agency.gov.uk). The correct climate change allowances, which will need to be used for the development, can be found at: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

- 2.10 The western section of this site lies in the Trent catchment. There is an area of floodplain to the West of the proposed development, which could be affected by flooding from the River Trent via land drains on site. Model information is available on request from the Environment Agency. The relevant model at this location is the Mott McDonald 2014 Tidal Trent model. This model shows that the 1 in 100 year plus 20% climate change fluvial breach flood height is 6.79mAOD (Above Ordnance Datum) on site. The other modelled event available for the area is the 1 in 1000 year fluvial overtopping of defences flood, which has a flood height of 7.7mAOD on site.
- 2.11 **West Burton 3 as identified in figure 3.4:**  
Parts of this site lie within flood zones 2 and 3 as acknowledged in paragraph 9.2.14 of the Scoping Report. The areas of floodplain are affected by flooding from the River Trent via land drains on site. This includes a large area around a land drain through the centre of the site. The relevant model at this location is the Mott McDonald 2014 Tidal Trent model. This shows that the 1 in 100 year plus 20% climate change fluvial breach flood height is 6.79mAOD on site. The 1 in 1000 year fluvial overtopping of defences flood has a flood height of 7.7mAOD on site. New climate change data has been modelled which is relevant to this site; Tidal Trent Climate Change Scenarios, EA, 2021. This new data does not include an updated breach flood scenario. The 1 in 100 year plus 30% overtopping of defences flood height is 5.47mAOD on site, again via the land drain route.
- 2.12 Where West Burton 3 joins the cable route search corridor, it crosses the River Trent and therefore the Environmental Permitting (England and Wales) Regulations 2016 will apply. However, some exemptions to these Regulations exist and we will need to engage in more detail with the Applicant regarding their status under the Electricity Act 1989 to determine if any of these apply. If it is determined that the Regulations do still apply, we will also need to discuss whether the Applicant is looking to disapply them as part of the Development Consent Order.
- 2.13 For information, the Environmental Permitting (England and Wales) Regulations 2016 apply for any proposed activities which will take place:
- in, over, under or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
  - in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) having the potential to divert flood flows to third parties, if planning permission has not already been granted

for the works.

**2.14 West Burton 4 as identified in figure 3.5:**

This site is outside of the River Trent breach and overtopping flood outlines, and it appears to be outside of the (defended) River Idle flood outlines. The small area of flood zone 2 located within this site is therefore associated with the land drains on site. We do not have model data for the flood risk from these land drains. We suggest that the Applicant consults the relevant Internal Drainage Board for further information.

2.15 Figures 3.6 and 3.7 include an area of land around West Burton Power Station labelled "*Potential area for energy storage and associated development*". Please note that this area is also at flood risk from the River Trent. We require further details on the specific proposals in this area before we can provide flood risk advice.

**2.16 Water Framework Directive:**

We welcome the commitment in paragraph 9.3.7 to undertake a Screening and Scoping assessment to determine the potential for any non-compliance of the development with the Water Framework Directive objectives. We look forward to reviewing this in due course.

**3.0 Chapter 10 Ground Conditions and Contamination**

3.1 Please note that our comments in respect of this topic relate solely to the protection of the controlled water environment in the vicinity of the site.

3.2 As the final site and cable locations have not been finalised it is difficult to give site-specific comments/advice at this stage. However, the general hydrogeological situation of the area is Secondary A or B aquifers, which are of limited sensitivity. Having reviewed the proposed scope of work presented in the Report, we are satisfied that this is appropriate.

**4.0 Detailed pre-application advice**

4.1 If the Applicant wishes to obtain further more detailed advice regarding issues that fall within our remit, we will be able to do this under our discretionary planning advice service. Further details on this service are available on [our website](#), together with the [terms and conditions](#) of the service. Under this service our costs have to be recovered and we currently charge £100 per hour, per officer, plus VAT.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

**Annette Hewitson**  
**Principal Planning Adviser**

██  
██

**From:** ESP Utilities Group Ltd <donotreply@espug.com>  
**Sent:** 31 January 2022 11:42  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** Reference: PE169363. Plant Not Affected Notice from ES Pipelines

Emily Park  
Planning Inspectorate

31 January 2022

Reference: EN010132 - West Burton Solar Farm

Dear Sir/Madam,

Thank you for your recent plant enquiry at: West Burton Solar Farm

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

### **Important Notice**

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: [PlantResponses@espug.com](mailto:PlantResponses@espug.com)

**ESP have provided you with all the information we have to date however, there may be inaccuracies or delays in data collection and digitisation caused by a range of practical and unforeseeable reasons and as such, we recommend the following steps are taken as a minimum before work is commenced that involves the opening of any ground and reference made to HSG47 (Avoiding danger from underground services).**

- A. Plans are consulted and marked up on site**
- B. The use of a suitable and sufficient device to locate underground utilities before digging (for example the C.A.T and Genny)**
- C. Trial holes are dug to expose any marked up or traced utilities in the ground**
- D. If no utilities are shown on any plans and no trace is received using a suitable and**

**sufficient device, trial holes are dug nonetheless using hand tools at the location or at regular intervals along the location that the work is being carried out depending on the length of excavation work being undertaken**

**E. All location work is carried out by individuals with sufficient experience and technical knowledge who may choose to control this activity under a Safe System Of Work**

Yours faithfully,

**Plant Protection Team  
ESP Utilities Group Ltd**



**UTILITIES GROUP**

Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA



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**From:** Meakins, Corinne <[REDACTED]>  
**Sent:** 15 February 2022 09:17  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Cc:** info@westburtonsolar.co.uk  
**Subject:** Forestry Commission response EN010132-000014 West Burton Solar farm scoping consultation

To Whom it may concern,

Thank you for consulting the Forestry Commission on this application. As the Governments advisors on forestry matters our main focus is the impact of development on existing woodland and the potential for more. As far as can be determined there is not a very large amount of woodland on the proposed sites so it is not proposed to make many comments. There are some small blocks like Fox Covert, however these appear to be within the cable route search areas rather than where the panels are proposed. Looking at the appendices it appears the applicants will aim be to retain woodland and to ensure protection of roots etc. The Forestry Commission would expect to see within the environmental statement how trees and existing hedges will be assessed, protected, avoided, buffered - where relevant or mitigated for - if lost. It is expected within that assessment an indication of any proposed strategy/plan for planting of trees to add biodiversity to the site and potentially for screening where suitable, there is a mention of an assessment of soil with regard to peat and I reiterate the need for right tree in the right place. Whilst the solar farm may not be permanent, trees can provide a lasting legacy in the landscape.

Yours faithfully,

**Corinne Meakins**

[REDACTED]

Local Partnership Advisor  
Forestry Commission East and East Midlands Area  
I am working mainly from home. Please note my normal working pattern is 8-4.30 pm Monday, Tuesday and Thursday.

You can contact me by email or my mobile number.

[REDACTED]

### [Put down roots](#)



**From:** Katharine McIlroy <[REDACTED]>

**Sent:** 16 February 2022 15:39

**To:** [REDACTED]

**Subject:** Fw: Errors and omissions and brief analysis of West Burton Solar Project - Environmental Impact Assessment Scoping Report (Feb 22)PINS

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For the attention of Ms Park and whom it may concern,  
The lack of detailed and accurate information offered to the residents of the three conservation villages makes it difficult to respond to the Environment Impact Report, and at very short notice. We have no-one who we can approach to challenge the way this planning proposal is being conducted, which until very recently was kept secret from us.  
I have been a resident of Gringley on the Hill for 40 years. My home originally formed part of the Wiseton Estate - (the intended site for this Industrial Solar Generating Plant), and my neighbours and I will look down upon it. It would be impossible not to continually see 2km of glaring, moving solar panels, as all the rooms are naturally facing the beautiful south view, as is the outdoor space. Tree planting cannot mitigate the Industrial Site because Gringley sits at 212ft, way above the proposed site and heralding a glorious valley of excellent productive farm land, and five Minsters can be seen from here. I have been completely disregarded by Island Green Power, I will send you a photo and a copy of my first emails sent to them, following a distressing, stage managed, initial Webinar, where I asked for visit from them in haste, with no result.

I am disappointed by the lack of knowledge and vague nature of information provided for WB4 area within this impact study and dismayed by the errors and omissions. Clearly this report has been conducted by desktop and not physically. Much information is missed by limiting research to the internet. It is stated in the report that a physical visit is intended.

#pge 6 "likely significant effects"? omissions... including this is a regular aircraft corridor for light and large aircraft (DSA 5 miles, Gamston 5 miles, and others).

#pge 12 justification /site selection - could not find relevant information.

#pge 17 River Idle omitted - it was granted 3 years European funding. Project run by Nottinghamshire Wildlife Trust.

#pge 17 Daneshill Nature Reserve omitted

#pge17 Mathersey priory omitted (ancient monument)

#pge 17 Pusto Hill farm omitted, Blaco Hill Farm omitted - formed the edge of Wiseton Estate, the land in question.

#pge 17 Conservation areas around 3 villages totally ignored.

#pge 19 Change in order to deliver....none shown.

#pge 28 LAND OF LOW ECOLOGICAL VALUE? Totally incorrect.

#pge28 Noise... rises and is blown by the wind.

#pge 29 Mitigation - not possible, we are on a hill, the view is huge..Derbyshire can be seen and vice versa.

#pge 30 PROXIMITY OF SITE TO DWELLINGS - MANY LESS THAN 50M - YOU STATE IT SHOULD BE 1KM MINIMUM.

# pge 41 Doncaster...10 miles away is omitted.

# pge41 Bawtry is described as a village... it is an ancient market town, which creates enormous traffic congestion and bottleneck and this is increasing. The A631 is also a very busy coast road.

#pge 41 Between A631 and raised village of Gringley there are some trees along the road, the village is NOT well hidden at all, and without leaves for 6 months of the year. The leaves block the drains, cause the road to flood, many accidents occur at Clayworth junction.

Weather can be very rough here. I witness the incidents as I live above the junction. This road has been described as one of the most dangerous in past reports, the situation has not improved with increased traffic and tailbacks into Gainsborough and Bawtry being common.

#pge 48 FP6 omitted.

#pge 48 VISUAL AMENITY - this section and the METHODOLOGY should definitely not be undertaken by computer calculation.

#pge 60 Hilltop location makes mitigation impossible, particularly against glint and glare and noise disturbance.

#pge 72 Light reflection, electrical noise - operational phase.

#pge 84 Wildlife sites are in excellent condition - not as described in report and the Industrial Generating Site will definitely not be beneficial to it.

# pge 103 Gringley is wrongly called INGLEBY here....which are they discussing?

#pge120 Gringley has a very active Lottery funded History Group - it is fortunate that we have such extensive and valuable documented history. We have been able to produce 6 books. We conduct archaeological digs, walks and tours each year, attracting visitors from overseas, some interested in the Pilgrim Fathers who were very local. Some interested in the Roman Roads and Battle sites. Some just enjoy the pure beauty of our countryside. This has been gathering momentum for years. All our footpath and bridlepaths are busier than ever, as are the National Open Gardens and our Classic Car events which draw visitors from afar.

#pge 121 Contrary to how the description relates in this report.

#pge 229 LAND CLASSIFICATION...where is the indepth report which was promised?

TheWB4 land has been grouped together with the total WB project, which gives inaccurate soil analysis.

#pge234 LIKELY TO AFFECT above and below ground television and telecommunication receptor infrastructure - we have only just got connected.

#pge 152 - pge 162

Finally, it is unfortunate that we have only had access to this report very recently, hardly allowing time to digest the content, but the most disturbing part is related to Visual Impact on Clayworth and Gringley villages and the dwellings that lie between High Street and the A631 and face South, such as my own and neighbouring properties do. My home is only 50m from the site boundary, it slopes and face south, positioned in front of the Church and is not mentioned in the incorrect impact table... nor are my neighbours. It states that we all slope and face North. This proves how misleading and inaccurate a deskbased Scoping Report is, placing emphasis on the wrong detail. It also does not include the impact on the health and well being of residents in all three villages and all those who enjoy this wide open beautiful space.



Please confirm receipt of my two emails.

Brief analysis of West Burton Solar Project...Environmental Impact Assessment Scoping Report

By Katharine Mcllroy.



**From:** [REDACTED] >  
**Sent:** 17 February 2022 15:03  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** GRINGLEY ON THE HILL PARISH COUNCIL RESPONSE TO THE WEST BURTON 4 SCOPING REPORT

Dear Ms Park,

Thank you for inviting our Council to respond to this report. At this stage of the process our response falls into eight main areas and broadly reflects the views expressed at our Public Meeting event in the Autumn of 2021.

We would also wish to bring to your attention that although Gringley residents were afforded a Consultation event, the residents of Clayworth, who will be equally impacted by this sol project, were not. The residents are extremely concerned how and why Island Green are continuing with this proposal when the proposed site has failed to meet Island Green's own site selection criteria. To date, Island Green have been unable to provide justification for this site selection and alongside with many other legitimate concerns expressed by residents at the Consultation, legitimate villager's concerns remain unanswered.

### **Request for the report to be completely transparent**

The report makes no reference or discussion that the chosen site has failed to meet the developer's own site selection criteria. It is a major concern that the report does not provide any justification as to why this key fact has been omitted from the report.

### **Factual Errors and Omissions**

This is a lengthy report that contains a significant number of errors and omissions, it is a concern that these factors will have an overall impact upon the transparency and factual accuracy of the final EIA and at this stage, raises a concern around the depth of analysis undertaken. We list a few examples below

Table 13.7 Many of the listed properties are listed as facing North when they face South

10.2.15 Gringley on the Hill referred to as 'Ingleby', we suspect a cut and paste error

3.2.59 River Idle omitted

Under sites of special interest, The Chesterfield Canal, which is a recognised SSSI, it is not cited, nor is Mattersey Priory cited.

### **Loss of highly productive farmland/Agricultural Land Classification**

3.2.73 states that it is likely that 82.5% of the land is 3b. However, we note that this refers directly to the 'West Burton land parcels' and not solely to the West Burton 4 site. We also understand this is solely based on historical data. Both of these factors are of significant concern and we would request that a single more detailed analysis of just the West Burton 4 site is undertaken. Additionally, the report does not acknowledge that current grading cannot be confirmed until current soil analysis is undertaken.

