The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed One Earth Solar Farm

Case Reference: EN010159

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

22 December 2023

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1. INTRODUCTION

1.0.1 On 13 November 2023, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from One Earth Solar Farm Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed One Earth Solar Farm (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/EN010159-000005

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

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

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including Advice Note 7: *Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping* (AN7). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

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

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Chapter 3)

ID	Ref	Description	Inspectorate's comments
2.1.1	Paragraphs 2.24 to 2.28 and Appendix A	Existing utilities	Paragraphs 2.24 to 2.28 describe the existing utilities within the Proposed Development site, although it is stated in paragraph 2.28 that utilities searches are ongoing and will inform the design of the Proposed Development. Appendix A of the Scoping Report shows offset distances from existing utilities. The ES should explain the findings of the utility searches, identify any impacts and, where applicable, signpost to where any required mitigation measures are secured.
2.1.2	Paragraphs 2.8, 2.9, 3.29, and 7.39	River Trent cable crossing	Paragraph 3.29 states that cabling will be required to cross the River Trent however the method of cabling is not provided. The ES should detail the crossing method and ensure this is assessed throughout. Where flexibility is sought, the ES should consider the appropriate worst-case scenario within each of the aspect assessments. The Applicant's attention is drawn to ID 2.2.1 below regarding flexibility. Paragraph 7.39 highlights that any cable routing under or over the River Trent Main Channel may require environmental permits from the Environment Agency. As noted in the Scoping Report the redline boundary of the Proposed Development crosses the River Trent at a point where it is tidal. The Applicant should therefore also consider whether a Deemed Marine Line (DML) will be required to be included within the Development Consent Order (DCO) to allow for any works within the tidal reaches of the River Trent. The Applicant should consult with the Marine Management Organisation (MMO) in this

ID	Ref	Description	Inspectorate's comments
			regard. The Applicant's attention is drawn to the consultation response from the MMO (Appendix 2 of this Opinion).
2.1.3	Paragraphs 3.9 to 3.11	Panel types	It is noted that at this stage two panel types are being considered: fixed south-facing and tracker panels. Paragraph 3.10 states that further detail regarding the panel mounting structures will inform the DCO but it is unclear whether the decision regarding the panel type would be made prior to application submission, or whether flexibility would be sought within the DCO. It is assumed that the maximum height of the panels of 3.8m (as stated in paragraph 3.11) includes the height of tracker panels at maximum tilt, however this is not specified. The Applicant's attention is drawn to ID 2.2.1 regarding flexibility.
2.1.4	Paragraph 3.17	Switchgear	The type of switchgear proposed is not stated in the Scoping Report. The ES should provide detail on the type of switchgear proposed. The Proposed Development should avoid the use of sulphur hexafluoride (SF6)-reliant assets wherever possible. Where this is not possible evidence and reasoning should be provided regarding the alternatives considered. Where SF6 is unavoidable the ES should include commitments to monitor and control fugitive emissions of this pollutant.
2.1.5	Paragraphs 3.21 and 3.22	Battery Energy Storage System (BESS)	Paragraph 3.21 implies that multiple BESSs would be employed across the site and paragraph 3.22 provides the typical dimensions of a containerised battery unit. Although it is noted (in paragraph 3.21) that the locations of the BESS are not yet confirmed, the ES should state the anticipated number of BESS units and their anticipated location(s) within the site, assuming a worst-case scenario where there is uncertainty.

ID	Ref	Description	Inspectorate's comments
2.1.6	Paragraph 3.23	Substations	It is stated that the number of substations is currently unknown and will be informed by technical and environmental aspects. The ES should explain how the final position has been reached, demonstrating how environmental effects have influenced the decisions made. The Applicant's attention is drawn to ID 2.2.1 below regarding flexibility.
2.1.7	Paragraphs 3.25 to 3.30	Cabling	A description of the cabling, including the export cable to connect the Proposed Development to the Point of Connection at High Marnham substation, is included within paragraphs 3.25 to 3.30. It is stated (in paragraph 3.27) that the exact method of cabling is not yet determined although open-cut or horizontal directional drilling would be used. It is stated that both low and higher voltage onsite cabling would be used and that higher voltage cables would likely be laid underground in trenches in accordance with British standards. Appendix A shows the potential search area for cable routes to connect the Proposed Development to the High Marnham substation although the specific cable route is not yet determined, and it is not clear whether this export cable would be buried or overhead, although it is noted that the final cable route would be provided within the DCO application. The ES should clarify the cabling method/ methods and ensure this is appropriately assessed within the ES. The Applicant's attention is drawn to ID 2.2.1 regarding flexibility. The ES should also specify the voltage of each of the cables required. In line with relevant guidance (DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012), cables above 132kV have potential to cause electro-magnetic field (EMF) effects. The Inspectorate considers that the ES should demonstrate the design measures taken to avoid the potential

ID	Ref	Description	Inspectorate's comments
			for EMF effects on receptors from the cable and substation infrastructure.
2.1.8	Paragraphs 3.25 to 3.30	Land use of cable route	The Scoping Report has not provided information on current land uses along the proposed cable route and whether these uses can be continued during operation should this be the chosen option. The ES should consider the need for jointing and inspection pits which may limit subsequent land use.
2.1.9	Paragraph 3.36 and Figure 3-6	Access points	Paragraph 3.36 states that the primary points of access during operation would be from the A57 and A1133 however Figure 3-6 shows indicative primary access points also from Main Street, Far Road/ Crabtree Lane and Polly Taylor's Road. The ES should be consistent in identifying the proposed points of access and justify their selection. Effort should be made to agree these with relevant consultation bodies.
2.1.10	Paragraph 3.44	Construction compounds and haul roads	The Scoping Report notes that construction compounds and temporary haul roads are proposed on-site. The ES should indicate where these would be located and what is proposed in these locations during the construction and decommissioning phases to inform the assessment of effects.
2.1.11	Paragraphs 3.49 and 12.31	Abnormal loads	The Scoping Report states that Abnormal Individual Loads (AIL) may be required for the transportation of large components during construction. The Inspectorate recommends the consideration of water-borne or rail transportation over road transport where feasible, in line with the Overarching NPS for Energy (EN-1). The Applicant's attention is drawn to the consultation response from the Canal and River Trust (Appendix 2 of this Opinion) in this regard.

ID	Ref	Description	Inspectorate's comments
2.1.12	Paragraphs 3.53 and 3.54	Management plans	Paragraphs 3.53 and 3.54 describe the operational phase including the proposed maintenance activities. No reference is made to an operational phase environmental management plan, although it is noted that a Soils Resource Management Plan, Landscape and Ecological Management Plan (LEMP), and battery safety plan are proposed. The ES should be clear on what management plans would be in place during which phases of the Proposed Development and how these are secured within the DCO.
2.1.13	Paragraph 3.54	Maintenance	The Scoping Report states that during operation minor maintenance works would take place. The stated definition of maintenance is: "*inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of, but not remove, reconstruct or replace the whole of the solar infrastructure (including the BESS)".* Noting that a time-limited consent is not being sought, the ES should ensure that the operational phase has been appropriately assessed to such an extent that the comprehensive replacement of panels and associated infrastructure has been considered, for example in relation to traffic movements and waste generation. The ES should also seek to define limits to the scale of maintenance works, for example the maximum number of panels relaced over a given period, so that any assumptions that underpin traffic predictions and the assessment of effects are clear, and potential effects can be fully understood.
2.1.14	All figures	Site boundary	Appendix A shows the potential search area for cable routes to connect the Proposed Development to the High Marnham substation. On Appendix A it appears that this area is outside of the 'site boundary'. Figures 2-4, 10-1, and 10-2 also exclude this area from the site boundary whilst all other figures within the Scoping Report include it. There is therefore inconsistency across the figures within

ID	Ref	Description	Inspectorate's comments
			the Scoping Report and it is unclear whether the scope proposed takes into account the area for the proposed cable route. The ES should ensure that the site boundary is consistent across all figures as well as with the application plans. Any assessment (including baseline surveys) should be based on the entirety of the site boundary. Where flexibility is sought in the final cable route the Applicant should ensure that the baseline is adequate to ensure that a worse-case scenario is assessed. The Applicant should make efforts to agree the scope of baseline surveys with the relevant consultation bodies. Where it is agreed that surveys are not required to support the submission of the DCO but may be required to ensure that subsequent micro-siting avoids adverse effects, then the mechanism for securing such investigations should be clearly identified.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapter 5)

ID	Ref	Description	Inspectorate's comments
2.2.1	Paragraphs 5.2 and 5.3	Flexibility	The Inspectorate notes the Applicant's intention to utilise the 'Rochdale Envelope' approach regarding the design and layout of the Proposed Development. The Inspectorate expects that, at the point an application is made, the description of the Proposed Development is sufficiently detailed to include the design, size (including heights), capacity, technology, and locations of the different elements of the Proposed Development. This should include the footprint and heights (and depths) of the structures (relevant to existing ground levels), as well as land-use requirements for all elements and phases of the Proposed Development. The project description should be supported (as necessary) by figures, cross-sections, and drawings which should be clearly and appropriately referenced. Where flexibility is sought, the ES should clearly set out and justify the maximum design parameters that would apply for each option assessed and how these have been used to inform an adequate assessment in the ES, recognising that this may differ depending on the assessment being undertaken, although the Inspectorate notes the Applicant's intention to assess a reasonable worst-case scenario (as stated in paragraph 5.3). The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development are yet to be finalised and provide relevant justification.

ID	Ref	Description	Inspectorate's comments
2.2.2	Paragraph 5.4	Alternatives	The Scoping Report states that alternatives and design constraints will be described within a separate chapter of the ES to demonstrate how environmental considerations have been taken into account in the Proposed Development design. No further information on the content of this chapter is provided within the Scoping Report. The ES should explain the factors which have influenced site selection and design. For example, the ES should explain how the design evolution of the Proposed Development has ensured that preference has been made for poorer quality agricultural land instead of Best and Most Versatile (BMV) agricultural land.
2.2.3	Paragraph 5.16	Study areas/ Zone of Influence (ZOI)	Paragraph 5.16 states that study areas have been defined individually for each aspect chapter taking into account the geographic scope of the potential impacts. Although it is stated that the proposed study areas are described within chapters 6 to 17 of the Scoping Report, some of the chapters (for example, Hydrology and Hydrogeology and Land and Soils) do not describe the study areas. The ES should clearly set out how study areas have been defined for all aspects, along with a justification for the approach, including references to consultation responses. The Inspectorate agrees that the study areas/ ZOI should be based on the potential for likely significant effects to occur rather than an arbitrary distance as proposed in paragraph 5.16. The study areas and receptors should be depicted on corresponding figures to aid understanding.
2.2.4	Paragraph 5.21	Assessment years	It is stated that the ES will assess the operational Proposed Development "*for the first full year of operation and the year considered to be when maximum environmental effects occur*". It is unclear whether this represents the same year. The ES should clearly describe the assessment years proposed and provide justification that these represent a worst-case scenario.

ID	Ref	Description	Inspectorate's comments
2.2.5	Paragraph 5.22	Operational lifespan	The Scoping Report states (in paragraph 5.22) that an operational lifespan of 45 years is proposed to be assessed however it is stated (in paragraph 3.55) that that the operational life of the Proposed Development would not be specified, and the Applicant is not seeking a time-limited consent, noting that this is dependent on whether any effects would justify the time period of the consent being limited. Paragraph 5.22 states that "*this is a realistic timeframe based on current practices and will be used as an approximate to assess the likely significant effects from the decommissioning phase*". The ES should provide further justification on how an assessment of 45 years operational lifespan is appropriate considering there is potential for the Proposed Development to operate beyond this time. The Applicant should ensure that the approach to assessment is consistent with the consent being sought. If it is determined that the consent sought is not proposed to be time-limited, the ES should assess effects for the operational phase as permanent to ensure a worst-case scenario is assessed. The assessment of the operational phase should also consider the potential for the components to be replaced to extend the lifespan of the Proposed Development; the Applicant's attention is drawn to ID 2.1.13 in this regard.
2.2.6	Paragraph 5.32	Cumulative assessment	The Scoping Report states that only projects within 5km will be assessed within the cumulative assessment. The ES should fully justify this search area with reference to relevant guidance and the likely extent of impacts. Effort should be made to agree the methodology for each aspect assessment, including the developments selected, with the relevant consultation bodies and provide evidence of this within the application documents. The Applicant should also consider an iterative cumulative assessment which considers additional schemes as they come forward. The Applicant's attention is drawn to the Inspectorate's

ID	Ref	Description	Inspectorate's comments
			'Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects' in this regard.
2.2.7	Paragraph 5.35	Interactive effects	It is stated (in paragraph 5.35) that "*interactive effects will be dealt with either in the relevant technical aspect Chapter…or where they have the potential to affect human health, then within the Health Chapter*". Where interactive effects are relevant to multiple aspect chapters, the ES should use cross-references between chapters where appropriate.
2.2.8	Paragraph 5.37	Transboundary	The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

ID	Ref	Description	Inspectorate's comments
2.2.9	Paragraph 5.44	Scoping table	This paragraph states that each aspect chapter of the ES will set out how the methodology responds to the Scoping Opinion. The Inspectorate recommends the use of a table demonstrating how the matters raised in the Scoping Opinion have been addressed in the ES and/ or associated documents is provided. It is also recommended that a table is provided in the ES to set out key changes in parameters/ options of the Proposed Development presented in the Scoping Report to those presented in the ES.
2.2.10	Chapters 7 and 9 and paragraph 17.30	Assumptions, limitations, and uncertainties	Assumptions, limitations, and uncertainties are not listed in chapters 7 and 9 of the Scoping Report. Chapter 17 (specifically paragraph 17.30) states that there "*will be a number of assumptions, limitations, and uncertainties associated with the assessment of likely significant effects*" however these are not listed in the Scoping Report. The ES should fully describe any assumptions, limitations, and uncertainties for each assessment. Where none are made then this should be clearly stated in the respective ES chapter(s).
2.2.11	N/A	Duration of effects	The duration of effects is not defined within the EIA methodology chapter of the Scoping Report (Chapter 5). The duration of effects appears to differ across aspect chapters, for example paragraph 11.54 states that for landscape and visual effects, 'short term' effects are considered to be two years or less, 'medium term' effects are considered to be between two and five years, and 'long-term' effects are considered to be more than five years. Paragraph 16.30 states that for human health less than five years, five to fifteen years, and more than fifteen years are used to describe the same terms respectively. Durations should be determined with reference to relevant guidance and where possible should be applied consistently across topics to

ID	Ref	Description	Inspectorate's comments
			allow comparisons and an understanding of concurrent effects. Where adopted definitions differ, justification should be provided.
2.2.12	N/A	Professional judgement	The Scoping Report refers to the use of professional judgement. The ES should clearly identify where professional judgement has been relied upon to determine the level of significance of effects. Any use of professional judgement to assess significance should be fully justified within the ES.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Biodiversity

(Scoping Report Chapter 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Paragraphs 6.10, 6.34, and 6.36	European and Nationally designated sites	Paragraph 6.34 lists the ecological features requiring detailed assessment however European or Nationally designated sites are not listed. Also, no reference is made to impacts on designated sites within paragraph 6.36 which states the matters scoped in to detailed assessment. It is therefore unclear whether effects on these sites are proposed to be scoped out. Paragraph 6.15 states that no European sites are located within 10km of the site boundary and the closest Site of Special Scientific Interest (SSSI) is located approximately 1.9km away. This is inconsistent with paragraph 2.11 which states that the nearest SSSI is 5km to the southeast of the site. It is therefore unclear whether there are any other SSSIs which have the potential to be affected; Table 6-2 refers to Spalford Warren SSSI and Besthorpe Warren SSSI – please see ID 3.1.2 below. The Inspectorate recommends that ZOI are shown on a figure or figures; the Applicant's attention is drawn to ID 2.2.3 above in this regard. In the absence of further information, such as all designated sites for which an impact pathway exists and the designated features of these sites, the Inspectorate does not agree to scope out this matter at this time. The ES should include an assessment of all European and Nationally designated sites for which an impact pathway exists, including hydrological connectivity and where the site boundary may provide foraging resource of qualifying features of sites. The ES should list all the European, National, and Local

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			designated sites within the selected study areas as has been done for Local Wildlife Sites (LWSs) in paragraph 6.16 of the Scoping Report.
3.1.2	Table 6-2	Emissions from plant and traffic serving the site – construction and decommissioning	The Applicant proposes to scope out emissions from construction and decommissioning plant and traffic due to there being no European designated sites within 200m of any roads on which traffic serving the site would lead to a detectable increase in traffic. The Scoping Report also states that during construction and decommissioning the increase in traffic will be temporary and limited, so the extent of any effect will be low, temporary, and reversible. Paragraph 3.45 of the Scoping Report states that the construction site access points and routes are not yet determined however access to the eastern portion of the site will be via the A1133. Table 6-2 notes that there are two SSSIs within 200m of the A1133, but it is stated that this is "*unlikely to be a major construction traffic route*". There is therefore inconsistency within the Scoping Report as to whether the A1133 will be used for construction traffic routeing. The Applicant's attention is drawn to ID 2.1.9 in this regard. Considering the lack of certainty regarding the traffic routeing during construction/ decommissioning, and the number of vehicles required during these phases not being provided, the Inspectorate is not in a position to scope this matter out at this stage. The ES should include an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect.
3.1.3	Table 6-2	EMF	EMF effects on ecological features are proposed to be scoped out as the cabling proposed is already existent in many other infrastructure projects across the country and there is no evidence that these have affected ecological features. It is stated that soil heating from cables

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			could occur, but this would be limited to between 1m and 1.5m from the cable. Cabling depths are not provided within the Scoping Report nor is it explicitly stated that cabling would be buried, despite the wording within Table 6-2 suggesting this. Paragraph 3.26 states that the method of onsite cabling, which includes the cable crossing the River Trent, is not yet known. In the absence of further information, such as details on the final cabling method and route, the Inspectorate is not in a position to scope this matter out at this stage. The ES should consider the potential for EMF effects to occur to ecological receptors including those within the River Trent. The ES should also clarify the cabling method required to cross the River Trent and describe any design measures in place which would limit the potential for EMF effects. The Applicant's attention is drawn to the consultation response from the Environment Agency (Appendix 2 of this Opinion) in this regard.
3.1.4	Paragraph 6.44	Ecological features	The Scoping Report states that detailed assessment of ecological features will be scoped out where no potential for significant effects is identified following the implementation of embedded mitigation measures. Where mitigation measures are relied upon for avoiding what would otherwise be likely significant effects these effects should be reported within the ES along with the proposed mitigation measures and the mechanism by which they are proposed to be secured.

ID	Ref	Description	Inspectorate's comments
3.1.5	Table 6-1 and Appendix A	Trees	Table 6-1 identifies a ZOI of 0.5km for veteran trees and Appendix A shows the location of existing trees within the Proposed Development site boundary although the status of these trees is not provided. The ES should clearly identify whether there are any veteran trees, ancient trees/ woodland, and/ or trees subject to a Tree Preservation Order within the site boundary. The ES should assess likely significant effects on these and describe any measures in place to mitigate potential likely significant effects on trees, such as suitable buffer zones including root protection zones.
3.1.6	Paragraphs 6.5 to 6.14	Ecological surveys	Paragraph 6.5 states that a range of ecology surveys have been completed, are ongoing, or are planned and these are described in paragraphs 6.6 to 6.14. The Applicant should seek agreement from relevant consultation bodies regarding the scale, extent, and timing of these surveys to ensure the ecological baseline is robust. Evidence of this consultation should be provided within the application documents. The ES should also describe any assumptions, limitations, and uncertainties associated with the surveys.
3.1.7	N/A	Figures	The Scoping Report does not include a figure showing the designated sites within the vicinity of the Proposed Development site. The Applicant is recommended to include figures within the ES to facilitate understanding of the baseline conditions in respect to ecological sites.
3.1.8	N/A	Confidential annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information,

ID	Ref	Description	Inspectorate's comments
			should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

3.2 Hydrology and Hydrogeology

(Scoping Report Chapter 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Table 7-1	Foul Water	The Applicant proposes to scope out an assessment of the impacts of an increase in foul water flows on the capacity of the surrounding Anglian Water and Severn Trent network and the wastewater treatment works. The reasoning provided is that the Proposed Development would utilise existing foul water infrastructure or would use welfare facilities which are unconnected to the mains. The Inspectorate notes the consultation response from Anglian Water (Appendix 2 of this Opinion) which welcomes the "*non-inclusion of provisions in the draft Development Consent Order (DCO) which would allow for a right of connection to the public sewer*". Considering the nature of the Proposed Development the Inspectorate is content to scope this matter out subject to the ES confirming the method of disposal for foul water and demonstrating this would not result in a likely significant effect, particularly with regard to existing capacity of wastewater treatment facilities either from existing infrastructure or if unconnected from the mains. The ES should also demonstrate agreement with the relevant consultation bodies.
3.2.2	Table 7-1	Construction and decommissioning	The Applicant proposes to scope out an assessment of effects associated with construction and decommissioning activities namely potential impacts associated with localised flood risk from earthworks, silt laden runoff, chemical spillages, and cement and concrete dust. It is stated that construction and decommissioning activities would be controlled via measures within a Construction Environmental Management Plan (CEMP), which would include a Construction Surface Water Management Plan, and Decommissioning

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Environmental Management Plan (DEMP). It is also stated that a temporary drainage system may also be implemented for construction. Considering the reliance on mitigation measures, which are as yet unspecified, the Inspectorate does not agree to scope an assessment of these matters out. The ES should provide an assessment of these matters as well as further details on the specific mitigation measures required to avoid likely significant effects.

ID	Ref	Description	Inspectorate's comments
3.2.3	Paragraph 7.23	Mitigation – offsets	The Scoping Report states that suitable offsets will be provided to ensure that ecological corridors are maintained and access for maintenance works is provided. Information on the offsets proposed should be provided in the ES along with details on how this is secured within the DCO. The offset distances should be agreed with relevant consultation bodies where possible.
3.2.4	Paragraph 7.28	Water quality	The Scoping Report states that a detailed assessment of effects of the Proposed Development on the quality and quantity of surface water runoff will be undertaken. It is stated that a sustainable drainage system (SuDS) would be implemented to ensure that the quantity and quality of runoff will match the greenfield scenario. The ES should fully describe the SuDS and measures in place to limit impacts on water quality, including potential leakage from the BESS and firewater, as well as any chemicals required to clean PV panels should these be proposed.

ID	Ref	Description	Inspectorate's comments
3.2.5	Paragraph 7.28	Water Framework Directive (WFD) assessment	The Scoping Report states that should the ES show that there will be no significant effects and the works would not cause or contribute to the deterioration of the status of the existing watercourses or jeopardise the watercourses achieving good status, a WFD assessment would not be undertaken in support of the application. The Inspectorate is of the opinion that further information is required detailing why a full assessment is not required, such as a Stage 1 WFD Screening assessment. The Applicant should agree the conclusions of the WFD assessment with the Environment Agency and provide evidence of this within the application documents. The Applicant's attention is drawn to the Inspectorate's 'Advice Note Eighteen: The Water Framework Directive' as well as the consultation response from the Environment Agency (Appendix 2 of this Opinion) in this regard. The ES should explain the relationship between the Proposed Development and any relevant water bodies in relation to the current relevant River Basin Management Plan.
3.2.6	N/A	Methodology – significance	The methodology for determining the significance of effects has not been explained in this chapter of the Scoping Report. The ES will need to set out how any likely significant effects have been determined, by fully explaining how the baseline has informed the assessment and the method used for determining likely significant effects based on the impacts from the Proposed Development and the sensitivity of receptors considered in the assessment. Any use of professional judgement to assess significance should be fully justified within the ES.

3.3 Land and Soils

(Scoping Report Chapter 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Table 8-1	Physical damage to the soil – operation	The Applicant proposes to scope out physical damage to soil during operation on the basis that there is likely to be limited trafficking and disturbance of soil during the operational phase of the Proposed Development and risk of soil damage is unlikely to occur. Considering the characteristics of the Proposed Development the Inspectorate agrees that damage to soil is unlikely to occur during operation. Therefore, this matter can be scoped out subject to further details on the operational phase, including type and number of vehicles required for on-site maintenance, including potential replacement of panels to extend the operational lifespan, being provided within the ES to justify this.
3.3.2	Table 8-1	Land and groundwater contamination – construction and decommissioning	The Applicant proposes to scope out land and groundwater contamination for all phases on the basis that the site has historically been used for agricultural purposes. The Applicant considers that measures set out in the CEMP would ensure that no likely significant effects will occur from existing contamination during groundworks in the construction phase. The Inspectorate is not content to scope this matter out. Previous agricultural usage does not mean that existing contamination does not exist on-site. The Scoping Report makes no reference to a Preliminary Risk Assessment (PRA) and so it is not clear whether this would be conducted to determine the risks relating to contamination. As such, there remains a risk that burial pits, fuel/ oil or agrichemical spills, or areas of waste burial may be present. The ES should be supported by the findings of a PRA and where land contamination is

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			identified, the ES should assess significant effects where they are likely to occur.
3.3.3	Table 8-1	Land and groundwater contamination – operation	Considering the characteristics of the operational phase of the Proposed Development, the Inspectorate is content that land and groundwater contamination is unlikely to result in significant effects and therefore this matter can be scoped out of further assessment. However, the ES should describe any measures in place to reduce the potential for contamination during operation, such as measures to prevent discharge, leakage, or fire from the BESS and any chemicals required for washing of PV panels if proposed.

ID	Ref	Description	Inspectorate's comments
3.3.4	Paragraphs 8.9 and 8.15 and Figure 8-1	Baseline surveys	The ES should clearly identify the area of BMV land across the Proposed Development site. This should be provided per grade and should also differentiate between subgrades 3a and 3b. Auger measurements taken to inform the Agricultural Land Classification (ALC) survey by the Applicant should ensure that a sufficient number of augers are used across the site to accurately inform the assessment in line with relevant guidance and/ or standards. The Inspectorate advises that the ES should consider Natural England's Technical Information Note (TIN)049 or justify why they consider their surveying methodology approach is sufficient in the ES.
3.3.5	Paragraphs 8.14 and 8.18, Table	Determination of significant effects – agricultural land	Paragraph 8.14 of the Scoping Report states that any agricultural land loss from the Proposed Development would be temporary and paragraph 8.18 states that potential significant adverse effects are

ID	Ref	Description	Inspectorate's comments
	8-3, and Table 8-4		considered where there is a permanent loss of over 20 ha or more of BMV agricultural land. Considering a time-limited consent is not being sought, and the operational lifespan is assumed to be 45 years, the Inspectorate is of the opinion that the operational phase cannot reasonably be considered temporary. On this basis the Applicant should assess the impact of the Proposed Development on the effective loss of agricultural land for the duration of the Proposed Development's lifetime including construction, operation, and decommissioning. The Applicant's attention is drawn to ID 2.2.5 above. The ES should demonstrate whether the proposal allows for continued agricultural use and/ or can be co-located with other functions to maximise the efficiency of land use. The ES should also demonstrate how any retained agricultural land will be available for future productive use and consider the potential economic effects of any changes in land use patterns resulting from the Proposed Development and this should be cross-referenced with the Socio-Economics chapter of the ES. The Applicant should define the assessment criteria in line with relevant guidance and/ or agreement from relevant consultation bodies.
3.3.6	N/A	Minerals	As stated in Lincolnshire County Council's consultation response (Appendix 2 of this Opinion), parts of the site are located within a Minerals Safeguarding Area. This is not referenced within the Scoping Report. The ES should assess the likely significant effects of the Proposed Development on the sterilisation of important mineral resources. The Applicant should seek agreement from the Minerals Planning Authority regarding the approach to assessment of this matter.

3.4 Buried Heritage

(Scoping Report Chapter 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Table 9-1 and paragraph 9.23	Operational phase	The Applicant proposes to scope out an assessment of the operational phase on the basis that below ground work would not occur during operation. The Inspectorate is content with this approach considering any significant effects on buried assets would occur during construction.

ID	Ref	Description	Inspectorate's comments
3.4.2	Paragraph 9.24	Decommissioning	The Scoping Report states that it is unlikely that decommissioning would impact on buried archaeological assets. It is unclear on what basis this conclusion has been made. The Inspectorate considers that the potential for decommissioning stage effects should be assessed, for example, the ES should consider the potential for harm due to removal of piles and any future requirement for deep ploughing. It is also noted that a DEMP will include measures to ensure no likely significant effects occur and this will be secured via DCO requirement. The Inspectorate would expect to see an outline DEMP as part of the application documents.
3.4.3	Paragraph 9.21	Field investigations	It is noted that physical assessment, namely trial trenching and/ or geophysical survey, is proposed for areas of higher archaeological potential. The Applicant should ensure the baseline is sufficiently robust to represent the existing environmental conditions of the entire site. The Applicant should make efforts to seek agreement from relevant

ID	Ref	Description	Inspectorate's comments
			consultation bodies regarding the extent, nature, and timing of field investigations and provide evidence of this within the application documents. The Applicant's attention is drawn to ID 2.1.14 above in this regard.

3.5 Cultural Heritage

(Scoping Report Chapter 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Paragraph 10.21	The Cross in St Peter and St Paul's Churchyard, the Scheduled Monument at Kettlethorpe	The Applicant proposes to scope out impacts to this Scheduled Monument on the basis that the visual and perceptual separation from the site means this asset is unlikely to be affected. The Applicant's attention is drawn to the consultation response from Historic England (Appendix 2 of this Opinion) which advises that this asset is considered together with the closely associated Church. In the absence of agreement with Historic England and the relevant Local Planning Authorities (LPAs), the Inspectorate does not agree to scope this matter out at this stage. However, should this be subsequently agreed with the relevant consultation bodies, and evidence of this is provided within the application documents, this matter can be scoped out.
3.5.2	Paragraph 10.21	Grade II listed buildings outside of the 1km study area	The Applicant proposes to scope out impacts to these assets due to the nature of these assets being predominantly farm buildings where the contribution of their immediate rural settings would not be affected due to distance from the Proposed Development site. No further information is provided regarding the specific heritage assets to be scoped out, their heritage settings, and their location in relation to the Proposed Development site. On this basis the Inspectorate is not content to scope out an assessment of this matter at this stage. The ES should include an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect such as agreement from relevant consultation bodies. The Applicant's attention is drawn to the consultation

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			response from Historic England (Appendix 2 of this Opinion) in this regard.
3.5.3	Paragraph 10.21	Heritage assets where their setting predominantly comprises their respective villages	The Applicant proposes to scope out impacts on heritage assets (Grade II listed assets and non-designated heritage assets) for which their setting comprises their respective village, namely assets within Thorney, Normanton on Trent, Darlton, and Dunham-on-Trent. No further explanation is provided as to why the heritage settings of these assets would not be impacted by the Proposed Development. It is noted, in paragraph 10.22, that effects of construction activities (for example increases in noise, dust and traffic movements) on the tranquillity of character/ setting of a heritage asset have the potential to result in significant effects and are therefore proposed to be scoped in. It is unclear why the approach stated in paragraph 10.22 does not apply for these specific assets. In the absence of further information, such as the specific assets proposed to be scoped out and justification on how the settings of these assets would not be affected, the Inspectorate does not agree to scope this matter out at this stage and the ES should include an assessment of these matters. For the assessment of setting, the study area should be agreed with the relevant stakeholders and informed by the visual analysis.
3.5.4	Paragraph 10.21	All heritage assets in Newton-on-Trent and Kettlethorpe	The Applicant proposes to scope out these assets on the basis that the A57 Dunham Road separates the Proposed Development site from these assets. The location of these assets is shown on Figure 10-1. Considering the proximity of these assets to the site boundary, and within the defined 1km study area, as well as the fact that setting of a heritage asset should consider more than just intervisibility, the Inspectorate does not agree to scope this matter from further

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			assessment. The Applicant's attention is drawn to consultation responses from Lincolnshire County Council and West Lindsey District Council (Appendix 2 of this Opinion) in this regard.
3.5.5	Paragraph 10.21	Heritage assets where power infrastructure is already present in their wider settings	The Applicant proposes to scope out an assessment of these assets on the basis that power infrastructure is already very present in their wider settings and the addition of solar panels and cable routes is unlikely to materially affect their heritage significance. The specific assets proposed to be scoped out are not provided although it is noted that this would include all heritage assets in Low Marnham. It is stated that heritage assets within High Marnham are in closer proximity to power infrastructure but "*it is because of that proximity that the potential changing nature of this infrastructure…may materially affect their settings*" as such assets in High Marnham are proposed to be scoped in for further assessment. Based on the information provided it is unclear whether the Proposed Development has the potential to materially affect the settings of heritage assets in Low Marnham as well as High Marnham. As such, the Inspectorate is not in a position to scope this matter out at this stage. The ES should include an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect, such as agreement from relevant consultation bodies. The Applicant's attention is drawn to the consultation response from Historic England (Appendix 2 of this Opinion) regarding this matter.