We also understand that the two District Council's, Lincolnshire and Bassetlaw, are going to undertake their own independent soil analysis, yet the report does not note this.

We know that the proposed site is highly productive farming land that has been farmed for hundreds of years, yet the report makes no reference to this fact. Loss of highly productive farming land is a major concern as this affects this country's ability to produce food and to reduce carbon by importing less. Whilst the report states that it will not comment on the safeguards of national agricultural policy, the loss of such a large area of highly productive agricultural land and its impact on the local economy, should not be underestimated. We note that the impact of the loss of this agricultural land to our farming economy and communities has not been scoped within the report.

### **Conservation area/Topography/Mitigation**

The report mentions that both Gringley on the Hill and Clayworth are conservation villages but fails to mention that due to sloping gradient of the chosen site and hills that abound these villages the visual impact on the landscape that link these conservation areas means that the solar site will be highly visible from miles around. The report references the need to mitigate visibility of the site, but the fact remains that no amount of screening is going to obscure the site as the land and the land surrounding it is not flat.

It is important to note that the topography of the West Burton 4 site is significantly different to the other proposed project sites, which are predominantly flat. West Burton 4 is not predominantly flat and as a consequence, mitigations of possible effective screening are likely to be ineffective.

Additionally, the size of this development 616 acres and is incongruence with the surrounding 3 conservation villages is a concern and we feel that the impact level of this has not been afforded sufficient gravitas within the report.

### **Flooding**

Whilst Gringley does not have significant flooding issues, Clayworth has a significant history of flooding, this does not appear to have been acknowledged within the report. A potential increased risk of flooding in Clayworth will have a direct impact upon Gringley. For example, Clayworth is the most direct access route to our neighbouring town of Retford.

### **Impact upon Wildlife and close proximity to Nature reserve**

4.4.1 states that the site is of 'low ecological value'. This site area is in the heart of the Nottinghamshire countryside and is rich in abundant wildlife (badger sets, deer, hare). It also has the Idle Valley Nature reserve in close proximity. The Council struggle to understand how the report can conclude that the site is of low ecological value

3.2.61 Again, it is of a concern that there is no mention of the Idle Valley Nature Reserve. The Idle Valley nature reserve attracts not only local bird species but also bird species from all over the world. The Council are concerned that the highly likely negative impact upon birdlife that inhabit and visit the site area and also possibly the nature reserve, will be significant and should have been included within the report.

### **Continuing access to Public Rights of Way**

The report notes the presence of many footpaths and two regional footpaths, the Trent Valley Way and the Cuckoo Way, all of which are extensively accessed by local residents and increasingly also by tourists to our area. We cannot find any reference within the report what impact the construction phase will have upon access to these rights of way, how the development will affect their usage in the future or any acknowledgment as to the footfall that these footpaths currently attract.

### **Decommissioning of the site**

The report details returning the land to agriculture after solar use has ceased. It is felt that the long term effects of the degradation of soil quality following compaction, concrete foundations and reduction in nutrients and increased water run off requires need more detailed scoping than currently detailed.

Gringley Parish Council firmly support the reduction of the National carbon footprint. However, we feel that this scoping report, in its current format has failed to address the significant lasting impact that this site will have on this historical farm land, its 3 conservation villages and the concerns of residents who reside there.

We hope that you find our comments constructive and of assistance and if the opportunity were to arise for ourselves and our residents to discuss these matters further in person, we would welcome the opportunity to do so. We would also appreciate confirmation of receipt of this correspondence.

Yours sincerely,

Mr. Steve Rose

Parish Clerk (For and behalf of Gringley on the Hill Parish Council)

**Steve Rose**  
**Clerk to Gringley on the Hill Parish Council**

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*You may request to be removed as a contact at any time*  
to: [theclerk@gringleyvillage.org.uk](mailto:theclerk@gringleyvillage.org.uk)

*To view the Gringley on the Hill Parish Council Privacy Notice please* [REDACTED]

**From:** [REDACTED] >

**Sent:** 18 February 2022 08:33

**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>

**Subject:** GRINGLEY ON THE HILL PARISH COUNCIL RESPONSE TO THE WEST BURTON 4 SCOPING REPORT V2

Good Morning Ms Park,

The Parish Council has received additional information which is pertinent in your Scoping Report request for a response from consultation bodies. The original response was emailed yesterday afternoon but the latest response which includes additional points is attached for your action. The Parish Council looks forward to receiving your response in due course.

Regards,

Steve

**Steve Rose**  
**Clerk to Gringley on the Hill Parish Council**

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to: [theclerk@gringleyvillage.org.uk](mailto:theclerk@gringleyvillage.org.uk)

*To view the Gringley on the Hill Parish Council Privacy Notice please* 

## **Gringley on the Hill Parish Council response to West Burton 4 Scoping Report**

Dear Ms Park,

Thank you for inviting our Council to respond to this report. At this stage of the process our response falls into nine main areas and broadly reflects the views expressed at our Public Meeting event in the Autumn of 2021.

We would also wish to bring to your attention that although Gringley residents were afforded a Consultation event, the residents of Clayworth, who will be equally impacted by this solar project, were not. Our residents considered the Consultation event to be very poor and are extremely concerned how and why Island Green are continuing with this proposal when the proposed site has failed to meet Island Green's own site selection criteria. To date, Island Green have been unable to provide justification for this site selection and alongside with many other legitimate concerns expressed by residents, many villager's concerns remain unanswered.

**We have included an appendix with more detailed information that we would also like you to take into account.**

### **Request for the report to be completely transparent**

The report makes no reference or discussion that the chosen site has failed to meet the developer's original own site selection criteria, just one example of non – compliance, the sites should be 'Located in areas that it will not cause any visual obtrusion to existing neighbours.' It is a major concern that the report does not provide any justification as to why non - compliance with IG's own site selection criteria, has been omitted from the report.

### **Factual Errors and Omissions**

This is a lengthy report that contains a significant number of errors and omissions, it is a concern that these factors will have an overall impact upon the transparency and factual accuracy of the final EIA and at this stage, raises a concern around the depth of analysis undertaken. We list a few examples below

Table 13.7 Many of the listed properties are cited as facing North when they face South

10.2.15 Gringley on the Hill referred to as 'Ingleby', we suspect a 'cut and paste' error

3.2.59 River Idle omitted, this is the closest river to the site and runs adjacent to the River Idle Nature Reserve, which is also not mentioned in the report

Under sites of special interest, The Chesterfield Canal, which is a recognised SSSI, it is not cited, the Historic monument, Mattersey Priory has also not been cited.

### **Loss of highly productive farmland/Agricultural Land Classification**

3.2.73 states that it is likely that 82.5% of the land is 3b. However, we note that this refers directly to the 'West Burton land parcels' and not solely to the West Burton 4 site. The amalgamations of the land parcels, we feel risks distorting the agricultural value of each site which are spread geographically very wide across two counties, with West Burton 4 site being topographically, agriculturally and

ecologically, being vastly very different to the flatter Lincolnshire sites. We also understand this ALC is solely based on historical data.

Both of these factors are a significant concern and we would request that a single more detailed analysis of just the West Burton 4 site is undertaken inclusive of detailed soil sampling, with date of when the survey is undertaken. Additionally, the report does not acknowledge that current grading of West Burton 4 cannot be confirmed until current soil analysis is undertaken.

We also understand that the two District Council's, Lincolnshire and Bassetlaw, are going to undertake their own independent soil analysis, yet the report does not note this.

We know that the proposed site is highly productive farming land that has been farmed for hundreds of years, yet the report makes no reference to this fact. Loss of highly productive farming land is a major concern as this affects this country's ability to produce food and to reduce carbon by importing less. Whilst the report states that it will not comment on the safeguards of national agricultural policy, the loss of such a large area of highly productive agricultural land and its impact on the local economy, should not be underestimated. We note that the impact of the loss of this agricultural land to our farming economy and communities has not been scoped within the report.

### **Conservation area/Topography/Mitigation**

The report mentions that both Gringley on the Hill and Clayworth are conservation villages but fails to mention that due to sloping gradient of the chosen site and hills that abound these villages the visual impact on the landscape that link these conservation areas means that the solar site will be highly visible from miles around. The report references the need to mitigate visibility of the site, but the fact remains that no amount of screening is going to obscure the site as the land and the land surrounding it is not flat.

It is important to note that the topography of the West Burton 4 site is significantly different to the other proposed project sites, which are predominantly flat, we would like some reassurance that this will be taken in account within the EIA. West Burton 4 is not predominantly flat and as a consequence, mitigations of possible effective screening are likely to be ineffective.

Additionally, the size of this development 616 acres is incongruent with the surrounding 3 conservation villages. It is a concern that we feel that the impact level of this has not been afforded sufficient gravitas within the report.

### **Necessity for a separate EIA for West Burton 4**

It is noted that this scoping report appears to be considering all of the sites under one report. Given the significant differences between West Burton 4 and the other sites ie land is not flat, abundant wildlife with large number of badger sets, proximity to the nature reserve with migrating and local birdlife inhabiting the proposed site and the proximity of the river and canal we feel that a separate EIA is essential

### **Flooding**

Whilst Gringley does not have significant flooding issues, Clayworth has a significant history of flooding, this does not appear to have been acknowledged within the report. A potential increased

risk of flooding in Clayworth will have a direct impact upon Gringley. For example, Clayworth is the most direct access route to our neighbouring town of Retford. We are also concerned that the River Idle and the Chesterfield Canal are not mentioned in the report and this omission is significant when assessing flooding risk.

### **Impact upon Wildlife and close proximity to Nature reserve**

4.4.1 states that the site is of 'low ecological value'. This site area is in the heart of the Nottinghamshire countryside and is rich in abundant wildlife (badger sets, deer, hare), we also note there is no evidence in the report of any Badger surveys being undertaken, yet the report admits that there are a large number of sets within West Burton 4. Additionally, with the Idle Valley Nature reserve in close proximity, the Council struggle to understand how the report can conclude that the site is of low ecological value

3.2.61 Again, it is of a concern that there is no mention of the Idle Valley Nature Reserve. The Idle Valley nature reserve attracts not only local bird species but also bird species from all over the world. The Council are concerned that the highly likely negative impact upon birdlife that inhabit and visit the site area and also possibly the nature reserve, will be significant and should have been included within the report.

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### **Decommissioning of the site**

The report details returning the land to agriculture after solar use has ceased. It is felt that the long term effects of the degradation of soil quality following compaction, concrete foundations and reduction in nutrients and increased water run - off requires more detailed scoping than currently detailed.

Gringley Parish Council firmly support the reduction of the National carbon footprint. However, we feel that this scoping report, in its current format has failed to address the significant lasting impact that this site will have on this historical farm land, its 3 conservation villages and the concerns of residents who reside there.

We hope that you find our comments constructive and of assistance and if the opportunity were to arise for ourselves and our residents to discuss these matters further in person, we would welcome the opportunity to do so. **We have included an appendix with more detailed information that we would also like you to take into account.**



We would also appreciate confirmation of receipt of this correspondence.

Yours sincerely,

Mr. Steve Rose

Parish Clerk (For and behalf of Gringley on the Hill parish Council)

## **(Gringley on the Hill Parish Council's response to West Burton 4 Scoping Report)**

### **APPENDIX**

#### **GHG/Climate Change Resilience**

We would support the use of a quantitative approach to life cycle GHG emissions assessment. This is to provide a balanced representation of the current land use vs the proposed development and to ensure due consideration is given to the potential carbon emissions during construction i.e., from the level of ground disturbance required to construct the foundations, drainage, and soil handling on site.

#### **Landscape and Visual**

The current RVAA proposal appears to suggest only fully assessing residential visual amenity at 15 years post operation for sensitive receptors. Whilst this does in theory allow for the greatest screening potential, this is almost halfway into the operational life span of the project as a whole. For the receptors whose residential view has been adversely impacted, they will have suffered this impact for a considerable duration before this point. We would encourage an alternative in which the RVAA accounts for impacts at the 1 year, 5 year and 15-year post operation as a true representation of the lasting visual impact the proposed development will have for a number of sensitive visual receptors.

#### **Ecology**

There appears to be an omission in the ecological surveys which have been undertaken to date, or will be undertaken, with relation to badgers. There is no record of badger surveys having been undertaken within Section 8.2.5, however, we note reference is made to the known presence of badgers within WB4. WB4 has a number of badger setts within the proposed development area which have been an integral part of the landscape and ecosystem for countless years. We would encourage a review of this information to ensure these receptors have been correctly identified and appropriate surveys have/will be undertaken.

#### **Transport and Access**

There is no apparent consideration of the potential significant effects associated with walking and cycling delay, in line with the Design Manual for Roads and Bridges (DMRB) and the Institute of Environmental Management and Assessment (IEMA) best practice in EIA. In particular, consideration of Public Rights of Way (PRoW) users as a key receptor during construction and operation. The proposed development area has a number of PRoW within it, including the Trent Valley Way. Consideration should be given to the potential for the proposed development to result in significant delay to users of PRoW, with appropriate PRoW surveys to be undertaken to substantiate this assessment. There is no apparent consideration to the potential effects associated with closure or diversion of any PRoW nor indication that further surveys would be completed between Scoping and the Environmental Statement (ES). WB4 is heavily used by both recreational users of the PRoW and tourists coming to enjoy this landscape and walk the Trent Valley Way.

#### **Agriculture**

We note the current proposal is to not include a standalone chapter within the ES to consider impacts on agriculture, agricultural soils and land use. However, IEMA best practice is certainly to include the consideration of soil resources as a standalone chapter, noting the potential for the proposed development to impact soil quality, soil nutrient dynamics and soil function. Particular consideration should be given to the aforementioned on decommissioning of the proposed development. If the loss of viable agricultural land is to be viewed as temporary, this suggests an option to return the land to agriculture. However, construction of the proposed development has potential to significantly impact soil resources, via compaction, poor soil handling techniques, nutrient depletion, introduction of concrete

foundations, all of which reduce the capacity of the soil to recover on decommissioning back to productive agricultural land. These potential effects would not be adequately assessed under the current proposal to exclude agricultural soils from a standalone chapter, and instead consider within the discussion of "socio-economics, tourism and recreation and human health" impacts. Degradation of soil quality following compaction, or poor soil handling, inhibits the soils' ability to retain nutrients (leading to greater risk of run-off), ability to store and sequester carbon, and ability to support productive and healthy ecosystems to name just a few. Consideration should be given to the potential permanent deterioration of this resource and wider ecosystem services this resource provides.