ID	Ref	Description	Inspectorate's comments
3.5.6	Paragraphs 10.18 and 10.19	Heritage receptors	The Scoping Report identifies (in paragraphs 10.18 and 10.19) designated and non-designated heritage assets which have the potential to be affected by the Proposed Development.

ID	Ref	Description	Inspectorate's comments
			As noted in the consultation response from the Canal and River Trust (Appendix 2 of this Opinion), Fledborough Viaduct is identified (in paragraph 10.14) as a non-designated heritage asset within the study area but is not listed in paragraph 10.19 as a non-designated heritage asset which is likely to be affected by the Proposed Development. Paragraph 10.22 states that this asset is proposed to be scoped in for detailed assessment. There is therefore inconsistency across the Scoping Report. The Applicant should seek to agree the heritage assets for inclusion and exclusion within the assessment with the relevant consultation bodies and provided evidence of this consultation within the application documents.
3.5.7	Paragraph 10.26	Zone of Theoretical Visibility (ZTV)	It is stated that a ZTV, used as part of the Landscape and Visual Impact Assessment (LVIA), will be used to inform the cultural heritage assessment. This ZTV should be based on the worst-case scenario of the Proposed Development, for example the maximum height of tracker panels and infrastructure components such as BESS, substations, and any overhead lines. Where there are elements of the Proposed Development with different heights, the Applicant should consider using multiple ZTVs to assess the potential visibility for all components of the Proposed Development.

3.6 Landscape and Visual

(Scoping Report Chapter 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Table 11-2	National and Local landscape designations	The Applicant proposes to scope out an assessment of National and Local landscape designations on the basis that there are no such designations across, or close to, the Proposed Development site. It is not clear what "*close to*" is defined as in this context and no figure is provided showing the location of the nearest designations. However, the Inspectorate is content to scope this matter out subject to this being substantiated with evidence in the ES, such as through a ZTV.
3.6.2	Table 11-2	Lighting – construction and decommissioning	The Applicant proposes to scope out an assessment of lighting effects for the construction and decommissioning phases. The reasoning provided is that any lighting during construction and decommissioning would be directional, temporary, only used during working hours, and would be designed to minimise light spill "*in so far as it is reasonably practicable*". This is proposed to be set out in a CEMP and DEMP. No further detail is provided on the proposed lighting strategy during construction/ decommissioning or the receptors which could be affected. As such the Inspectorate does not agree to scope out this matter. The ES should clearly explain the lighting strategy proposed and the measures in place to avoid or limit lighting impacts on human and ecological receptors. Furthermore, the proposed working hours are not specified within the Scoping Report. The extent of any lighting during construction/ decommissioning to occur during and beyond the daylight hours is therefore unclear. Accordingly, the ES should provide an assessment of lighting effects during construction and decommissioning, including

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			a night-time assessment, or the information required to demonstrate the absence of a likely significant effect.
3.6.3	Table 11-2	Lighting – operation	The Scoping Report states that during operation lighting would be motion-triggered or turned on manually during emergencies. Paragraph 3.33 states that the Proposed Development would not be permanently lit however the substation and BESS compounds will be "*lit when manned*" or used in an emergency. It is noted that a quantitative lighting assessment is proposed to be scoped out, but the effect of lighting will be considered "*as part of the Proposed Development, rather than a standalone assessment*". It is therefore unclear whether an assessment of lighting effects is proposed to be scoped out or not. For the avoidance of doubt, the Inspectorate is content that a standalone quantitative assessment of operational lighting can be scoped out of further assessment provided that any potential effects, including those relating to intermittent lighting sources such as motion-activated security lighting, are assessed within other aspect chapters of the ES such as LVIA and ecology. The ES should signpost any control measures to ensure that lighting would only be used for emergency usage and motion-triggered. Clarification should be provided as to what the phrase "*when manned*" means in terms of frequency of usage and whether there is potential for the Proposed Development to be permanently lit should a member of staff be present. This should be appropriately described within the Lighting Strategy.

ID	Ref	Description	Inspectorate's comments
3.6.4	Paragraphs 11.7, 11.47 and 11.48	Study area	The Scoping Report states that a study area of 2km has been selected based on the local topography and view distances to the Proposed Development. However, paragraph 11.47 implies that the ZTV mapping is yet to be undertaken and paragraph 11.48 states that viewpoints are subject to agreement with the LPAs. It is unclear on what basis this study area has been selected however it is noted (in paragraph 11.54) that the extent of the study area is also subject to agreement from the LPAs. Figures showing the extent of visibility are not provided within the Scoping Report. Considering the ZTV is yet to be conducted, the Inspectorate considers it is premature to limit the study area to 2km. The ES should fully justify the study area selected based on the potential for significant effects to occur, such as through a ZTV study and/ or fieldwork. The ZTV should be based on the maximum extent of infrastructure components; the Applicant's attention is drawn to ID 3.5.7. The Applicant should make efforts to agree the LVIA study area with the relevant consultees and provide evidence of this within the ES.
3.6.5	Table 11-1	Receptors navigating the River Trent	Table 11-1 lists landscape and visual receptors. Transient receptors such as people travelling on the Public Rights of Way (PRoW) network and local road network are listed however no consideration is given to receptors navigating the River Trent. Although it is noted that receptors will be agreed through consultation with the LPAs, the ES should consider the potential for significant effects on users of the River Trent. The Applicant's attention is drawn to the consultation response from the Canal and River Trust (Appendix 2 of this Opinion) in this regard.
3.6.6	Table 11-2	Demolition Environmental Management Plan	It is assumed that the reference within Table 11-2 to a Demolition Environmental Management Plan is a typographical error and should be the Decommissioning Environmental Management Plan. However,

ID	Ref	Description	Inspectorate's comments
			should this not be the case the ES should clarify the contents of the Demolition Environmental Management Plan and how this relates to the other management plans. The Applicant's attention is drawn to ID 2.1.12.
3.6.7	Paragraph 11.54	Glint and Glare	It is noted that a separate glint and glare assessment is proposed to be undertaken and the potential for glint and glare impacts to contribute to landscape and visual effects will be considered. The Inspectorate is content with this approach provided any significant effects resulting from glint and glare are reported within the ES, such as within the landscape and visual aspect chapter. The Applicant should seek agreement from the relevant consultation bodies regarding the receptors to be considered within the glint and glare assessment, such as considering potential impacts on boaters, gliders using Darlton Gliding Club, Gamston Airport, as well as residential properties and road users.

3.7 Transport and Access

(Scoping Report Chapter 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Paragraphs 12.4 and 12.20	Operational phase	The Scoping Report states that during operation there will be a limited number of transport trips, associated with maintenance of solar arrays and the BESS, and as such an assessment of the operational phase is not proposed. It is stated (in paragraph 12.20) that traffic associated with this phase will be insufficient to trigger the 30% threshold for assessment set out in the Institute of Environmental Management and Assessment (IEMA) guidance 'Environmental Assessment of Traffic and Movement' (2023). Specific numbers and types of traffic anticipated for the operational phase are not provided within the Scoping Report. It is unclear whether this takes into account traffic movements associated with the comprehensive replacement of panels to extend the operational lifespan since a time-limited consent is not being sought. The Inspectorate is content to scope this matter out subject to the ES confirming the operational vehicle types and numbers (with reference to thresholds within guidance), as well as proposed access/ transport routes, to justify this position, including from the replacement of infrastructure components during operation; the Applicant's attention is drawn to ID 2.2.5 above in this regard. The assessment should also consider whether there are any highway links of high sensitivity where traffic flows would increase by 10%, in line with the approach set out within the IEMA guidance and stated in paragraph 12.27 of the Scoping Report.

ID	Ref	Description	Inspectorate's comments
3.7.2	Paragraph 12.18	Public Rights of Way (PRoW)	Appendix A shows PRoW within and adjacent to the site boundary. Paragraph 3.40 states that PRoW within the site boundary would be retained and incorporated into the design of the Proposed Development although these may be closed or diverted on a temporary basis. Users of PRoW are not listed as an important receptor within paragraph 12.18. The ES should clarify the PRoW which are to be diverted/ closed during construction and assess the potential for likely significant effects to occur from access to these routes by users of the PRoW network, noting that landscape and visual impacts on PRoW users are to be considered in the Landscape and Visual chapter (as stated in paragraph 11.56).
3.7.3	Paragraph 12.21	Receptors navigating the River Trent	The Scoping Report lists the receptors which are likely to be affected by the Proposed Development. Boat users navigating along the River Trent are not listed here. Considering the proximity of the Proposed Development to the River Trent, and the requirement to cross the river, the method of which is not stated in the Scoping Report, the ES should assess the potential for likely significant effects in terms of access to occur on boat users where these are likely to occur. The Applicant's attention is drawn to the consultation response from the Canal and River Trust (Appendix 2 of this Opinion) in this regard.

3.8 Air Quality

(Scoping Report Chapter 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Table 13-3	Construction and decommissioning plant emissions	The Applicant proposes to scope out an assessment of emissions from plant associated with construction and decommissioning as significant effects are not likely to occur. It is stated that this is in line with Institute of Air Quality Management (IAQM) guidance (namely 'Guidance on the assessment of dust from demolition and construction' (2023)) and suitable mitigation measures for site plant from this guidance would also be implemented. This guidance states that consideration should be given to the number of plant and their operating hours and locations to assess whether a significant effect is likely to occur. Details of the plant proposed and the location of construction activities, or the location of sensitive receptors are not provided within the Scoping Report. On this basis, the Inspectorate does not agree that this matter can be scoped out at this stage. An assessment of effects should be included unless robust justification is provided to demonstrate that such machinery would not give rise to significant air quality effects.
3.8.2	Table 13-3	Operational phase	The Applicant proposes to scope out an assessment of the operational phase. It is stated that "*the operation of the Proposed Development will not result in any direction emissions to air*". The basis of this statement is not clear considering it is noted that some traffic movements are required during operation. Considering the characteristics of the Proposed Development, the Inspectorate is content that operational traffic is unlikely to exceed thresholds of relevant guidance (namely Environmental Protection UK (EPUK)/ Institute of Air Quality Management (IAQM) guidance: 'Land-

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Use Planning & Development Control: Planning for Air Quality (2017)') requiring detailed assessment and therefore this matter can be scoped out. Nevertheless, the ES should clarify the number and type of traffic movements required during operation to the justify this, including movements associated with any replacement of infrastructure components during operation. The ES should justify any assumptions made.
3.8.3	Table 13-3	Ecological effects – construction and decommissioning	The Applicant proposes to scope out an assessment of ecological effects. The reasoning provided is that there are no European sites within 200m of roads on which a detectable rise in traffic is predicted for construction and decommissioning and although there are two SSSIs within 200m of the A1133, any effects would be temporary in nature. It is stated that the same applies to LWSs. The number and type of vehicle movements are not stated in the Scoping Report and the construction access routes are not yet confirmed, as noted in ID 2.1.9 and 3.1.2. However, considering the characteristics of the Proposed Development the Inspectorate is content to scope this matter out subject to the number and type of vehicle movements and proposed transport routes relative to the SSSIs and LWSs being provided to demonstrate that any significant effects are not likely to occur, along with any construction/ decommissioning control measures being set out within the CEMP / DEMP.

ID	Ref	Description	Inspectorate's comments
3.8.4	N/A	N/A	N/A

3.9 Carbon and Climate Change

(Scoping Report Chapter 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Paragraph 14.12	Carbon emissions that form a very small component of the carbon footprint of the Proposed Development – construction and operation	The Applicant proposes to scope out an assessment of carbon emissions which contribute a very small component of the Proposed Development's total carbon footprint, namely the treatment and disposal of waste materials and water use. The Scoping Report states that these emissions would together contribute less than 5% of the total carbon footprint of the Proposed Development and in line with IEMA Guidance (2022) these can be excluded from the assessment. On the basis that together these emissions would contribute very minimally to the Proposed Development's carbon emissions, and this is in line with relevant guidance, the Inspectorate agrees that this matter can be scoped out. However, the ES should provide sufficient information to justify this, such as the emissions of these components, by type and quantity, to demonstrate that relevant thresholds for assessment are not exceeded.
3.9.2	Paragraph 14.12	Carbon emissions from decommissioning	The Applicant proposes to scope out an assessment of the decommissioning phase on the basis that at the point of decommissioning, which is assumed to be at least 45 years in the future, the UK would have reached net zero and therefore it is likely that there will be new technology and recycling facilities in place which would mean decommissioning would be net zero. The ES should provide an assessment of greenhouse gas (GHG) emissions for the lifetime of the Proposed Development including decommissioning. As such, the Inspectorate does not agree that this matter can be scoped out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The ES should clearly set out how impacts to/ from climate change are to be assessed for the decommissioning phase. Where future decarbonisation in the manufacturing sector is proposed to be taken into account, the ES should clearly explain where guidance has been used to determine that this is an acceptable approach, justify the relevant projection scenario, and identify any limitations or uncertainties associated with such future projections. Where uncertainty remains, the Applicant should consider whether it would be more appropriate to conduct the assessment based on current carbon emissions to assess a worst-case scenario, as has been proposed for the assessment of emissions for repair, maintenance, and replacement of the Proposed Development during its lifetime, as stated in paragraph 14.24. The Inspectorate would expect to see a DEMP, agreed with the LPAs, secured through the inclusion of an outline DEMP or similar with the application.

ID	Ref	Description	Inspectorate's comments
3.9.3	Paragraph 14.2	Emissions	It is stated that that the term 'carbon' is used to describe all GHG emissions. The ES should clarify which specific GHG emissions would be produced by the Proposed Development. Schedule 4 of the EIA Regulations states that an ES should provide an estimate of the type and quantity of emissions. This should include consideration of SF6 emissions. The Applicant's attention is drawn to ID 2.1.4 in this regard.
3.9.4	Paragraph 14.20	Mitigation	It is stated that "*best practice principles*" will be used to avoid and reduce carbon emissions. Any relevant mitigation measures identified

ID	Ref	Description	Inspectorate's comments
			from the assessment should be clearly described in the ES and secured through the DCO.
3.9.5	N/A	In-combination assessment	The Scoping Report makes no reference to an in-combination climate change impact assessment. The ES should assess the potential for climate change to exacerbate likely significant effects associated with the Proposed Development.

3.10 Noise and Vibration

(Scoping Report Chapter 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 15-1	On-site construction and decommissioning traffic vibration	The Applicant proposes to scope out an assessment of vibration effects from on-site construction and decommissioning traffic. The Scoping Report states that "*experience suggests*" that construction and decommissioning traffic movements will not generate significant levels of vibration at the locations of sensitive receptors, however there are no apparent surveys/ evidence to substantiate this. The number and type of construction/ decommissioning vehicles proposed are not provided within the Scoping Report nor is a figure showing the location of sensitive receptors and proposed on-site haul routes. The Applicant's attention is drawn to ID 2.1.9 and ID 2.1.10. In the absence of further information, the Inspectorate is not in a position to scope this matter out at this stage. Accordingly, the ES should include an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect, such as providing evidence that the type and number of vehicles would not exceed relevant thresholds in guidance requiring detailed assessment.
3.10.2	Table 15-1	Operational traffic	The Applicant proposes to scope out noise and vibration from operational traffic as very minimal road traffic would be generated by the site during operation. Considering the characteristics of the Proposed Development the Inspectorate agrees that this matter can be scoped out of further assessment provided that the ES confirms the anticipated type and number of vehicle trips likely to be generated during operation, as well as the proposed access routes to justify this, including

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			movements associated with any replacement of infrastructure components during operation.
3.10.3	Table 15-1	Cable routes	The Applicant proposes to scope out noise and vibration from cable routes as no noise or vibration will be generated by cable routes within the site during operation. The Inspectorate agrees this matter can be scoped out of the assessment as once operational the cables are unlikely to be a significant source of noise or vibration.
3.10.4	Table 15-1	Operational vibration from solar PV arrays	The Applicant proposes to scope out an assessment of vibration effects from the operation of the solar PV arrays on the basis that they do not use any equipment that generates significant vibration during operation. The Inspectorate has considered the nature and characteristics of the Proposed Development and agrees that this matter can be scoped out of the assessment.
3.10.5	Paragraph 15.29	Noise exposure from construction plant	It is stated that the magnitude of change in noise exposure from construction plant is not proposed to be considered on the basis that "*no permanent activities*" are proposed for construction. It is unclear whether this wording means that this matter is proposed to be scoped out. As stated in paragraph 5.27 of the Scoping Report, generally the significance of an effect is considered as the combination of the sensitivity of a receptor and the predicted magnitude of change. Considering the magnitude of change for this matter is not proposed to be considered, the ES should clearly explain how the significance of effects is determined. Furthermore, duration of an impact is generally considered as one factor in determining the magnitude of change; the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			ES should consider the full range of contributing factors to magnitude of change. The ES should assess the potential for noise exposure arising from construction plant to result in likely significant effects at sensitive receptors, particularly as the construction phase is anticipated to last approximately 18 months in duration. For the avoidance of doubt, the ES should consider and report both temporary and permanent effects.

ID	Ref	Description	Inspectorate's comments
3.10.6	Paragraphs 15.5, 15.16 and 15.17	Baseline noise survey	Paragraph 15.17 states that it is currently anticipated that up to seven monitoring locations will be used to inform the baseline noise survey. The location of these monitoring locations is not shown on a figure. Paragraph 15.5 states that the existing High Marnham 275 kV substation and associated electricity grid infrastructure is likely a source of some baseline noise but also states that this source is not included in the strategic noise mapping data and cannot be readily quantified without site-specific noise surveys. Where further details on the baseline noise surveys are provided (paragraphs 15.16 and 15.17) there is no refence to the substation. It is therefore unclear whether noise monitoring is proposed near to the High Marnham substation or whether baseline noise from the substation would be sufficiently captured within monitoring at other locations. The Applicant should seek agreement from relevant consultation bodies regarding the number and location of monitoring locations to ensure that a robust baseline assessment has been undertaken. Evidence of this consultation should be provided within the application

ID	Ref	Description	Inspectorate's comments
			documents. The location of monitoring locations should be depicted on a supporting plan.
3.10.7	Paragraph 15.15	Tracker panels – operation	The Scoping Report states that there is potential for adverse noise impacts associated with the operation of the Proposed Development from ancillary equipment such as substations and battery storage equipment. The potential for noise emissions from tracker panels is not listed in paragraph 15.15 despite these being an option for the solar mounting structures (as stated in paragraph 3.9). The ES should consider the potential for tracker panels to cause noise emissions which could be perceptible to sensitive receptors and should either assess these accordingly where significant effects are likely to occur or provide evidence of noise emission levels to demonstrate that significant effects would not occur at sensitive receptor locations.

3.11 Human Health

(Scoping Report Chapter 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 16-2	Health related behaviours – • risk taking behaviours; and • diet and nutrition.	The Applicant proposed to scope out an assessment of risk-taking behaviours on the basis that all on-site personnel would be professional workers and all contractors and operators on-site will have strict health and safety protocols enforced. The Inspectorate is content to scope this matter out. The Applicant proposes to scope out an assessment of impacts from diet and nutrition, including access to healthy affordable food. The Scoping Report states that the Proposed Development will result in the long-term reduction in agricultural land, but as the site represents less than 0.0001% of the UK's Utilised Agricultural Area it is unlikely to significantly affect the availability and affordability of food. On the basis that any impacts on BMV agricultural land are assessed in the Land and Soils ES chapter, the Inspectorate is content to scope this matter out.
3.11.2	Table 16-2	Social environment – • housing and access to good quality affordable housing; • relocation; • community safety; • community cohesion, social participation, interaction and support; and	The Applicant proposes to scope out an assessment of impacts on the social environment. The Scoping Report states that the Proposed Development will not result in the loss of any dwellings, and the majority of the workforce are expected to already be residents of the East Midlands region. It is stated that the Proposed Development does not involve any population displacement or relocation and will not require compulsory purchase of homes or community facilities. Health and safety measures are proposed to be in place which would limit the potential for impacts on community safety, including from crime. These are proposed to be secured through a CEMP. The Inspectorate agrees that these matters can be scoped out of further assessment provided that cross-references are made to other ES

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		• community severance and community engagement.	aspect chapters where appropriate, such as LVIA where impacts relating to 'psychological severance' are proposed to be assessed as stated in Table 16-2.
3.11.3	Tables 16-2 and 16-3	Economic environment – • employment and income; and • education and training.	Table 16-2 states that employment and income and education and training are proposed to be scoped out. These matters are also included in Table 16-3 as matters which are proposed to be scoped in and therefore it is unclear whether these matters would be assessed or not, noting that this is also proposed to be assessed in the Socio-Economics ES chapter. As noted in Table 16-3 the Proposed Development presents education, training, and employment opportunities. As such, the Inspectorate considers that these matters should be assessed within the ES. Schedule 4 of the EIA Regulations states that both positive and negative effects should be reported within an ES.
3.11.4	Table 16-2	Economic environment – • regeneration; • connections to jobs; and • tourism and leisure industries.	The Applicant proposes to scope out an assessment of impacts on the health determinants associated with the economic environment namely regeneration, and tourism and leisure. It is also stated that connection to jobs is unlikely to be significantly affected by the Proposed Development as the majority of the workforce are expected to currently reside in the East Midlands region, however there is potential to scope this matter into the Human Health ES chapter if the Transport and Access ES chapter indicates a significant impact. The Inspectorate is content with this approach however the Applicant's attention is drawn to ID 3.12.7 below.
3.11.5	Table 16-2	Bio-physical environment –	The Scoping Report states that the Hydrology and Hydrogeology ES chapter will assess how the Proposed Development affects water

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		• water quality or availability; and • land quality and use.	resources, and that the Land and Soils ES chapter will assess how the proposals will affect land quality. If either of these assessments indicate significant effects to human health, then these matters may be scoped into the Human Health ES chapter. The Inspectorate is content with this approach.
3.11.6	Table 16-2	Bio-physical environment – • air quality (operation).	The Applicant proposes to scope out an assessment of air quality impacts during the operational phase on the basis that the implementation of a CEMP would mean no significant dust or traffic emissions would arise. It is unclear why measures in a CEMP would be used during the operational phase and whether instead this should refer to an operational phase management plan. The Applicant's attention is drawn to ID 2.1.12. Considering the characteristics of the Proposed Development, the Inspectorate is content that the operational phase is unlikely to lead to significant health effects from air quality emissions and therefore this matter can be scoped out of further assessment. However, the ES should provide further details on the type and number of vehicles, and proposed access routes, proposed during the operational phase to demonstrate these does not exceed the thresholds requiring detailed assessed as set out in guidance (namely IAQM/ EPUK). The Applicant's attention is drawn to ID 3.8.2 above.
3.11.7	Table 16-2	Bio-physical environment – • radiation.	The Applicant proposes to scope out an assessment of effects from EMF. The Scoping Report states that long-standing exposure limit and health protection guidelines for EMF have been developed by the International Commission on Non-Ionizing Radiation Protection and these have a high safety margin. It is stated that the Proposed Development will comply with these guidelines. It is noted (in Table

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			16-3) that impacts of EMF radiation on mental wellbeing are proposed to be assessed. As noted in ID 2.1.7 above, the voltage of the on-site and export cables is not provided within the Scoping Report, and it is not clear whether cables would be buried or overhead. Cables above 132kV have the potential to cause EMF effects. Given the uncertainty surrounding cabling design and proximity to receptors, the ES should address the risks to human health arising from EMF, including cumulatively with existing infrastructure, taking into account relevant technical guidance. The Inspectorate considers that the ES should set out the design measures to be implemented to avoid the potential for likely significant effects in line with relevant guidance.
3.11.8	Table 16-2	Institutional and built environment– • health and social care services; and • quality of built environment and natural environment.	The Applicant proposes to scope out an assessment of health and social care services on the basis that the Proposed Development would not result in the loss or provision of any dwellings and associated population. The Inspectorate agrees that this matter can be scoped out on this basis. It is stated that impacts on the quality of the built and natural environments will be considered in the Landscape and Visual ES chapter, with mitigation measures secured to minimise impacts. The Inspectorate agrees with this approach.
3.11.9	Table 16-3	Local business activity	Table 16-3 states that the economic effects of the Proposed Development on changes to local business activities, such as diversification of agricultural land and growth of rural businesses, will be assessed in the Socio-Economics ES chapter with effects in health terms considered in the Human Health ES chapter. It is stated that this matter may be scoped out of the Human Health ES chapter if the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Socio-Economics chapter indicates no significant change in local business activity. The Inspectorate is content with this approach.

ID	Ref	Description	Inspectorate's comments
3.11.10	Paragraphs 16.23 and 16.24	Decommissioning methodology	Paragraph 16.23 states that the methodology will be the same for all phases of the Proposed Development. Whilst paragraph 16.24 states that "*both direct and indirect effects will be considered across the construction and operation phases*", it does not refer to the decommissioning phase. It is therefore unclear what the proposed approach includes assessing decommissioning effects. The ES should clearly describe the methodology used for each phase of the development. Effort should be made to agree the assessment approach with relevant consultation bodies.

3.12 Socio-Economics

(Scoping Report Chapter 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	Paragraph 17.20	Demand for school places	The Applicant proposes to scope out effects on school places as the operational phase of the Proposed Development is not expected to result in a permanent increase in local population and the demand for school places should not be affected. No reference is made to the construction or decommissioning phases, although it is noted (in paragraph 3.43) that the construction phase is anticipated to last approximately 18 months. Considering the characteristics of the Proposed Development, the Inspectorate agrees that this matter can be scoped out of the assessment on this basis. However, further detail on the number of people proposed to be employed during each of the phases should be specified within the ES to justify this.

ID	Ref	Description	Inspectorate's comments
3.12.2	Paragraphs 17.16, 17.23, and 17.24	Baseline conditions	The Scoping Report does not describe how the baseline will be established for recreational and community facilities and open space. The Inspectorate recommends the use of surveys of the PRoW affected to ensure that the baseline usage of the PRoW has been considered. The ES should provide details of all desk- and field-based sources of information used to support the assessment. Effort should be made to agree the methodology for establishing the baseline conditions with relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3.12.3	Paragraph 17.18	Environmental measures and mitigation	This chapter of the Scoping Report omits reference to mitigation measures although it is noted (in paragraph 17.17) that the Proposed Development is likely to have beneficial effects, and paragraph 17.18 lists the opportunities for the Proposed Development to provide beneficial socioeconomic effects. The ES should describe how these measures would be implemented and the mechanism by which they are secured.
3.12.4	Paragraph 17.21	Workers	Paragraph 17.21 states that impacts of temporary employment during construction, and permanent employment during operation, will be assessed. The ES should provide the anticipated number of jobs proposed to be created for each of the phases of the Proposed Development as well as any plans in place to promote local employment, training, and education and explain how these will be secured through the DCO.
3.12.5	Paragraphs 17.26 and 17.29	Significant effects	The ES should clearly explain the criteria used to determine the significance of effects such as when establishing how a change becomes "*noticeable*" and what constitutes a "*moderate number of receptors*" and how this differs from a minor effect with a "*minor change*" and "*a small number of receptors*". Any use of professional judgement to assess significance should be fully justified within the ES; the Applicant's attention is drawn to ID 2.2.12.
3.12.6	N/A	Severance	The ES should assess the impacts during the construction and operational phases of potential severance issues for farmers and other landowners. Where relevant, measures should be secured within the DCO to ensure farmers and other landowners' ability to access their land is not hindered.

ID	Ref	Description	Inspectorate's comments
3.12.7	N/A	Tourism and leisure	No reference is made to tourism and leisure within Chapter 17 of the Scoping Report despite Table 16-2 referring to Chapter 17 regarding this matter. It is stated (in Table 16-2) that the Proposed Development is not expected to have any significant effects on the tourism sector however this is not substantiated and the existing tourism in the area is not described. The ES should describe the existing baseline environment with regards to tourism and leisure and provide an assessment of this matter where significant effects are likely to occur.

3.13 Environmental Topics Scoped Out

(Scoping Report Chapter 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Table 18-1	Glint and Glare	The Applicant proposes to undertake a detailed standalone glint and glare assessment which will form a technical appendix to the ES. It is stated that modelling will be used to inform the design of the Proposed Development and a description of the relevant design measures and safety considerations will be included within the Proposed Development description chapter of the ES. The Inspectorate is content with this approach provided that any potential effects identified through the glint and glare assessment are reported appropriately within the ES, such as within the LVIA chapter. The Applicant's attention is drawn to ID 3.6.6 above.
3.13.2	Table 18-1	Risk of Major Accidents and Disasters	The Applicant proposes to scope this matter out on the basis that significant effects are unlikely to occur. It is stated that the Proposed Development would be designed and operated in accordance with legislative requirements. It is also stated that solar infrastructure is of low susceptibility to the impact of natural disasters. Schedule 4 of the EIA Regulations requires a description of the expected significant adverse effects deriving from the vulnerability of the Proposed Development to risk of major accidents and/ or disasters. Whilst the Inspectorate is content that a standalone aspect chapter on Major Accidents and Disasters is not required, the ES should include a description of this matter and any measures in place to reduce the risk of significant effects. The Scoping Report highlights that battery storage is the highest risk component of the Proposed Development. The Inspectorate considers that the risk of battery fire/ explosion should be assessed in the ES,

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			including where any measures designed to minimise impacts on the environment in the event of such an occurrence are secured. The Inspectorate should be provided with details of the proposed battery storage management plan as part of the application documents. The Applicant should make efforts to agree these with the relevant consultation bodies, such as the fire and rescue services. The Scoping Report makes no reference to other potential risks of major accidents and disasters such as flood risk or unexploded ordnance (UXO). The ES should justify why these matters have not been assessed.
3.13.3	Table 18-1	Waste	It is stated that a standalone chapter on waste is not proposed although the production of waste and its transportation will be considered where relevant in the ES such as the traffic and transport chapter. Noting that the operational life of the Proposed Development is not proposed to be specified the Inspectorate considers that the ES should assess the likely significant effects from waste during the operation phase, as well as the decommissioning phase to the extent that it is possible at this time. The ES should include estimates, by type and quantity, of expected residues and emissions and quantities and types of waste produced during the construction and operation phases in line with Schedule 4 of the EIA Regulations. As such, the Inspectorate is not content to scope this aspect out.
3.13.4	Table 18-1	Wind microclimate	The Applicant proposes to scope this matter out considering the low-rise nature of the Proposed Development is unlikely to impact on wind conditions. Considering the characteristics of the Proposed Development the Inspectorate is content that this matter can be scoped out of further

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			assessment notwithstanding that the resilience of the Proposed Development to climate change should be assessed, as is proposed in paragraph 14.9 of the Scoping Report.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[1]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS Lincolnshire Integrated Care Board
	NHS Nottingham and Nottinghamshire Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Lincolnshire Fire and Rescue
	Nottinghamshire Fire and Rescue Service (Nottinghamshire and City of Nottingham Fire Authority)
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	Kettlethorpe Parish Council
	Marnham Parish Council
	Dunham with Ragnall, Fledborough and Darlton Parish Council
	South Clifton Parish Council
	Thorney Parish Council
	Newton Parish Council

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

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Environment Agency	The Environment Agency
The Marine Management Organisation	Marine Management Organisation (MMO)
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Nottinghamshire County Council
	Lincolnshire County Council
The relevant strategic highways company	National Highways
The relevant internal drainage board	Upper Witham Internal Drainage Board
	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
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[2]

STATUTORY UNDERTAKER	ORGANISATION
The Forestry Commission	East & East Midlands Forestry Commission
The Secretary of State for Defence	Ministry of Defence
The relevant Integrated Care Board	NHS Lincolnshire Integrated Care Board
	Nottingham and Nottinghamshire Integrated Care Board

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

STATUTORY UNDERTAKER	ORGANISATION
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
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
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Anglian Water
	Severn Trent
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Southern Gas Networks Plc
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Last Mile Gas Ltd
	Leep Gas Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Gas
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (East Midlands) Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Squire Energy Metering Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

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

LOCAL AUTHORITY[4]
Ashfield District Council
Bassetlaw District Council
Bolsover District Council
Cambridgeshire County Council
City of Doncaster Council
City of Lincoln Council
Derbyshire County Council
East Lindsey District Council
Gedling Borough Council
Leicestershire County Council
Lincolnshire County Council
Mansfield District Council
Melton Borough Council
Newark and Sherwood District Council
Norfolk County Council
North East Lincolnshire Council
North Kesteven District Council
North Lincolnshire Council
North Northamptonshire Council
Nottingham City Council
Nottinghamshire County Council

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

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

LOCAL AUTHORITY[4]
Peterborough City Council
Rotherham Metropolitan Borough Council
Rushcliffe Borough Council
Rutland County Council
South Kesteven District Council
West Lindsey District Council

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Anglian Water
Bassetlaw District Council
Canal and River Trust
City of Lincoln Council
Dunham with Ragnall, Fledborough and Darlton Parish Council
Environment Agency
Forestry Commission
Historic England
Lincolnshire County Council
Marine Management Organisation
Ministry of Defence
National Grid Electricity Distribution (East Midlands) Limited
National Grid Electricity Transmission Plc
National Highways
NATS En-Route Safeguarding
Natural England
Newark and Sherwood District Council
Norfolk County Council
North Kesteven District Council
North Lincolnshire Council
Nottinghamshire County Council
Peterborough City Council

Rotherham Metropolitan Borough Council
Rutland County Council
South Clifton Parish Council
Trent Valley Internal Drainage Board
United Kingdom Health Security Agency
West Lindsey District Council

Anglian Water Services
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6XU

www.anglianwater.co.uk

Our ref: OES/ScopingResponse

Planning Inspectorate

oneearthsolar@planninginspectorate.gov.uk

8 December 2023

Dear Joseph,

Application by One Earth Solar Farm Ltd (the Applicant) for an Order granting Development Consent for the One Earth Solar Farm (the Proposed Development) - Anglian Water scoping consultation response

Thank you for the opportunity to comment on the scoping report for the above project which is within the Newark and Sherwood, West Lindsey, and Bassetlaw council areas. Anglian Water is the appointed water supplier/ wholesaler for most of the eastern area of the site and the sewerage undertaker for the communities to the south east the site around Wigsley as shown on Figure 2-1.

The following response is submitted on behalf of Anglian Water in its statutory capacity and relates to potable water and water assets along with wastewater and water recycling assets. We note that at 5.14, the project plans to engage with several consultees including Anglian Water.

The Scheme – Anglian Water existing infrastructure

At 7.26 the Scoping Report advises that a baseline study has been undertaken for 'water mains with regard to potable water capacity/supply'. With reference to Table 7-1, on sewers and drainage, whilst only a small part of the site may be served from the statutory area served by Anglian Water to the south east it is not evident in the report that a similar baseline has been established for sewerage assets.

There are existing Anglian Water assets including strategic supply pipelines serving water abstraction locations and the Newton on Trent Water Treatment Works off the Dunham Road. The Hall Water Treatment works and the pipes which immediately served it, appear to have been carved out of the redline area (page 197). There also water mains serving local communities at Dunham, Newton on Trent, Ragnall, Darlton, Fledborough, North Clifton, Thorney, High Marham and South Clifton within the site and the roads which serve it.

A west to east strategic supply pipe is 21 inches in diameter and so will require a bespoke standoff distance more than 6 (six) metres free from construction, structures and haul and access roads. Other pipes within the site will require a standoff distance of 4 (four)

metres where the diameter of the pipe is less than 250 millimetres or 5 (five) metres where the diameter of the pipe is between 250 and 400 millimetres. These standoff distances are set out in the template Protective Provisions provided to the promoter. The stated standoff buffers set out in the Protective Provisions may be revised in consulting with Anglian Water's network teams following necessary ground investigations and initial array and access arrangements being provided to Anglian Water. Archaeological geophysical surveys may assist the applicant to work with Anglian Water to pin point assets for array, cable and construction and operational design.

Anglian Water would want to ensure the location and nature of our assets serving local communities and strategic water supply infrastructure, are identified, and protected. To reduce the need for diversions and the associated carbon impacts of those works, ground investigations would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to supporting infrastructure. We welcome the intention at 2.28 to under utilities searches to consider utilities 'help inform the design of the Proposed Development'.

We welcome the intention to produce a Construction Environment Management Plan (CEMP) (3.51) and Construction Traffic Management Plan (3.46) and these should include steps to remove the risk of damage to Anglian Water assets from plant and machinery (compaction and vibration during the construction phase) including haul and access roads and crossings (if any). Further advice on minimising and then relocating (where feasible) Anglian Water existing assets can be obtained from: connections@anglianwater.co.uk

Maps of Anglian Water's assets are available to view at the following address: https://utilities.digdat.co.uk/

Flood Risk, Drainage and Surface Water

At 7.24 the Report states that,' it is proposed that Sustainable Drainage Systems (SuDS) will be incorporated where it is possible and appropriate, thereby ensuring a natural drainage solution occurs'. We also note that at 8.10 the Report advises that, 'During construction works, surface water drains should be designed to carry only uncontaminated water. Foul drains should carry contaminated water to a sewage treatment works under suitable discharge consent.'

We would advise that in accordance with the drainage hierarchy, surface water should first look to be managed by Sustainable Drainage Systems as per 7.24, 7.25, 7.28 and 7.31. From our review and based on the limited area that could be served from the Anglian Water service area, we have concluded that there is no intention by the project to seek to connection to the Anglian Water public sewer for the construction or operational phase. We would welcome confirmation that the design of drainage for the area around Wigsley will either be SuDs or a self- contained system for the construction phase and operational phase that utilises SuDS for surface water management and

rainwater harvesting for non-potable uses (see 3.47) during construction and then operation.

Anglian Water would welcome the non- inclusion of provisions in the draft Development Consent Order (DCO) which would allow for a right of connection to the public sewer. The use of nature-based solutions including SuDS and natural flood management is further supported by the flood risks presented at Figure 2-3.

Water Resources

In view of the guidance in the National Policy Statements we would welcome reference in the scoping to water supply and water resources (7.26, 7.28 and 7.32) and Anglian Water requests that these points are assessed early in the EIA process, descoped as a topic for Anglian Water wastewater connections (Table 7-1) and how the project will be supplied with water given the statement at 14.12.

Apart from an information reference in 7.3 and a Source Protection Zone (SPZ) summary in 7.20, the report does not consider Anglian Water's abstraction locations from the Trent as receptors, and this is an omission from the Scoping. We have two groundwater abstraction sites in the vicinity: Newton and Newton (Dunham Bridge). Portions of the proposed solar development lie within SPZ 2 of these sources. The risk of contamination to the Sherwood Sandstone is potentially low due to significant thicknesses (c.200 metres) of low permeability superficial cover.

The two water treatment works serve the Newton Boosters Distribution Zone within the Central Lincolnshire Water Resource Zone (WRZ) and specifically the Newton Besthorpe Distribution Management Area (DMA) to the east of Trent. To the west of the Trent is the Grove/ Sturton Le Steeple Distribution Management Area in the Nottinghamshire WRZ. We note that whilst the scoping considers water environment impacts it does not look at impacts on water resources. As the site is within an area designated by the Environment Agency as 'seriously water stressed' and water may be used in the project construction and operation, this indicates that water resources should be assessed in the EIA.

Anglian Water notes that the applicant has sought to address ground water and surface water impacts on habitats and species but is silent the availability of water. The development lies along the course of the river Trent and is predominantly upstream of our surface water abstraction point feeding Hall WTW – and its associated storage reservoir. Activities which might contribute contaminants to the Trent, both during the construction and operational phase, should be notified to Anglian Water and impacts mitigated insofar as is possible. Such activities may include:

- Fuel/chemical spills from storage points and machinery during construction and operation phases;
- Enhanced sediment loading to watercourses from direct and indirect surface water runoff during construction phase;

- Chemical runoff from the solar farm once in operation (cleaning products and panel coatings*);
- Contamination from ancillary equipment, such as transformers and energy storage, once in operation;
- Grazing of land beneath panels for grass/weed suppression, once in operation.

*We ask that details are provided of chemicals which may be used in the future cleaning of panels, and chemical coatings present on the panels (including PFAS). We reserve the right to comment on any products which we believe may adversely affect raw and treated water quality at our Trent abstraction point and Hall Water Treatment Works.

We would advise though that experience in servicing the water demands of other NSIP illustrates the need for these matters to be considered in the EIA at an early stage and design in or designed and scoped out of the project. Along with abstraction risks and surface water supply contamination questions we therefore disagree with the descoping of the water resource and water quality impacts from the EIA for construction, operation, and decommissioning phases (7.27 read with 7.26 and 7.28).

With regard to 7.32, Anglian Water now advise that new non household water supply requests (construction and operational phases) may be declined as these could compromise our regulatory priority of supplying existing and planned domestic growth. The flows needed to fill water storage tanks for example (if the promoter decides not to use rainwater harvesting on site to meet this non potable demand) will need to be assessed by Anglian Water to advise whether a supply is feasible when assessed in terms of the potential to jeopardise domestic supply or at a significant financial or environmental cost. Hall is a key site for Anglian Water in its long-term water resources management strategy. Looking towards future water resources, the Hall site/area may require further development in future, including acquisition of additional land for associated assets and infrastructure.

Our 2023 position on non- household supply is due to our joint aim with the Environment Agency of reducing abstraction to protect sensitive environments. If the promoter elects to seek a public water supply, they will need to submit a water resources assessment setting out a daily demand for each stage of the project and whether this is for domestic or non-domestic uses. Water use during construction means that the promoter will need to confirm that concrete production, for example, would be offsite and so not require an on-site supply. Further advice on water and wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team at: planningliasion@anglianwater.co.uk

Engagement

Anglian Water would welcome the early instigation of discussions with One Earth Solar Ltd as the prospective applicant, in line with the requirements of the 2008 Planning Act and guidance. Experience has shown that early engagement and agreement is required between NSIP applicants and statutory undertakers during design and assessment and well before submission of the draft DCO for examination. On the basis that fuller

consideration of water resources, water supply and possibly water recycling matters does identify that resources, assets and/ or services may be impacted by the project we would recommend further discussion on the following issues:

1. Impact of development on Anglian Water's assets and the need for mitigation
2. The design of the project to minimise interaction with Anglian Water assets/critical infrastructure and specifically to avoid the need for mitigation works and diversions which have associated carbon costs
3. Requirement for potable and raw water supplies
4. Requirement for water recycling (surface water/foul drainage) connections (if any)
5. Confirmation of the project's cumulative impacts with Anglian Water projects including medium to long term Strategic Resource Options
6. Draft Protective Provisions (a template has been previously provided to the promoter)

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

Darl Sweetland MRTPI
Spatial Planning Manager – Sustainable Growth

cc: info@oneearthsolarfarm.co.uk

Bassetlaw
DISTRICT COUNCIL
— North Nottinghamshire —

Neva Johnson
Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN
oneearthsolar@planninginspectorate.gov.uk.

Our Ref: 23/01423/PREAPP
Please ask for: Amanda Broadhead
Email: planning@bassetlaw.gov.uk

Dear Neva

11 December 2023

Location: Land at either side of the River Trent, extending broadly to the A57 to the north, South Clifton to the south, Skegby to the west, Thorney to the east.

Proposal: Scoping Opinion – The construction and installation of solar panels, battery energy storage systems and associated grid connections to generate 740 MW of renewable energy/electricity across 1,500 hectares in Lincolnshire, Bassetlaw and Newark & Sherwood

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

Thank you for your letter dated 13th November 2023 requesting an Environmental Impact Assessment (EIA) scoping opinion for the above development proposal.

The District Council acknowledges the request for an Environmental Impact Assessment Scoping Assessment under the terms of Regulation 15 of the Town and Country Planning (Environmental Health Impact Assessment) Regulations 2017(as amended), in relation to proposed development outlined above.

The proposed development is not outlined in Schedule 1 of the Regulations.

In terms of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the proposed development falls within the following description:

3 – Energy Industry

a) Industrial installations for the production of electricity, steam and hot water.

The threshold outlined in Schedule 2 for this type of development is 0.5ha.

The proposed development site is approx. 1,500 ha across Nottinghamshire and Lincolnshire and would allow for the generation of 740 megawatts (MW) of electricity.

The site therefore exceeds the threshold as outlined in Schedule 2 of the Regulations.

Whilst no formal screening opinion was submitted to the Local Planning Authority, the applicant has undertaken their own screening opinion which concluded that an Environmental Impact Assessment is required for the proposed development. The Council is in agreement to this approach.

The purpose of the Environmental Impact Assessment, is to establish the nature of the development and the environment in which it is to take place during the construction and operational phases, to identify likely significant effects on the environment that may arise. The EIA regulations require that any development falling within the description of Schedule 2 development will be subject to an Environmental Impact Assessment, where the development is likely to have significant effects on the environment by virtue of such factors as its nature, size or location.

Obviously the proposed Environmental Statement will need to contain the general principles set out in Schedule 4 of the Town and County Planning (Environmental Impact Assessment) Regulations.

The purpose of the submitted scoping report is to establish the following:

1. Identify the nature of the proposed development including its purpose, physical characteristics, land use requirements and any alternatives that have been considered
2. Identify and describe the key environmental topics that the EIA proposes to consider
3. Identify any environmental topics that are not relevant to the EIA and if these are proposed to be scoped out
4. Define the extent to which the key environmental topics need to be investigated and the methodology for assessment; and
5. Enable and initiate preliminary consultation with stakeholders

I will address the above in turn.

1) Identify the nature of the proposed development including its purpose, physical characteristics, land use requirements and any alternatives that have been considered

It is considered that the nature of the proposed development including its purpose, physical characteristics and land use requirements have been set out in the submitted scoping report.

2) , 3) and 4) Proposed topics to be scoped in and out of the assessment and methodologies

The submitted scoping report lists a comprehensive list of the topics to be scoped.

Chapter 18 lists the following environmental matters that are scoped out and these are as follows:

Glint and Glare

Waste

Wind Microclimate

The District Council's Environmental Health Officer has commented that the Scoping Report (November 2023) scopes out the possible impact from lighting schemes during the construction/decommissioning and operational phases of the project. The potential for light nuisance during the construction phase is not dissimilar to the potential for noise nuisance, which has been scoped in. It may be appropriate to scope lighting during construction into the Environmental Impact Assessment, rather than relying on the later, proposed, Construction Environmental Management, and Demolition Environmental Management Plans.

Nottinghamshire County Council Highway Authority has commented that the proposal would have a significant impact on the existing transportation network mainly during the project's construction phase. Therefore a detailed Transport Assessment (TA) and supporting studies to assess the additional traffic demands and any required mitigation to the highway network would be required. These should be prepared in accordance with current Planning Practice Policy, Nottinghamshire County Council's Design Guide and other industry accepted guidance on TA's. The HA will need to consider the detail of the transportation impacts once the planning application (s) is/(are) made and is likely to secure any necessary mitigation measures through planning condition and S106 obligations. Their detailed comments are attached.

Whilst some topics have been scoped out it is considered that there is a degree of overlap with the topics that are proposed to be scoped in eg Glint and glare will to a degree impact landscape and visual. Likewise cumulative effects will relate to all of the above topics and therefore there will need to be some cross reference with the documents that are submitted with the planning application per se.

A full round of consultation has been undertaken in respect of the submitted scoping report and it is considered that this approach is acceptable based on the very limited consultation comments that have been received to date (some responses have not yet been received; however if these do come back I will of course forward them onto you).

The submitted scoping report does acknowledge that a series of technical reports will be required to accompany the planning application and therefore I attach a copy of the consultation responses that have been received so that these can inform your future submission, these have been received from the following bodies:

BDC Environmental Health
NCC Highways

In terms of the topics proposed to be scoped in the local planning authority is generally in agreement with these and comments are made as follows:

Cumulative and Combined Effects

It is considered that there are some developments missing from the list that have been provided in the scoping report and the applicant's attention is brought to the following link

which sets out the relevant energy developments in the District. From here the applicant will be able to see which ones will need to be considered for this Environmental Statement.

Energy developments | Bassetlaw District Council

5) Enable and initiate consultation

The Council has undertaken consultation on this scoping opinion and the received responses are attached to this letter which outline the main consultees and their details. There are a number of consultations outstanding and the Council will forward a copy of these responses if they are forthcoming. The Council is happy to facilitate meetings with any consultee as the applicant feels is necessary.

This forms the Council's formal scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Yours sincerely

Development Team Manager

MEMO

FROM: **Environmental Health Manager**	**TO: Planner Development Manager**
	FAO: P Department
OUR REF: WK/000160268	**YOUR REF:** 23/01423/PREAPP
	DATE: 06 December 2023

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

LOCATION: BDC - Planning, Queens Buildings, Potter Street, Worksop, Nottinghamshire, S80 2AH

The Environmental Health team would like to make the following observations/comments.

To discuss any of these comments please ring 01909 533533 and ask for the relevant officer.

	Comments	**Officer**
Extraction/ Ventilation:-	No comments or observations to make.	Neighbourhood EHO (JP)
Noise:-	I am satisfied that the Scoping Report (November 2023) adequately identifies the factors (both those to be scoped in and scoped out) relating to noise and vibration that should be considered in the Environmental Impact Assessment.	Neighbourhood EHO (JP)
Lighting:-	The Scoping Report (November 2023) scopes out the possible impact from lighting schemes during the construction/decommissioning and operational phases of the project. The potential for light nuisance during the construction phase is not dissimilar to the potential for noise nuisance, which has been scoped in. It may be appropriate to scope lighting during construction into the Environmental Impact Assessment, rather than relying on the later, proposed, Construction Environmental Management, and Demolition Environmental Management Plans.	Neighbourhood EHO (JP)
Contaminated Land:-	Bassetlaw District recommends conducting an initial desk study (Phase 1) to assess potential land contamination risks due to historical land use. Furthermore, they suggest devising a detailed strategy to minimize contamination risks associated with the proposed solar farm during its operational period.	Pollution TO (JW)

Environmental Health Services

TOWN AND COUNTRY PLANNING ACT
HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT (PRE-PLANNING APPLICATION ADVICE)

DISTRICT:	Bassetlaw	Date received	28/11/2023
OFFICER:		by D.C.	28/11/2023
PROPOSAL:	Proposed National Strategic Infrastructure Project Consultation from The Planning Inspectorate on Behalf of the Secretary of State for a Scoping Opinion	D.C. No.	2023/01423/PREAPP
LOCATION:	One Earth Solar Farm Project		
APPLICANT:			

The Highway Authority (HA) has reviewed the content of the Environmental Impact Assessment (EIA) Scoping Report (SR) dated Nov 23 submitted by Logika Group Ltd on behalf of One Earth Solar Farm Ltd. The application comprises **the construction and installation of solar panels, battery energy storage systems and associated grid connections to generate 740 MW of renewable energy/electricity across 1,500 hectares** in Lincolnshire, Bassetlaw and Newark & Sherwood. Chapter 12 of the SR determines the extent of the traffic & transportation issues to be considered. The main areas considered are broad transport aspects, with limited detail provided.

A proposal of this magnitude will have significant impact on the existing transportation network mainly during the project's construction phase. Therefore, the HA will require a detailed Transport Assessment (TA) and supporting studies to assess the additional traffic demands and any required mitigation to the highway network. These should be prepared in accordance with current Planning Practice Policy, Nottinghamshire County Council's Design Guide and other industry accepted guidance on TA's. The HA will need to consider the detail of the transportation impacts once the planning application (s) is/(are) made and is likely to secure any necessary mitigation measures through planning condition and S106 obligations.

The TA should include the following details and information: -

1. The access strategy outlining design philosophy and the approach for the scale of development proposed using https://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide
2. Note - baseline appraisal data, key analysis parameters and assessment methodology should be agreed with the HA before the full TA work is undertaken.
3. The TA should clearly define the proposed schemes in relation to the different LPA administrative boundaries i.e., Bassetlaw, Lincolnshire, and Newark & Sherwood.
4. The number, size and frequency of the vehicles that will be associated with the construction and completed – operational phases of the proposal.
5. The proposed routing of the construction vehicles from the principal highway network to the proposed sites, including vehicle tracking where necessary to show that the highway network can adequately accommodate construction vehicles access, egress and turning. This will require a Construction Traffic Management Plan (TMP) to be agreed with the HA. Contacts tro@viaem.co.uk abnormalloads@viaem.co.uk

6. Details of the proposed temporary/permanent access(s)/hardstanding in the site, including achievable visibility splays, access widths, finished gradients, surfacing materials and drainage measures. The layout plan(s) should show the proposed access and its interface with the existing public highway network. This must be a topographical plan, accurately showing all street furniture/posts/trees/assets at a minimum scale of 1:500. Access arrangements and proposed highway improvements will require independent Stage I Road Safety Audit (RSA) to be undertaken in accordance with HD 19/15.
7. Details of the proposed welfare compounds/parking/unloading/manoeuvring areas within the site during both the construction and operational phases by use of a comprehensive Construction Management Plan (CMP).
8. All temporary construction sites (expected to be mostly agricultural field) should include proactive measures to prevent deleterious construction material and mud being transferred to the public highway i.e., Wheel wash facilities.
9. The reports should include detailed long-term management strategies to mitigate any negative transport impacts of the development and where possible promote sustainable active movement.
10. The TA should include a chapter that deals with cable routing corridors and utility diversion/installation over/under the public highway for the National Grid connection. Especially, how the main connection of the solar power system will be established at High Marnham substation. The opportunity to share cabling infrastructure with the other solar panel schemes/utilities in the area should be explored.
11. All new cables in public highway need to be installed by a statutory undertaker and use of a Section 50 licence under the NRSW Act for installation by other companies is not acceptable. Contact licences@viaem.co.uk streetworks@viaem.co.uk
12. Some sensitive rural roads will require dilapidation surveys and road condition prior to and after heavy construction work has been undertaken.
13. The proposal must identify any minor public highways affected and their future treatment. This should include definitive/non-definitive rights of way such as public footpaths, public road, bridleway, BOAT or restricted bye way.
    Contact countryside.access@nottscc.gov.uk.
14. The area appears to contain a limited number of environmental weight limits, but the HA encourages early consultation to limited environmental annoyance to affected villages/residents and to ensure works programmes are not hindered. Contacts
15. Enquiries about adopted public highway records highwaysearches@viaem.co.uk

Please note this list is not exhaustive and the applicant will be expected to provide appropriate assessment information that reflects site conditions and its locality.

Furthermore, the HA reserves its right to vary its assessment requirements and the amount of detail required depending on the outcomes of the iterative transport evaluation process.

P M Evans
Principal Highways Development Management Officer (North)
Ashfield & Mansfield, Bassetlaw Area
Nottinghamshire County Council
Place (Investment & Growth) - Planning Group

05-12-23

Amanda Brookes

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 01 December 2023 16:21
To: Planning; Martyn Beckett
Subject: FAO Ms Amanda Broadhead & Mr Beckett REF: 23/01423/PREAPP One Earth Solar Scoping Hollowgate Lane High Marnham Notts
Attachments: ufm3_NSIP_-_Consultation.rtf

Our ref: **459057**
Your ref**: 23/01423/PREAPP**

Dear Ms Broadhead and Mr Beckett

Thank you for your pre-application consultation request dated and received by Natural England on 1st December 2023.

Natural England is a statutory consultee for planning applications which might affect designated nature conservation sites (Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites), for development affecting significant areas of best and most versatile agricultural land and for development requiring Environmental Impact Assessment. Natural England is not a statutory consultee at the pre-application stage except for NSIP's, and therefore is unable to provide advice free of charge. However, where a development proposal may result in significant environmental impacts or significant opportunities for environmental gain we have introduced a Discretionary Advice Service (DAS) on a cost recovery basis so that we can work with applicants, developers, and consultants to take appropriate account of environmental considerations at an early stage of the process to improve the quality of applications before they are submitted. We believe this could help to save our customers time and money in the long term, whilst also securing good outcomes for the natural environment.

Please visit the GOV.uk website for more information and a downloadable request form here.

You may wish to recommend our Discretionary Advice Service to the developers/consultants and explain that they are able to contact Natural England directly using this service.

For information, it is the responsibility of the local planning authority (LPA) to decide whether a proposal is 'in or likely to affect a Site of Special Scientific Interest' and if so, to ensure that appropriate consultation with Natural England is carried out. We advise LPAs to make this assessment using Natural England's published set of mapped Impact Risk Zones (IRZs) for SSSI/SAC/SPA and Ramsar sites. These IRZs are available for viewing on www.magic.gov.uk and they may be helpful to you in identifying whether Natural England would need to be consulted on a planning proposal.

For guidance on how to access and use the Impact Risk Zones see SSSI IRZ User Guidance MAGIC.pdf (defra.gov.uk).

Yours sincerely

Sharon Jenkins
Operations Delivery

Consultations Team
Natural England
County Hall
Spetchley Road
Worcester
WR5 2NP

Enquiries line: 0300 060 3900
Email: consultations@naturalengland.org.uk
www.gov.uk/natural-england

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see here
For further information on the Pre-submission Screening Service see here

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From: [redacted] <[redacted]
Sent: 01 December 2023 10:41
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Subject: 459057 23_01423_PREAPP Consultation request

Please see attached consultation

_____
[Bassetlaw District Council] Martyn Beckett
Systems Support Officer
Bassetlaw District Council, Potter Street, N/A, Worksop, Nottinghamshire, S80 2AH
W: www.bassetlaw.gov.uk<http://www.bassetlaw.gov.uk>

_____
_____
[Bassetlaw District Council] Martyn Beckett
Systems Support Officer
Bassetlaw District Council, Potter Street, Worksop, Nottinghamshire, S80 2AH
W: www.bassetlaw.gov.uk<http://www.bassetlaw.gov.uk>

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Canal & River Trust
Making life better by water

PINS Ref EN010159

Our Ref IPP-210

Monday 4 December 2023

BY EMAIL ONLY mailto:oneearthsolar@planninginspectorate.gov.uk

EN010159 One Earth Solar Project – Scoping Consultation. Comments from the Canal & River Trust.

Thank you for your pre-application consultation on the One Earth Solar 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 plans, drawings and scoping documents, we wish to make the following comments:

The Trust are Navigation Authority for the River Trent. We are also landowner of parts of the river, and have absolute freehold interests in small land parcels next to the river, which could lie within the red line boundary of the project boundary. Due to the nature of the need for cable connections, we understand that a crossing of the river is proposed. The proposals also seek to construct elements of the project in close proximity to the river, whilst a significant proportion of the project will likely be visible from the waterway.

The River Trent is classified as a freight waterway, and can accommodate large craft.

Biodiversity

The River Trent corridor provides a linear habitat for wildlife and biodiversity. In line with the principles of paragraph 5.3.17 from the National Policy Statement for Energy 1 (EN-1), species and habitats should be protected from the adverse effects of development. Appropriate mitigation against adverse effects should also be identified in accordance with paragraph 5.3.18.

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

We understand that the Environmental Report will be accompanied with a Phase I Habitat Survey. We note that the impact of the wider scheme and the potential mitigation required will likely be informed by the findings of this survey.

The effects to be included in the assessment listed in paragraph 6.36, appear comprehensive. **We wish to highlight that directional drilling activities could disturb nearby habitat through noise and vibration; and suggest that the impact of this is included within the assessment.**

Artificial lighting may be proposed during both the construction and operation phase. It is not clear if effects of this on biodiversity are to be scoped into the Environmental Report, as the impact of lighting is not discussed in chapter 6. We note, however, that chapter 11 indicates that impacts from lighting will be scoped out.

Temporary construction lighting, including upon the cable corridor routing, has the potential to disturb wildlife, including along the river corridor. There is a risk that temporary lighting may be in position for a long time during the period of construction. **As a result, we request that further justification is required for not scoping this into the environmental report, such as the agreement for additional lighting details to be provided prior to the commencement of construction works.** The submission of a construction phase lighting plan with LUX values provided could offer an appropriate solution, and could potentially be provided post determination.

Hydrology and Hydrogeology

Flows of water, or changes to peak flood levels, on the River Trent have the potential to impact the safe passage of vessels on the waterway.

Generally, the information provided suggests the scheme will not result in significant changes to peak water discharges to the River Trent, either directly or through discharge to connected watercourses. The exact impact will, however, depend on the final design of Sustainable Drainage Systems proposed for the site (discussed in paragraph 7.24 – 7.25); and the exact nature of any floodplain compensation discussed on 7.21. We anticipate that exact details of these measures will not be provided in the Environmental Statement. However, we do request that measures are in place so that the final design and specification of these measures is provided and assessed prior to the commencement of works.

We note that it is proposed that the Construction Environmental Management Plan will include a Construction Surface Water Management Plan to discuss how temporary changes to runoff from the site during the construction phase will be managed. Whilst the Trust has no specific objection to this approach, **we request that the Trust should be consulted on the final CEMP document, so that potential impacts on the river corridor can be fully assessed.**

Land and Soils

The proposals involve land in close proximity to the River Trent. We request that any disturbance of land here should seek to avoid pollution to the water environment of the river which could be caused through unintentional runoff from exposed soils, or dust; to ensure compliance with the general aims of parts 5.6 and 5.15 of the National Policy Statement for Energy (EN-1).