**From:** [REDACTED] >  
**Sent:** 16 February 2022 18:13  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Cc:** Midlands ePlanning <[REDACTED]>  
**Subject:** RE: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation our reference

Dear PINS

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

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.**

Thank you for consulting us in your letter dated 21<sup>st</sup> January 2022.

We welcome the inclusion of heritage matters in the submitted scoping report and look forwards to ongoing discussions with the applicants in respect of both setting effects upon heritage assets and direct impacts upon archaeological remains.

We note the iterative approach to investigations set out in the report and will look forwards to early sight of the results of cartographic, geophysical survey, lidar and aerial photographic analysis and the results of the applicant's detailed consultation with County Archaeological Curators and Historic Environment Records and Portable Antiquities Scheme Records.

We welcome the early inclusion of a palette of mounting techniques to allow for the avoidance of some physical impacts upon buried remains. In addition to the focus upon the impact of the panel arrays, fencing substations etc we note that this and related schemes include significant cable infrastructure for connection to grid. The significance / character / importance of assets on these cable routes will need to be well understood from an early stage such that route options can effectively be weighed and risks managed. It is important both that opportunities for reduction in harm are realised and that the time required for archaeological evaluation and reporting is allowed for. Areas of heightened risk (burial sites / wet deposits / former water courses etc) should be afforded early attention as should resources requiring particular methodological approaches such for instance as battlefields or air crash.

Given the landscape scale of this and associated (nearby) projects the schemes should seek to address structures research questions about this landscape to ensure that localised archaeological interventions contribute to a whole (in terms of public value) which is more than the sum of their parts (see [REDACTED]).

We will discuss viewpoint locations further with the applicants and the potential for kinetic (sequential) views to add value to the assessment as the work progresses.

Without prejudice to the results of analysis (which will benefit from use of our GPA *Setting of Heritage Assets*) we take this opportunity to highlight the following sites and their setting.

- Broxholme medieval settlement and cultivation remains (1016797) - [REDACTED]
- Deserted village of North Ingleby (1003570) - [REDACTED]
- The medieval bishop's palace and deer park, Stow Park (1019229) - [REDACTED]

We look forwards to further detailed discussion with the applicants.

Yours sincerely

Tim Allen

Tim Allen MA FSA  
Development Advice Team Leader (North)

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

[REDACTED]  
[REDACTED]



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at

[REDACTED] [REDACTED]

This e-mail (and any attachments) is confidential and may contain personal views which are not the views of Historic England unless specifically stated. If you have received it in error, please delete it from your system and notify the sender immediately. Do not use, copy or disclose the information in any way nor act in reliance on it. Any information sent to Historic England may become publicly available. We respect your privacy and the use of your information. Please read our full [REDACTED] for more information.



CEMHD Policy - Land Use Planning,  
NSIP Consultations,  
Building 1.2,  
Redgrave Court,  
Merton Road,  
Bootle, Merseyside  
L20 7HS.

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

Emily Park (Senior EIA Advisor)  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN  
By email only

Dear Ms Park

Date: 4 February 2022

**PROPOSED WEST BURTON SOLAR FARM (the project)  
PROPOSAL BY WEST BURTON SOLAR PROJECT LIMITED (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11**

Thank you for your letter of 21 January 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records the proposed DCO application boundary for this Nationally Significant Infrastructure Project is within multiple consultation zones of major accident hazard sites and major accident hazard pipelines.

This is based on the current configuration as illustrated in, for example, figure 1.1 'overall scheme plan' in the document 'West Burton Solar Project Environmental Impact Assessment Scoping Report Prepared by Lanpro January 2022'

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

#### Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

#### Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

#### Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk). We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely



Allan Benson  
CEMHD4 NSIP Consultation Team

**From:** [REDACTED] >

**Sent:** 09 February 2022 12:18

**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>

**Subject:** West Burton Solar Project.

Dear Sirs,

I am contacting you on behalf of Marton & Gate Burton Parish Council about the proposed solar farms in our vicinity.

Representatives from Low Carbon attended our meeting on Monday evening to talk about the Gate Burton Project including the possible locations of cable routes which may be shared with Island Green Power's West Burton Solar Project.

There are three large solar farms proposed for this area, all adjoining each other.

If the Planning Inspectorate grants permission for these projects to go ahead, the proposal is that all cable connections to the grid will be run through the parishes of Marton and Gate Burton and on towards Cottam Power Station.

There are several sensitive areas in and around Marton and Gate Burton, for example, Roman and Viking settlements, live and defunct fuel lines, aviation fuel storage tanks, live natural gas pipeline to Cottam Power Station and strategic flood banks for the City of Lincoln, to name just a few.

In order to avoid these, limits to the area of ground needed to bury these cables is very restricted. Careful planning will be necessary to avoid major earthworks and disruption over a relatively small area.

Marton & Gate Burton Parish Council urges the Planning Inspectorate to persuade, or order, the businesses involved in these enterprises to work together to find a way to bury the cables in a manner that causes the absolute minimum of disruption to our area.

Please acknowledge receipt of this email and keep us informed of future developments.  
Thank you.

Yours Faithfully,

Mrs Gillian Martin,

Clerk, Marton & Gate Burton Parish Council



**Land and Acquisitions**

Anne Holdsworth  
DCO Liaison Officer  
Land and Property

[REDACTED]  
[REDACTED]  
[REDACTED]

SUBMITTED ELECTRONICALLY:  
westburtonsolarproject@planninginspectorate.gov.uk

16 February 2022

Dear Sir/Madam

**APPLICATION BY WEST BURTON SOLAR PROJECT LIMITED (THE APPLICANT)  
FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE WEST BURTON  
SOLAR PROJECT (THE PROPOSED DEVELOPMENT)**

**SCOPING CONSULTATION**

I refer to your correspondence received on 21<sup>st</sup> January 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

Having reviewed the scoping report, I would like to make the following comments regarding National Grid infrastructure within / in close proximity to the Proposed Development Boundary and EIA Assessment Area.

**GAS TRANSMISSION**

National Grid Gas has no apparatus within or in close proximity to the proposed site boundary.

**ELECTRICITY TRANSMISSION INFRASTRUCTURE**

NGET has high voltage electricity overhead transmission lines, and electricity substation and underground cables within the EIA Assessment Area. The overhead lines, substation and cables form an essential part of the electricity transmission network in England and Wales.

Overhead Lines

- 4ZM 400kV Bicker Fen–Spalding North- West Burton  
Bicker Fen-Walpole-West Burton
- 4TM 400kV Keadby – West Burton 1  
Keadby to West Burton 2

- ZDA 400kV Cottam – Keadby 1  
Cottam – Keadby 2  
Cottam – West Burton  
High Marnham – West Burton
- 4VE 400kV Cottam – Keadby 1  
Cottam – Keadby 2

## Substation

- **West Burton** 400kV Substation with associated apparatus and underground cables.

## **ASSET PLANS**

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

- overhead lines; and
- substation.

## **SPECIFIC COMMENTS**

### **Electricity Infrastructure:**

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

## **Further Advice**

**We would request that the potential impact of the proposed scheme on National Grid’s existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.**

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

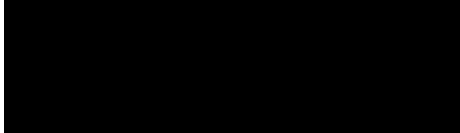
**National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address:**

**[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)**

I hope the above is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours faithfully



**Anne Holdsworth**  
**DCO Liaison Officer, Land and Acquisitions**



**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - - - Decommissioned Group
  - - - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Block Valve
- Compressor
- LNG Site
- Multijunction
- Minimum Offtake
- Future Minimum Offtake
- Offtake
- Pressure Reduction Installation
- Pig Trap
- Terminal
- Transferred Offtake
- Aerial Marker Post
- Pipe Crossing Point
- ▲ CP Test Post
- ▲ Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

**Notes:**  
 West Burton Solar Project Asset Plan 2

0 0.51 1.0 Kilometers

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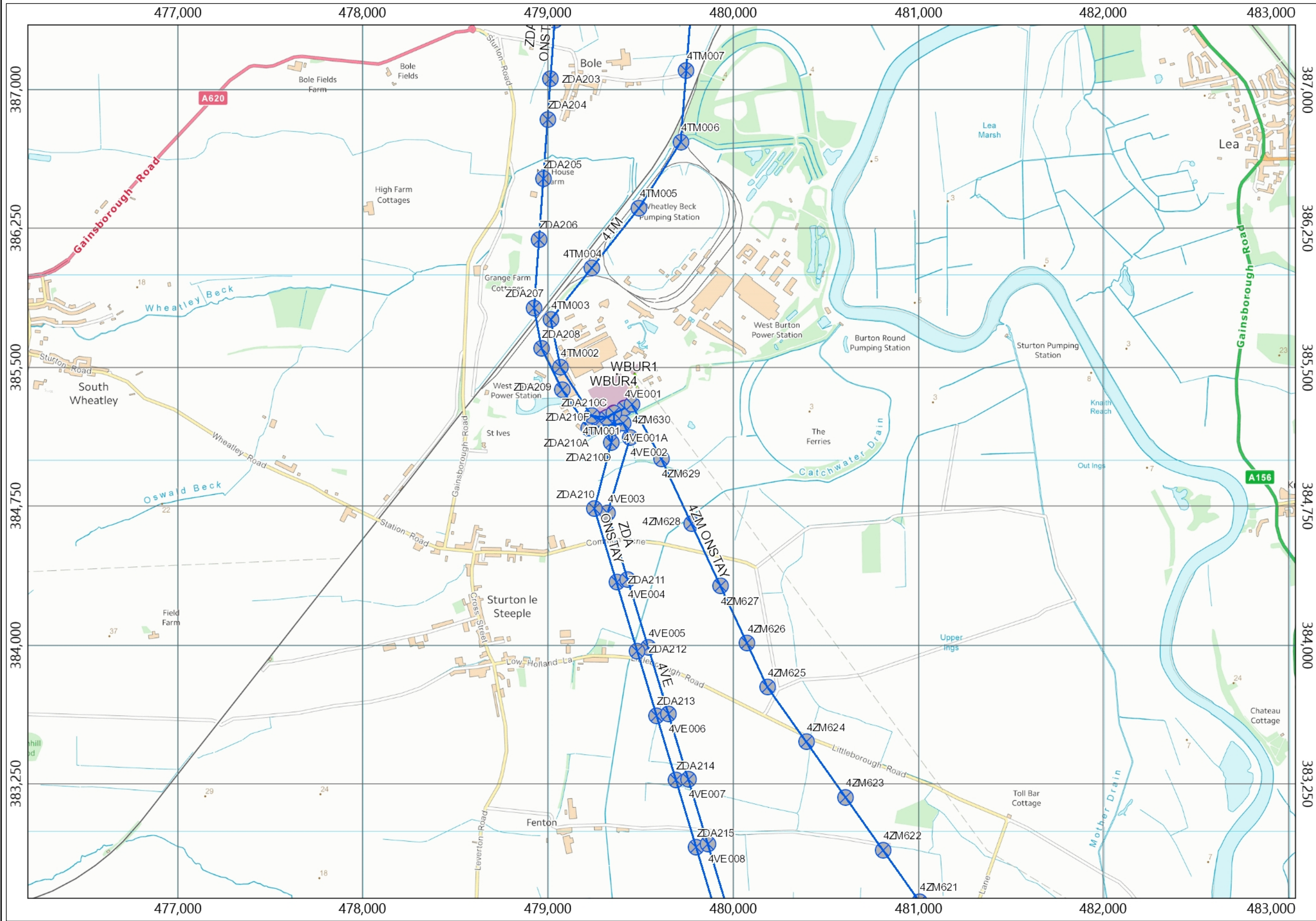
Date: 16/02/2022  
 Time: 15:58:43

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



NG Disclaimer National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.

Note Any sketches on the map are approximate and not captured to any particular level of precision.



**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
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- ▭ Gas Operational Boundary
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- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

**Notes:**  
West Burton Solar Project Asset Plan 1



**From:** NATS Safeguarding <[REDACTED]>  
**Sent:** 02 February 2022 09:23  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** RE: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation [SG32714]

Our Ref: SG32714

Dear Sir/Madam

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

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

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

Yours faithfully

**NATS**

**NATS Safeguarding**

E: [REDACTED]

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

Date: 18 February 2022  
Our ref: 381685  
Your ref: EN010132-000014



Emily Park  
The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

T 0300 060 900

Dear Emily Park

**Environmental Impact Assessment Scoping Consultation (Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11): West Burton Solar Project**

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 21 January 2022.

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

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant a DCO. Annex A Provides Natural England's general advice on the scope of Environmental Impact Assessments (EIA). For this specific proposed development the Environmental Statement should particularly consider the following:

**1. Impact of the proposed development on the following designated sites**

- Doddington Clay Woods SSSI
- Chesterfield Canal SSSI
- River Idle Washlands SSSI
- Sutton and Lound Gravel Pits SSSI

We note reference made to these sites within Chapter 8 of the EIA Scoping report; the Environmental Statement would need to show any potential effects on these designations, including via impacts on foraging habitat, noise, water quality, air quality or other disturbance which may damage or destroy the interest features for which these Sites of Special Scientific Interest have been notified. Impacts would need to be considered at all stages of the proposed development i.e. construction, operation and de-commissioning. It should also detail the mitigation required to avoid any identified impacts on designated sites.

We particularly would like to see assessment made as to the potential impacts to foraging habitat for birds associated with the River Idle Washlands and Sutton and Lound Gravel pits as these sites are designated for features including: breeding bird communities, aggregations of non-breeding birds and passage bird species. West Burton 4 lies within the surface water catchments of the River Idle Washlands and Chesterfield canal; thus, we would like to see assessment of any potential adverse impact on water quality at these sites as a result of the development.