Paragraph 8.10 confirms that the development will include a Soil Resource Management Plan (SRMP) and outline Decommissioning Environmental Management Plan (ODEMP) relevant for the construction phase. These could offer an appropriate measure to address risks to the river Trent and interlinking watercourses. Main risks for the River Trent would likely arise from excavated material or pollutants like oil from machinery entering the watercourse. **We suggest that perimeter drains, earth or sandbag barriers to channel runoff, the covering**

exposed ground and stockpiles to prevent erosion, and siting stockpiles away from the river could be appropriate measures to reduce risks to watercourses that could be incorporated into these documents.

Paragraph 8.12 states that agricultural land will be considered the main receptor for assessment in this chapter. The disturbance of soils could impact the water environment of watercourses including the Trent. **As a result, watercourses could potentially be included as a receptor for consideration.**

Cultural Heritage

10.14 identifies Fledborough Viaduct as a non designated Heritage Asset within the study area of the application site. This is a large structure, providing a local landmark that is highly visible to river users.

Our review of the location plan of the development suggests that the solar scheme would be visible to people crossing the viaduct, and potentially would be visible within the setting the viaduct when viewed from the river. We therefore question paragraph 10.19, where the asset is not listed as being potentially affected be the Proposed Development, and **ask that its non-inclusion in the assessment is reviewed and fully justified.**

Landscape and Visual Effects

The proposals would involve the permanent erection of solar panels in locations visible from the River Trent.

The river in this location is characterised by existing long distance rural views of agricultural fields that are lined with field trees and hedgerows. The site plan extends up to the river (including parts of the river space itself), and both operational and construction phases could have an impact on visual setting of the waterway corridor.

Table 1 within Chapter 1 identified a range of visual receptors who could be affected by the works. Whilst people walking alongside the river will be picked up by the 'people travelling on the PRoW network' category, **we request that boaters should be considered as a separate category**, especially as these users have different experiences of the local area, based by necessity on speed and mooring times.

Landscape and Visual Impact Appraisal

We appreciate that proposed submission would include a Landscape and Visual Impact Appraisal (LVIA); we anticipate this would seek to accord with the principles of paragraph 5.9.5 of the National policy Statement for Energy (EN-1).

No viewpoints for assessment have been identified at this stage. **We request that the assessment should include viewpoints from the Trent, so that the impact on waterway users can be fully assessed**. Ideally, this should include at least one viewpoint from the north and south of the Trent, looking over the site area. **Consideration should also be given towards views of the position of the crossing and landscape/biodiversity mitigation works as part of the LVIA assessment.**

Boundary Treatments

We note that fencing is likely to be incorporated as part of the scheme.

The exact finish of any new fencing could have a significant impact on the visual appearance of the waterway corridor, especially if any fencing is to be positioned near to the river.

We advise that any solid treatment to perimeter fencing should be avoided, as this could be highly visually apparent on the landscape, which would result in a high sense of visual enclosure alien to the rural environment. The use of mesh or paladin fencing would be more appropriate, as it would be more light weight in design, and

would allow more light through. A green finish to the fence would also help make the structure less visually apparent on the landscape. Palisade fencing, should this be considered, would be unlikely to be visually appropriate for the rural setting of the site, as the size of metal bars are relatively wide, and would be more visually prominent.

Glint and Glare

There is a need to consider Glint and Glare effects in accordance with the aims of draft policy EN3. We consider it important to ensure that boat users will not be harmed by any glint and glare, which could impact navigational safety on the river should any users become dazzled by reflections from the apparatus.

We note that Glint and Glare is not to be considered as a separate chapter in the Environment Statement. However, we appreciate that a Glint and Glare assessment is to be carried out and will be reviewed as part of the LVIA assessment. **We consider it pertinent that the Glint and Glare Assessment considers boat users (as well as nearby walkers and other river users) to inform the final Environmental Statement.**

Lighting

Chapter 11 identifies that lighting is not to be assessed as part of the LVIA assessment. Subject to lighting impacts being assessed as part of the assessment on the impacts to the wider landscape as stated within table 11-2, the Trust is broadly comfortable with this approach. Notwithstanding this, however, our comments above with regards to the impact of lighting on biodiversity remain pertinent, and we do believe this needs consideration as part of the Biodiversity chapter of the Environmental Statement.

Transport and Access

The red line boundary of the project includes the River Trent corridor. The exact nature of works in, under or over the Trent are not yet fully identified. In the absence of this information, we consider it prudent that this chapter should include an assessment of the impacts on river users, notably boat traffic, during the construction phase. Operational phase impacts may also need to be consider if any oversailing of the river is proposed. **To enable this, we request that boaters should be listed in paragraph 12.21.**

We understand that detailed consultation has not yet taken place in relation to traffic and access.

Based on the position of the development, we expect that impacts concerning road traffic and access for the Trust will be limited to those of any routing of traffic over bridges that cross our network. We request that any routing should seek to utilise adopted roads where possible, with the avoidance of narrow bridges that could be damaged by large HGV use. This would likely be more pertinent to canal crossings of artificial canalised waterways in the local area (including the channel through Newark and the Chesterfield Canal to the north) as opposed to the wider main channel of the River Trent.

We wish to highlight that the River Trent is a freight waterway capable of handling freight traffic. Opportunities may exist for the carriage of construction associated traffic close to the site via waterborne craft, which could help reduce the need for carriage by road. This could help to reduce road miles and help improve the sustainability of the proposal, and to help mitigate the impacts of goods transport to and from site in line with the principles of section 5.13 of EN-1 and section 2 of the National Planning Policy Framework. The potential use of the river for such use is not discussed in the scoping documents.

We consider that options for alternative non-road based construction transport to and from the site, including use of the river, should be considered in the Environmental Report submitted with the main application, to explore whether this option is feasible (even if just to discount this option). We would be happy to provide further advice upon this.

Canal & River Trust
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN
T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

General Comment on the Routing of the Cables

We anticipate that new cable crossings of the River Trent, required for the scheme, will be sited underground. The Trust generally would welcome 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 cable crossing(s) of the River Trent, then we advise that the Environmental Report would need to assess the visual impacts of the cables, and how they would be assessed and impacts mitigated against. In addition, consideration would need to be given to the potential impact on Navigation on the river and the headroom available for craft below (should any oversailing of the river be proposed).

Works to install cables below the waterway would need to be carefully managed to avoid any significant vibration or loading that could adversely impact the stability of the river banks above.

We request that methodology for any directional drilling and associated risk mitigation details should be submitted prior to the commencement of development on site.

Land Ownership

The red line plan of the project is complex. The Trust have ownership interest in land parcels adjoining the River Trent, in addition to specific freehold interests in the river itself.

Of specific note, to the east of the River, the Trust has freehold interests in Title NT474106. It if difficult from the high level red line plan to identify if any of this land is included in the project boundary.

So that the full impact on Trust land can be fully evaluated, we request that the promoter provides a list of parts of Trust land that the project is likely to impact. This would assist with any land negotiations with need to be advanced further.

Our Estates contact, Steve Robinson, can be contacted at [redacted] for more information.

Other Comments

Our consent as Navigation Authority and Landowner would be required for the installation of a new cable below the River Trent.

Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways. **The Trust will seek to agree the rights the project requires over Trust land and we will resist the use of compulsory powers which may affect our undertakings.**

For the installation of a new cable below the river, **the applicant is strongly advised to contact the Trust's Utilities section at utilitiesenquiry@canalrivertrust.org.uk as soon as possible for further advice to ensure that the principle of a cable crossing can be agreed.**

In our capacity as landowner, we advise that the applicant/undertaker would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust' (available at: https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice).

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The applicant/developer is advised to contact the Canal & River Trust's Infrastructure Services Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.

Biodiversity Net Gain

We note the proposal to provide Biodiversity Net Gain will be provided as part of the proposals (e.g. paragraph 6.26).

The Defra Biodiversity Metric requires that planning applications including land within the site boundary that is within **10m of a canal** are supported by an assessment of the baseline condition of the watercourse. Paragraph 10.1.3, figure 10-1 and table 10-1 of the Biodiversity Metric 4.0 User Guide explain these requirements. It is the Trust's understanding that, unless exemptions apply, in these circumstances, developers will need to deliver a minimum 10% net gain in watercourse biodiversity units. Development may also affect other habitat types on land owned by the Trust, including, but not limited to, grassland, woodland, scrubland and hedgerows.

Ecologists working on behalf of developers should obtain, and comply with, consents from the Trust to undertake any necessary habitat condition assessments and ecological surveys on our land, consistent with our Code of Practice.

The Trust will consider proposals from developers to deliver net gains on its land (be these watercourse units or other habitat types) on a case-by-case basis. In doing so, we will have regard to Defra's 'Sell biodiversity units as a land manager' guidance. The Trust's agreement to habitat enhancement activities being undertaken on our land will be subject to operational, management and commercial considerations. We will be happy to discuss this further with you.

Protective Provisions

Due to the proximity of works to the River Trent, including works below the waterway, we consider that Protective Provisions will be necessary for the protection of the Trust during the construction, operation and any decommissioning stages of the development.

We would welcome the opportunity to discuss this further with the applicant during the development of their initial Development Consent Order. To assist with the applicant's drafting, we can provide a set of 'standard' draft protective provisions for the Trust, which can be used as a basis to work from and tailor to suit this development,. We would seek to reach agreement on the provisions at the earliest possible opportunity. **Please contact myself on the details below should you wish to discuss this further.**

We hope the above comments are of use. If you have any questions or require further information, please feel free to contact me via the contact details below.

Yours Sincerely

Simon Tucker MRTPI
Area Planner

Simon.Tucker[redacted]
([redacted]
https://canalrivertrust.org.uk/specialist-teams/planning-and-design

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Directorate of Communities & Environment
Simon Walters MBA, ACG, MCMI
City Hall, Beaumont Fee
Lincoln, LN1 1DF

Telephone: [redacted]
Facsimile:
Website: www.lincoln.gov.uk

The Planning Inspectorate

Marie Smyth is dealing with this matter
Direct Dial:
E-mail: [redacted]@lincoln.gov.uk
Our Ref: 2023/0820/LAC
Your Ref:
Date: 21st November 2023

Dear Sir/Madam,

Town and Country Planning Act 1990
Location: One Earth Solar Farm
Proposal: Scoping Opinion For One Earth Solar Farm at land to the east and west of the River Trent.

Thank you for your consultation on the above and I would confirm that the City of Lincoln Council has no objections to this proposal.

Yours faithfully

[redacted]

Mr K Manning
Assistant Director - Planning

Introduction

The Parish Council of Dunham with Ragnall, Fledborough and Darlton are not in support of the applicant's proposals; as outlined in their Scoping Report, submitted on the 13th of November 2023.

The Parish Council has outlined information that should be included in the Environmental Statement. Due to the short time limit imposed, this list is not exhaustive, and we may have future information that we feel will be important in affecting the Environmental Statement.

Additional considerations

Many of the decisions the applicant has made in their Scoping Report are based on an indefinite operational phase. We strongly insist that the operational phase is time-limited, in line with the other solar NSIP's in the area. With the applicant's current proposal, any references to the project being temporary should be removed, and their effects assessed as permanent.

The development of the STEP project at West Burton, a nuclear fusion power station located on the former coal-fired power station has wide reaching effects across the Trent Valley area and is of national importance. The effects of the proposed development must be scoped into the assessment as a separate section, rather than being included under the socio-economic section.

The Council insists that a moratorium on all Trent Valley energy projects until a masterplan has been written, incorporating impact on STEP programme.

There are several solar projects of a similar scale planned in the wider area. Although these developments are at some distance away, due to their scale and identicality, the applicant must assess the cumulative effect of these projects against their own proposed solar development. Due to the number of these projects at a later stage in the national infrastructure project process, their effects must be considered under a separate section of the environmental assessment.

National Grid have already completed the first stage of consultations for the North Humber to High Marnham national infrastructure project. Their proposed development includes areas in, and nearby, the applicant's proposed development area. The cumulative effects of the two projects requires detailed consideration, as detailed in Paragraph 4.2.5 of NPS En-1.

The applicant must complete a cumulative effects assessment, following the advice published by the planning inspectorate.

The applicant must consider in their environmental assessment the effects of the scale of the development. The areas outlined in their map includes vast blocks of solar panels. The sheer scale of the proposed development should be taken into account in all the areas of their assessment.

No details of alternative sites have been identified in the scoping report submitted by the applicant. Section 4.4.2 of NPS En-1 details what is required. The applicant must detail in their assessment why land outside of the outline area was not considered for their proposals in their assessment.

The area already has pylons and transmission wires, as well as being located near a large substation. The area already hosts energy infrastructure associated with national infrastructure. Large areas of the outline area to the west of the river Trent are prone to surface water flooding and no consideration to alternative land has been given.

Other solar NSIP's to the north of the site have panels some distance from their associated substation, the applicant has not given any justification for their close proximity to the High Marnham substation and the cumulative affects on visual appearance this would bring.

The applicant must include in their assessment how their proposed development will affect the weak mobile phone signal in the area, and how they would mitigate any effects.

Included in the applicant's assessment should be details of any plans to re-panel the site in the future, and what effects it would have on wildlife, soils and the community.

Biodiversity

An Environmental Impact Assessment from Nottinghamshire Wildlife Trust must be included in the assessment.

The applicant should aim for a much higher biodiversity net gain rather than the minimum of 10%, especially considering the scale and duration of the proposed development. As outlined in the applicant's map, the majority of the mitigation and enhancement is located to the east, and near, the river Trent. The mitigation and enhancement must be laid out in a way that improves biodiversity over the wider area.

The baseline surveys have not been completed to a sufficient level of detail or duration for a development of this scale and proposed duration. Those conducted did not fully follow the guidance given in several of the survey methodologies, and are limited in the number of locations surveyed. Given the scale of the proposed development this cannot form a reliable baseline.

Fledborough to Harby Dismantled Railway LWS, designated for botanical interest, has not been identified as an important wildlife habitat. It forms an important wildlife corridor across the area, and also across the Trent. The sidings and site of the former High Marnham power station has also been omitted. These sites must be added as wildlife habitats and the areas sufficiently surveyed.

Full, year-long surveys of species identified in the applicant's scoping report should be conducted across the whole site to form a more representative baseline and to aid in mitigation and enhancement.

No detailed wildlife surveys on land at or near residents in the proposed development area have been conducted. Survey licences, similar to those being pursued by National Grid in their NSIP must be sought to establish baseline data near sensitive receptors and to guide mitigation and enhancement.

Protection and enhancement of local wildlife sites must be included in the applicant's assessment.

The effect of the proposed development on raptors must be included in the assessment. The loss of their hunting grounds puts them at risk. Not only are these species an important part of the food chain, but they also have considerable visual appeal.

The construction plan must include plans to mitigate harm to nesting bird species found in hedgerow habitats.

No details have been given by the applicant on how they plan to mitigate areas that would be lost to transitory and roaming animals, such as badgers and deer.

The applicant must include in their assessment how their plans will affect the ongoing rewilding efforts being made by the parish council.

The effects of the scale of the development should be included in the biodiversity section.

The applicant has not detailed how the biodiversity net gain will be measured during any phase of the project. This needs to be scoped into the assessment.

The applicant should also seek to acquire independent reports on baseline biodiversity from independent organisations, such as the RSPB etc.

The effect of the proposed project on creating a microclimate that would adversely effect wildlife must be included in their assessment.

Hydrology and Hydrogeology

The applicant's statement in their scoping report that the risk of surface water flooding is low is false, the low-lying farmland west of the river Trent floods almost annually.

The surface water flooding risk of the low-lying areas to the west of the river Trent requires further investigation by the applicant and Environment Agency. The historical flooding in this area does not match up with the Environment Agency Flood Risk from Surface Water map. The surface water flooding risk in this area does not take into consideration the pumping station for Fledborough Beck, and the flooding risk associated with its potential failure.

The applicant has not identified the risk of damage to subsurface field drains that are present across agricultural land. These field drains require mapping to inform panel mounting placement does not damage or affect the ability of the land to drain. Damage to field drains has the potential to degrade soil structure and future agricultural use of the land.

The applicant has not considered septic drainage fields in areas, such as Fledborough, without mains sewers. These areas must be identified as areas where panels must not be placed, damage to these areas would present a health risk.

Additional or alterations to watercourse crossing points must be fully assessed. Any new crossings must include details of maintenance to prevent any flooding risk.
The effects of surface water run-off from solar panels must be fully assessed to prevent channelling and soil erosion. Run-off from panels must be managed in a way that minimises any reduction in water quality or increase in surface water flooding.

Offsets from watercourses should be made wider than recommendations provide, to account for climate change requiring channels to be widened.

Consideration must be made for the effects of climate change on surface water flooding, and an increased risk of flooding from the river Trent.

The responsibility of the maintenance of ditches and dykes across the proposed site need to be established. If the land is to be used for solar panels there is little incentive for land owners to maintain them, if these watercourses are not maintained it risks worsening the effects of flooding in the local area.

Land and Soils

The potential loss of BMV land must be scoped into the assessment; no BMV land should be included in the development.

Physical damage to the soil during the operational phase needs to be scoped back in to assess the potential damage from panel run-off.

The applicant must assess the impact on soils that would result from being shaded by solar panels for the duration of the operational stage.

The Soil resource management plan needs to include soil sampling periodically, adjusting the plan if needed to prevent the loss of BMV land.

Land and groundwater contamination should be scoped back in due to the risks associated with any discharge or fire from the battery energy storage system.

The soil management plan must include the effects of climate change on the area included in the proposed development.

There needs to be consultation with local communities on the details of the soil management plan.

Buried Heritage

Ground-penetrating radar should be used across the site rather than relying only on LIDAR data.

The applicant has only listed designated monuments individually as buried heritage assets, rather than listing those known across the site.

The proposed development is within the vicinity of the deserted village of Woodcotes. (Nottinghamshire HER monument record M4652) The applicant has not identified this site as buried heritage. The applicant must scope this into their assessment, along with mitigations.

The proposed development includes the potential Roman settlement at Ragnall (Nottinghamshire HER monument record M478) and includes this site as a potential area for solar and associated infrastructure in Appendix A of their Scoping Report. This area requires surveying, excluding from the development area, and must be scoped into their assessment.

The sunken village of Ragnall (Nottinghamshire HER monument record M6210) and Grounds at Ragnall Hall (Nottinghamshire HER monument record MNT26615) are in close proximity to the development area, and must be scoped into the assessment.

Cultural Heritage

The applicant has only assessed the built cultural heritage in their report. No details of social heritage have been included, such as Fledborough once being the ‘Gretna Green of England.’ Many buildings in the area have links to larger estates or specific landowners, as well as other aspects of heritage. The applicant should include the effects on these aspects in their assessment as a separate section.

Customs/traditions of farming communities should be included in a social heritage section.

Rural lifestyles and local values should be included in a social heritage section.

The effects of the proposed development on social heritage and communities should also be included in mental health and socio-economic sections of the assessment.

The applicant must consult owners of heritage assets in addition to consulting conservation officers to undertake a detailed assessment, and establish what design and mitigation measures need to be put in place.

The applicant states that non-designated heritage assets in the area are of lower significance. This has not been justified, and many of them have characteristics that would merit listed status. There are many reasons why the respective owners have not sought listed status.

There must be detailed consideration in the assessment on how it would impact Fledborough Viaduct. This prominent feature of the landscape would be at particular risk with the outlined plans.

Consideration of cultural heritage in the assessment must consult the local community, and not just the district planning office.

The applicant notes that the landscape is already fairly industrial/power-focussed when scoping in the effects to historic landscape character where it contributes to the setting of heritage assets. The parish council does not agree with this assessment.
The landscape has changed in the 20 years since the power station closed, with a focus on wildlife regeneration and tourism.

The applicant has only considered listed buildings and non-designated heritage assets when the National Policy Statement EN-1 has a wider scope.
Other heritage assets from the Historic Environment Record need to be included in the assessment of cultural heritage. These include the collection of heritage assets at the former Fledborough railway station, and the buildings listed in the HER in Ragnall.

The proposed development area is largely agricultural in nature and is a huge part of our cultural heritage. This must be included in the assessment.

No consideration has been given by the applicant towards buildings that could be given non designated heritage asset status. Given the scale of the proposed development, it is likely that some buildings will be added, or apply for listed status.

Landscape and Visual

No visual receptors have been chosen for users of the river Trent. These must be chosen and the Canal and River Trust must be a statutory consultee. No consideration has been given to anglers on the river Trent, the effects of the development on anglers should be included in the environmental assessment.

The applicant's assessment of the landscape context in their scoping report does not include the prominent feature of the former railway line and associated embankments and cuttings. This must be scoped in.

The Fledborough Viaduct is not included within the Land Use, Infrastructure and Settlement section of their scoping report and must be included.

The cables for power transmission must be buried to reduce visual impact, directional drilling must be used across the Trent to eliminate any visual impact on the views and to avoid alterations to Fledborough Viaduct.

The views from the viaduct and western embankment give open views to the north. The assessment that these views are truncated by vegetation can be disproved by site visits, especially in winter.

The applicant's choice of planting must assess the relevance of the landscape character, which is predominantly Trent Washlands to the west of the river Trent.

The applicant must assess the visual impact from roads. The roads to the west of the Trent are usually higher than the surrounding open and flat farmland where solar panels are proposed.

The applicant must consult directly with properties that have been selected as important visual receptors, in conjunction with approaching local authorities.

The use of CCTV cameras in rural environments, particularly near roads and properties should be assessed individually. These cameras would have a large impact on visual appearance and mental wellbeing of residents in areas devoid of such infrastructure.

The effects of the scale of the development should be included in the landscape and visual section.

The effect of large blocks of solar panels must be assessed by the applicant. These would have a much greater impact than several smaller blocks containing the same number of solar panels.

The character of public rights of way must be maintained. Many of the rights of way enjoy an open view of countryside, mitigation and screening that limits these views would be detrimental to the visual appearance of the area.

Any temporary closures of rights of way must be planned in advance with consultation from County, District and Parish councils.

The location of visual receptors must include consultation from Parish Councils as well as local planning authorities.

The effects of climate change on the visual appearance of the landscape should be scoped into the assessment. There is likely to be an increase in flooding in the winter and droughts in the summer. The appearance of the development through these conditions should be considered.

Transport and Access

The applicant's proposals to provide permissive routes would likely result in an increase of traffic using narrow roads servicing local residents. The effects of the development on and increase in traffic, and proposed mitigations such as passing places should be included in the assessment.

Air Quality

The choice of materials for access roads and permissive routes proposed across the site must be assessed on their impact to reduce air quality through dust emissions.

Carbon and Climate Change

The embedded Carbon emissions of the infrastructure, such as mounting and electrical equipment, and the solar panels, should be included in the assessment due to the colossal scale of the proposal.
The use of recycled steel must be considered, along with the reduction of concrete and use of recycled aggregate for foundation material where needed.

The effects of climate change must be considered in all other sections of the assessment.

Noise and Vibration

Solar panels are ‘hard’ surfaces that have a limited ability to absorb noise. The applicant must assess, and model, if possible, the effect of panels on exacerbating current noise from road traffic and other noise sources.

The impact of noise from inverters and substations should be scoped into the assessment. As inverters would be located across the site, the accumulation of small amounts of noise would have a much larger impact. Passive cooling must be chosen where possible to avoid the use of fans and eliminate noise. When details of the locations of such infrastructure is known, noise modelling should be carried out.

Permanent noise monitoring stations should be included within the design, with data made available to local authorities to ensure the applicant is following details of their construction plan. During the operational phase, monitoring would ensure noise is kept to a minimum.

The applicant must include details of the potential noise pollution arising from the battery storage. The batteries must not be located near households.

The effects of climate change on the noise emissions from electrical equipment, given that temperatures are set to rise, must be considered.

The effects of noise on wildlife, such as bats and owls must be considered in the assessment.

Human Health

A specific section of the assessment for mental health and wellbeing must be included in the assessment. This is a nationally important health area, and the effect of solar panels covering a large area of open countryside must be assessed. Every effort must be made to ensure any development has no adverse effect on mental wellbeing.

The impact of the proposed development on the mental health of all ages needs to be assessed. More specific assessment of groups with increased susceptibility to mental health issues, such as young adult males, must be fully assessed.

The effects of the development during the operational phase on mental health and wellbeing must be continually assessed, and additional mitigation measures considered.

The health effects on elderly populations at risk of Alzheimer's disease and dementia must be scoped into the human health assessment. The area is an agricultural setting, and huge changes to this may result in an increase in the prevalence of these conditions.

Risk taking should be scoped back into the assessment. The risks associated with young adults and other individuals accessing the proposed infrastructure should be addressed.

The effects of the development on community safety should be scoped back in. A solar development is likely to attract thieves seeking metal.

Community severance and community engagement should be scoped back into human health. Psychological severance with some settlements experiencing a sense of enclosure by surrounding development, and the impacts on mental wellbeing must be assessed.

The effects on community engagement resulting from the process of engaging with the application should be considered. The process over several years has a high likelihood of reducing community engagement as time and effort will be directed away from local communities and towards the National Infrastructure Project process.

Health effects related to the project must not be deemed as temporary. As the project is planned to have a significantly long operational phase, for the assessment of health effects, these must be considered as long-term effects.

Cable routing across the site must be considered in a way that minimises any potential risks of accidental electrocution, such as running cables under roads. The routing of cables should be planned to avoid routing near houses to reduce any potential effects of electromagnetic sensitivity.

The effect of the proposed development on road traffic users should be included. Not only in terms of glint and glare, but also on the risks associated with road traffic collisions. The ‘soft’ environment that is currently in the area means that vehicles that come off the road network are less likely to suffer major injuries. With the proposed development the infrastructure has the potential to cause major injuries. These effects must be assessed and mitigations proposed, especially in areas that have had a high number of road traffic incidents.

Socio-Economics

Figures on employment in the agricultural sector should be included in the baseline assessment.

The applicant must submit an economic impact analysis for a reduced mixed economy as part of their assessment. e.g. depopulation of villages because of reduced job opportunities resulting in reduced or no investment in the area, reduced or no small business start-ups, loss of jobs across the agricultural industry, including contractors, packaging, heavy goods drivers, Newark Sugar Factory, tourism.

The applicant needs to consult with the Council for the Protection of Rural England (CPRE) regarding the impact of large solar plants surrounding communities.

The effect of the development on leisure and tourism must be assessed in detail. The proposed development has a large potential to limit investment and opportunities for this sector.

The proposed development will result in a landscape that is predominantly solar panels. The reduction in diversity of businesses, and businesses that support them needs to be assessed.

The applicant must assess the effects of the proposed development on investment in small businesses that serve the area.

The applicant needs to provide data on population changes where solar plants surround villages as part of their assessment.

Loss of land knowledge should be assessed - farmers know their fields, and after 40 years this knowledge would be lost.

The effect of the proposed development on the loss of locally available jobs, in the agriculture and leisure and tourism sectors, needs to be assessed. During the short term the leisure and tourism industry is at particular risk.

The effect of the proposed development on the diversity of sectors for employment should be assessed. With no development there are opportunities for small and medium enterprises to develop in the area, the proposed development has a high chance of limiting this opportunity.

The effect of the proposed development on the tourism sector associated with the national cycle network along the Fledborough Viaduct needs to be assessed. The area saw a marked increase in people using the network during the COVID-19 period, which has continued. The applicant must assess the impact that may be caused due to their proposed development.

Customs/traditions of farming communities, along with other social heritage, risk being lost. The applicant should assess how their proposals will mitigate this.

The proposed development increases the loss of farming skills and expertise, in a sector that has an ageing population and fewer younger farmers. The applicant needs to assess how their proposals will affect young people entering the agricultural sector.

The applicant must assess the effect of their proposals on mobile phone signals and infrastructure. The effect of the infrastructure on mobile phone signals, which are vital in a rural area, must be assessed.

The long-term effects of the development on local B&B’s and Air B&Bs should be assessed. This area of the leisure and tourism sector has the potential to provide even more local employment and opportunities. The proposed development will jeopardise these small businesses if the effects are not properly assessed.

The effect of the proposed development on the ability to sell houses in the area must be assessed, along with the reduction in house prices. A development of this scale will affect the local housing market as sellers are unable to downsize. The effect of this has wider implications for care, health, and employment as residents are ‘stuck’ in their houses.

The potential for ‘brain-drain’, where young adults do not return to the area as a result of the proposed development must be included in the assessment. The effects of ‘brain drain’ on the wider economy needs to be assessed, as adults with higher levels of education leave the area after gaining qualifications.

The proposed development is likely to result in a decrease of school places; residents will struggle to sell and downsize, resulting in an ageing population, overlapping with health effects, and fewer young families in the area with children. The effect on school places should be scoped back in.

The applicant must include in their assessment how they plan to avoid job loss due to the loss of agricultural land. They should also include plans to create jobs in the area and what they will do to avoid any jobs they create from being filled by those from outside the proposed development.

The applicant must include details in their assessment regarding wellbeing and community cohesion, and what mitigations they will provide at all stages of the proposed development.

Glint and glare

The applicant plans on including glint and glare as an appendix to their assessment. This must be scoped back into their assessment. This is in line with the National Policy Statement EN-3.

As the applicant intends to align panels in a north-south orientation, detailed assessment on roads running in similar directions within the area must be included.

Darlton Gliding Club, Gamston Airport and the Civil Aviation Authority must be consulted as part of the glint and glare impact assessment. The applicant must make specific assessments regarding glint and glare on Gliders.

Risk of Major Accidents and Disasters

The applicant has scoped this out of their assessment, with details to be included in other sections. As the proposed development includes many electrical installations, as well as battery storage, and the risks of flooding across the site, this should be a separate section. The risk of major accidents associated with the battery energy and storage system must be assessed in a Risk of Major Accidents and Disasters section. The predicted output of the development suggests that the total battery capacity will be large. As such, more detailed assessment must be included.

There is public concern over the long-term reliability of battery storage, detailed assessment is required to address these concerns.

Battery storage risk assessments need to take into consideration the proximity to local fire and rescue services, as well as their capacity to deal with any fires at the site(s) without affecting their ability to perform their other duties.

The potential damage to soil and water quality following a fire or discharge from the battery storage must be assessed.

The effects of climate change, such as wetter winters, drier summers, and heavier/more prolonged periods of rain must be assessed in relation to major accidents and disasters. For a development that plans to be operational for many decades, the increased potential needs to be fully assessed, and design and mitigation measures considered.

Although flooding is addressed in the Hydrology and Hydrogeology section, the impacts of climate change and disasters caused by damage to key infrastructure, such as pumping stations and flood embankments needs assessing.

Waste

The applicant has scoped out waste from their assessment, being addressed in the construction plan and other plans. The effects of waste arising from decommissioning, especially for a development proposed at such a large scale needs to be considered.

The applicant must detail measures that will be taken to minimise waste during the decommissioning phase.

Assessments on choice of materials and design to minimise waste that will be created in the decommissioning phase should be included.

The applicant should assess how changes over the lifespan of the proposed development will affect the accessibility to disposal of waste generated during the decommissioning phase, such as the availability of landfill.

Conclusion

This forms a response from the Parish Council of Dunham with Ragnall, Fledborough and Darlton. We hope that this feedback helps shape the Environmental Impact Assessment.