It is noted that the final cable route corridor is yet to be determined, and welcome the intention that searches for designated sites within the cable route search area will be forthcoming. Potential impacts from the cable route are largely limited to the construction phase due to the underground nature of the cables; the search areas appear to largely avoid any designated sites. However we would still anticipate an assessment to be made on any potential impacts to designated sites and species as a result of the cable route and grid connection infrastructure.

The proposed development is not within any Impact Risk Zones for European Designated sites; thus we would not anticipate any adverse impacts to European designated sites, or the need for HRA.

Natural England are engaging with the applicant via our discretionary advice service with regard to avoiding adverse impacts to designated sites and protected species, as well as regarding potential Biodiversity Net Gains, Green Infrastructure Enhancements and Priority Habitat Delivery.

## **2. In-Combination/Cumulative impacts**

The Environmental Statement should include in-combination/cumulative assessment. We welcome section 2.2.10 of the Scoping report which states and lists which in-combination impacts will be assessed, and section 2.2.13 which states cumulative effects will be considered. We also note that projects being considered within the cumulative assessment include Cottam Solar Project and Gate Burton Solar Project. We are aware of a number of other large Solar Infrastructure Projects in the Lincolnshire/North Nottinghamshire area, including **Mallard Pass Solar Project** and **Heckington Fen Solar Project**. Due to the size of each of these individual projects, we would like to see these projects also included within the cumulative assessment, where appropriate.

## **3. Loss of Agricultural Land (BMV)**

It is recognised that due to the nature of the solar panels a good proportion of the agricultural land affected by the development will not be *permanently* lost. However, the large development area and 40 year development lifetime give rise to additional concern with regard to agricultural productivity. In order to both retain the long term potential of this land and to safeguard all soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible.

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

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

It is noted that an *initial* ALC survey has been undertaken, which has indicated that 17.1% of the site is classed as Best and Most Versatile. In order to fully assess the impacts to Best and Most Versatile land, a *detailed* Agricultural Land Classification (ALC) survey may be necessary. Where a detailed ALC and soil survey of the land is required, this should normally be at a detailed level, e.g.

one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres.

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

#### **4. Protected Species**

The Environmental Statement should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). It should also provide details of any proposed mitigation measures required to protect these species. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area. It is noted that ground nesting birds may specifically be at risk due to the large land-take involved with the development.

As stated above, Natural England are engaging with the applicant via our Discretionary Advice Service and will be providing advice regarding the potential impacts, mitigation and licence requirements for the following species: Badgers, Bats, Otters, Water Vole, GCN, Reptiles, Barn Owl, Skylark, Yellow Wagtail and Grey Partridge.

#### **5. Biodiversity Net Gain**

The Environmental Statement should include a Biodiversity Net Gain Assessment and Habitat Management Plan. The Habitat Management Plan should explain how the site will continue to be managed and secured for the lifetime of the development. The habitat management plan should also provide details on retention and enhancement of existing habitat features such as hedgerows, woodland and ponds. We would also particularly need details on proposed habitat connectivity to surrounding habitats which would contribute to the wider Nature Recovery Network.

#### **6. After use**

The Environmental Statement should include details of the decommissioning and after use of the site, which should include details on how this will avoid impacts to soils and ensure the agricultural land can be restored to its former condition.

#### **7. Impact on local landscapes**

The Environmental Statement should include an assessment of local landscape character through the consideration of the relevant National Character Areas (NCAs) and any local landscape character assessments. This should also include any likely in-combination/cumulative effects from other known Solar Projects in the area.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Annex A Provides Natural England's general advice on the scope of Environmental Impact Assessments (EIA).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact us. For any queries relating to the specific advice in this letter please contact Robbie Clarey [REDACTED] Please send any new

consultations or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely,

Robbie Clarey  
Lead Adviser – East Midlands Area Delivery  
Natural England

## Annex A – Natural England’s General Advice on EIA Scoping

### General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

### Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

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

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

### Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at

Detailed information on the natural environment is available at [www.magic.gov.uk](http://www.magic.gov.uk).

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

## **Biodiversity and Geodiversity**

### **General principles**

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

### **Designated nature conservation sites**

#### **Nationally designated sites**

This development site is within or may impact on the following **Sites of Special Scientific Interest**:

- Doddington Clay Woods SSSI
- Chesterfield Canal SSSI
- River Idle Washlands SSSI
- Sutton and Lound Gravel Pits SSSI

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 180 of the NPPF. Further information on the SSSI and its special interest features can be found at [www.magic.gov](http://www.magic.gov).

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSIs and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

## Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

## Protected Species

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

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

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

Natural England are currently in discussions with the applicant, via our Discretionary Advice Service, regarding impacts to protected species. We aim to work with the applicant to ensure the development proposals will not harm protected species.

## District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

## Priority Habitats and Species

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

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

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

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

### **Ancient Woodland, ancient and veteran trees**

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

### **Biodiversity net gain**

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

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

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

Opportunities for wider environmental gains should also be considered.

### **Landscape**

#### **Landscape and visual impacts**

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of

Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* (3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

### **Heritage Landscapes**

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm).

### **Connecting People with nature**

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

### **Soils and Agricultural Land Quality**

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil



resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and 175 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

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

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see [www.magic.gov.uk](http://www.magic.gov.uk).

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

## **Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)<sup>[1]</sup>. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO<sub>x</sub> and SO<sub>2</sub> against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give

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<sup>[1]</sup> [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

## **Water Quality**

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced.

## **Climate Change**

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

## **Contribution to local environmental initiatives and priorities**

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and

deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

**From:** Matt Leighton <[REDACTED]> **On Behalf Of** Town Planning LNE  
**Sent:** 07 February 2022 10:51  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** Ref EN010132-000014 - Scoping Opinion for West Burton Solar Project

OFFICIAL

**FAO – Planning Inspectorate**  
**Ref – EN010132-000014**  
**Proposal – Scoping Opinion for West Burton Solar Project**  
**Location – West Burton Solar Project**

Thank you for your letter of 21 January 2022 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. In particular, it should include a Glint and Glare study assessing the impact of the scheme upon train drivers (including distraction from glare and potential for conflict with railway signals). It should also include a Transport Assessment to identify any HGV traffic/haulage routes that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

Please note that if the intention is to install cabling in support of the project through railway land, the developer will need an easement from Network Rail and we would recommend that they engage with us early in the planning of their scheme in order to discuss and agree this element of the proposals.

Kind regards



**Matt Leighton**

Town Planning Technician

**Diversity and Inclusion Champion**

Network Rail Property - Eastern Region

George Stephenson House, Toft Green, York, YO1 6JT

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

Telephone: 01636 650000  
Email: [planning@nsdc.info](mailto:planning@nsdc.info)

Your Ref: EN010132-000014  
Our Ref: 22/00116/NPA

Sent via email to:

Date: 25 January 2022

[WestBurtonSolarProject@planninginspectorate.gov.uk](mailto:WestBurtonSolarProject@planninginspectorate.gov.uk)

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**  
**Application by West Burton Solar Project Limited (the Applicant) for an Order granting Development Consent for the West Burton Solar Project (the Proposed Development) Scoping Consultation**

**Proposed Works:** The Scheme consists of four electricity generating stations each with a capacity of over 50 megawatts (MW) comprising of ground mounted solar arrays, and Associated Development comprising of energy storage, grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance of the Scheme

**Site Address:** West Burton Solar Project

**Applicant:** Island Green Power Limited (IGP)

**Application Ref:** 22/00116/NPA

I refer to the above consultation received by this Authority on 24<sup>th</sup> January 2022 in relation to the above application which request this Council's comments by 18<sup>th</sup> February 2022.

The Scheme comprises a number of land parcels described as West Burton 1, 2, 3 and 4 for the solar arrays; land at West Burton Power Station for grid connection infrastructure and energy storage; and the cable route corridors. The Sites identified for built development, namely, solar panels, sub-stations and energy storage for the Scheme are located within a 14.5km radius of the grid connection of West Burton Power Station.

West Burton 1, 2 and 3 are clustered within a circa 8.5km stretch of countryside located east of the River Trent, south of the A1500 and north of Saxilby, in the district of West Lindsey, Lincolnshire. West Burton 4 is located circa 12km north-west of West Burton 1

between the villages of Clayworth and Gringley on the Hill, in the district of Bassetlaw, Nottinghamshire. The closest Parish within Newark & Sherwood District is Thorney.

Having reviewed the Environmental Impact Assessment Scoping Report prepared by Lanpro, dated January 2022, I can advise that Newark & Sherwood District Council have no observations to make in relation to the request for comments on the Scoping Opinion which will inform the Environmental Statement relating to the proposed development.

Please note that this matter has not been formally reported to the District Council's Planning Committee. In these circumstances the comments are those of an Officer of the Council under delegated power arrangements.

Yours faithfully,

A black rectangular redaction box covering the signature of the officer.

pp. Lisa Hughes  
Business Manager for Planning Development

**From:** [REDACTED] >  
**Sent:** 01 February 2022 11:40  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** EN010132 - West Burton Solar Farm - EIA Scoping

Good Morning,

In response to your email dated 24 January regarding the above, please note that we have reviewed the EIA Scoping documentation provided and can confirm we have no comments at this time.

Kind Regards

[REDACTED]

Karen Bates  
PA to Martin Fahy, Director of Nursing & Quality  
Office Manager

[REDACTED]

 [Chat to me on MSTeams](#)

**NHS Lincolnshire CCG**

Bridge House | The Point | Lions Way | Sleaford | NG34 8GG

[REDACTED]

**Thank you for your continued hard work and commitment #WeAreLincsNHS**





North Kesteven  
DISTRICT COUNCIL

## Neighbouring Authority Consultation

Name and address of applicant

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

Name and address of agent (if any)

### Notice of decision to make comments to the proposal

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**Application number:** 22/0107/NEIAUT

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**Proposal:** **Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), Application by West Burton Solar Project Limited for an Order granting Development Consent for the West Burton Solar Project - Request for Scoping Opinion**

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**Location:** **West Burton Solar Project**

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North Kesteven District Council hereby raises the following comments to the proposed development as referred to above.

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

This includes the proposed circa 500MW Heckington Fen solar park being promoted by Ecotricity in North Kesteven District and which has been accepted by the Planning Inspectorate and where an application for Development Consent Order is expected to be submitted to the Planning Inspectorate by the 4th Quarter 2022. A Scoping Request has been submitted to the Planning Inspectorate, referenced EN010123-000014. The Planning Inspectorate has also recently issued a Scoping Opinion in relation to the Gate Burton Energy Park (EN010131-000006) in West Lindsey District. Elsewhere in Lincolnshire (or spanning the Lincolnshire boundary) the Cottam Solar Project Limited and Mallard

Date: 31st January 2022

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

*Mark Williets*

Development Manager



Pass Solar Park have also been accepted as NSIP projects. The Cottam Solar Project is also subject to a live Scoping Opinion request.

The West Burton Energy Park is located, at its closest, around 50km from the Heckington Fen solar park and therefore cumulative construction and operational impacts are likely to be negligible across the majority of EIA topic areas as listed in the Lanpro Scoping Request document. There will be no intervisibility between the West Burton and Heckington proposals.

However whilst paragraph 22.25 of the Scoping Report confirm that initial ALC surveys of the sites have been carried out, indicating that the vast majority (82.5%) comprises Grade 3b agricultural land (the rest BMV classifications), Chapter 22 does not commit to assessing cumulative agricultural land impacts associated with the development of the respective large scale solar proposals; being Gate Burton, West Burton, Cottam, Heckington and Mallard Pass. The West Burton 1 - 4 sites occupy around 1062ha in total, meaning that around 180 hectares are initially assessed as being BMV land falling across Grades 1-3a (paragraph 3.2.73 refers).

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



**North  
Northamptonshire  
Council**

Development Management  
North Northamptonshire Council  
Swanspool House  
Doddington Road  
Wellingborough  
NN8 1BP  
Tel: 0300 126 3000  
[www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)

Emily Park  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Email: [REDACTED]  
Our Ref: NW/22/00043/SCQ  
Date: 17.02.2022

Dear Madam,

### **Consultation from Outside District**

**Proposal:** Application by West Burton Solar Project Limited (the Applicant) for an Order granting Development Consent for the West Burton Solar Project (the Proposed Development)

**Location:** West Burton 1-3 land parcels located to the south of Sturton by Stow and south east of Marton.

**Reference:** EN010132

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

### **No Comment**

Yours faithfully,



George Candler  
Executive Director Place and Economy

This matter is being dealt with by:

**Nina Wilson**

**Ref: EN010131-000027**

W nottinghamshire.gov.uk

Sent via email to:

[WestBurtonSolarProject@planninginspectorate.gov.uk](mailto:WestBurtonSolarProject@planninginspectorate.gov.uk)

12<sup>th</sup> February 2021

Dear Emily,

**Ref: Planning Act 2008 and the Infrastructure Planning (EIA) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 – Application by West Burton Solar Project Ltd (The Applicant) for the Order granting Development Consent for West Burton Solar Project (The Proposed Development)**

Thank you for your email dated 1<sup>st</sup> February 2022 requesting strategic planning observations on the above planning application. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make.

In terms of the County Council's responsibilities there are a number of elements of national planning policy and guidance that are of particular relevance in the assessment of planning applications these include Minerals and Waste, Education, Transport and Public Health.

## **County Planning Context**

### Transport

The County Council as Highway Authority and Local Lead Flood Authority is a statutory consultee to Local Planning Authorities and therefore makes separate responses on the relevant highway and flood risk technical aspects for planning applications.

### Minerals and Waste

The adopted Nottinghamshire and Nottingham Replacement Waste Local Plan, Part 1: Waste Core Strategy (adopted 10 December 2013) and the saved, non-replaced policies of the Waste Local Plan (adopted 2002), along with the adopted Nottinghamshire Minerals Local Plan (adopted March 2021), form part of the development plan for the area. As such, relevant policies in these plans need to be considered. In addition, Minerals Safeguarding and Consultation Areas (MSA/MCA) have been identified in Nottinghamshire and in accordance with Policy SP7 of the Nottinghamshire Minerals Local Plan, these should be taken into account where proposals for non-minerals development fall within them.