Madeline Barden

Chair,
Dunham with Ragnall, Fledborough and Darlton Parish Council

creating a better place
for people and wildlife

Environment Agency

Planning Inspectorate
National Infrastructure
Planning
Temple Quay House (2 The
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BS1 6PN

Our ref: XA/2023/100046/01-L01
Your ref: EN010159
Date: 11 December 2023

Dear Sir/Madam,

ENVIRONMENTAL SCOPING REPORT (13 NOVEMBER 2023)

ONE EARTH SOLAR FARM

Thank you for consulting us on the EIA Scoping Opinion for the above project. We have reviewed the Scoping Report, referenced Scoping Report One Earth Solar Farm Ltd dated November 2023, and have the following advice:

We broadly agree with the topics to be scoped in and out of the further assessment within the Environmental Statement (ES). We have provided our advice on these topics within our remit below. These are in the order prescribed by the scoping report for the ease of reference.

Biodiversity

We acknowledge that details of the methods of cabling are yet to be established. For any watercourse the preferred method, presenting least risk is usually horizontal directional drilling (HDD) or other trenchless techniques. We look forward to further details and justification for chosen method for each crossing.

We understand from section 3.28 that cabling will be required to cross the River Trent to connect with the High Marnham substation. The River Trent at this location is a key migratory route for Atlantic salmon, smelt, sea lamprey, river lamprey, Allis shad, Twaite shad and European eel. For any watercourse, in particular a watercourse such as the River Trent, the preferred method, presenting least risk is horizontal directional drilling or other trenchless technique. We look forward to further details and justification for the chosen method.

The applicant should ensure there is a sufficient buffer between the fence and any ecological feature such as watercourses and ditches. This will allow for natural movement of mammals up and down the system.

It is understood from Figure 3-6 that there is not a proposed access route to cross the River Trent. It is unclear whether other smaller watercourses will need to be crossed. Should any access tracks cross watercourses or ditches we would expect to see open span bridge design. We support the proposal to retain and use existing watercourse crossing points where possible. The applicant should also consider whether these crossing points could be improved for ecology, for example removal of a culvert and replacement by an open span bridge.

We are pleased to see the proposal to achieve Biodiversity Net Gain (BNG) in excess of 10% noted in section 3.41. We recommend the applicant refers to both mitigation measures within the Water Framework Direction (WFD) and opportunities within any Local Nature Recovery Strategies.

This approach is supported by section 4.5 of National Policy Statement EN-1 National Policy Statements for energy infrastructure (in force until early 2024) - GOV.UK (www.gov.uk) and also paragraphs 174 and 179 of the National Planning Policy Framework (NPPF) National Planning Policy Framework - Guidance - GOV.UK (www.gov.uk).

The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- Habitat restoration, re-creation and expansion.
- Improved links between existing sites.
- Buffering of existing important sites.
- New biodiversity features within development; and
- Securing management for long term enhancement

The Environment Act 2021 looks to ensure that the overall impact from development on the environment is positive. The Act includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Although we recognise that provision of BNG is not yet mandatory for Nationally Significant Infrastructure Project, we encourage the applicant to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account.

The Planning Practice Guidance (PPG) provides guidance on the application of net gain and Institute of Ecology and Environmental Management, together with CIRIA and the Institute of Environmental Management and Assessment have published guidance on how to deliver net gain in practice. These can be downloaded here.

We look forward to receiving the outline Landscape and Ecological Management Plan (LEMP) as part of the DCO application which will set out the principles for biodiversity as stated in section 3.42.

Any construction compounds will need to be secure to prevent accidental entrapment of wildlife, this is especially important near watercourses where otter may move up and down stream frequently. Any trenches will need to be covered when not being worked.

We support further surveys addressed in section 6.12 and 6.25 for both otter and water vole in 2024. Please provide full details of these surveys. These surveys must be in line with best practice and include all potential watercourse crossings (access, cabling etc).

We note that there have not been any surveys for fish. Any works in or near a watercourse including bridges, culverts, cabling may impact on fish species present in both the River Trent and other waterbodies within the site. Fish will need to be considered. Impacts should include the potential impacts of electromagnetic fields on migratory and non-migratory fish.

We support comments in section 6.26 and 6.28 regarding environmental measures to further investigate opportunities to achieve biodiversity net gain on site, which as suggested should include potential opportunities to enhance habitats along the River Trent riparian corridor. This could also include removal of hard revetment or instream structures such as weirs if present both on site and off. The applicant should also consider any mitigation measures for these waterbodies under the Water Framework Directive as well as opportunities identified in Local Nature Recovery Strategies.

Water Framework Directive

The main bodies of concern regarding WFD are The Beck Catchment, for which the red line boundary intersects twice and a portion of the Trent Bifurcation Pingley Dyke to Winthorpe, which the red line boundary borders, alongside some more minor tributaries such as the Moorhouse Beck. All these waterbodies have moderate ecological status, there is minor opportunity to provide some improvements to the Beck Catchment and the Moorhouse Beck as some of the reasons for not achieving good status include diffuse sources of pollution and poor soil management, land drainage because of agricultural practices. Changes to land use may improve this. The report mentions the Fleet Catchment. This catchment lies outside of the redline boundary and the opposite side of the Trent so likely to be outside of any influence. Please provide further comment on why this catchment has been included.

The applicant confirms that a WFD compliance assessment will not be completed if the detailed assessment does not identify any likely significant effects.

Depending on the methodology used, the detailed assessment may not provide adequate evidence that the proposed development will not cause deterioration to WFD status of any designated waterbodies, nor will it prevent the achievement of ‘Good’ status.

It is important that the applicant recognises that WFD impacts are assessed in a different way from the EIA approach. Applicants will need to clearly identify in their documentation (either within the ES or as a standalone document(s)) the implications of the Proposed Development for the objectives of the WFD and relevant RBMPs. The EA recommends the applicant reviews PINS Advice Note Eighteen to ensure that adequate assessment is carried out as part of their application.

Groundwater and Contaminated Land

The majority of the development site is underlain by the Mercia Mudstone Group, with very small areas to the east underlain by the Scunthorpe Mudstone Formation and Penarth Group. The Mercia Mudstone is classified as a Secondary B aquifer, the Scunthorpe Formation is classified as Secondary undifferentiated and the Penarth as unproductive aquifer.

Superficial deposits at the site include the Holme Pierrepont Sand and Gravel Member, Alluvium, Blown Sand and Till. These are all classified as Secondary A aquifers. Superficial deposits are absent in parts of the site.

The Anglian Water Newton public water supply abstraction (a group of groundwater abstraction boreholes) is present within and adjacent the site boundary. This abstracts from the Triassic Sandstone which is confined by the Mercia Mudstone at this location. This abstraction has an associated Source Protection Zone 1c,2c & 3c (where c represents that the sandstone is confined by the mudstone) and these zones are within the development boundary.

We are largely satisfied with the matters that are proposed to be scoped in and out of the Environmental Impact Assessment and provide further comments in relation to Sections 7 and 8 below.

Chapter 7: Hydrology and Hydrogeology

This chapter states the effect that the Proposed Development will have on the hydrogeology and groundwater flows will be scoped in. We note that private water supplies have not been mentioned in section 7.26 where other important receptors have been listed. These should be considered as part of the assessment. We are satisfied with the decision to scope out pollution prevention and understand that this will be in included with the Construction Environmental Management Plan (CEMP). We note that Battery Energy Storage Systems (BESS) are included as part of the proposed development. They have the potential to pollute the environment. Applicants should consider the impact to all environmental receptors during each phase of development. Particular attention should be applied in advance to the impacts on groundwater and surface water from the escape of firewater/foam and any contaminants that it may contain. Suitable environmental protection measures should be provided including systems for containing and managing water run-off. This should form part of the CEMP.

Cabling for the new scheme may be installed in trenches or via the use of horizontal directional drilling. This work could involve the use of drilling muds and their use may require risk assessment to ensure they do not pose a risk to controlled waters. The proposed use of directional drilling techniques should therefore be included in the CEMP.

Chapter 8: Land and Soils

The guidance section (8.2) does not refer to our ‘Land Contamination Risk Management’ guidance. This should be included as it is the over-arching guidance

document for dealing with land contamination.

Table 8.1 states that land and groundwater contamination during construction, operation and decommissioning stages will be scoped out of further assessment. It goes on to state that, *"There are no recorded current or historical landfill sites within the Site, the closest being at the High Marnham Power Station where waste was accepted between 1978 to 1994."* Our records show that there are two historic landfills associated with High Marnham Power Station present within the site boundary. These should be given some consideration.

It is possible that we will recommend the inclusion of a Requirement in relation to the management of unsuspected contamination when the DCO application is submitted. The foundation solutions for all elements of the scheme will be confirmed at the DCO application stage. We would expect that a foundation works risk assessment is completed for the development in areas where contamination may be present, for example in the area of the historic landfills. This could be included in the CEMP along with pollution prevention measures to ensure the groundwater beneath the site is not impacted by on-site activities.

The applicant proposes to scope out the impacts of silt laden run off and chemical spillages from construction activities. However, the applicant does not appear to have considered the sensitivity of possible receptors within the local water environment.

Within the report, there is no mention of the relevant River Basin Management Plans (RBMPs), the WFD waterbody catchments could be impacted or the objectives and sensitivities of these plans and catchments. Additionally, the applicant does not identify the large number of abstraction licences and discharge permits located within the site boundary and downstream. There is a risk that the CEMP does not adequately protect these features from negative impacts.

The applicant should complete a more thorough assessment of baseline conditions before assessing whether a detailed assessment of the impacts on the water environment is required.

<u>Waste on site</u>

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

The applicant should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;

• website at https://www.gov.uk/government/organisations/environment-agency for further guidance

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

The applicant should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.gov.uk/government/organisations/environment-agency for more information.

Foul Drainage

The applicant confirms that the impact of foul water on Anglian Water's and Severn Trent's foul network will be scoped out as construction facilities will likely be served by welfare facilities unconnected to the main sewer networks. Foul water will still be generated at the site and therefore it still has the potential to have environmental impacts.

Without connecting to foul sewer, sewage will either need to treated and discharged at the site, or it will need to be removed for offsite treatment and disposal. In the former scenario the discharge may cause environmental impacts and will require an environmental permit, one of the limiting factors for issuing a permit includes proximity to foul sewer. Sewage removed for offsite disposal will still have an impact on flows at the receiving treatment centre. The applicant should have regard for the fate of sewage even if it is not discharged to main sewer.

Water Resources

Section 2.24 identifies existing infrastructure within proximity of the boundary of the site. Abstraction of water from groundwater and from surface water for public water supply has not been identified but exists at the north of the site boundary. The upstream catchment for the public water supply is a drinking water protected area as the abstraction may be vulnerable to changes in water quality. Consideration for water quality impacts to surface water and groundwater bodies within the drinking water protected area should be considered as part of a wider WFD assessment.

Whilst the requirement for dewatering is not explicitly identified in the Development proposal or Construction sections of the report, the construction of transformers/inverter stations, Battery energy storage system facilities and substations are identified in section 3. Section 3.27 also describes trench cutting for underground high voltage cabling.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) to locally lower water levels near the excavation. This activity was previously exempt from requiring an abstraction license. Since 01 January 2018, most cases of new planned dewatering operations above 20 cubic meters a day will require a water abstraction license from us, prior to the commencement of dewatering activities at the site.

If dewatering is required, it will require an abstraction licence if it doesn't meet the criteria for exemption in *The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works*. It may also require a discharge permit if it falls outside of our *regulatory position statement for de-watering discharges*.

Consumptive abstraction from Groundwater may not be available, more details can be found in the *Abstraction Licensing Strategy* for the catchment. If the dewatering activity can be demonstrated to be discharged to the same source of supply without intervening use (i.e. non-consumptive), this will increase the likelihood of a licence being granted. Examples of (consumptive) intervening uses include: dust suppression; mineral washing; washing down machinery.

Potential impacts of the development on existing abstraction licenses (including non-water company) have not been addressed in the report. If dewatering is to take place and if there are pathways identified for impacts to water quality as identified in 8.1 surface water drains, then there is the risk of derogation of those sources of abstraction. We recommend that an assessment of impacts to surface water features and licensed abstractions should be scoped in also.

Flood Risk

Overall, regarding flood risk, we agree with the decision to scope the following into the EIA:

- Flood risk effects on users of the site during operational phases
- Flood risk effects on areas off site
- Effects of changes in quality and quantity of surface water runoff from the site to the surrounding watercourses as a result of the proposals.

However, we do not feel these encompass all the potential flood risks associated with the proposed development which we would expect to be scoped into the assessment. We have outlined below points to factor into the future EIA:

- We would like to clarify that any assessment of flood risk should account for future flood risk, using the 39% climate change allowance referred to within the scoping report.

- Residual flood risk – it is important that residual flood risk, from flood defences being overtopped or breached, is also scoped into the assessment.

- Potential impact on river channel or flood defence assets – it is acknowledged within the scoping report that there are a number of flood defences within the site, including embankments between Fledborough and Dunham-on-Trent and at South Clifton and North Clifton. It is also recognised that there will need to be a cable crossing over the River Trent. Therefore, unless all structures / ground works are to take place further than 8m from any flood defence asset, including the River Trent, we would recommend the impact on flood defence assets / the river be scoped into the assessment. In accordance with paragraph 5.8.17 of NPS EN-1, development (including construction works) should account for any existing watercourses and flood management structures or features, or any land likely to be needed for future structures, or features to ensure development does not restrict essential maintenance and emergency access to the river channels. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works. Works in close proximity to the main river channel may adversely affect the stability of the riverbank and compromise its function, potentially resulting in adverse flood risk.

- Although the scoping report proposes to assess the flood risk effects on site users during operational phases, we recommend this also include the flood risk effects on the operation of the solar panels and energy infrastructure itself. It is important to ensure that the site can remain operational, but also that risks such as debris build up on solar panel frames during a flood event, is factored into the assessment and the maintenance of structures are also assessed.

We feel that the proposal to scope out 'construction and decommissioning' from the assessment is too broad and there are elements within these phases that should be included within the assessment. The flood risks associated with the construction phase are important to scope into the assessment given how flood risks may differ to those likely to be associated with the operational phase, particularly with the phasing of construction works and any temporary works or storage of materials required to facilitate the development. However, we believe that there is unlikely to be any additional flood risks needing to be assessed for the decommissioning stage, so we would be willing to accept that decommissioning be scoped out of the assessment.

Flood Zone 3b is not referred to in the scoping report but would be important to consider within the EIA. The local authority's SFRA will define the extent of Flood Zone 3b.

<u>The Sequential Test</u>

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences. In line with paragraph 161 of the NPPF, *'all plans should apply a sequential, risk-based approach to the location of development – taking into account*

all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property'. Paragraph 162 of the NPPF states that development *'should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential approach should be used in areas known to be at risk now or in the future from flooding'*.

The application of the sequential test is not mentioned as part of the Scoping Report. Although it's not necessary to include as part of the scoping stage of the application, we wanted to use this opportunity to emphasis its importance and ensure it is sufficiently applied and evidenced within the flood risk chapter of the EIA.

Flood Modelling

The applicant should be aware that EA models are not designed to assess third party developments, so do not assume that they are suitable for assessing the flood risk associated with the proposal. It is always the applicant's responsibility to assess the suitability of an existing model on their project. Although Environment Agency flood modelling is often seen as the 'best available' flood modelling, these are created for our own purposes and usually at a catchment-scale. Although they are made available for third parties to use, it is up to the applicant to review the modelling and determine whether it appropriately represents flood risk on a site-specific basis or whether any updates or modifications need to be made to improve its usefulness in informing the assessment of flood risk. The applicant should also provide evidence of any modelling checks and subsequent updates carried out and document these in the FRA model reporting.

Flood Risk Activity Permits

Please note that the Environmental Permitting (England and Wales) Regulations 2016 require a flood risk activity permit (FRAP) or exemption to be obtained for any activities which will take place:

- On or within 8m of a main river (16 metres if tidal)
- On or within 8m of a flood defence structure or culverted main river (16m if tidal)
- On or within 16m of a sea defence
- Involving quarrying or excavation within 16m of any main river, flood defence (including a remote defence) or culvert
- In the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.

If any of the works are likely to require a FRAP under the Environmental Permitting Regulations, we recommend the applicant consider early on whether they might consider the disapplication of the Environmental Permitting Regulations (EPR) and matters pertaining to FRAPs be considered as Protective Provisions under the DCO.

Additional Information

In accordance with paragraph 161 of the NPPF, all plans should make use of opportunities provided by the new development and improvements in green and

other infrastructure to reduce the causes and impacts of flooding, making use of natural flood management techniques as part of an integrated approach to flood risk management.

Essential infrastructure within Flood Zone 3 is also required to pass the Exception Test, part of which requires new development to remain safe for its lifetime, without increasing flood risk elsewhere, and, where possible, reduces flood risk overall.

Given that a large section of the site benefits from the presence of flood defences, given there are some flood defence assets present within the red line boundary. We recommend the applicant consider whether the scheme could provide flood risk betterment, through maintaining or upgrading existing flood defence infrastructure in and around the site, which would also likely reduce the risk of flooding on the site itself.

We support the inclusion of the list of ecological features, in particular riparian mammals. We note that fish have not been identified as an ecological feature. Any works in or near a watercourse including bridges, culverts, cabling may impact on fish species present in both the River Trent and other waterbodies within the site. Fish will need to be considered. We look forward to reviewing the ecological assessment taking into account our comments above.

Further Advice

Air Quality

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and

demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Climate Change

Whatever final design or location is chosen the likely life span of the site will mean that it will need to operate within a changing climate. Therefore, a robust design and sensitive final location selection to accommodate future climate change impacts should be pursued. This will need to consider issues such as flood risk, increased heat, and drought, all of which could impact on the efficient running of the site. Climate change impact risk assessment and adaptation measures should include the potential impact of a changing climate for the expected duration of site operations.

Noise and Vibration

Vibration from the installation of structures may adversely affect flood defences from vibration. By way of example, Section 4.2 discusses the installation of pylons and other above ground structures. Given there is no indication of where such structures will be installed in relation to main rivers or flood defences, we would like to see vibration monitoring scoped into the assessment to ensure that the associated vibrations will not adversely affect any flood defence structures. Vibration should be limited to a safe threshold using appropriate guidance. For example, the type of pylon foundation chosen (e.g., pad and column, mini pile or tube pile) and associated methodology should be assessed. Depending on proximity an assessment may also be required for vibration from HGV traffic/plant.

Environment Agency Land

There are some areas of land, specifically around main rivers, which are land owned by the Environment Agency. Due to the large scoping area, it is unclear at this stage whether this land will be affected by the proposals, but we would welcome ongoing discussions with the applicant about this.

Yours faithfully,

Mr Joshua Milsom
Planning Specialist

Direct e-mail josh.milsom@environment-agency.gov.uk

From:	Jarvis, Neil
To:	One Earth Solar
Subject:	Response regarding One Earth Solar Farm Ltd, reference EN010159
Date:	14 November 2023 14:56:00
Attachments:	Govn. Protect of AW"s - buffer zones.docx

Dear Mr. Briody,
Thank you for consulting the Forestry Commission on this proposal. As the Governments forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient \semi natural Woodland as well as other woodland. We are particularly concerned about any impact on Ancient Semi natural Woodland and will expect to see careful consideration of any impact and any weightings which might be applied to any assessments of route options/or site choice.

The UK Forestry Standard (UKFS) sets out the UK government's approach to sustainable forestry and woodland management, including standards and requirements as a basis for regulation, monitoring and reporting requirements. The UKFS has a general presumption against deforestation. Page 23 of the Standard states that: "Areas of woodland are material considerations in the planning process…." In addition, lowland mixed deciduous woodland is on the Priority Habitat Inventory (England). This recognises that under the UK Biodiversity Action Plan they were recognised as being the most threatened and requiring conservation action. The UK Biodiversity Action Plan has now been superseded by the UK Post-2010 Biodiversity Framework but this priority status remains.

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the scheme. A scheme that bisects any woodland will not only result in significant loss of woodland cover but will also reduce ecological value and natural heritage impacts due to habitat fragmentation, and a huge negative impact on the ability of the biodiversity (flora and fauna) to respond to the impacts of climate change. Woodland provides habitat for a range of Section 41 Priority Species including all bats. Included within that assessment should be an assessment of any woodlands under an existing woodland grant scheme and / or a felling licence agreement to ensure these agreements will not be negatively impacted and *public money wasted.*

Where woodland loss is unavoidable, it is expected that there will be significant compensation and the use of buffer zones to enhance the resilience of neighbouring woodlands. These zones could include further tree planting or a mosaic of semi-natural habitats. The Government guidance on the design of buffer zones is attached. Please note that **Clifton Plantation**, **Road Wood** and **West Wood** as shown in the Scoping Report, Appendix A map, are examples of woodlands where it is proposed solar panels would be immediately adjacent to their perimeters and so will require buffer zones. In addition there are two woodlands to the west of Road Wood, that were planted via a woodland grant scheme, where it is proposed to surround them with solar panels (they are at grid references SK 8473 7344, and SK 8459 7304.) These grant scheme woodlands will need buffer zones and access tracks to enable future management of the woodlands. Effective and practicable proposals for managing the boundary of the woodland and any likely increased access, proportionate to the degree of likely future access, planned or unplanned will need to be planned carefully and hedgerows and

individual trees within a development site considered in terms of their overall connectivity between woodlands affected by the development.

For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities you must take into consideration the Root Protection Zone. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals).

The mitigation hierarchy set out in Paragraph 180 NPPF _July 2021. sets out a useful structure for considerations of mitigation and compensation. Whilst the NPPF does not apply to NSIPs this ethos remains the same.

With the Government aspirations to plant 30,000 ha per year across the UK by 2025. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. However, as already mentioned there are a number of issues that need to be considered when proposing significant planting schemes :

- Biosecurity of all planting stock needs to be considered.
- Woodlands need to be climate and pest and disease resilient.
- Maximise the ecosystem services benefits of all new woodland wherever possible (flood reduction)
- Planting contributes to a 'resilient treescape' by maximising connectivity across the landscape.
- Plans are in place to ensure long term management and maintenance of woodland.

Yours sincerely,

N. C. Jarvis.

Neil Jarvis
Local Partnership Advisor
Santon Downham Office
Brandon,
Suffolk,
IP27 0TJ

Mobile [redacted]

Please note that my working days are Monday, Tuesday and Wednesday.

As found on GOV.UK

https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences

Use of buffer zones

A buffer zone's purpose is to protect ancient woodland and individual ancient or veteran trees. The size and type of buffer zone should vary depending on the scale, type and impact of the development.

For ancient woodlands, you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter.

Where possible, a buffer zone should:

- contribute to wider ecological networks
- be part of the green infrastructure of the area

It should consist of semi-natural habitats such as:

- woodland
- a mix of scrub, grassland, heathland and wetland planting

You should plant buffer zones with local and appropriate native species.

You should consider if access is appropriate and can allow access to buffer zones if the habitat is not harmed by trampling.

You should avoid including gardens in buffer zones.

You should avoid sustainable drainage schemes unless:

- they respect root protection areas
- any change to the water table does not adversely affect ancient woodland or ancient and veteran trees

Historic England

Mr Joseph Briody
The Planning Inspectorate
oneearthsolar@planninginspectorate.gov.uk
By Email

Our ref: PL00794127
Your ref: EN010159
Telephone: [redacted]

07 December 2023

Dear Sir,

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

Scoping Report Consultation

Thank you for contacting us on 13 November 2023 regarding a Scoping Opinion in relation to the above Proposed Development. We note that the Proposed Development includes the construction and installation of solar photovoltaic panels, Battery Energy Storage Systems (BESS) and associated grid connection infrastructure which would allow for the generation of an anticipated 740 megawatts (MW) of electricity across approximately 1,500 hectares (ha) of arable agricultural land, located to the east and west of the River Trent in Lincolnshire and Nottinghamshire.

Historic England Advice

Historic England has the following specific comments to make regarding the proposed content of the EIA as set out in the Scoping Report:

Archaeological Issues and Monuments

Preservation in situ, and Hydrology and Hydrogeology

In paragraph 9.22 it is mentioned that preservation in situ may be required for significant remains. Historic England's guidance (2016) on preserving archaeological remains will be useful to consider and will help guide the decision-making process:

Historic England, 2016, Preserving Archaeological Remains: Decision-taking for Sites under Development. London:
https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/

Where important archaeology is known or suspected to exist, and it is planned to preserve it in situ (paragraph 9.22) there is a need to consider more than construction related impacts. Any changes to the burial environment that the development introduces could lead to the degradation of materials and the loss of information beyond the development boundary (particularly if there are any remains dependent on a stable water environment). To ensure that such impacts (if present) are properly accounted for we would recommend ensuring that opportunities are taken to seek synergies with other topic areas, such as hydrology and hydrogeology. Integrating models from this with an understanding of any potential water dependent heritage assets identified in desk-based work will enable effective early identification of, and engagement with, any sites or areas that may need greater consideration of preservation approaches.

Fieldwalking

Historic England welcomes the recognition given to the earlier prehistoric material (Mesolithic and Neolithic) in paragraphs 9.7 and 9.8. Much of this activity was discovered through fieldwalking and, as the project moves forwards, it should be borne in mind that standard archaeological methodologies (such as trial trenching currently proposed in paragraph 9.21) may not be sufficient to ensure the effective identification and characterisation of any similar lithic scatters elsewhere within the landscape.

Deposit Modelling

Further Baseline Data (9.19) should also include existing borehole data, and the applicants should seek to construct desk-based deposit model as part of the DBA. This is in line with Historic England's guidance on geoarchaeology (2015) and deposit modelling (2020):

Historic England, 2015, *Geoarchaeology: Using earth sciences to understand the archaeological record*, London: https://historicengland.org.uk/images-books/publications/geoarchaeology-earth-sciences-to-understand-archaeological-record/

Historic England 2020, *Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits*, London: https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/

A deposit modelling led approach will help delimit the presence / absence and nature of Pleistocene and Holocene deposits within different areas the site. Through this process, it may be possible to divide the site into landscape zones according to variations in the depositional sequence which will help in identifying areas of risk for unknown archaeology and where different types of activity may be expected.

Palaeolithic

Presently the Scoping Report only covers the Holocene, and the potential for earlier material isn't included. Historic England's guidance on the Palaeolithic states that all DBAs should address the potential for Palaeolithic archaeological remains:

Historic England, 2023, *Curating the Palaeolithic,* London: https://historicengland.org.uk/images-books/publications/curating-the-palaeolithic/

Although Palaeolithic activity isn't currently known within the study area, the potential for there to be some presence shouldn't be completely ignored. Creating a preliminary deposit model will help develop an understanding and model risk in this regard and will be particularly relevant for areas of deeper disturbance such as cable routes etc.

Roman forts

The presence of scheduled Roman military sites (a vexillation fortress and two marching camps) in the immediate vicinity of the scheme indicates the high archaeological potential of the area around the proposal, and there is high potential to harm buried archaeological remains associated with the Scheduled Monument. It should be noted that the area of the Scheduled Monument represents only what was visible from aerial photos at the point in time that the scheduling decision was made, and not the actual extent of the camps or the surviving archaeology.

The southern area of protection at Newton on Trent *(Roman Vexillation Fortress, two Roman Marching Camps, and a Royal Observer Corps monitoring post*), appears to comprise the northern part of second camp. This potential for nationally significant remains at the site has previously been demonstrated during a 2011-12 program of evaluation for Anglian Water's Hall Reservoir (Gilmour 2012), which discovered a Roman oven containing the remains of Roman bread. This is an exceptionally rare discovery:

Gilmour, N. 2012. *Lincoln Water Treatment Works, Newton on Trent, Lincolnshire*. OAE Report 1259, Oxford: Oxford Archaeology: https://eprints.oxfordarchaeology.com/1998/

It will also be very important to develop an understanding of movement along and across this part of the Trent from the Roman through the Early Medieval periods (including Viking).

Medieval monuments

Particular consideration should be given to the landscape setting and context of the scheduled monuments at *Whimpton Moor medieval village and moated site* and the *Ringwork at Kingshaugh Farm,* in the latter instance a close understanding of how/if the ringwork articulated to the topography, roads and river will be important.

Built Heritage and Landscape

The Scoping Report identifies a number of designated heritage assets that are considered to have the potential to be affected by the proposed development. The impact will be more harmful in some areas than in others, especially as the boundary comes right up to assets or into their setting and views.

Due to the extent of the proposed works and the overtly rural character of the area, impacts are likely upon the significance of listed buildings, designated assets and non-designated heritage assets through change to their rural historic landscape setting, and which contributes to their significance. A spreadsheet of Listed Buildings, one Conservation Area and a number of settlements that have the potential to be impacted by the development is attached without prejudice to such other heritage maters as may emerge through the EIA process. It includes an early assessment of the potential impact of the proposed development on the significance of the relevant heritage asset.

The former parkland shown on the OS 1" 1st edition mapping to the west of Ragnall Hall should be considered in the context of its setting as should the planning shown to either side of the road extending north. Rather than scope out the scheduled Cross at St Peter and St Paul's Churchyard, Kettlethorpe we suggest it is rolled in with the assessment of the closely associated Church.

Whilst some areas will be less impacted by the proposals, other areas will be affected by industrial features such as battery storage units, infrastructure of highways and other services, and types of fencing. There is existing landscaping which will mitigate impact, although hedges and trees may be cut down or lost due to weather or diseases, and therefore cannot be relied upon to remain to reduce impact.

A good understanding of topography as part of a heritage assessment would be very useful to ascertain degrees of impact on heritage assets. It is noted that options for locations, design, and mitigation methods such as soft landscaping are proposed, but also an assessment of the impact on heritage assets from noise and vibrations, and infrastructure should be provided as a means of explaining and justifying any proposed scheme.

We advise that there should be consideration of interconnecting views from within settlements and along settlement boundaries. We are pleased to see that additional fieldwork is proposed to be undertaken and at different seasons, to understand how this affects views, and we also welcome the proposal to carry out a Landscape Visual Impact Assessment (please see below for further comments).

With regard to likely significant effects scoped out of the detailed assessment, we would advise that with regard to Low Marnham, whilst there is existing power infrastructure evident, further infrastructure could increase the impact on the setting and significance of the heritage assets and therefore we consider that these should be included within the scope of the EIA. Please also refer to our attached spreadsheet for other settlements with heritage assets, which we consider should be scoped into the EIA.

Historic England recommends that any assessment should take account of our Historic Environment Good Practice Advice in Planning Notes which provide supporting information on good practice including:

Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision-Taking in the Historic Environment:

https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking

Historic Environment Good Practice Advice in Planning: 3 (2nd edition) - The Setting of Heritage Assets:

https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/

Landscape and Visual

Historic England recommends that the EIA should ensure that designated heritage assets are considered as individual receptors under either the Landscape and Visual or more appropriately in Cultural Heritage chapters, and that the list of selected viewpoints takes this into account in addition to the assessment of effects on general landscape character.

Setting impacts upon the significance of Grade II Listed Buildings outside of the 1km study area should not be all scoped out of the detailed assessment. A more flexible approach grounded in professional judgement should identify those assets where design, topography or associate renders them particular sensitive at distance. It is important in the assessment of setting impacts upon designated heritage assets kinetic and sequential views (as one moves through the landscape) are consider alongside those from fixed points, likewise views from private ground and the key rooms or accessible roof areas of should be considered alongside those from ore publicly accessible areas where those views contribute to significance.

Recommendation

Historic England advises that the issues set out above are addressed with the applicant to ensure that the EIA will provide a sound basis on which to assess the significance of any heritage assets affected and the impacts on heritage significance as a result of the proposed scheme.

Yours faithfully,

Elizabeth Boden

Elizabeth Boden
Historic Environment Planning Adviser
E-mail: elizabeth.boden@historicengland.org.uk

Area	Asset	Grade	Potential Impacts (without prejudice to EIA process)			
Ragnall	Whimpton House	II	Impact on the significance of building in rural setting. See also Scheduled Monument.			
	Ragnall House	II	Impact on the significance of building in rural setting. Consider former parkland and planting.			
	Barn at Ragnall Stables	II				
With all these, there will be great overall impact to the rural character and appearance of these villages and buildings with great landscape change which will impact on their rural setting and therefore their significance	Church of St Leonard	II*	Impact on the significance of building in rural setting			
	Church gateway	II	Include with Church			
	Ragnall Hall and outbuildings	II	Impact on the significance of building in rural setting			
Darlton	Chest tombs	II	Include with Church			
	Lychgate and walls of church	II	Include with Church			
	St Giles Church	II*	Impact on the significance of building in rural setting. See also Scheduled Monument to West.			
	Pigeoncote, stables, outbuildings to Hall Farm	II	Impact on the significance of building in rural setting			
	Manor farm barn	II*	Impact on the significance of building in rural setting			
	Manor Farmhouse	II	Impact on the significance of building in rural setting			
Skegby	Skegby Manor	II	Impact on the significance of building in rural setting			
	Skegby Manor Pigeoncote	II	Impact on the significance of building in rural setting			
Normanton on Trent	Church of St Matthew	II*	Impact on the significance of building in rural setting			
	Crew Yard and barn -					
Low Marnham	Grange Farm	II	Impact on the significance of building in rural setting			
	Grange Farmhouse	II	Impact on the significance of building in rural setting			
	Village Hall	II				
	St Wilfred Church	I	Impact on the significance of building in rural setting			
High Marnham	Marnham Hall	II	Impact on the significance of building in rural setting			
Fledborough	Manor House	II	Impact on the significance of building in rural setting			
	St Gregory's Church	I	Impact on the significance of building in rural setting			
	Headstones	II	Impact on the significance of building in rural setting			
	Marples' Cottages	II	Impact on the significance of building in rural setting			
	Church of St Oswald	I	Impact on the significance of building in rural setting			
	Gateway to Church	II	Impact on the significance of building in rural setting			
	Headstones	II	Impact on the significance of building in rural setting			
	Church Gateway	II	Impact on the significance of building in rural setting			
	Bridge Inn	II	Impact on the significance of building in rural setting			
	Dunam House	II	Impact on the significance of building in rural setting			
	West End Farm and Stables	II	Impact on the significance of building in rural setting			
Newton on Trent	Hall Farmhouse	II	Impact on the significance of building in rural setting. See also Scheduled Monument.			
	Old Hall Farmhouse	II	Impact on the significance of building in rural setting. See also Scheduled Monument.			
North Clifton	Trent Lane Farmhouse	II	Impact on the significance of building in rural setting			
	Hall Farmhouse	II	Impact on the significance of building in rural setting			
	Church of St George	II*	Impact on the significance of building in rural setting			
	Lychgate and railings to church	II	Impact on the significance of building in rural setting			
South Clifton	Conservation Area		impact on character. The setting is overtly rural, landscaping is soft and open with long distance views from within the settlement.			
	Manor House	II	Impact on the significance of building in rural setting			
	Vine House	II	Impact on the significance of building in rural setting			
	Stables at the Hall	II	Impact on the significance of building in rural setting			
	The Hall and extension	II	Impact on the significance of building in rural setting			
	The Old Farmhouse	II	Impact on the significance of building in rural setting			
	Pigeoncote, Old Farmhouse	II	Impact on the significance of building in rural setting			
	Bonington	II	Impact on the significance of building in rural setting			
	Old Schoolhouse	II	Impact on the significance of building in rural setting			
Thorney	St Helens Church	II*	Impact on the significance of building in rural setting			
	Thorney War Memorial	II	Impact on the significance of building in rural setting			
	Ruins of old church	II	Impact on the significance of building in rural setting			
	House, Thorney Hall	II	Impact on the significance of building in rural setting			
	Cottage, Thorney Hall	II	Impact on the significance of building in rural setting			
	Old Manor House	II	Impact on the significance of building in rural setting			
	Firs Farmhouse	II	Impact on the significance of building in rural setting			
Tuxford	several listed buildings and conservation area		Potential for visual impact - topography will need to be better utilised to assess impact			
Weston	several listed buildings		Potential for visual impact - topography will need to be better utilised to assess impact			
Grassthorpe	several listed buildings		Potential for visual impact - topography will need to be better utilised to assess impact			
North Scarle	several listed buildings					
Harby	several listed buildings		Potential for visual impact - topography will need to be better utilised to assess impact			
Kettlethorpe	several listed buildings		Potential for visual impact - topography will need to be better utilised to assess impact. See also Scheduled Monument.			
East Markham	several listed buildings		Potential for visual impact - topography will need to be better utilised to assess impact			
Fenton	several listed buildings					
Laneham	several listed buildings		Potential for visual impact and impact on rural setting - assess topography			
East Drayton	several listed buildings and conservation area		Potential for visual impact - topography will need to be better utilised to assess impact			
	St Peter's Church	I	Impact on the significance of building in rural setting. Potential for visual impact at high level from the tower			
Misc listed buildings	Kingshaugh House	II	Potential for visual impact and impact on rural setting - assess topography			
	Merryfields Farm	II	Potential for visual impact and impact on rural setting - assess topography			
	The Windmill	II	Potential for visual impact and impact on rural setting - assess topography			
	Scarthingmoor Mill Farmhouse	II	Potential for visual impact - topography will need to be better utilised to assess impact			
	Scarthingmoor House		Potential for visual impact - topography will need to be better utilised to assess impact			d

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Ref: EN010159

Date: 11 December 2023

Dear Sir/Madam

Proposal: Scoping Consultation under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by One Earth Solar farm Ltd (the Applicant) for an Order granting Development Consent for the One Earth Solar Farm project (the Development)

Location: One Earth Solar Farm

Thank you for your letter dated 13 November 2023 consulting Lincolnshire County Council (LCC) on the Environmental Impact Assessment Scoping Report produced by One Earth Solar Farm Ltd dated November 2023.

The Council have reviewed the information and have the following comments to make.

Planning Policy Context
Chapter 4 of the Scoping Report sets out relevant national and local planning policies that are proposed to be reviewed within the Environmental Statement (ES). However, no reference is made to the Lincolnshire Minerals and Waste Local Plan 2016 (LMWLP), which is part of the Development Plan for the area and should therefore be considered as part of the assessment.

Minerals Safeguarding

Areas of site are located within a Minerals Safeguarding Area (MSA) for sand and gravel, as shown on Figure 1: Lincolnshire Minerals Safeguarding Areas map of the LMWLP. The site also contains a safeguarded oil site (Newton on Trent Oil Well). A Minerals Assessment should therefore be undertaken assessing the impact of the development on the safeguarded mineral resource and site, in accordance with policies M11: Safeguarding of Mineral Resources and M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure of the LMWLP. The proposals will need to ensure that the safety and operation of the safeguarded site is not prejudiced.

Approach to EIA

The Council wishes to raise concern about the time period over which the impacts of the development are proposed to be assessed. The assumption that the development would be operational for 45 years made in Chapter 5 paragraph 5.22, for the purpose of the assessment of the impact of decommissioning, is noted. However, the Applicant is not seeking a time limited consent and paragraph 5.22 goes on to state that the operational phase of the development may continue beyond this point and therefore it follows that decommissioning would be at more than 45 years.

For the ES to be an open and robust assessment of the likely significant effects it should provide an assessment over the anticipated life of the development, as far as reasonably possible, so that the full impact of the development can be understood. In general it is not clear over what time period the impacts are proposed to be assessed for the operational phase. However, it is noted at paragraph 5.29 that a distinction would be made between short, medium and long term, permanent and temporary effects. Consideration should be given to any likely significant effects that may occur as a result of not decommissioning the site at the 45 year point. Would a longer operational phase (timeframe unknown) and later decommissioning period or the site becoming a permanent feature change any of the assessed effects or introduce any other or different effects not considered?

The Scoping Report contains conflicting statements in respect of time periods, for example:

Chapter 8: Land and Soils at paragraph 8.14 states *"It should be noted that no land will be permanently lost from agriculture as the scheme is temporary, albeit is assumed that decommissioning will be at least 45 years in the future."*

However, chapter 6: Biodiversity at paragraph 6.36 refers to likely significant effects that are scoped into the assessment as including 'permanent' land take and 'permanent' infrastructure.

Therefore, it is considered that clarification and consistency regarding the duration of the development as part of the approach to EIA assessment is necessary. The Council would wish to see a clearly defined timescale over which the impacts of the development are being assessed, rather than it being open ended.

Cumulative Effects

The applicants approach to the assessment of cumulative effects set out in chapter 5 of the Scoping Report and the inclusion of a separate chapter on cumulative assessment in the PEIR and ES, in addition to the assessment of cumulative impacts in each technical topic chapter is welcomed. The cumulative assessment should cover both intra project and inter projects effects which in addition to setting out the approach and methodology clearly identifies other relevant projects and the potential for cumulative effects, any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources. It should also provide an assessment of the significance of the potential cumulative impacts identified, likely duration of the impacts (including phasing details) and mitigation measures.

The Council wishes to highlight the potential for significant cumulative effects with other Nationally Significant Infrastructure Projects (NSIP). The applicant should take into consideration the geographical scale of the NSIP projects in Lincolnshire and Nottinghamshire such as Cottam, West Burton, Gate Burton and Tillbridge solar schemes in combination and consequently the scale of the study area that will be necessary to identify the full extent of the developments and the potential significant cumulative impacts which could occur over a wide geographical area.

Paragraph 5.32 of the Scoping Report suggests a study area of 5 km from the proposed development. Given the number and scale of projects currently in consideration under the Development Consent order (DCO) process, this distance is unlikely to be sufficient to identify and assess the full extent of any cumulative impacts.

The applicants attention is drawn to the interrelationship report entitled 'Joint Report on Interrelationships between Nationally Significant' that has been jointly prepared by the developers of the solar schemes referred to above and can be viewed on the National Infrastructure Planning website under the relevant applications.

Hydrology and Hydrogeology

The Scoping Report, in respect of Surface Water and Flood Risk, is consider to be acceptable. The Lead Local Flood Authority will require a Flood Risk Assessment to demonstrate that the risk to the development, and from the development, is acceptable. A Drainage Strategy will also be required to demonstrate that the proposals to mitigate and attenuate and flood risk will need to be SUDs compliant as required for all major developments under the National Planning Policy Framework (NPPF). These documents are proposed to be produced as referenced in paragraph 7.30 of the Scoping Report.

Land and soils

The Council will expect the ES to include a detailed Agricultural Land Classification (ALC) assessment and notes that survey work to inform this assessment is anticipated to be completed in Q1 2024. The majority of site is indicated to be grade 3 (good to moderate agricultural land). The ES should clearly identify how much of the land is assessed to be grade 3a and above (Best and Most Versatile (BMV) land). The Council will wish to see solar arrays and other built infrastructure located in areas that are not classified as BMV land.

Chapter 8, Table 8.1 details topics scoped out of the Land and Soil assessment and states that there are no records of mineral extraction within the site. I refer to my comments above regarding MSA's and a safeguarded oil site within the red line boundary. The impact of the development on the MSA and site should be scoped in to the EIA and a Minerals assessment undertaken.

The Council are concerned about the use of the 20ha threshold in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), as stated in paragraph 8.17 of the Scoping Report, as an appropriate threshold for the assessment of impacts. This is merely a threshold for Local Planning Authorities to consult Natural England before granting planning permission for a non-agricultural development that is not consistent with an adopted local plan, which would involve the loss of Grades 1, 2 or 3a agricultural land. The 2010 procedure order referred to has been replaced by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Buried Heritage

The Council has grave concerns regarding Chapter 9 - Buried Heritage section of the Scoping Report.

The standard full suite of archaeological evaluation techniques is required as we need an approach with sufficient evaluation in order to understand the archaeological potential and to inform a reasonable and appropriate mitigation strategy in the ES 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 assessments and local sources. This understanding and the geophysical survey results will inform a robust programme of trial trenching to provide evidence for the site-specific archaeological potential of the development and provide the basis for an effective mitigation strategy to deal with the archaeological impact.

The proposed lack of evaluation (geophysics and evaluation trenching) is of very significant concern to the Council. Failure to undertake sufficient evaluation now while there's time, pushing evaluation and subsequent agreement of the mitigation strategy to post consent is a high-risk strategy which can easily lead to significant construction delays and escalating costs as well as unnecessary destruction of heritage assets. It may also lead to consent for a scheme which is subsequently found to be undeliverable in terms of the information submitted with the application.

The full extent of the proposed impact area including the connector route corridors must be included in the evaluation process. Archaeological impacts and subsequent mitigation have the potential for significant impacts so 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.

The Scoping Report recognises the extensive and diverse range for archaeological remains within the site boundary and acknowledges the high potential for the survival of as yet unknown archaeological remains (paragraph 9.11).

At paragraph 9.19 the Scoping Report proposes the production of an Archaeological Desk-Based Assessment (DBA) in support of the ES chapter and outlines the elements that will be contained within that document. We agree that a DBA is necessary and broadly support the outline proposal in this regard. It is vital that a competent full DBA be completed at the earliest opportunity in order to inform further phases of work.

However, at paragraph 9.20, the Scoping Report makes it clear that the ES Chapter will be based entirely on the DBA without the support of further non-intrusive or intrusive fieldwork. This is wholly insufficient to assess the archaeological potential of the site, nor will it be sufficient to inform an appropriate mitigation strategy.

It is critical that the applicant have the baseline evidence to be able to assess and understand the site-specific impact of the development on the archaeological resource. Non-intrusive survey (ie. geophysics and fieldwalking) must be tested with site-wide evaluation trenching as a minimum requirement to properly understand the archaeological potential within the developmental impact area.

The evaluation work must be completed in time to inform the mitigation strategy which will lay out how the developmental impact on archaeology will be dealt with, therefore this will need to be submitted as part of the EIA. We would expect the DBA to be complete and the field evaluation to be well underway by the time the PEIR is produced.

The Scoping Report anticipates undertaking a limited programme of field evaluation prior to construction (paragraph 9.21). Again, we strongly disagree that post-consent is the correct time to undertake investigative work that should be informing the application. Discovery of previously unknown significant archaeological remains may lead to the project be undeliverable in the terms that the applicant submits, and provision of this data in the ES chapter is vital in support of the application.

We would further raise the issue of only targeting areas identified in the DBA (paragraph 9.21) which is necessarily limited to known data. This approach is flawed and would lead to a limited understanding of the archaeological resource based on confirmation bias rather than a genuine programme of investigation.

Paragraphs 9.17 and 9.23 seek to scope out impacts from the operational phase. We do not accept that there will be no impact from maintenance of the site. Many older solar farms are undergoing significant redevelopment during their mid-life, including complete removal of panel infrastructure and highly intrusive groundworks. For areas where preservation *in-situ* is preferred, measures will need to be implemented in the OEMP to ensure there is no impact to the archaeological resource.

Paragraph 9.24, we do not agree with the applicant's belief that decommissioning will result in no impact to the archaeological resource. The removal of infrastructure can be more

damaging in many circumstances than the initial installation. Decommissioning impacts will need to be considered at the application stage and appropriate mitigation secured as part of the DCO requirements.

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

Sufficient information on the archaeological potential 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 which must be submitted with the EIA.

This is in accordance with The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which 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)).

Cultural Heritage

The assessment methodology proposed in the Cultural Heritage section of the Scoping Report appears reasonable. However, the Council does have concern about 'scoping out' all of the heritage assets in Newton on Trent from further assessment in the ES due to the applicant's view that the A57 provides a strong perceptive barrier. Whilst the proposed site is located to the south of Newton and the A57 is a busy road which intersects the village from the site, there is however a substantial group of heritage assets in the village core which have a group value. On balance, the Council is of opinion that this cluster of assets should be 'scoped in' to the EIA assessment.

Landscape and Visual

A review of landscape and visual issues and elements has been carried out by AAH Consultants on behalf of LCC, based upon a review of the relevant sections of the Scoping Report and masterplan, attached as Appendix A to the Scoping Report.

Overall, we would expect that the assessment of potential Landscape and Visual matters and evolving proposals relating to the One Earth Solar Project, as a 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;
- Development, and subsequent ZTV, parameters;
- Study Area extents (distance);

- Landscape and Visual Receptors;
- Viewpoint quantity and locations;
- Photomontage/Accurate Visual Representations (AVRs):
    - Quantity and location;
    - Phase depiction;
    - AVR Type and Level.
- Mitigation Measures/Landscape Scheme/Site Layout;
- Cumulative effects, including surrounding developments to be considered; 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.

We would also expect the production of the Landscape and Visual chapter of the ES, which would 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 of the NSIP process, the content and level of information provided by the developer within Chapter 11 (Landscape and Visual), and Appendix A, are generally considered satisfactory, however, as stated previously, we would 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

At this stage, no representative viewpoints have been selected, but within and beyond the initial 2km study area a number of villages and hamlets have been identified. These, along with identified Public Rights of Way and other key aspects within the study area, will form the basis for assessment and dialogue in regards viewpoint selection. The final locations would be agreed with LCC and other relevant stakeholders.

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 LCC and other relevant stakeholders 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 (typically 15 years). The Photomontage/AVR Level and Type is to be discussed and agreed.

Methodology
The Scoping Report confirms that the LVIA will be carried out in accordance with the GLVIA3 and undertaken by suitably qualified personnel. The methodology provided from paragraph 11.50 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. We would request 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*.

Figure 11-1 provides an overview of the methodology and this is followed by a stage review of the methodology within paragraph 11.54. This is a detailed and standard process and at this stage is an acceptable approach.

Scope of the Study Area:
In preparation of the Scoping Report a desk-based assessment has been combined with a site visit to determine the baseline. For the purpose of the Scoping Report, the study area is confirmed as 'preliminary' and will cover 2kms from the site boundary. It should be noted that experience with other solar developments of comparable scale shows that the potential of visual impact does spread beyond the 2km range. The approach behind the assessment being constrained to 2kms needs to be tested further on site to determine potential for views beyond this current extent.

At this stage, the details of the development, for example, array heights and dimensions of structures which will form part of the development, such as battery storage are not itemised. Consequently, any 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.

Landscape
The landscape context is identified in detail from paragraph 11.9 including a description of the landform and land-use including settlements. The Public Rights of Way (PROW) are identified as points to consider in regards sensitive receptors alongside the landscape designations within the study area and a reference to the CPRE's Tranquillity Map.

Published landscape character areas have been identified at National and County level. 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 report identifies that the relatively flat landform, combined with low levels of vegetative cover results in an open landscape across most of the study area. Paragraphs 11.31 to 11.35 considers the extent of visibility in detail across different sectors of the study area and identifies elements contributing or restricting visibility.

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 (typically 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. Paragraph 11.3 states the LVIA will reference the Glint and Glare Assessment, however this is identified in Chapter 19 to be scoped out of the ES, despite the Justification stating that a Glint and Glare would be carried out and included in an appendix. We would typically expect a Glint and Glare Assessment be carried out (either as a chapter or stand alone report) for a solar farm project, and we would expect the LVIA to reference the findings as appropriate.

Cumulative effects
Cumulative Landscape and Visual effects have not been addressed within the Scoping Report. Cumulative Landscape and Visual effects with other schemes should be assessed as the project progresses, particularly in regards other NSIP or renewable energy projects.

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 Local and County Council Policy and Guidance shall be referred to and implemented as appropriate. We would 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.

Transport and Access
The Scoping Report, in respect of Transportation, is considered to be acceptable. The Highway Authority will be seeking to ensure the traffic impact is acceptable with regards to highway capacity and safety and promotion of sustainable modes in line with National Planning Policy Framework. We will therefore be seeking a Transport Assessment and Construction Traffic Management Plan (including Travel Plan) to address these issues and ensure that any mitigation necessary is proposed. The Scoping Report mentions that these documents will be produced and that consultation with the Authorities will take place with regard to their scope (paragraphs 12.2 and 12.30).

Human Health

Chapter 11 - Human Health should detail the likely and potentially significant issues associated with the proposed development based on a preliminary judgment of significance. A range of topics with a potential impact on human health have been 'scoped out' of the chapter as they are considered in other chapters. While this approach is generally accepted, it should be ensured that any significant health effects identified across the EIA are still brought together in the Human Health chapter.

A number of PROW cross the proposed site along with a national cycle route and the Trent Valley Way long distance path. The Human Health chapter (table 16.3) acknowledges that access to PROW may be disrupted during the construction phase and this is in scope, but is silent on potential impacts during the operation and decommissioning. The national cycle route (which includes a river crossing linking villages on either side of the River Trent) and PROW provide links between villages presenting opportunities for both exercise, social interaction and access to services, all of which support health and wellbeing. The health impacts of any diversions to both PROW and the cycle route during all phases should be considered, alongside the impacts of any diversions on users associated with other relevant assessments.

There are potential health impacts associated with electromagnetic fields around substations, powerlines and cables. The effects of potential concerns about perceived exposure are suggested as in scope. However, potential actual exposure to radiation (which includes electromagnetic fields) is suggested to be out of scope (table 16.2) on the basis that the development will comply with exposure limits developed by the International Commission on Non –Ionizing Radiation Protection. The Scoping Report does not demonstrate or evidence how compliance will be met or how any combined impacts with the large number of overhead lines referred to in chapter 11 (paragraph 2.26) or the existing substation will be considered. It is considered that the evidence presented to support the scoping out of potential exposure to radiation at this stage is insufficient.

Paragraph 11.41 of Chapter 11 highlights the potential significant adverse visual effects resulting from the introduction of solar panels and associated infrastructure. The Scoping Report proposes that the impacts and any mitigation will in the main be explored in the Landscape and Visual chapter, however, it should be ensured that both the potential effects on mental health and wellbeing as a result of any reduction in landscape amenity and the potential sense of enclosure, are specifically referenced in the Human Health chapter and that this includes reference to how potential impacts across the range of identified sensitive receptors could change over time and during worst case periods.

Socio-economic

The assessment methodology proposed in the socio-economic section of the Scoping Report appears reasonable.

However, we would be keen to see benefits to the local host communities and economy explored, particularly with regards to local energy, as current growth data indicates that there may be local primary substation headroom capacity constraints in the area during the construction phase. Whilst it is noted that the operational life is not proposed to be

specified, we would also welcome consideration of the Circular Economy in any decommissioning strategy.

Consideration should also be given to impacts beyond the effects on agriculture, such as the impacts on other businesses and the socio – economic impacts resulting from compulsory purchase.

Environmental Topics Proposed to be Scoped Out
Chapter 18 sets out the topics the applicant proposes to scope out from the EIA.

Glint and Glare
Concern has been raised under Landscape and Visual above about the scoping out of glint and glare from the EIA. Consideration should also be given to the impacts from glint and glare on the users of PROW and the highway. It is noted that a glint and glare assessment report will be included as a technical appendix to the ES and this should be used to inform other relevant sections of the ES.

Waste
Consideration should be given to the impact of waste generated from the decommissioning phase and/or end of life solar arrays requiring replacement, in terms of how and where it is disposed of and its transportation from the site. Given the number of other solar schemes in the area that would be operating on similar timescales there is potential for significant amounts of waste to be generated at this stage. The impact from replacement and/or decommissioning should also be considered cumulatively with these other developments.

Yours faithfully

Justine Proudler

for Neil McBride
Head of Planning

Marine Management Organisation

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Joseph Briody
EIA Advisor
One Earth Solar Farm Case Team
oneearthsolar@planninginspectorate.gov.uk
(Email only)

Planning Inspectorate Reference: EN010159

11 December 2023

Dear Joseph Briody

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

Application by One Earth Solar Farm Ltd (the Applicant) for an Order granting Development Consent for the One Earth Solar Farm (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 scoping consultation dated 13 November 2023 and for providing the Marine Management Organisation (MMO) with the opportunity to share our comments with you on the One Earth Solar Farm Scoping Report.

From review of the Scoping Report, there is limited information on the Marine Licensable aspects. Therefore, we cannot provide further details at this stage. It is the responsibility of the applicant to decide whether there is a marine licensable activity involved as part of the project and we encourage early engagement from the applicant where required.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely

[redacted]

Amy Trakos
Marine Licensing Senior Case Manager

D +44 (0[redacted]
E [redacted]@marinemanagement.org.uk

From: [redacted]k
To: One Earth Solar
Subject: 20231127_MOD_Response
Date: 27 November 2023 15:40:21

FAO Joseph Briody,

Thank you for consulting the Ministry of Defence (MOD) on Scoping notification reference EN010159.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development falls outside of MOD safeguarded areas and does not affect other defence interests. The MOD, therefore, has no objection to the development proposed.

Kind Regards

Adam Scott | Assistant Safeguarding Manager

Defence Infrastructure Organisation
Estates | Safeguarding
DIO Head Office | St George's House | DMS Whittington | Lichfield | Staffordshire | WS14 9PY
Mobile: [redacted]
Email: [redacted]

From:	Stratton, Mike
To:	One Earth Solar
Subject:	EN010159 - One Earth Solar Farm - EIA Scoping Notification and Consultation
Date:	16 November 2023 14:40:40

Dear Sirs,

From our perspective, we would just point out that the developer would need to contact us with regards any diversion requirements to ensure access and supplies are maintained to cover our existing assets.

Regards

Mike Stratton
Planner
Network Serv (E Mid) / Distribution - Chesterfield and Mansfield
nationalgrid

+44 [redacted]
[redacted]@nationalgrid.co.uk

Grange Close, Clover Nook Ind Est, Alfreton, DE55 4QT
nationalgrid.co.uk

Advance notice of holiday:

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

Tiffany Bate
Development Liaison Officer
UK Land and Property
[redacted]@nationalgrid.com
+44 (0)[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
oneearthsolar@planninginspectorate.gov.uk

11 December 2023

Dear Sir/Madam

APPLICATION BY ONE EARTH SOLAR FARM LTD (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE ONE EARTH SOLAR FARM (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

I refer to your letter dated 13th November 2023 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure within or in close proximity to the current red line boundary.

NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within the scoping area. The overhead lines and substation forms an essential part of the electricity transmission network in England and Wales.

Substation

- High Marnham 400 kV Substation
- High Marnham 275 kV Substation
- Associated overhead and underground apparatus including cables

Overhead Lines

ZDF 400 kV OHL	Cottam – Staythorpe 1 High Marnham – Stoke Bardolph
ZDA 400 kV OHL	Cottam – Grendon Cottam - Staythorpe 2
ZDA 400 kV OHL	High Marnham – West Burton

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Gallows Hill, Warwick
CV34 6DA

ZDA 400 kV OHL	Cottam – Staythorpe 1 High Marnham – Stoke Bardolph Disc High Marnham
4VK 400 kV OHL	Cottam – Eaton Socon – Wymondley 2
4VE 400 kV OHL	Cottam – Grendon Cottam – Staythorpe
4ZV 275 kV OHL	Chesterfield – High Marnham 1 Chesterfield – High Marnham 2
XE 275 kV OHL	High Marnham – Thurcroft – West Melton

Cable Apparatus

- High Marnham 66 kV underground cable

New infrastructure

Please refer to the Holistic Network Design (HND) and the National Grid ESO website to view the strategic vision for the UK's ever growing electricity transmission network. https://www.nationalgrideso.com/future-energy/the-pathway-2030-holistic-network-design/hnd'

NGET requests that all existing and future assets are given due consideration given their criticality to distribution of energy across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

I enclose a plan showing the location of NGET's apparatus in the scoping area.

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Gallows Hill, Warwick
CV34 6DA

Specific Comments – Electricity Infrastructure:

- NGET'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. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)".

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- 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.

- NGET 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 NGET 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 NGET 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.