From the point of the Scoping Report, Chapter 11: Minerals, draws attention to the Minerals Safeguarding Area policies within the respective Minerals Local Plans. West Burton 4 being the only site within Nottinghamshire. Contact has already been made by the consultants to source the appropriate GIS constraint mapping for MSA's and existing minerals sites. The County Council would draw attention to the 'Cable Route Corridor Search Areas', as identified in Figure 3.6. and reference is drawn to the detailed response in the following sections of these comments.

### *Minerals*

View our privacy notice at [www.nottinghamshire.gov.uk/privacy](http://www.nottinghamshire.gov.uk/privacy)

Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP

As the Mineral Planning Authority, it is the responsibility of Nottinghamshire County Council to form policies and determine applications relating to mineral development. One of the key responsibilities of both the County Council but also the District and Borough Councils is to safeguard mineral resource (PPG, Paragraph 005, 2014). As minerals are a finite resource that can only be worked where they are found, the emerging Minerals Local Plan contains a policy, **SP7, Adopted Minerals Local Plan | Nottinghamshire County Council** which seeks to safeguard mineral resource from unnecessary sterilisation from non-mineral development and so establishes Mineral Safeguarding and Consultation Areas (MSA/MCA).

As a two-tier authority, the Minerals Local Plan forms part of the overall Development Framework for Bassetlaw District Council. The entire western side of the River Trent lies within a Sand and Gravel Mineral Safeguarding Area, but that given relatively small land take we do not foresee any problems.

There is an area of concern however. The northern cabling route option, the buffer zone for which, runs through or at least very close to the permitted sand and gravel site at Sturton Le Steeple quarry (1/46/06/00014/). This site is operated by TARMAC. As this site is not presently active, it may not have been picked up as part of the initial scoping exercise. NCC would draw attention to Adopted Minerals Local Plan March 2021 (**Policy MP2c**) and Policies Map Inset 4. **Adopted Minerals Local Plan | Nottinghamshire County Council**

Sturton le Steeple Quarry is an important source of sand and gravel and is a significant contributor to the resource landbank, as identified within the Adopted Nottinghamshire Minerals Local Plan March 2021.

### *Waste*

In terms of the Waste Core Strategy, there are no existing waste sites within the vicinity of the site whereby the proposed development could cause an issue in terms of safeguarding existing waste management facilities (as per Policy WCS10).

### Strategic Highways

The West Burton Solar Project: Environmental Impact Assessment Scoping Report (EIASR) confirms that West Burton 4 is crossed by rights of way and has rights of way along its boundaries. The Grid Connection Corridor (GCC) also has the potential to affect several public rights of way in Nottinghamshire. Sites 1 to 3 are not in Nottinghamshire.

The EIASR confirms that a Transport Assessment (TA), Construction Traffic Management Plan (CTMP), and a Construction Environment Management Plan will form part of the Environmental Impact Assessment to be submitted in support of the proposal. The scope of the TA and CTMP will include the GCC. The CTMP should also include a chapter on construction worker travel patterns and measures to encourage travel by alternative modes to single occupancy vehicle.

The TA methodology is to be based on the DfT Guidance on Transport Assessments, 2007 (GTA) and the Institute of Environmental Management and Assessment Guidelines for the Environmental Assessment of Road Traffic, 1993. Whilst the GTA is now achieved, this still would provide a methodology that complies with more recent National Planning Practice Guidance. The methodology is therefore acceptable. The Nottinghamshire Highway Authority will require the scope of the TA to consider all main junctions within Nottinghamshire that would be likely to experience an increase in traffic greater than 30 two-way peak hour movements (based on passenger car units (PCU)).

The proposed construction route to Site 4 is the A1, A614, A638, A631, and B1403 Clayworth Road. This is likely to be acceptable subject to the TA demonstrating that there is sufficient highway network capacity and road space for abnormal loads. It should be noted that the route passes through Bawtry and the A631/A638 junction which is the responsibility of Doncaster Metropolitan Borough Council as local highway authority. Where the TA addresses environmental impacts, this should be contained within a separate section to avoid confusion. It would also be helpful if the study area could be split into respective local highway authority areas.

View our privacy notice at [www.nottinghamshire.gov.uk/privacy](http://www.nottinghamshire.gov.uk/privacy)

Nottinghamshire County Council, County Hall, West Bridgford, Nottingham NG2 7QP

## Flood Risk Management

Given the nature of the application for West Burton it does not appear to seek to significantly increase the impermeable area. The LLFA would comment that surface water run-off from the site should not be exacerbated, and that any runoff from any hardstanding/small buildings on the site should be captured on site, to prevent increasing runoff from the site.

## Planning Obligations

This application is a Screening/ Scoping Opinion therefore at this stage no detailed comments are provided regarding planning obligations. The County Council can however confirm that, should an application be submitted to the Council, it may seek planning obligations to mitigate the impact of the development. These contributions would be subject to negotiation and would be based on the approach set out in the County Council's Planning Obligations Strategy.

Further information about the County Councils approach to planning obligations can be found in its Planning Obligations Strategy which can be viewed at <https://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/planning-obligations-strategy>

If the Council has any queries regarding planning obligations please contact William Lawrence, the County Councils Developer Contributions Practitioner [REDACTED]  
[REDACTED]

## Public Health

The Public Health response is outlined at Appendix 1 however if any further information is required, the Public Health team will be able to provide further advice via email [planning.publichealth@nottsc.gov.uk](mailto:planning.publichealth@nottsc.gov.uk)

## **Conclusion**

It should be noted that all comments contained above could be subject to change, as a result of ongoing negotiations between the County Council, the Local Planning Authority and the applicants. These comments are based on the information supplied and are without prejudice to any comments the County Council may make on any future planning applications submitted for this site.

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Nina Wilson  
Principal Planning Officer  
Nottinghamshire County Council

*This document is unsigned as it is electronically forwarded. If you require a signed copy, then please contact the sender.*

## **Appendix 1 – Public Health**

The Public Health response is outlined below however if any further information is required, the Public Health team will be able to provide further advice via email [planning.publichealth@nottsc.gov.uk](mailto:planning.publichealth@nottsc.gov.uk)

[The Nottinghamshire Health and Wellbeing Strategy](#) sets out the ambitions and priorities for the Health and Wellbeing Board with the overall vision to improve the health and wellbeing of people in Nottinghamshire:

- To give everyone a good start in Life
- To have healthy and Sustainable places
- To enable healthier decision making
- To work together to improve healthcare services

[The Nottinghamshire Joint Strategic Needs Assessment \(JSNA\)](#) provides a picture of the current and future health needs of the population of the county. This is a useful source of information when considering the health and wellbeing of residents in planning process.

The use of [local health profile](#) report pulls together existing information in one place about localities affected by a development proposal, highlights issues that can affect health and wellbeing of residents covered within the planning process. Promoting health and wellbeing enhances resilience, employment and social outcomes. For example, consider limiting long term illness or disability as part of the development needs of a localities to ensure that it is age friendly providing good access to health and social care facilities.

[The Nottinghamshire Spatial Planning and Health Framework](#) identifies that local planning policies play a vital role in ensuring the health and wellbeing of the population and how planning matters impact on health and wellbeing locally. In addition, a health checklist is included to be used when developing local plans and assessing planning applications:

It is recommended that this checklist is completed to enable the potential positive and negative impacts of the planning application on health and wellbeing to be considered in a consistent, systematic and objective way, identifying opportunities for maximising potential health gains and minimizing harm and addressing inequalities taking account of the [wider determinants of health](#).

Obesity is a major public health challenge for Nottinghamshire. Obesity is a complex problem with many drivers, including our behaviour, environment, genetics and culture. [Nearly a quarter of children in England are obese or overweight by the time they start primary school aged five, and this rises to one third by the time they leave aged 11.](#)

To address Childhood Obesity in 10-11-year olds. It is recommended that the six themes by the TCPA document [Planning Healthy Weight Environments](#) are considered to promote a healthy lifestyle as part of this application.

In addition to [Active Design](#) Sport England 10 principles that promote activity, health and stronger communities through the way our towns and cities are built and designed to encourage activity in our everyday lives.

The six TCPA themes are:

1. Movement and access: Walking environment; cycling environment; local transport services.
2. Open spaces, recreation and play: Open spaces; natural environment; leisure and recreational spaces; play spaces.
3. Food: Food retail (including production, supply and diversity); food growing; access.
4. Neighbourhood spaces: Community and social infrastructure; public spaces.
5. Building design: Homes; other buildings.
6. Local economy: Town centres and high streets; job opportunities and access.

## The Ten Principles of Active Design.

1. Activity for all
2. Walkable communities
3. Connected walking & cycling routes
4. Co-location of community facilities
5. Network of multifunctional open space
6. High quality streets & spaces
7. Appropriate infrastructure
8. Active buildings
9. Management, maintenance, monitoring & evaluation
10. Activity promotion & local champions

Please note for major developments (over 25 dwellings) the Clinical Commissioning Groups (CCG) should be consulted for impact on primary care which may lead to a request for infrastructure support through S106/CIL.

Bassetlaw developments contact Bassetlaw Strategic Estates Group. Nottinghamshire developments email the Nottingham and Nottinghamshire Estates team [Noweccg.estates@nhs.net](mailto:Noweccg.estates@nhs.net)

**Telephone:** 01733 453410 (open 9am - 1pm)  
**Email:** [planningcontrol@peterborough.gov.uk](mailto:planningcontrol@peterborough.gov.uk)  
**Case Officer:** Mr A O Jones  
**Our Ref:** 22/00820/CONSUL  
**Your Ref:** EN010132-000014

**PETERBOROUGH**



Planning Services

Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

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

**Peterborough Direct:** 01733 747474

11 February 2022

Dear Ms Park

### **Planning enquiry**

Proposal: Application by West Burton Solar Project Limited for an order of granting Development consent for the West Burton Solar Project

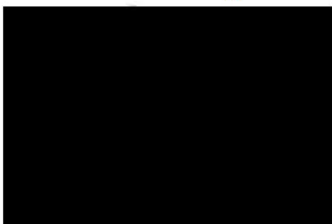
Site address: West Burton Solar Project

Further to your enquiry received on 21 January 2022, in respect of the above, the Local Planning Authority makes the following comments:

The proposal site is remote from Peterborough, and accordingly, we do not have any comments to make on this proposal at this time.

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours sincerely



Mr A O Jones  
Principal Minerals and Waste Officer





UK Health  
Security  
Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: EN010132-000014  
Our Ref: 58801CIRIS

Ms Emily Park  
Senior EIA Advisor,  
The Planning Inspectorate  
Temple Quay House,  
2 The Square  
Bristol, BS1 6PN

10<sup>th</sup> February 2022

Dear Ms Park

**Nationally Significant Infrastructure Project  
West Burton Solar Project, PINS Reference: EN010132-000014  
Scoping Consultation Stage**

Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) and the Office for Health Improvement and Disparities (OHID) (formerly Public Health England) welcome the opportunity to comment on your proposals and Environmental Impact Assessment (EIA) Scoping Report at this stage of the Nationally Significant Infrastructure Project (NSIP). Advice offered by UKHSA and OHID is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

## **Environmental Public Health**

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

UKHSA is satisfied for electromagnetic radiation (EMF) to be scoped out of the ES on the basis of the health impact assessment presented in the scoping report (and the corresponding appendix).

### **Human Health and Wellbeing - OHID**

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

---

<sup>1</sup>

██  
██  
██

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

### **Competent Persons**

Table 1.1 list the consultancies responsible for the different chapters within the ES. There appears to be no nominated lead for the human health element, albeit this forms part of the socio-economic chapter and is contained within other chapters.

### **Recommendation**

The details for the consultancies responsible for the human health assessments should be identified.

### **Population and Human health assessment**

It is noted that population and human health will be considered within existing chapters and not form a separate chapter within the ES. Given the current knowledge of the scheme and potential impacts this appears to be a proportionate approach. This should be kept under review as more information becomes available and a separate population and human health chapter may be justified as the assessments develop.

### **Overlapping schemes**

Paragraph 2.2.16 identifies a spatial and potentially temporal overlap with other proposed solar energy schemes, notably the cable corridors for West Burton, Gate Burton and the Cottam scheme. The scoping reports identifies the need to address this overlap within the cumulative effects assessment. Additional detail is required regarding the opportunity to reduce the individual schemes effects by co-operation during the construction phase.

### **Recommendation**

Any opportunity to reduce the individual schemes effects by co-operation during the construction phase should be investigated and reported, particularly opportunities to reduce the number or impact from cable corridors.

### **Baseline data**

The scoping report does not identify any baseline health data to support any population or human health assessment or consider local health priorities which have been identified within local Joint Strategic Needs Assessments (JSNA) or Health and Wellbeing Strategies.

### **Recommendation**

In terms of sources, we would draw your attention to the following:

- [PHE Fingertips](#) – Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data

- [Office for National Statistics - Wellbeing Indicators](#)
  - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

Advice should also be sought from the local public health team on additional local data. Baseline data should include consideration of local health priorities.

### **Vulnerable populations**

An approach to the identification of vulnerable populations has not been provided. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics.

The identification of vulnerable populations and sensitive populations should be considered.

### **Recommendation**

Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based on the list provided by the Welsh Health Impact Assessment Support Unit<sup>2</sup> and the International Association of Impact Assessment (IAIA)<sup>3</sup>

### **Socio-economics and health**

The scoping reports provides a general indication of the geographic scope for this chapter. The ES should provide a defined area of the geographic scope of this assessment and any variation between geographic scope between socio-economics and population and human health.

### **Recommendation**

The ES should provide a defined area, with justification, of the geographic scope of this assessment and any variation between geographic scope between socio-economics and population and human health.

### **Assessment of significance**

Table 2.3 identifies the degrees of significance but does not identify which will be considered to be significant for the purpose of the assessment. It is anticipated that moderate and major effects would be significant. Any deviation within individual chapters relating to population or human health should be identified and justified.

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<sup>2</sup> [WHIASU \(2020\). Health Impact Assessment – A Practical Guide](#)

<sup>3</sup> Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Vilianni, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.

### **Recommendation**

The ES should identify which degrees of significant in Table 2.3 are to be considered significant.