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CV34 6DA

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

Further Advice

We would request that the potential impact of the proposed scheme on NGET'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, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. 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 NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET 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**

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

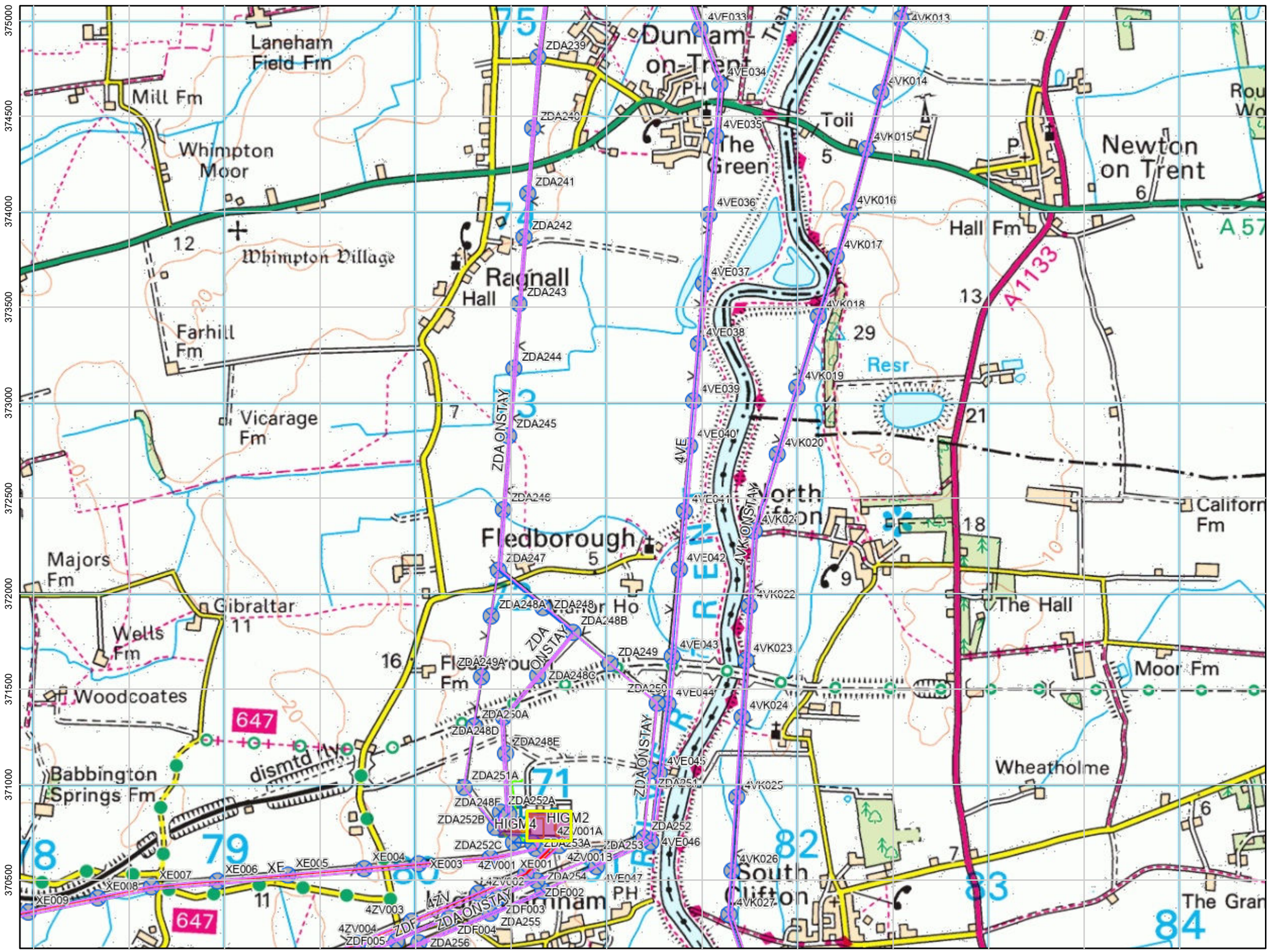
The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully

[redacted]

Tiffany Bate
Development Liaison Officer
Commercial and Customer Connections
Electricity Transmission Property Land and Property

nationalgrid | National Grid Web Map



Legend

- Electric Land Ownership
  - Electric Land Ownership - Leasehold
- Telecoms
  - RAMM
- Fibre Cable
  - Fibre Cable Commissioned
- Buried Cable
  - Buried Cable Commissioned
- Towers
  - Towers Commissioned
- OHL 275Kv
  - OHL 275Kv Commissioned
- OHL 400Kv
  - OHL 400Kv Commissioned
- OHL Circuits
  - Commissioned
  - Decommission Group
- Substations
  - Substations Commissioned

Notes

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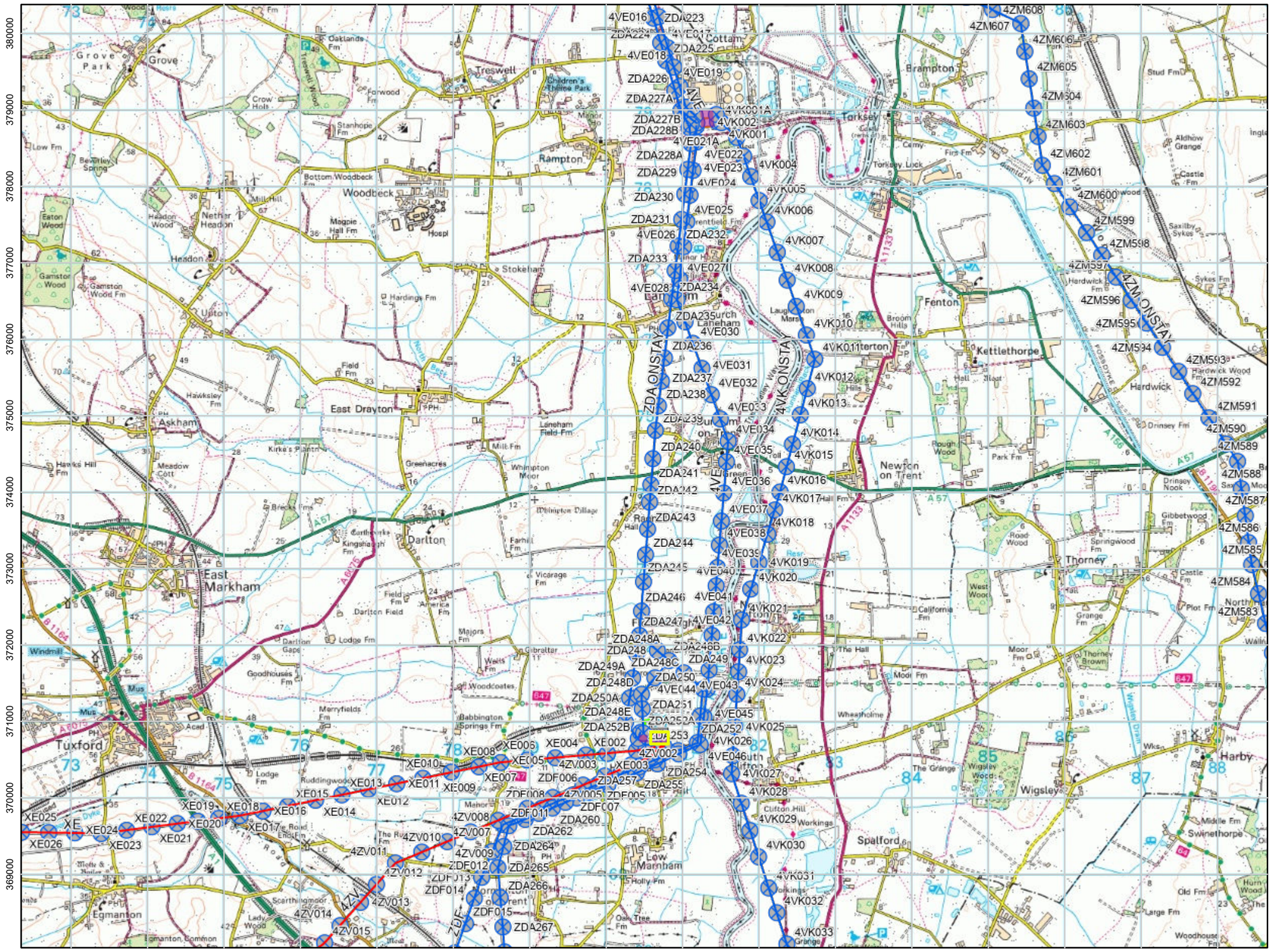
nationalgrid | National Grid Web Map



Legend

Fibre Cable
- Fibre Cable Commissioned

Buried Cable
- Buried Cable Commissioned

Towers
- Towers Commissioned

OHL 275Kv
- OHL 275Kv Commissioned

OHL 400Kv
- OHL 400Kv Commissioned

Substations
- Substations Commissioned

Notes

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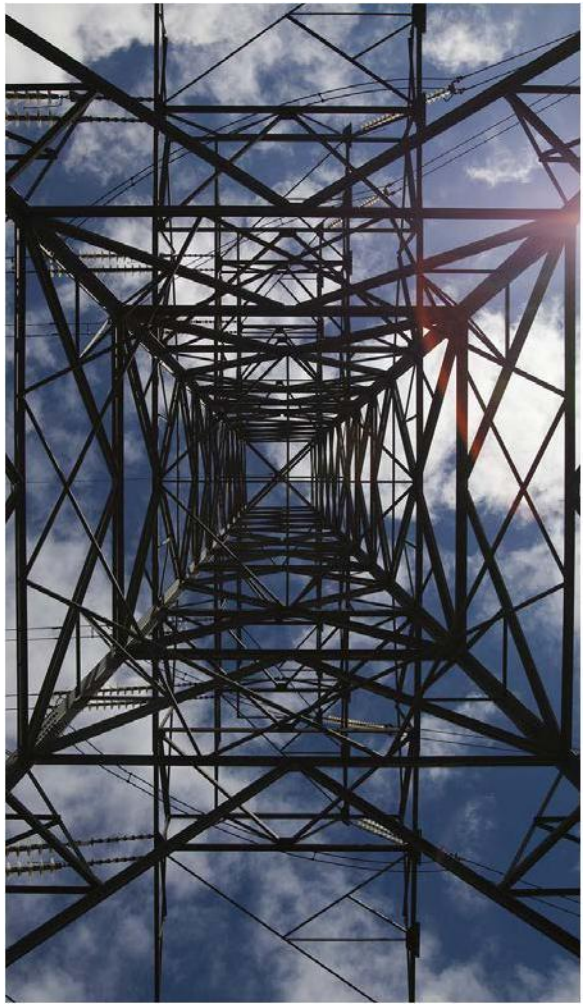
Technical Guidance Note 287

Third-party guidance for working near National Grid Electricity Transmission equipment



Purpose and scope

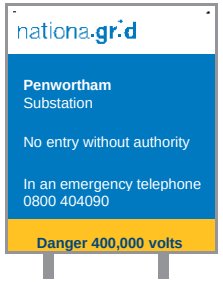
The purpose of this document is to give guidance and information to third parties who are proposing, scheduling or designing developments close to National Grid Electricity Transmission assets.

The scope of the report covers information on basic safety and the location of our assets – and also highlights key issues around particular types of development and risk areas.

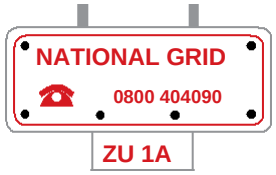
In the case of electrical assets, National Grid does not authorise or agree safe systems of work with developers and contractors. However, we will advise on issues such as electrical safety clearances and the location of towers and cables. We also work with developers to minimise the impact of any National Grid assets that are nearby.

How to identify specific National Grid sites

Substations
The name of the Substation and emergency contact number will be on the site sign.



Overhead Lines
The reference number of the tower and the emergency contact number will be on this type of sign.



Contact National Grid

Plant protection

For routine enquiries regarding planned or scheduled works, contact the Asset Protection team online, by email or phone.

www.lsbud.co.uk

Email: assetprotection@nationalgrid.com

Phone: 0800 001 4282

Emergencies

In the event of occurrences such as a cable strike, coming into contact with an overhead line conductor or identifying any hazards or problems with National Grid's equipment, phone our emergency number 0800 404 090 (option 1).

If you have apparatus within 30m of a National Grid asset, please ensure that the emergency number is included in your site's emergency procedures.

Consider safety

Consider the hazards identified in this document when working near electrical equipment

Part 1

Electricity transmission infrastructure

National Grid owns and maintains the high-voltage electricity transmission network in England and Wales (Scotland has its own networks). It's responsible for balancing supply with demand on a minute-by-minute basis across the network.

Overhead lines

Overhead lines consist of two main parts – pylons (also called towers) and conductors (or wires). Pylons are typically steel lattice structures mounted on concrete foundations. A pylon's design can vary due to factors such as voltage, conductor type and the strength of structure required.

Conductors, which are the 'live' part of the overhead line, hang from pylons on insulators. Conductors come in several different designs depending on the amount of power that is transmitted on the circuit.

In addition to the two main components, some Overhead Line Routes carry a Fibre Optic cable between the towers with an final underground connection to the Substations.

In most cases, National Grid's overhead lines operate at 275kV or 400kV.

Underground cables

Underground cables are a growing feature of National Grid's network. They consist of a conducting core surrounded by layers of insulation and armour. Cables can be laid in the road, across open land or in tunnels. They operate at a range of voltages, up to 400kV.

Substations

Substations are found at points on the network where circuits come together or where a rise or fall in voltage is required. Transmission substations tend to be large facilities containing equipment such as power transformers, circuit breakers, reactors and capacitors. In addition Diesel generators and compressed air systems can be located there.

Part 2

Statutory requirements for working near high-voltage electricity

The legal framework that regulates electrical safety in the UK is *The Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002*. This also details the minimum electrical safety clearances, which are used as a basis for the Energy Networks Association (ENA) TS 43-8. These standards have been agreed by CENELEC (European Committee for Electrotechnical Standardisation) and also form part of the *British Standard BS EN 50341-1:2012 Overhead Electrical Lines exceeding AC 1kV*. All electricity companies are bound by these rules, standards and technical specifications. They are required to uphold them by their operator's licence.

Electrical safety clearances

It is essential that a safe distance is kept between the exposed conductors and people and objects when working near National Grid's electrical assets. A person does not have to touch an exposed conductor to get a life-threatening electric shock. At the voltages National Grid operates at, it is possible for electricity to jump up to several metres from an exposed conductor and kill or cause serious injury to anyone who is nearby. For this reason, there are several legal requirements and safety standards that must be met.

Any breach of legal safety clearances will be enforced in the courts. This can and has resulted in the removal of an infringement, which is normally at the cost of the developer or whoever caused it to be there. Breaching safety clearances, even temporarily, risks a serious incident that could cause serious injury or death.

National Grid will, on request, advise planning authorities, developers or third parties on any safety clearances and associated issues. We can supply detailed drawings of all our overhead line assets marked up with relevant safe areas.

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Your Responsibilities - Overhead lines

Work which takes place near overhead power lines carries a significant risk of coming into proximity with the wires. If any person, object or material gets too close to the wires, electricity could ‘flashover’ and be conducted to earth, causing death or serious injury. You do not need to touch the wires for this to happen. The law requires that work is carried out in close proximity to live overhead power lines only when there is no alternative, and only when the risks are acceptable and can be properly controlled. Statutory clearances exist which must be maintained, as prescribed by the Electricity Safety, Quality and Continuity Regulations 2002.

Under the Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, you are responsible for preparing a suitable and sufficient risk assessment and safe systems of work, to ensure that risks are managed properly and the safety of your workforce and others is maintained. Your risk assessment must consider and manage all of the significant risks and put in place suitable precautions/controls in order to manage the work safely. You are also responsible for ensuring that the precautions identified are properly implemented and stay in place throughout the work.

Work near overhead power lines must always be conducted in accordance with GS6, ‘avoiding danger from overhead power lines’, and any legislation which is relevant to the work you are completing.

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What National Grid will provide

National Grid can supply profile drawings in PDF and CAD format showing tower locations and relevant clearances to assist you in the risk assessment process.

What National Grid will not provide

National Grid will not approve safe systems of work or approve design proposals

Part 3

What National Grid will do for you and your development

Provision of information

National Grid should be notified during the planning stage of any works or developments taking place near our electrical assets, ideally a minimum notification period of 8 weeks to allow National Grid to provide the following services:

Drawings

National Grid will provide relevant drawings of overhead lines or underground cables to make sure the presence and location of our services are known. Once a third party or developer has contacted us, we will supply the drawings for free.

400kV

The maximum nominal voltage of the underground cables in National Grid's network

Risk or impact identification

National Grid can help identify any hazards or risks that the presence of our assets might bring to any works or developments. This includes both the risk to safety from high-voltage electricity and longer-term issues, such as induced currents, noise and maintenance access that may affect the outcome of the development. National Grid will not authorise specific working procedures, but we can provide advice on best practice.

Risks or hazards to be aware of

This section includes a brief description of some of the hazards and issues that a third party or developer might face when working or developing close to our electrical infrastructure.

Land and access

National Grid has land rights in place with landowners and occupiers, which cover our existing overhead lines and underground cable network. These agreements, together with legislation set out under the *Electricity Act 1989*, allow us to access our assets to maintain, repair and renew them. The agreements also lay down restrictions and covenants to protect the integrity of our assets and meet safety regulations. Anyone proposing a development close to our assets should carefully examine these agreements.

Our agreements often affect land both inside and outside the immediate vicinity of an asset. Rights will include the provision of access, along with restrictions that ban the development of land through building, changing levels, planting and other operations. Anyone looking to develop close to our assets must consult with National Grid first.

For further information, contact Asset Protection:

Email: assetprotection@nationalgrid.com
Phone: 0800 001 4282

Electrical clearance from overhead lines

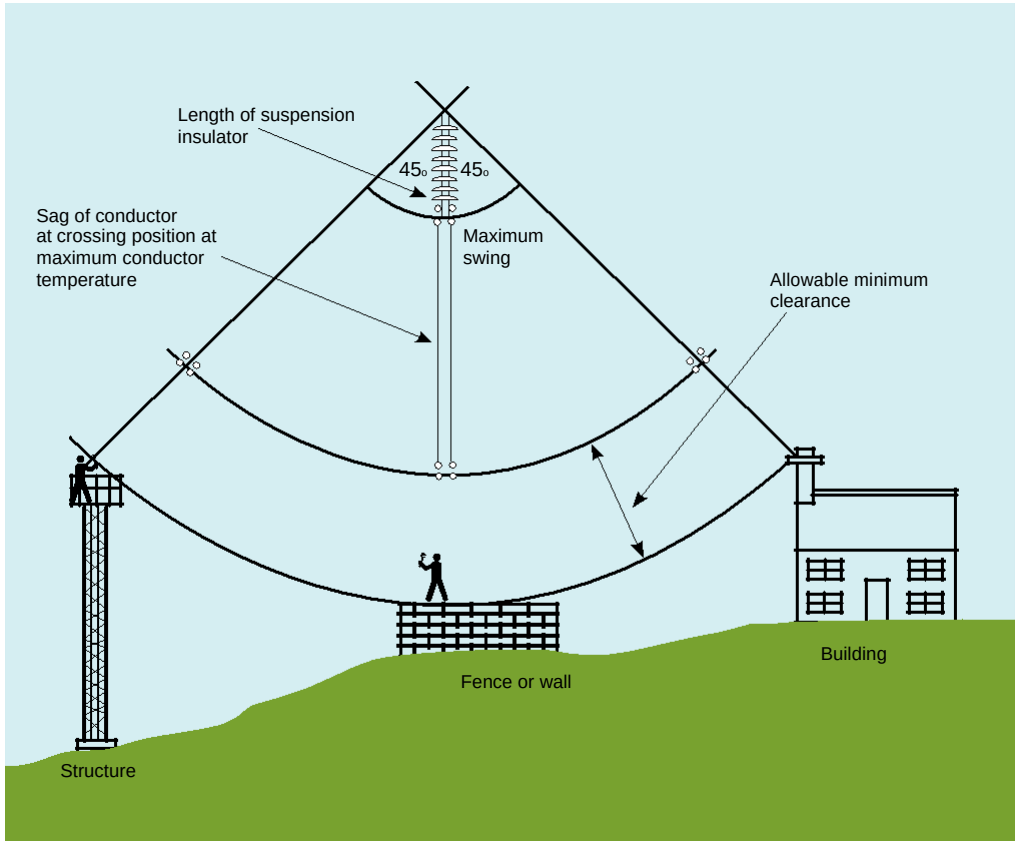
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

As we explained earlier, *Electrical Networks Association TS 43-8* details the legal clearances to our overhead lines. The minimum clearance between the conductors of an overhead line and the ground is 7.3m at maximum sag. The sag is the vertical distance between the wire's highest and lowest point. Certain conditions, such as power flow, wind speed and air temperature can cause conductors to move and allowances should be made for this.

The required clearance from the point where a person can stand to the conductors is 5.3m. To be clear, this means there should be at least 5.3m from where someone could stand on any structure (i.e. mobile and construction equipment) to the conductors. Available clearances will be assessed by National Grid on an individual basis.

National Grid expects third parties to implement a safe system of work whenever they are near Overhead Lines.

Diagram not to scale



There should be at least 5.3m between the conductors and any structure someone could stand on

We recommend that guidance such as *HSE Guidance Note GS6 (Avoiding Danger from Overhead Power Lines)* is followed, which provides advice on how to avoid danger from all overhead lines, at all voltages. If you are carrying out work near overhead lines you must contact National Grid, who will provide the relevant profile drawings.

7.3m

The required minimum clearance between the conductors of an overhead line, at maximum sag, and the ground

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The undergrounding of electricity cables at Ross-on-Wye

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Underground cables Underground cables operating at up to 400kV are a significant part of the National Grid Electricity Transmission network. When your works will involve any ground disturbance it is expected that a safe system of work is put in place and that you follow guidance such as *HSG 47 (Avoiding Danger from Underground Services)*.

You must contact National Grid to find out if there are any underground cables near your proposed works. If there are, we will provide cable profiles and location drawings and, if required, on-site supervision of the works. Cables can be laid under roads or across industrial or agricultural land. They can even be layed in canal towpaths and other areas that you would not expect.

Cables crossing any National Grid high-voltage (HV) cables directly buried in the ground are required to maintain a minimum seperation that will be determined by National Grid on a case-by-case basis. National Grid will need to do a rating study on the existing cable to work out if there are any adverse effects on either cable rating. We will only allow a cable to cross such an area once we know the results of the re-rating. As a result, the clearance distance may need to be increased or alternative methods of crossing found.

For other cables and services crossing the path of our HV cables, National Grid will need confirmation that published standards and clearances are met.

Impressed voltage

Any conducting materials installed near high-voltage equipment could be raised to an elevated voltage compared to the local earth, even when there is no direct contact with the high-voltage equipment. These impressed voltages are caused by inductive or capacitive coupling between the high-voltage equipment and nearby conducting materials and can occur at distances of several metres away from the equipment. Impressed voltages may damage your equipment and could potentially injure people and animals, depending on their severity. Third parties should take impressed voltages into account during the early stages and initial design of any development, ensuring that all structures and equipment are adequately earthed at all times.

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Earth potential rise

Under certain system fault conditions – and during lightning storms – a rise in the earth potential from the base of an overhead line tower or substation is possible. This is a rare phenomenon that occurs when large amounts of electricity enter the earth. This can pose a serious hazard to people or equipment that are close by.

We advise that developments and works are not carried out close to our tower bases, particularly during lightning storms.

Noise

Noise is a by-product of National Grid's operations and is carefully assessed during the planning and construction of any of our equipment. Developers should consider the noise emitted from National Grid's sites or overhead lines when planning any developments, particularly housing. Low-frequency hum from substations can, in some circumstances, be heard up to 1km or more from the site, so it is essential that developers find adequate solutions for this in their design. Further information about likely noise levels can be provided by National Grid.

Maintenance access

National Grid needs to have safe access for vehicles around its assets and work that restricts this will not be allowed.
In terms of our overhead lines, we wouldn't want to see any excavations made, or permanent structures built, that might affect the foundations of our towers. The size of the foundations around a tower base depends on the type of tower that is built there. If you wish to carry out works within 30m of the tower base, contact National Grid for more information. Our business has to maintain access routes to tower bases with land owners. For that reason, a route wide enough for an HGV must be permanently available. We may need to access our sites, towers, conductors and underground cables at short notice.

30m

If you wish to carry out work within this distance of the tower base, you must contact National Grid for more information

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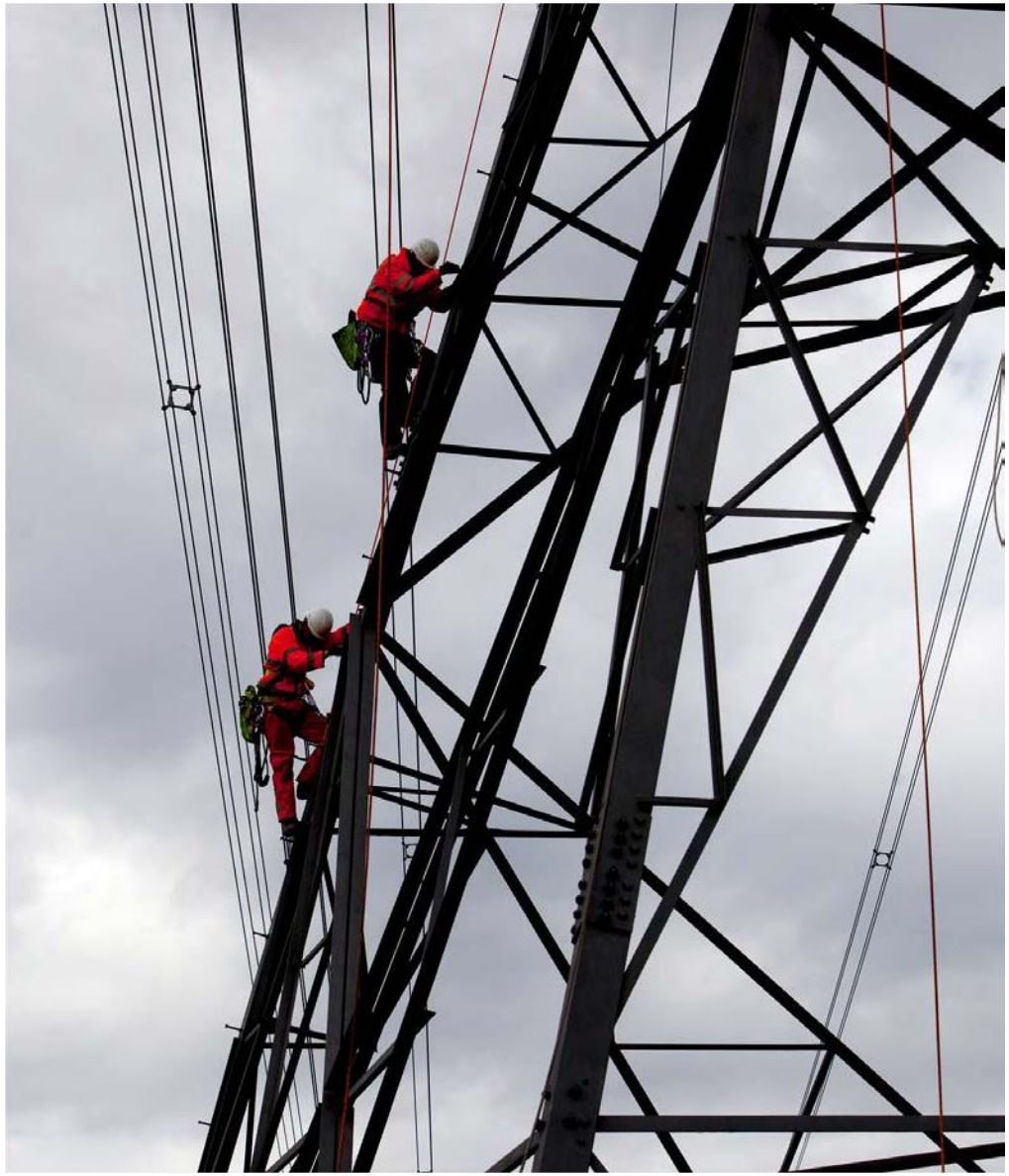

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Fires and firefighting

National Grid does not recommend that any type of flammable material is stored under overhead lines. Developers should be aware that in certain cases the local fire authority will not use water hoses to put out a fire if there are live, high-voltage conductors within 30m of the seat of the fire *(as outlined in ENA TS 43-8)*.

In these situations, National Grid would have to be notified and reconfigure the system – to allow staff to switch out the overhead line – before any firefighting could take place. This could take several hours.

We recommend that any site which has a specific hazard relating to fire or flammable material should include National Grid's emergency contact details (found at the beginning and end of this document) in its fire plan information, so any incidents can be reported.

Developers should also make sure their insurance cover takes into account the challenge of putting out fires near our overhead lines.

Excavations, piling or tunnelling

You must inform National Grid of any works that have the potential to disturb the foundations of our substations or overhead line towers. This will have to be assessed by National Grid engineers before any work begins.

BS ISO 4866:2010 states that a minimum distance of 200m should be maintained when carrying out quarry blasting near our assets. However, this can be reduced with specific site surveys and changes to the maximum instantaneous charge (the amount of explosive detonated at a particular time).

All activities should observe guidance layed out in *BS 5228-2:2009*.

Microshocks

High-voltage overhead power lines produce an electric field. Any person or object inside this field that isn't earthed picks up an electrical charge. When two conducting objects – one that is grounded and one that isn't – touch, the charge can equalise and cause a small shock, known as a microshock. While they are not harmful, they can be disturbing for the person or animal that suffers the shock.

For these reasons, metal-framed and metal-clad buildings which are close to existing overhead lines should be earthed to minimise the risk of microshocks. Anything that isn't earthed, is conductive and sits close to the lines is likely to pick up a charge. Items such as deer fences, metal palisade fencing, chain-link fences and metal gates underneath overhead lines all need to be earthed.

For further information on microshocks please visit **www.emfs.info.**

200m

The minimum distance that should be maintained from National Grid assets when quarry blasting

Specific development guidance

Wind farms

National Grid's policy towards wind farm development is closely connected to the *Electricity Networks Association Engineering Recommendation L44 Separation between Wind Turbines and Overhead Lines, Principles of Good Practice.* The advice is based on national guidelines and global research. It may be adjusted to suit specific local applications.

There are two main criteria in the document:

(i) The turbine shall be far enough away to avoid the possibility of toppling onto the overhead line

(ii) The turbine shall be far enough away to avoid damage to the overhead line from downward wake effects, also known as turbulence

The toppling distance is the minimum horizontal distance between the worst-case pivot point of the wind turbine and the conductors hanging in still air. It is the greater of:

- the tip height of the turbine plus 10%
- or, the tip height of the turbine plus the electrical safety distance that applies to the voltage of the overhead line.

To minimise the downward wake effect on an overhead line, the wind turbine should be three times the rotor distance away from the centre of the overhead line.

Wake effects can prematurely age conductors and fittings, significantly reducing the life of the asset. For that reason, careful consideration should be taken if a wind turbine needs to be sited within the above limits. Agreement from National Grid will be required.

Commercial and housing developments

National Grid has developed a document called *Design guidelines for development near pylons and HVO power lines*, which gives advice to anyone involved in planning or designing large-scale developments that are crossed by, or close to, overhead lines.

The document focuses on existing 275kV and 400kV overhead lines on steel lattice towers, but can equally apply to 132kV and below. The document explains how to design large-scale developments close to high-voltage lines, while respecting clearances and the development's visual and environmental impact.

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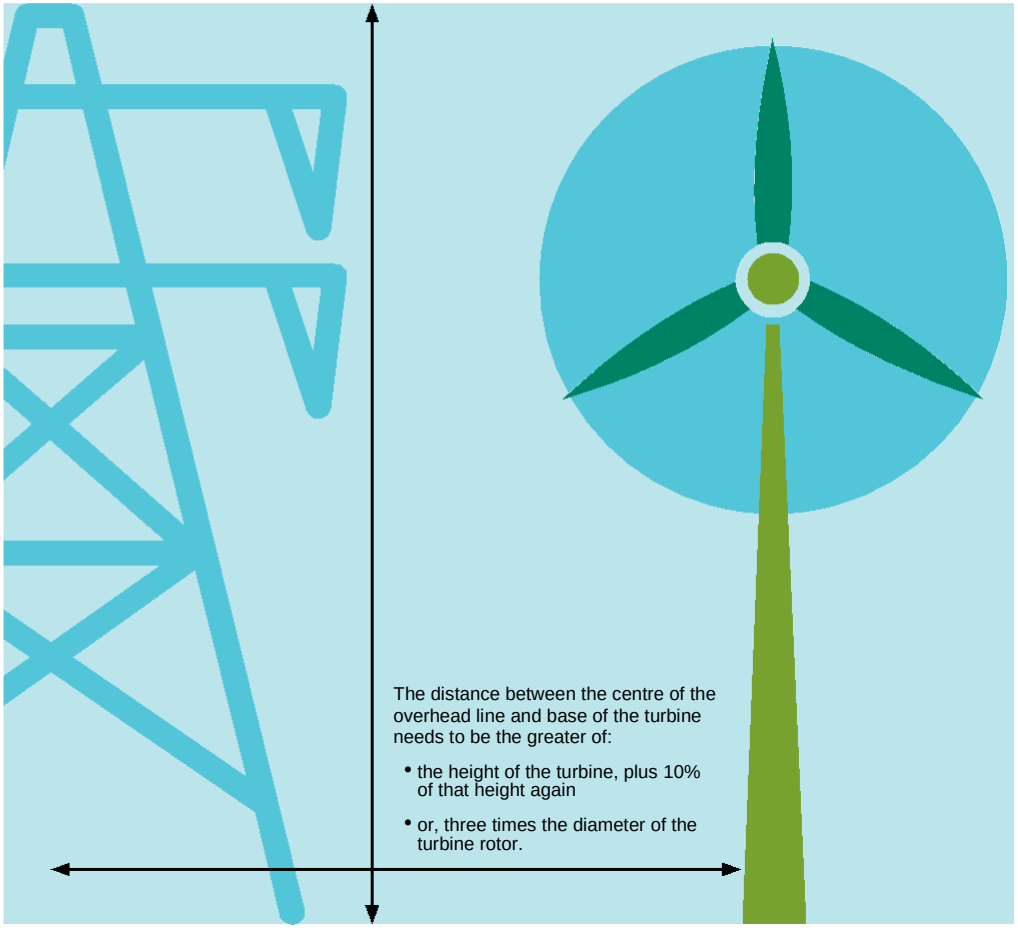
Diagram not to scale



Turbines should be far enough away to avoid the possibility of toppling onto the overhead line

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The advice is intended for developers, designers, landowners, local authorities and communities, but is not limited to those organisations.