### **Traffic and Transport**

It is noted that the IEMA GEART guidelines are to be used and as such the operational phase is to be scoped out. The remainder of the traffic and transport assessment should consider impacts on pedestrians, cyclists and any horse riding activities.

### **Recommendation**

The traffic and transport assessment should include an assessment of impacts on cyclists and horse riders in addition to pedestrians as required by GEART.

### **Housing affordability and availability**

The scoping report does not identify the potential number of peak construction workforce, but does acknowledge non-home based workers will require local accommodation.

The size of the construction workforce could be significant, noting that the Burton Gate scoping report estimated a peak of 600 construction workers per day. The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing and tourist accommodation, particularly that of short-term tenancies and affordable homes for certain communities.

The cumulative impact assessment will need to consider this across the wider study area given the number of other NSIPs, but also identify the potential for any local (ward-level) effects. This may lead to a lack of affordable local accommodation for vulnerable residents with the least capacity to respond to change (for example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit seeking the same lower-cost accommodation).

It should be noted the Housing Needs Assessment for Central Lincolnshire (2020)<sup>4</sup> identifies the private rented sector plays a particularly key role (between 26%-29%) in accommodating those in lower paid roles, such as customer services, caring and leisure service occupations.

### **Recommendation**

The peak numbers of construction workers and non-home-based workers should be established and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services.

Any cumulative impact assessment should consider the impact on demand for housing by construction workers and the likely numbers of non-home-based workers required across all schemes.

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<sup>4</sup> [Housing Needs Assessment Central Lincolnshire April 2020](#)

The assessment should also include potential impacts on tourist accommodation within the socio-economic assessment.

Yours sincerely

On behalf of UK Health Security Agency  
[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

**From:** Walker, Michelle <[REDACTED]>  
**Sent:** 18 February 2022 19:12  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** EIA scoping opinion consultation - EN010132-000014

Hi Emily,

Thank you for consulting East Lindsey District Council on the EIA scoping opinion for the West Burton Solar Park project. Having read the submitted documentation I can confirm that this authority has no comments to make. I would however, like to question the heritage chapter where grade 2 listed buildings are not treated the same as grade one and grade 2\* Listed Buildings. They are all listed in the national interest and so should not be considered to be of a lower regional/national significance. The differentiation between the levels of listing would come into the judgement on magnitude of change/level of harm otherwise the assessment would be guilty of “double counting”.

Regards  
Michelle

Miss M. Walker  
Deputy Development Manager

[REDACTED]

[REDACTED] / [www.e-lindsey.gov.uk](http://www.e-lindsey.gov.uk)  
[REDACTED]

East Lindsey District Council, Tedder Hall, Manby Park, Louth, LN11 8UP



served by One Team

**From:** Richard Wright <[REDACTED]>  
**Sent:** 08 February 2022 16:19  
**To:** West Burton Solar Project <WestBurtonSolarProject@planninginspectorate.gov.uk>  
**Subject:** FW: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation

UD-5817-2021-PLN

Dear Sir/Madam,

**Re: EN010132 - West Burton Solar Farm - West Burton Solar Farm EIA Scoping Notification and Consultation**

Thank you for the opportunity to comment on the above application. Some of the proposed sites are within the Upper Witham Internal Drainage Board district and the Board's Extended Area. (See Map).

While Upper Witham Internal Drainage Board has a standing objection in principle to development within flood plain, as shown on the Environment Agency flood maps, Solar Farms can be appropriate with mitigation. The expectation would be that all the electrical equipment is above design flood levels in the main river system and any construction is resilient to flooding. Any development requires the discharge to be limited to the green field rate, assuming the ground will have grass, there should a small impermeable area.

There are several Board maintained watercourses that will be affected by the sites. Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance of 6m of the top of the bank of a Board maintained watercourse. A clear unobstructed strip the full width is required adjacent to all the maintained watercourses. Note new Byelaws will shortly be adopted with a revised distance of 9m.

For any other watercourses within or adjacent to the site appropriate maintenance access should be provided in consultation with who is responsible for the maintenance.

The Board wishes to reiterate, West Burton 2 site is within the Environment Agency Lincoln Washland site and is subject to periodic inundation to protect Lincoln. Contact with the Environment Agency will be needed, to discuss the implications of this location.

Land Drainage Consent application forms and guidance is available to download from the Boards website. (<http://www.witham3idb.gov.uk>)

Regards,

Richard Wright  
Operations Engineer

*Witham First District Internal Drainage Board  
Witham Third District Internal Drainage Board  
Upper Witham Internal Drainage Board  
North East Lindsey Drainage Board*

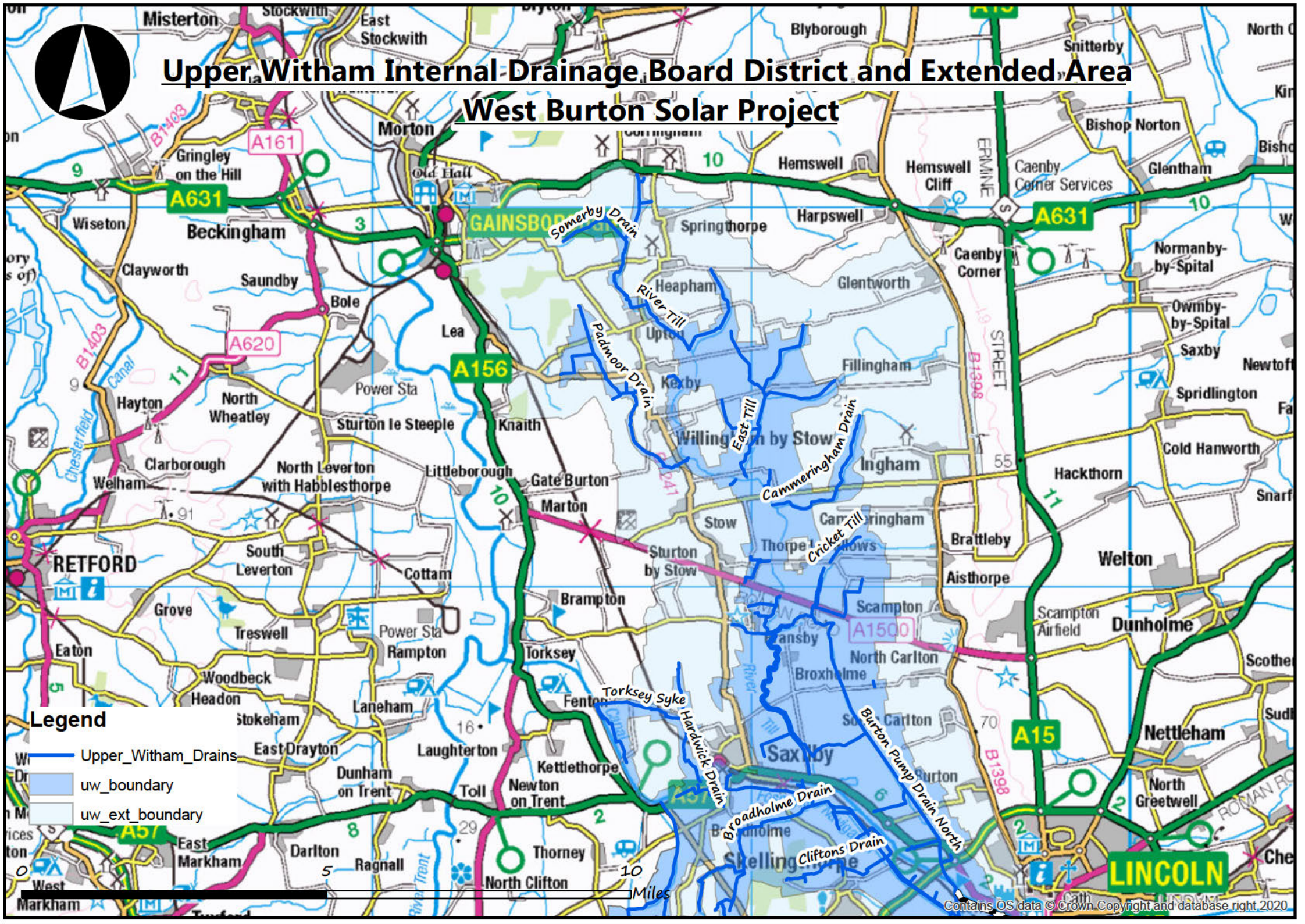


*Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.*

[www.witham3idb.gov.uk](http://www.witham3idb.gov.uk)

# Upper Witham Internal Drainage Board District and Extended Area

## West Burton Solar Project



### Legend

- Upper\_Witham\_Drains
- uw\_boundary
- uw\_ext\_boundary

25 February 2022

Neil McBride  
Head of Planning  
Place Directorate  
Lincolnshire County Council  
County Offices  
Newland  
Lincoln  
LN1 1YL

Tel: [REDACTED]

Email: [REDACTED]

Dear Sir/Madam

**Proposal - The Planning Inspectorate Scoping Opinion Under the Infrastructure Planning Regulations 2017 for Order Granting Development Consent Order for West Burton Solar Energy Park**

Thank you for your consultation report 'Environmental Impact Assessment Scoping report (rev. 01)', dated February 2022.

The Council have reviewed the information provided and have the following comments to make regarding the proposed scoping topic areas.

**Alternatives**

In this section consideration needs to be given to looking at the benefits of keeping the land, subject of this project, in agricultural use and the impact on food production in the region.

Schedule 4 (2) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states that an ES must include 'a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.

In the context of agricultural land impacts 'location', 'size' and 'scale' are key factors which, in the Council's opinion, suggest that applying a relatively narrow search area (reflecting the equivalent cable connection distance) for the assessment of alternative sites is likely to be significantly narrow, skewing the site selection process artificially in favour of the application site.

A county-level alternative assessment area should be applied which as a minimum should consider scope for connection into the National Grid at the locations proposed by the registered NSIP solar projects, and with specific consideration of agricultural land impacts. Without prejudice to that higher level alternative assessment, the regulations also require an indication of the main reasons for selecting the chosen option. In this case this this should

include alternative site layout/s (and reduced MW generating capacity as necessary) to reflect the location of known Best and Most Versatile (BMV) land within the site.

### **Highways and Lead Local Flood Authority**

The proposed scope for Transport and Access is acceptable to the Council as the Highway Authority.

Similarly, the proposed scope for Hydrology - Flood Risk Assessment and Drainage is acceptable to the Council as Lead Local Flood Authority.

### **Cumulative Impacts**

Consideration needs to be given to the other NSIP schemes in the area for solar farms (Cottam, Gate Burton and Heckington in North Kesteven). Whilst it is accepted that these schemes are also at the pre-application stage and full details are not yet available, indicative plans have been produced and therefore the ES should include commentary on the cumulative impacts on the topics included in the ES from the other solar schemes in the area particularly with regard to loss of agricultural land.

### **Climate Change**

- The potential for a microclimate to be created by battery storage.
- What is the energy consumption and associated carbon emissions of the battery system?
- What are the carbon emissions associated with the solar PV panels themselves – separated into manufacture, operation, and maintenance (and which panels are to be used – poly, multi, single crystal silicon)? Is the embedded carbon associated with the panel manufacture included in any payback of carbon (bearing in mind that the panels are likely to be imported)?
- Power losses and associated carbon footprint of connecting cables to the grid need estimating.
- With regard to greenhouse Gas Emissions this should be directly compared to the number of years it will take for development to be carbon neutral. However, to get a true reflective understanding of the benefits/harm to the environment it should be compared to a least one fossil fuel, nuclear and at least one alternative renewable energy. It is considered that by doing this the clear environmental benefits should be highlighted and allow for careful consideration against the impacts of the development.

### **Landscape and Visual Assessment**

Overall, the Council would expect that the assessment of potential Landscape and Visual matters and evolving proposals relating to the West Burton Solar Project, as a Nationally Significant Infrastructure Project (NSIP), follow an iterative process of engagement and consultation to ensure the following are not fixed at this stage and are discussed, developed and agreed at subsequent technical meetings:

- Landscape and Visual Impact Assessment (LVIA) Methodology;
- ZTV parameters;
- Study Area extents (distance);
- Viewpoint quantity and locations;
- Photomontage/Accurate Visual Representations (AVRs):

- Quantity and location;
- Phase depiction;
- AVR Type and Level.
- Mitigation Measures/Landscape Scheme/Site Layout; and
- The extent as to which a Residential Visual Amenity Assessment (RVAA) should be considered (based on the Landscape Institute TGN 2/19) if there are residential properties with receptors likely to experience significant effects to their visual amenity.

Expect the production of the Landscape and Visual chapter of the Environmental Statement (ES), to be in the form of a Landscape and Visual Impact Assessment (LVIA), and any supporting information (such as plans or figures) reflect current best practice and guidance from, as a minimum, the following sources:

- ‘*Guidelines for Landscape and Visual Impact Assessment*’, (GLVIA3), April 2013 by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA);
- ‘*An Approach to Landscape Character Assessment*’, Natural England (2014);
- ‘*Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals*’, 17th September 2019 by the Landscape Institute (LI);
- ‘*Technical Guidance Note (TGN) 1/20 Reviewing Landscape and Visual Impact Assessments (LVIAs) and Landscape and Visual Appraisals (LVAs)*’, 10th January 2020 by the Landscape Institute (LI) ; and
- ‘*Technical Guidance Note (TGN) 2/21 Assessing landscape value outside national designations*’, May 2021 by the Landscape Institute (LI).

At this initial stage, the content and level of information provided within *Chapter 7 (Landscape and Visual)*, and *Appendix 7 (Figures 7.1 to 7.15)*, are generally considered satisfactory, however, as stated previously, expect to discuss this content and approach as part of the iterative process, and the following should be considered in the evolving assessment and layout:

### **Viewpoints**

The eighty three proposed viewpoints appear to be appropriate, however the final locations are to be agreed with the Council.

### **Photomontages**

To gain an understanding of the visibility of the development and how the panels and infrastructure would appear in the surrounding landscape, Photomontages/Accurate Visual Representations (AVRs) should be produced. The number and location of the agreed viewpoints to be developed as Photomontages/AVRs should be agreed with the Council and produced in accordance with *TGN 06/19 Visual Representation of Development Proposals*. At this stage, it is deemed appropriate that these should be produced to illustrate the proposals at different phases: Existing Situation (baseline), Operational (year 1) and Residual with planting established (10 to 15 years). The Photomontage/AVR Level and Type is to be discussed and agreed.

### **Methodology**

As stated previously, the LVIA should be carried out in accordance with the GLVIA3 and undertaken by suitably qualified personnel. The methodology provided at *Section 7.4* is typical of those used for ES Chapters and standalone LVIA's where potential significant effects can be considered and reflects the guidance in GLVIA3. It is requested that the most up to date technical guidance also be used, such as the recently published LI TGN 2/21 *Assessing landscape value outside national designations*.

One observation on the *Low* category of *Table 7.1 Sensitivity of Landscape Receptors* in regards to power lines: The presence of power lines does not necessarily create *low* landscape sensitivity as there are examples of valuable, high sensitivity landscapes that are intercepted by power lines at local, national and international level, due to their landscape characteristics and attributes.

### **Scope of the Study Area:**

It is acknowledged that a Study Area that covers 5km has been allowed for initially, scoping out views and landscapes beyond 5km. The ZTVs provided (*Figures 7.8 to 7.15*) indicate that the site may be visible from beyond 2km, however only six viewpoints have are shown beyond 2km, which would need to be reviewed, along with any other long distance views, at the next stage. The LVIA should also provide a justification for the extent of the study area, which, as indicated within *para. 7.1.8*, would be further refined as part of the iterative process.

The ZTV methodology utilises a proposed height of 4.5m, however does not contain details of the dimensions of all structures which will form part of the development, such as battery storage. Consequently, the ZTV may be unrepresentative of the full extent of visibility and the ZTV should clearly demonstrate the full extent of the proposed development stating what has been included and the ultimate height/scale.

5km provides a reasonable landscape study area at this stage and would include more sensitive receptors in the area such as Ridge AGLV, and Gainsborough AGLV, but again the LVIA should also provide a justification for the extent of the study area.

### **Landscape**

Published landscape character areas have been identified, however to align with GLVIA3 the LVIA should include an assessment of landscape effects at a range of scales and include a finer grain landscape assessment that includes the Site and immediate area and that also considers individual landscape elements such as trees and hedgerows, woodlands, ponds/water features, or historic landscape features.

### **Visual**

The visual assessment should take account of the 'worst case scenario' in terms of winter views, and effects associated with landscape mitigation at the Operational Phase (year 1), Residual Phase with planting having established (10 to 15 years), and at the Decommissioning Phase.

The LVIA should ensure all elements associated with the development are considered and assessed, such as battery storage and boundary fencing, which may be more visible than panels due to height and mass.

The visual assessment should include for visual receptors, and not just an assessment of any agreed viewpoints. It should also clearly cross reference viewpoints to associated receptors.

### **Cumulative impacts**

Cumulative Landscape and Visual Impacts should be assessed, particularly in regards to the Cottam Solar Project and Gate Burton Energy Park.

### **Mitigation and Layout**

As this is an iterative process, at this stage it is not relevant to comment on any potential mitigation or layout of the development. However, best practice guidance, relevant published landscape character assessment's and District and County Council Policy and Guidance shall be referred to and implemented as appropriate. Also expect the landscape and planting scheme is coordinated with other relevant disciplines, such as ecology or civils (e.g. SuDS features), to improve the value of the landscape and reflect appropriate local and regional aims and objectives. Any Landscape Scheme and associated Outline Management Plan should accompany the ES.

### **Minerals and Waste**

The proposed development is partially located within a Mineral Safeguarding Area (MSA) for Sand and Gravel and is therefore subject to Policy M11 (Safeguarding of Mineral Resources) of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies - adopted June 2016. The Core Strategy is available to download from the County Council's website: [www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk)

Within an MSA, except for the exemptions set out in Policy M11, applications for non-minerals development should be accompanied by a Minerals Assessment.

A Minerals Assessment should provide an appropriate assessment of the mineral resource, its potential for use in the forthcoming development and an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation. Where prior extraction of some or all of the mineral can be undertaken, the assessment should also include an explanation of how this will be carried out as part of the overall scheme. The assessment should also assess the potential for proximal sterilisation of mineral resources in adjacent land.

Where mineral resources would be sterilised by a proposal, Policy M11 sets out the tests that need to be met in order to enable planning permission to be granted.

When reviewing the submitted scoping report, it is noted that the Minerals and Waste Local Plan is identified as relevant local policy in para 1.2.10. The report also notes in para 15.4.3 that the ES will include details of land designated for Mineral Safeguarding in its brief section on 'other environmental topics', however, the proposed section in question (on ground conditions) appears to be geared towards pollution and contamination, and does not

acknowledge the policy issue of the need to consider the potential sterilisation of safeguarded mineral resources.

The potential sterilisation of mineral resources should therefore be 'scoped in' to the EIA and addressed through a minerals assessment as part of the ES. We would expect this to be proportionate to the proposals. We acknowledge for example that the vast majority of the PV site itself does not lie within the MSA, and the potential sterilisation of mineral resources may therefore be very limited.

The proposed grid connection corridors, however, require more detailed consideration. All of the connection options pass through the sand and gravel MSA situated between the A156 and River Trent. Whilst the final footprint of the grid connection may be limited, by dissecting the MSA it could introduce a constraint to the potential for any future extraction of the sand and gravel resources in the surrounding land. The minerals assessment as part of the ES should therefore include consideration of this matter and it should be given due consideration when determining the final route/method of the grid connection.

### **Socioeconomic**

From a socioeconomic perspective, the range of the scoping document appears reasonable, and able to comment in further detail at the next stage.

### **Historic Environment**

Are disappointed to note that the applicant has not engaged with this office prior to undertaking geophysical survey work, which may not meet the standards and quality control requirements expected. Strongly recommend that the applicant or their archaeological consultant approach the County Council to discuss this as soon as practicable to ensure the required standards and quality control mechanisms are in place, further guidance is laid out below.

As part of the Environmental Impact Assessment process, a scoping report should set out the proposed approach regarding Cultural Heritage, and disappointed by the submitted suite of documents with respect to the Archaeology and Built Environment.

Need an approach with sufficient evaluation in order to understand the archaeological potential and to inform a reasonable appropriate mitigation strategy which will need to be submitted with the DCO application. The full suite of available desk-based information needs to be competently assessed including all available records, air photos, LiDAR and local sources. This understanding and the geophysical survey results then inform a robust programme of trial trenching to provide evidence for the site-specific archaeological potential of the development.

### **Proposed methodology**

Concerned by the presumption that agricultural techniques have diminished the archaeological potential of these sites without investigation or intrusive evaluation. This is an erroneous approach which is ill-informed: Lincolnshire is an agricultural county with a wealth of archaeological sites some of which are regionally, nationally and even internationally significant, and the vast majority of sites in this county are in arable land.

Given the above, the general proposed methodology is currently insufficient and there is insufficient baseline evidence to support it. Below are some examples of the statements that we cannot agree.

12.1.1. says the document has considered 'the potential for the survival archaeological remains' but as no fieldwork has been completed this seems to be based entirely upon a limited selection of desk-based sources and a partial ongoing geophysical survey. This is obviously entirely insufficient grounds as a basis for competent assessment of the archaeological potential.



The document states that each site 'has been subject to modern ploughing and drainage scheme which may have impacted any previously unrecorded sub-surface archaeological remains' (12.2.4, 12.2.3 which oddly follows the above, 12.2.6, 12.2.9). This statement is entirely unfounded until it is informed by trial trenching.

12.2.26 No development work within the scheduled Deserted Village so no direct impact on designated heritage asset. It is very likely that below-ground archaeology of the village and associated activity continues beyond the scheduled boundary and extant earthworks. Intrusive field evaluation is required.

12.2.50 states that 'any potential impact on buried archaeological remains could be mitigated by appropriate design to remove the potential for any direct impacts on archaeological features'. This cannot be done until the location, depth, extent and importance of surviving archaeology has been determined through a programme of effective evaluation.

Section 12.3.13 offers non-intrusive mitigation proposals. These cannot be accepted at this early stage. Data from intrusive evaluation and a detailed assessment of impact from decommissioning will need to be presented before this can be considered.

### Requirements for Environmental Statement

The ES will require further desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact areas. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation secured in the Development Control Order (DCO).

Regarding desk-based sources, the Environmental Statement will require:

Full LiDAR coverage and assessment; full aerial photo coverage and assessment; archaeological reports; relevant documents from the Record Office covering each site; and the Portable Antiquities Scheme (PAS) data must also be consulted.

Map regression should include all available maps to provide a reasonable understanding of the development and time depth of the sites.

The HER search should be for at least 5km for visual impact on designated assets.

Regarding guidance documents, the Lincolnshire Archaeology Handbook (2019) should be included which lays out the requirements for undertaking archaeological work in the County. EIA regulations should also be included in the Reference section and in the Legislation, Policy and Guidance section, and should be used as the basis for the EIA Environmental Statement.

### Full impact zone

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

Note the final cable route has yet to be determined. The full potential impact zone including all proposed route corridors as well as the red line boundary area will need to undertake sufficient evaluation to allow for a programme of suitable mitigation. The full extent of the proposed impact area including the connector route corridors must be included in the evaluation process as archaeological impacts and subsequent mitigation have the potential for significant financial and scheduling impacts. Sufficient evaluation is essential in informing the selection process and in ensuring the subsequent design and work programme is devised with an understanding of the level of archaeological work which may be required before and during the construction phase. Pre-determination evaluation of the cable connection corridors can be very useful with informing a decision on the most cost effective and viable route.

## Geophysical Survey

It is apparent from the documents that geophysical survey has already commenced. As there has been no engagement with us and no Written Scheme of Investigation has been submitted we also have concerns about the methodology, practice and extent of the work which is currently being undertaken and what quality control mechanisms have been put in place.

A single Written Scheme of Investigation for the geophysical survey should be prepared that all contractors adhere to. This must include appropriate quality and control measures to ensure consistency of data recovery across the site. The proposed cable route(s) must be included in the survey. Where multiple contractors are used, separate reports for each contractor should be supplied in full with an overarching report presenting the combined results as this will be the basis for the subsequent evaluation trenching.

## Evaluation Trenching

Trenching results are essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided. A programme of trial trenching is required to inform a robust mitigation strategy which will need to be agreed by the time the Environmental Statement is produced and submitted with the Development Consent Order (DCO) application.

## Settings Assessment

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

In conclusion, the Environmental Impact Assessment (EIA) will require desk-based research, non-intrusive surveys, and intrusive field evaluation for the full extent of proposed impact. The results should be used to minimise the impact on the historic environment through informing the project design and an appropriate programme of archaeological mitigation. The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8), and the National Planning Policy Framework.

The EIA will need to contain sufficient information on the archaeological potential and must include evidential information on the depth, extent and significance of the archaeological deposits which will be impacted by the development. The results will inform a fit for purpose mitigation strategy which will identify what measures are to be taken to minimise or adequately record the impact of the proposal on archaeological remains.

This is in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 states "The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape." (Regulation 5 (2d))

## Other Environmental Topics

- Include details of crime prevention and in respect of major accidents to include sabotage criminal activity is assessed as pre-planned damage to the scheme could leave it vulnerable to a major accident.
- Glint and glare that should be included and this should focus on visual impact, highway safety and aviation safety.

The Council will continue to engage with this project and therefore any further queries, please do not hesitate to get in contact.

Yours faithfully

*Neil McBride*

**Head of Planning**



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Your contact for this matter is:  
Russell Clarkson

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

28 February 2022

Dear Sir/Madam,

**APPLICATION REFERENCE NO: 144460**

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

**Application by West Burton Solar Project Limited (the Applicant) for an Order granting Development Consent for West Burton Solar Project (the Proposed Development) EN010131-000027**

**EIA Scoping – Local Planning Authority Comments**

Thank you for your consultation request under regulation 10(6) of the EIA Regulations, per letter dated 1<sup>st</sup> February 2022, and subsequent email from Emily Parks (Senior EIA Advisor) dated 2<sup>nd</sup> February.

West Lindsey District Council, as a consultation body and host authority, wishes to make the following comments in regard to information to be provided with the Environmental Statement. The following comments are made, following the structure of the Environmental Impact Assessment Scoping Report prepared by Lanpro (January 2022).

#### **1. Introduction (pages 4 - 7)**

We agree that the development falls under paragraph 3(a) of schedule 2. In the absence of an EIA Screening Opinion, we believe the development is likely to have significant effects on the environment, and agree with the applicant's intention that they will submit an Environmental Statement with their application (**paragraph 1.2.4**).

Whilst it is noted that Nottinghamshire Wildlife Trust have been consulted, the majority of the development falls within the area administered by Lincolnshire Wildlife Trust, who should be consulted (**paragraph 1.4.1**).

Consultation should include Ward members whose Ward will be affected by the development. It should include Parish Councils for whom the development falls within, or adjoins their respective Parish (**section 1.4**).

## 2. Methodology (pages 7- 12)

The proposed methodology is broadly agreeable.

It is noted that the applicant will seek to agree a shortlist of other projects, but that this will include the “Cottam Solar Project” and “Gate Burton Solar Project” (**paragraph 2.2.15**). We agree that these should be included in any “In-combination / cumulative effects” assessment.

Paragraph 4.2.5 of NPS En-1 states that “*When considering cumulative effects, the ES should provide information on how the effects of the applicant’s proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence)*” Furthermore, PINS Advice Note 17 states at paragraph 1.4 that it relates to projects that are ‘*reasonably foreseeable*’, and that the recent High Court judgment *Pearce v Secretary of State for Business, Energy, and Industrial Strategy* [2021] EWHC 326 (Admin) considers the matter of cumulative environmental effects in detail.

It is understood that all three projects are at a similar “pre-application” stage. They are registered with the Planning Inspectorate and indicate submitting their applications by the end of 2022.

It is anticipated that the impact of the West Burton Solar Project, in combination or cumulatively with, the Cottam and Gate Burton Solar Projects is likely to be significant and it is therefore imperative that any Environmental Impact Assessment considers the cumulative effect of these three solar project NSIP schemes.

## 3. The Development Site (page 13 – 18)

It is unclear what is meant by “*Initial ALC surveys of the Sites have been carried out at a reconnaissance scale.*” and how the figure of 82.5% of land at grade 3b has been derived (**paragraph 3.2.73**). The development is proposed on over 788ha of land within West Lindsey that is predominantly in active arable use. Detailed soil surveys undertaken by competent soil specialists (i.e. Members of the British Society of Soil Science, the British Institute of Agricultural Consultants or similar professional body) should be undertaken in accordance with Natural England guidelines.

## 4. The Development Proposal (page 19 – 29)

We are agreeable to the suggested approach of the “Rochdale envelope” as per Advice Note 9 (**paragraph 4.1.5**). As per paragraph 4.9 of the Advice Note: “*The assessment should establish those parameters likely to result in the maximum adverse effect (the worst case scenario) and be undertaken accordingly to determine significance.*”

The ES should therefore be very clear in setting out which parameters are not yet fixed and where maximum parameters are being applied.

It should include the maximum parameters such as the maximum footprint of development, the maximum size and heights of development components and the maximum capacities for output and storage; the likely foundation design for the solar panels and their construction method e.g. if piling will be required; and the locations and voltages of overhead and underground cables.

**Paragraph 4.2.8 Battery Storage** – it is noted that around 1.5ha will be used as a compound – which would allow “approximately 20MW of energy storage”. It then advises a typical 6MW battery unit would be 16m long x 3m wide. Are these figures correct? It implies a 1.5ha/15,000sqm site is required to house 3 battery units with a floor area of under 50sqm? Is the compound area over-estimated? Or its energy capacity underestimated?

Surely a 1.5ha site could accommodate nearer 300 battery units – which could have significant environmental implications.

It is noted that (**paragraphs 4.2.11-4.2.13**) that only “underground” cabling is mentioned – it is therefore presumed that “overground” cables are not being proposed. If this is not the case it must be made clear.

The construction phasing, and proposals to provide a Construction Environmental management Plan (CEMP) are noted (**section 4.3**). The ES should contain details of construction compounds (**4.3.5**), their locations and likely environmental effects during the construction phases of development.

Recognition of, and proposals to contribute towards “*ecological enhancement and opportunity areas*” identified in the Central Lincolnshire Local Plan are encouraged (**paragraph 4.4.3**).

## 5. Legislative Context and Energy Policy (page 30 – 32)

Whilst the Report recognises (**paragraph 5.4.4**) the Central Lincolnshire Local Plan (2017) and two Neighbourhood Plans, it should also recognise that the review of the Central Lincolnshire Local Plan commenced in 2019 and is now underway – weight should be given to the draft Local Plan, with greater weight the more that it advances. See <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Whilst the report recognises two Neighbourhood Plans, it is considered that all of the following should be assessed and considered, as being within, or adjacent to, the application site:

West Burton 1 - Saxilby with Ingleby NP - Sturton by Stow and Stow NP - Brattleby NP - Ingham NP	West Burton 2 - Saxilby with Ingleby NP - Sturton by Stow and Stow NP	West Burton 3 - Saxilby with Ingleby NP - Sturton by Stow and Stow NP
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## 6. Climate Change (page 33-35)

The EIA scoping should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. The requirements of the EIA Regulations and IEMA Guidance for assessing climate mitigation and adaptation in EIAs, state that due consideration should be given to a holistic climate change assessment, with a reference to;

- Lifecycle greenhouse gas (GHG) impact assessment;

- In-combination climate change impact (ICCI) assessment;
- Climate change resilience review.

These areas seem to have been given appropriate consideration in turn, but I couldn't see specific reference to use of the IEMA guidance here. (IEMA EIA Guide to: Climate Change Resilience and Adaptation (2020))

That guidance states that where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

The Scoping Report describes that how the Scheme will be designed to be more resilient to the climate change impacts identified in the flood risk section and proposes that the ES will include a description and assessment of any likely significant effects resulting from the vulnerability of the Proposed Development to climate change. We are satisfied with this approach and the applicants pledge that the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from flooding.

The Applicant appears not to be proposing to scope out any elements of the assessment of the combined impact of the proposed development and future climate change on the receiving environment at this stage other than sea level rises. This is reasonable given the lack of detailed information and evidence for detailed studies that have been carried out at this stage.

The Applicant explains that the Proposed Development is not located in an area that is susceptible to sea level rise. The River Trent is tidal in this area and significant effects are likely to occur in that flooding risk will increase from climate change during the lifetime of the development. It is suggested that assessment of sea level rise in the climate change resilience review should remain in the scope of the ES.

## **7. Landscape and Visual (p36 – 67)**

It is agreed that the LVIA should follow Guidelines for Landscape and Visual Impact Assessment, Third Edition (GLVIA3) (**paragraph 7.12**).

It is considered that a 5km study area, is generally appropriate (**paragraph 7.17**) and that this would include settlements to the east along the Limestone Escarpment including the Scampton viewing area.

(**Paragraph 7.2.2**) – The West Lindsey Local Plan 2006, was superseded in 2017 by the Central Lincolnshire Local Plan and is no longer part of the development plan. Consideration should however be given to the West Lindsey Landscape Character Assessment published in 1999 (available here: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/evidence-base-and-monitoring/landscape-character-assessment/>) It is noted that the applicant does intend to “review” this (**paragraph 7.3.32**) and any such review should be made clear, and agreed with the Local Planning Authority.

Proposed viewpoints (**Table 7.6; figures 7.11, 7.12**) are noted. It is likely that more viewpoints should be included within the 2-5km zone, and beyond the 5km zone, along the

limestone escarpment (for instance, from Scampton village). The Local Planning Authority is currently within the process of appointing Landscape Consultants, and it is requested that the applicant continue to liaise with the Authority in order to agree final viewpoints.

**Paragraph 7.5.9 / Figure 7.8** only shows the zone of theoretical visibility within the 5km zone – it should demonstrate the full ZTV beyond the study area.

## **8. Ecology and Biodiversity (p68 – 89)**

**Paragraph 8.2.2** – “...*The locations of these elements will be refined prior to statutory consultation and submission of the DCO application. Therefore, the survey work undertaken for these elements to date is in general less advanced.*” Whilst this is noted, applying ‘Rochdale Envelope’ parameters – the ES should include and be based upon maximum parameters.

**Paragraph 8.2.10** – it is noted that Chartered Institute of Ecology and Environmental Management (CIEEM) will be followed. The Report states that “*Typical perimeter fencing is not considered to impede the movement of most mammals, although movement of deer is likely to be impacted.*” It is noted later (**paragraph 8.2.27**) that badgers are present on sites WB2-4 – it therefore needs to be expanded and explained as to why these mammals will not be impeded in such a way.

It is noted to scope out the presence of dormice (**paragraph 8.2.31**), based on desk top studies. This is considered to be reasonable, unless signs of dormice (or other protected species) are identified on the site field studies.

Application of DEFRA’s biodiversity metric (v3) (**paragraph 8.3.23**) in order to assess both existing and proposed biodiversity value, is welcomed.

## **9. Hydrology, flood Risk and Drainage (p90 – 101)**

It is noted that both Flood Risk Assessments (**Paragraph 9.3.1**) and Hydrological assessments (**9.3.2**) are proposed, and that consultation with the Environment Agency, Lincolnshire County Council (Lead Local Flood Authority) and the Internal Drainage Boards (IDB’s) will take place (**paragraph 9.3.5**) which is encouraged.

## **10. Ground conditions and contamination (p102 – 110)**

It is noted that limited potential sources of contamination have been identified within the solar park site and that this is proposed to be scoped out. The Environmental protection Team have reviewed and accepted these findings.

## **11. Minerals (P111 – 114)**

It is noted that West Burton 3 is within an identified area of search in the Minerals and Waste Plan and includes an area identified as Mineral safeguarding Areas (MSA). Impact is scoped out on the basis of the expected lifetime of the development. Under paragraph 4.1.1 it is noted the operational life of the development is anticipated to be around 40 years.

West Lindsey District Council is not the Minerals Planning Authority, and will therefore defer to the comments of Lincolnshire County Council in this regard.



## **12. Archaeology (p115 – 128)**

WB1 It is noted that designated heritage assets are not found within the site – but the “Broxholme Medieval settlement (NHLE 1016797)” sits immediately on the southern-western boundary of WB1. Impact upon this designated heritage asset, including its setting, should be in scope (paragraph 12.4.1). It is noted that this is picked up by chapter 13.

12.1 Figure 1 in the appendices indicates that there are HER ‘monuments’ with the site.

It is noted WB2 contains both designated (medieval deserted village of North Ingleby (NHLE 1003570). ) and non-designated heritage assets.

WB3 also contains a designated heritage asset (Scheduled Monument of the medieval bishop’s palace and deer park at Stow Park (NHLE 1019229) and much of the eastern half is in the HER ‘monument area.

## **13. Built Environment (p129 – 158)**

It is noted that there are 7 heritage assets within 1km of WB1, including a scheduled monument (6 assets with 1-2km) (**paragraph 13.36; appendix 13.1**). **Paragraph 13.3.7** indicates that six may be impacted – it is not clear why Cornhill Farmhouse is not considered to be impacted upon. It states that “All other assets within the 1km and 2km buffer areas have been assessed and scoped out of further consideration as there will be no direct impact on the asset or on its setting” (**paragraph 13.3.22**) but the Scoping Report does not demonstrate how this

It is noted that there is a scheduled monument and 12 listed buildings within 1km of WB2 (**paragraph 13.3.24**). Whilst there may be grounds to scope out those assets within the settlement of Saxilby to the south, it is considered that there is potential to affect those settings to the east and north, through a significant change to the agricultural landscape.

WB3 contains a scheduled monument and there are 16 listed buildings within the 1km study area. Whilst it is noted that the scheduled monument and 3 listed buildings to the northern boundary are proposed to be “in scope”, there are concerns of the proposal to scope out a further 13 heritage assets within 1km of the site boundary. The NPPF definition of a heritage asset is “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.” Whilst it is noted the appellant considers that the asset “is not visible from the study area” – heritage setting is wider than simple line of sight. These are traditional rural buildings with an association with agriculture – a significant change in the agricultural landscape is likely to have a potential affect upon their setting.

Overall therefore, there are concern that the Scoping Report proposes to “scope out” a number of heritage assets within close proximity of the site, and it is not considered that adequate justification has been given for their removal. It is considered that assets within 1km of the site should remain within scope.

## **14. Transport and Access (p176 - 187)**

Cumulative impacts (**14.7.24**) should include the Gate Burton Solar Project.

We note the low movements that would be generated during the operational phase, and do not object to this being 'scoped out' (14.9.3).

### **15. Noise and Vibration (p188 - 193)**

The proposed methodology is noted, and is largely agreeable. However, it is noted that construction vehicle trip generation is still being calculated (**paragraph 14.3.10**) and question therefore whether it is premature to scope out (**15.4.5**) road traffic noise during the construction / decommissioning periods.

### **16. Glint and Glare (p194 - 202)**

It is noted that glint and glare is proposed to be scoped out. However, the Scoping Opinion for the nearby Gate Burton Solar Park had proposed that glint and glare is covered by the ES LVIA Chapter. As a bigger site, with therefore more opportunity for glint and glare – it is recommended that a similar position is taken here. The Scoping Report does imply so at **paragraph 7.4.30**, but this should be clarified.

### **17. Electromagnetic fields (p203 - 207)**

It is noted that *“The Scheme is predicted to have ‘minor’ impacts in terms of EMF at worst, based on a negligible magnitude and medium sensitivity upon surrounding receptors, and is proposed to be scoped out of the ES.”*. As per **paragraphs 4.2.11-4.2.13**, it is noted at **paragraph 17.3.14** that reference is only made to underground cables.

### **18. Light pollution (page 208)**

It is noted that, whilst light pollution will not have a specific chapter, it will be considered under the Landscape/Visual and ecology chapters, which we are agreeable to.

### **19. Major Accidents and Disasters (pages 209-211)**

Whilst it is proposed not to have a standalone chapter, the risk of battery fire / explosion should be clearly addressed with the ES. It is noted that this is picked up in the Air Quality and Socio-Economic chapters.

### **20. Air Quality (p212-219)**

As above, we agree that battery fire / explosions should be in scope (**paragraph 20.5.2**).

### **21. Socio-Economics, Tourism and Recreation and Human Health (p220-227)**

**And**

### **22. Agricultural Circumstances (p228-230)**

We agree to the proposed 'scope' of the Socio-Economics... chapter (**paragraph 21.4.1**). We anticipate one of the most significant impacts will be the loss of agricultural land and that this is proposed to be covered.

It remains unclear as to what is meant by *“initial ALC surveys of the Sites have been carried out at a reconnaissance scale and indicate that that the vast majority (82.5%) of the land proposed for development within Sites WB1, WB2, WB3 and WB4 comprises Grade 3b agricultural land. 17.1% constitutes Best and Most Versatile (BMV) agricultural*

*land, with 12.3% of that 3a.” (paragraph 22.2.5).* The Scoping report is unclear as to what surveys have already taken place, and how has this figure been derived – there is no supporting data in appendix 22.

It is considered that the effect on agricultural land resource and farming is likely to be significant and must be in scope. However, we do not object to this being covered by the “Socio Economics...” chapter (**paragraph 22.4.1**).

This should include baseline site-specific data across the sites, following Natural England guidance and methodology.

**23. Waste (p231-232); and  
24. Telecommunications (p234-235)**

It is noted that these are proposed to be scoped out.

**25. Summary (p236-238)**

Subject to the detailed comments above, we are broadly agreeable to the proposed scope and methodology of the ES, as summarised at **table 25.2**. It is noted that whilst Light Pollution will be scoped out and addressed in the “Landscape and Visual” chapter – the “Landscape and Visual” chapter also proposes to scope out a Lighting assessment? Agricultural circumstances should not be “scoped out” and should form a significant part of the socio-economic chapter.

Please consider the above to constitute West Lindsey District Council’s formal consultation response under reg10(6) of the EIA Regulations.

Yours sincerely,

**Russell Clarkson BA(Hons) Dip TP MRTPI  
On behalf of West Lindsey District Council**

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email [customer.services@west-lindsey.gov.uk](mailto:customer.services@west-lindsey.gov.uk) or by asking any of the Customer Services staff.

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