Overall, developers should be aware of all the hazards and issues relating to the electrical equipment that we have discussed when designing new housing.

As we explored earlier, National Grid's assets have the potential to create noise. This can be low frequency and tonal, which makes it quite noticeable. It is the responsibility of developers to take this into account during the design stage and find an appropriate solution.

Solar farms

While there is limited research and recommendations available, there are several key factors to consider when designing Solar Farms in the vicinity of Overhead Power Lines.

Developers may be looking to build on arable land close to National Grid's assets. In keeping with the safety clearance limits that we outlined earlier for solar panels directly underneath overhead line conductors, the highest point on the solar panels must be no more than 5.3m from the lowest conductors.

This means that the maximum height of any structure will need to be determined to make sure safety clearance limits aren't breached. This could be as low as 2m. National Grid will supply profile drawings to aid the planning of solar farms and determine the maximum height of panels and equipment.

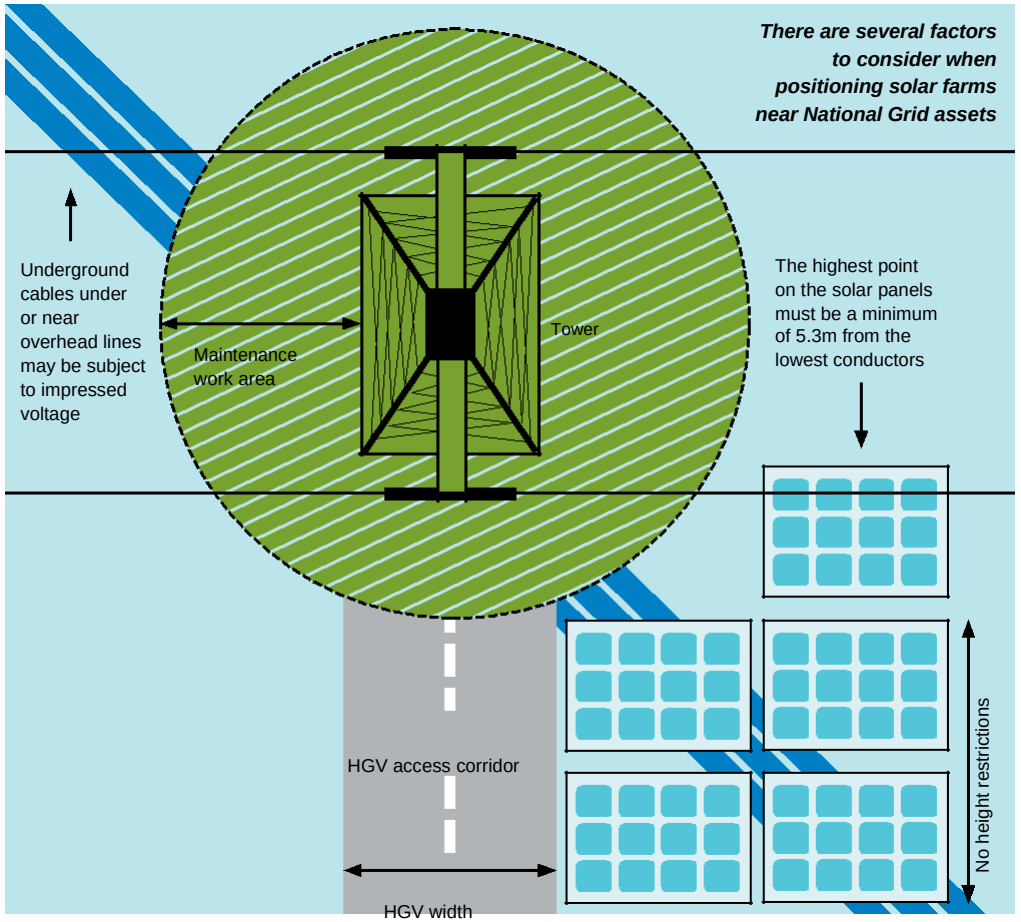
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

There is also a risk of damage during adverse weather conditions, such as lightning storms, and system faults. As all our towers are earthed, a weather event such as lightning can cause a rise in the earth potential around the base of a tower. Solar panel support structures and supply cables should be adequately earthed and bonded together to minimise the effects of this temporary rise in earth potential.

Any metallic fencing that is located under an overhead line will pick up an electrical charge. For this reason, it will need to be adequately earthed to minimise microshocks to the public.

For normal, routine maintenance and in an emergency National Grid requires unrestricted access to its assets. So if a tower is enclosed in a solar farm compound, we will need full access for our vehicles, including access through any compound gates. During maintenance – and especially re-conductoring – National Grid would need enough space near our towers for winches and cable drums. If enough space is not available, we would require solar panels to be temporarily removed.

Diagram not to scale



Asset protection agreements

In some cases, where there is a risk that development will impact on National Grid's assets, we will insist on an asset protection agreement being put in place. The cost of this will be the responsibility of the developer or third party.

Contact details

Emergency situations

If you spot a potential hazard on or near an overhead electricity line, do not approach it, even at ground level. Keep as far away as possible and follow the six steps below:

- Warn anyone close by to evacuate the area
- Call our 24-hour electricity emergency number: 0800 404 090 (Option 1)[1]
- Give your name and contact phone number
- Explain the nature of the issue or hazard
- Give as much information as possible so we can identify the location – i.e. the name of the town or village, numbers of nearby roads, postcode and (ONLY if it can be observed without putting you or others in danger) the tower number of an adjacent pylon
- Await further contact from a National Grid engineer

[1] It is critically important that you don't use this phone number for any other purpose. If you need to contact National Grid for another reason please use our Contact Centre at www2.nationalgrid.com/contact-us to find the appropriate information or call 0800 0014282.

Routine enquiries

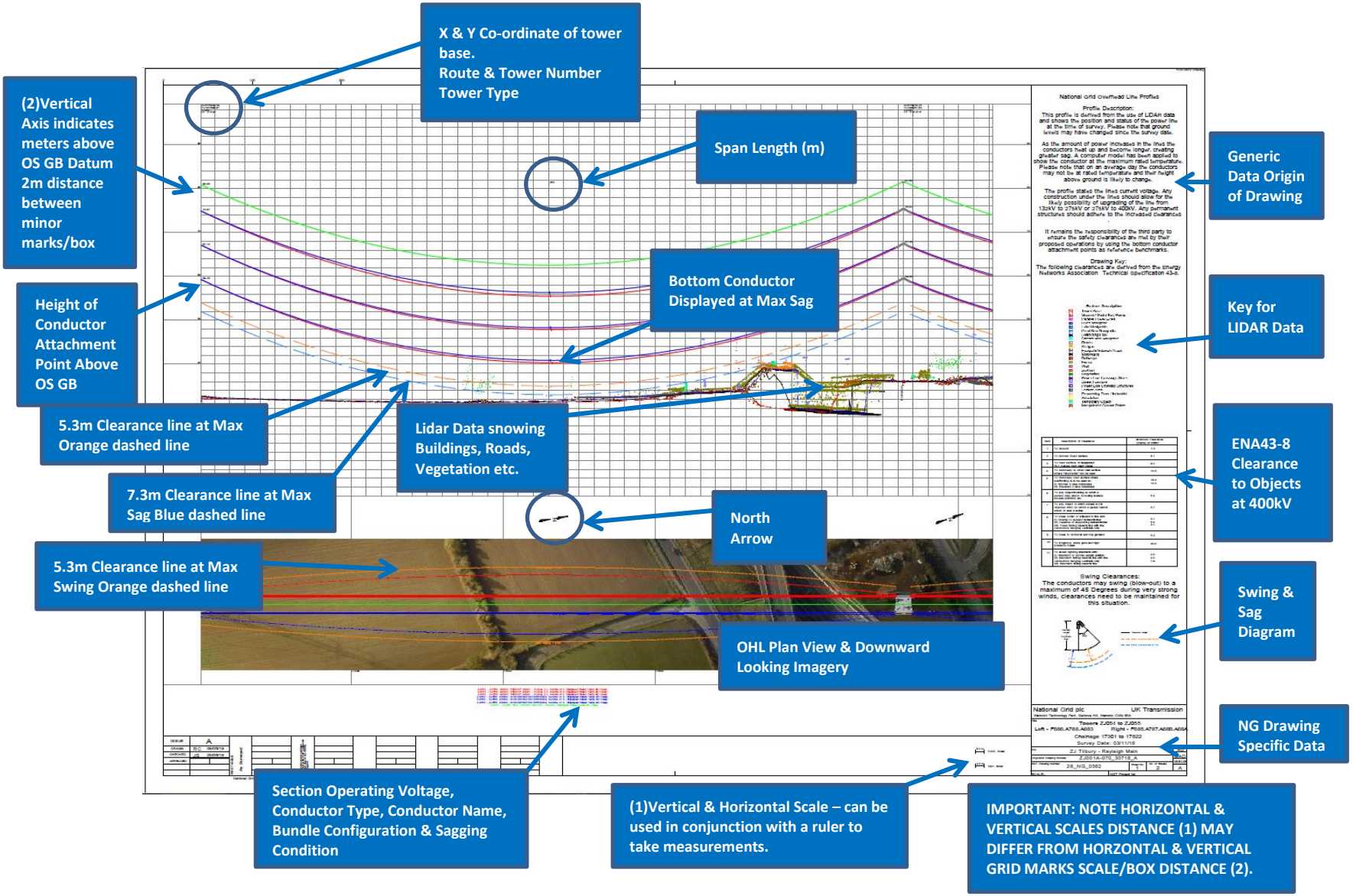
Email:
assetprotection@nationalgrid.com

Call Asset Protection on:
0800 0014282

Opening hours:
Monday to Friday 08:00-16:00

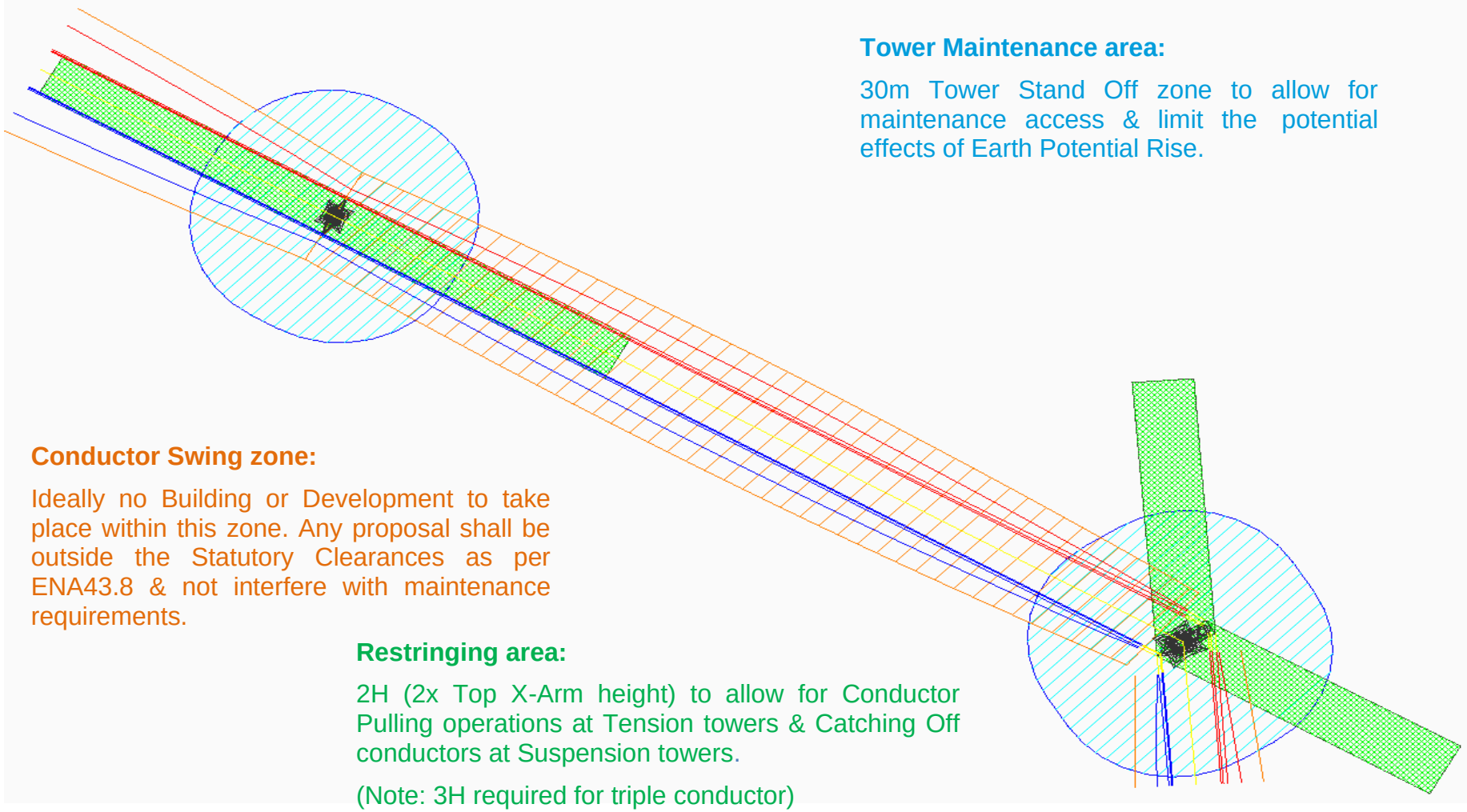
14 APPENDIX A

OHL Profile Drawing Guide



15 APPENDIX B

OHL Tower Stand Off & Reconductoring Area



Tower Maintenance area:

30m Tower Stand Off zone to allow for maintenance access & limit the potential effects of Earth Potential Rise.

Conductor Swing zone:

Ideally no Building or Development to take place within this zone. Any proposal shall be outside the Statutory Clearances as per ENA43.8 & not interfere with maintenance requirements.

Restringing area:

2H (2x Top X-Arm height) to allow for Conductor Pulling operations at Tension towers & Catching Off conductors at Suspension towers.

(Note: 3H required for triple conductor)

Our ref: NH/23/03800
Your ref: EN010159

Steve Freek
Assistant Spatial Planner
Midlands Operations Directorate

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

National Highways
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Email: oneearthsolar@planninginspectorate.gov.uk

Tel: [redacted]

22 November 2023

Dear Sir or Madam,

EIA Scoping Opinion – One Earth Solar Farm

Thank you for providing National Highways with the opportunity to respond on the Environmental Impact Assessment (EIA) scoping request for the One Earth Solar Farm.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is our role to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to this consultation, our principal interest is in safeguarding the A1 trunk road located approximately 7 miles to the west of the site, the A46 trunk road, located approximately 9 miles to the east of the site.

In responding to sustainable development consultations, we have regard to DfT Circular 01/2022 - The Strategic Road Network and the Delivery of Sustainable Development ('the Circular'). This sets out how interactions with the Strategic Road Network should be considered in the making of local plans and development management proposals. In addition to the Circular, the response set out below is also in accordance with the National Planning Policy Framework (NPPF) and other relevant policies.

We note that this consultation is in accordance with EIA Regulations 10 and 11 and is the first pre-application consultation being undertaken to inform a subsequent Development Consent Order (DCO) application. It is understood that a DCO submission is necessary as the proposal is considered to be a Nationally Significant Infrastructure Project (NSIP) given the site's energy output is expected to exceed 50 Megawatts.

In relation to this Stage One consultation, National Highways has reviewed the submitted Scoping Report (dated November 2023). We understand from this that the Planning Inspectorate has identified National Highways as a consultation body which must be

consulted prior to adopting its Scoping Opinion and developing a subsequent Environmental Statement.

The following sets out our initial review of this proposal and the further information that we will require to fully consider the proposal's impact on our network:

National Highways' Considerations

Site Access and Boundary

It is noted that the site will not be accessed directly from the SRN and is located far enough from the SRN that there should be no physical impacts to our network. Consequently, we have no comments regarding site access or boundary matters.

Operation - Traffic Impacts

It is anticipated that during normal operations vehicle trips to the site for maintenance purposes will be minimal. In view of this, we are unlikely to have any concerns relating to traffic impacts on our network once the site is operational, particularly considering the distance from our network.

Construction - Traffic Impacts

National Highways will require information on the number of HGVs and private vehicles that will be travelling on the SRN to transport materials, equipment and staff to the site. We also require an understanding of what route these vehicles will take to the site as well as the time of day they will likely be arriving and leaving.

Information regarding the access and exit routes and arrival/departure times of workers during the construction period should also be provided to enable sufficient management of construction traffic and to minimise impacts on the SRN.

Recommended Transport Assessment

In light of the above comments, we would expect any formal planning application to be accompanied by a Transport Assessment prepared in accordance with Planning Practice Guidance on Travel Plans, Transport Assessments and Statements (March, 2014). In addition, due to the proximity of the site to the SRN, the Transport Assessment should be produced in accordance with DfT Circular 01/2022: The Strategic Road Network and the Delivery of Sustainable Development.

We suggest that the Transport Assessment include the following:

- Development proposal details– information about the scale of the proposed development (and its construction) including any phasing, parking, access points, hours/days of operation, timescales for the construction period, and anticipated year of opening.

- Trip generation – information about the anticipated levels of traffic the development would generate. This should include a breakdown of staff commuting trips, and HGV/delivery trip generation for the operational and construction phases. The data should include an hourly breakdown of trips to/from the site.
- Trip assignment – information about traffic routings (for construction and operational phases) in relation to the SRN. This should be presented in absolute numbers and percentages.
- Depending on the scale and distribution of new trips, it may also be necessary to indicate how traffic associated with the development proposal will impact on the SRN in the peak hours. These impacts should be considered for the site both as a standalone operation, and cumulatively with other nearby solar farm applications, (plus any wider committed developments), to consider whether the development will result in material implications for SRN junctions. Junctions of interest for the SRN are likely to be the A1 / 57 and the A46 / A57 junctions.
- Where further assessments are deemed necessary these should be carried out for the proposed opening year of the development (or where applicable, the start of construction).

It may be beneficial for the above assessment work to be agreed in a staged approach with the first stage being to agree the trip generation and trip distribution. This will determine if any further assessments with respect of the SRN are required.

In addition to a Transport Assessment, National Highways should also be consulted on a Construction Traffic Management Plan (CTMP). This should set out how the environmental impacts of construction traffic will be minimised and mitigated.

We hope this is useful in the progression of the DCO application. If I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,

S Freek

Steve Freek
Midlands Operations Directorate
Email: [redacted]@nationalhighways.co.uk

From:	NATS Safeguarding
To:	One Earth Solar
Subject:	RE: EN010159 - One Earth Solar Farm - EIA Scoping Notification and Consultation [SG36473]
Date:	14 November 2023 15:48:31
Attachments:	image002.png image003.png image004.png image005.png image006.png image011.png image012.png image013.png image014.png image015.png image016.png

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Our Ref: SG36473

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: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Date: 29 November 2023
Our ref: 456535
Your ref: EN010159

Consultations
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Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Joseph Briody
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN
oneearthsolar@planninginspectorate.gov.uk

BY EMAIL ONLY

Dear Joseph

Environmental Impact Assessment Scoping consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: One Earth Solar Farm and BESS proposal
Location: Nottinghamshire and Lincolnshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 13 November 2023, received on 13 November 2023.

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 an application for a Development Consent Order. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

The information provided by the applicant allows us to make detailed comments on the scope of the Environmental Statement. Detailed advice on scoping the Environmental Statement is available in the attached Annex.

For any further advice on this consultation please contact the case officer Lucy Collins and copy to consultations@naturalengland.org.uk.

Yours sincerely

Lucy Collins
Planning & Environment Lead Advisor
East Midlands Area Team

Annex A – Natural England Advice on EIA Scoping

1. General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) 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
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen is considered within the ES
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- 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
- An outline of the structure of the proposed ES

2. 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.

Plans or projects that Natural England are aware of that might need to be considered in the ES	
Project /Plan	Status
Springwell Solar Farm	Plans and projects which are reasonably foreseeable
Beacon Fen Energy Park	Plans and projects which are reasonably foreseeable

Cottam Solar	Plans or projects for which an application has been made and which are under consideration by the consenting authorities
West Burton	Plans or projects for which an application has been made and which are under consideration by the consenting authorities
Mallard Pass	Plans or projects for which an application has been made and which are under consideration by the consenting authorities
Gate Burton	Plans or projects for which an application has been made and which are under consideration by the consenting authorities
Tillbridge Solar Farm	Plans and projects which are reasonably foreseeable
Oaklands Farm	Plans and projects which are reasonably foreseeable
Heckington Fen	Plans or projects for which an application has been made and which are under consideration by the consenting authorities
Temple Oaks Renewable Energy Scheme	Plans and projects which are reasonably foreseeable
Outer Dowsing Offshore Wind - Onshore	Plans and projects which are reasonably foreseeable

3. 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 http://www.naturalengland.org.uk/publications/data/default.aspx.

Detailed information on the natural environment is available at 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.

4. Biodiversity and Geodiversity

The National Planning Policy Framework (paragraphs174-175 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 (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA 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).

Conserving biodiversity can include habitat restoration or enhancement. Further information is available here.

5. Designated Nature Conservation Sites

The proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitats sites' under the NPPF) or nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves or Marine Conservation Zones).

6. 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.

7. 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*.

Applicants should check to see if a mitigation licence is required using NE guidance on licencing NE wildlife licences. Applicants can also make use of Natural England's (NE) charged service Pre Submission Screening Service for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See **Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning** For details of the LONI process.

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 has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

8. District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation license 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 license 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.

There is currently no DLL scheme in Lincolnshire or Nottinghamshire within the project boundary.

9. 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

Reference to local Biodiversity Opportunity Mapping and the Local Nature Recovery Strategy should inform any priority habitats and opportunities for increasing size, quality and connections of habitats to contribute to the Nature Recovery Network.

10. 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.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

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.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

11. Biodiversity Net Gain

The Environment Act 2021 includes NSIPs in the requirement for Biodiversity Net Gain (BNG), with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. Natural England welcome the Project's commitment to include BNG in the project in advance of this date, including this project.

Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both, however, on-site provision should be considered first. Natural England advise that the latest version of the biodiversity metric should be used to calculate the biodiversity impact of the development. It should be noted that the same version of the BNG metric should be used pre- and post-development to ensure consistency, as each version of the metric may give altered biodiversity unit scores as the calculator is updated.

Natural England recognises the high opportunity for the development to deliver BNG and it is recommended that the following guidance is applied in order to achieve this:

- Biodiversity Net Gain: Good Practice Principals for Development
- BS 8683: 2021 Process for designing and implementing Biodiversity Net Gain

In addition, the applicant should be aware of forthcoming guidance and legislation in relation to the Environment Act 2021, which may be released in the interim prior to submission of the DCO application.

In order to maximise nature recovery and target habitat enhancement where it will have the greatest local benefit it is recommended that locally identified opportunities should be acknowledged and incorporated into the design of BNG (both on and off-site). This should include any locally mapped ecological networks and priority habitats identified by Newark & Sherwood District Council, Bassetlaw District Council and Central Lincolnshire Local Authorities. In addition, Local Nature Recovery Strategies (LNRS) are a new mandatory system of spatial strategies for nature established by the Environment Act 2021 which will contribute to the national Nature Recovery Network (NRN). Work is currently underway to develop these strategies, which will identify strategic priorities for nature protection, recovery, and enhancement. Given the size, scale and opportunities afforded by the application it is therefore recommended that engagement with relevant local planning authorities, responsible authorities and statutory consultees (including Natural England) is undertaken to align habitat enhancement through the development with any emerging plans and policies in relation to LNRS.

12. 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 EIA 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.

The National Infrastructure Commission has also produced Design Principles Design Principles for National Infrastructure - NIC endorsed by Government in the National Infrastructure Strategy.

13. 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.

14. 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.

15. 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.

- 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.

16. 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) [1].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 NOx and SO_2 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 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).

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

17. Water Quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

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. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

18. 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

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

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.

19. 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, Sustainable Drainage System (SuDS) strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas. Opportunities for wider environmental gains often include multifunctional benefits and can improve environment for people, nature and climate.

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Temple Quay House,
2 The Square Bristol,
BS1 6PN
Sent via email to:
oneearthsolar@planninginspectorate.gov.uk

Your Ref: EN010159
Our Ref: 23/02003/CONSUL

Date: 06 December 2023

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 One Earth Solar Farm Ltd (the Applicant) for an Order granting Development Consent for the One Earth Solar Farm (the Proposed Development)

Scoping Consultation

Thank you for your consultation request under regulation 10(6) of the Environmental Impact Assessment (EIA) Regulations which was received by this Authority on 13th November 2023 and requests this Council's comments by 11th December 2023.

Newark & Sherwood District Council (NSDC), as a consultation body and host authority, wishes to make the following comments regarding information to be provided with the Environmental Statement (ES). The comments enclosed are made following the structure of the One Earth Solar Farm Scoping Report prepared by Logika Group Ltd on behalf of One Earth Solar Farm Ltd (dated November 2023).

Reference/ Pages	Description	NSDC's Comments
Chapter 1 Pg. 2-10	**Introduction**	NSDC agrees that the development falls under Paragraph 3 of Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations). In the absence of an EIA Screening Opinion, NSDC considers the Development is likely to have significant effects on the environment and agrees with the Applicant's intention that they will submit an Environmental Statement (ES) with their application (para. 1.10).
Chapter 2 Pg. 11-17	**Description of the Site and Surrounding Area**	No comments to make.
Chapter 3 Pg. 18-29	**The Development Proposals**	<u>The Proposed Development</u> NSDC supports the suggested approach that the EIA will be based on the principles of the "Rochdale envelope" in accordance with PINS Advice Note 9 (para. 3.1). 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. <u>Module Height and Specification</u> Para. 3.11 refers to the maximum height of the top of the Solar PV modules being 3.8m in areas without flood risk and where flood depths are less than 1m. It goes on to explain that the maximum heights of the panels in areas of flood risk >1m will be

		determined following further discussions with the Environment Agency (EA) and detailed in the Development Consent Order (DCO) application. NSDC considers that the maximum height of all the development components, including in areas of flood risk, must be detailed in the ES as one of the maximum parameters of the development. <u>Solar PV Module Mounting Structures</u> The likely foundation design for the solar panels and their construction method including any relevant piling method should be detailed in the ES (para. 3.12). <u>Battery Storage</u> No indication of the battery energy storage capacity of the site is given, nor is an approximation of the amount of land within the site that would be set aside for this element of the Development. The ES should describe the maximum parameters/the worst-case scenario of the proposed battery storage areas including the likely foundation design. (paras. 3.17-3.22). <u>Substations</u> Para. 3.23 explains that the size and number of substations is unknown – the ES should consider the final quantum and positioning of the proposed substations, and we would invite PINS to require that the worst-case scenario is tested based on maximum described dimensions. <u>Onsite Cabling</u> It is considered that the precise details of the cabling method as well as its voltage and routing, be it underground or above ground, is likely to have significant environmental effects and that this must be covered in the scope of the ES (para. 3.27). <u>Electricity Export and Point of Connection to the National Electricity Transmission System</u> Para. 3.29 explains that cabling will be required to cross the River Trent. It is not explicit whether this would be overground or underground - precise details of the cabling method as well as its voltage and routing should be detailed within the ES.

		Fencing, Security & Ancillary Infrastructure Para. 3.33 notes that there will be *"lighting, to the appropriate standards, of the substation and BESS compounds"*. The Landscape and Visual Impact Assessment (LVIA) must therefore consider the type, location and lux levels of any proposed light fittings, their spacings, whether permanently illuminated during certain hours or whether lighting will be sensor triggered and the associated cowling/mitigation. Whilst the site is not within an identified *'dark skies'* location, it is considered that the scale of the site and the unknown extent and type of external lighting at this stage nevertheless means that sky glare and glow should be scoped into the terms of the LVIA. Landscaping, habitat management and biodiversity enhancement Whilst measures for achieving biodiversity net gain are noted (para. 3.41), the ES must take into account the time and nature of any new landscaping being established and maturing during the lifetime of the development. Construction Phase of the Proposed Development The construction phasing, and proposals to provide a Construction Environmental management Plan (CEMP) are noted (para. 3.51). NSDC considers the ES should provide details regarding the location, construction, operation, decommissioning and proposed duration of temporary construction compounds required and assess the likely environmental effects during the construction phases of development. Maintenance Maintenance is noted as being required (para. 3.54). A number of aspect chapters reference this. However, the Scoping Report does not set out what maintenance may involve. It is noted that effects are likely to be similar to those during construction however the frequency and scale of maintenance is not explained. The ES should clearly explain what maintenance would be required, how this is assessed and any likely significant effects arising from such activity. Decommissioning Phase It is noted that para. 3.55 states *"The operational life of the Proposed Development is*

		not proposed to be specified in the application and ***at this stage the Applicant is not seeking a time limited consent****, although a decision will be made following the preparation of the EIA, depending on whether there are any effects which would justify limiting the time period of the consent."* (emphasis added). However, in other chapters of the Report an operational time period of 45-years is cited. If the Applicant is not seeking a time limited consent NSDC considers the ES should assess the development as if it is permanent and therefore any identified significant effects should not be tempered by the justification that the Development would be *'temporary'* or that any impacts identified could be reversed when the development is decommissioned. The ES should therefore make the intended lifetime of the Proposed development explicit. The Scoping Report states that a Decommissioning Environmental Management Plan would be secured via a DCO requirement (para. 3.56) however, NSDC would expect to see 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. <u>Other Comments</u> Within this section of the Scoping Report, it is clear that a number of aspects of the Development in terms of its design are yet to be determined. Consequently, the ES should detail any alternatives considered within this section.

Chapter 4 Pg. 30-39	**Planning Policy Context**	Planning Act 2008 Whilst the Applicant considers (para. 4.5) that Section 105 of the Planning Act 2008 (Decisions in cases where no National Policy Statement has effect) will be engaged, it is recognised that under the Energy White Paper, draft National Policy Statements have been published and have been subject to consultation. The draft NPS EN-3 (Renewable Energy) does now expressly consider Solar Photovoltaic Generation. Consequently, at the time a Development Consent Order (DCO) is applied for, and during consideration of the Application, it is likely that it will be S104 of the Planning Act 2008 (Decisions in cases where NPS has effect) that should be applied, not S105. In any event, it is considered that the draft NPS (particularly draft EN-1 and EN-3) should be material considerations. Local Planning Policy Paras. 4.39-4.42 consider NSDCs Development Plan Policies with specific reference to Core Policy 10 (Climate Change) of the Amended Core Strategy (2019) and Policy DM4 (Renewable and Low Carbon Energy Generation) of the ADMDPD (2013). NSDC would highlight that other Development Plan policies contained within the two cited documents will be relevant to this Application and notes that some are referenced within other Chapters of the Scoping Report. However, the Scoping Report does not make any reference to the current review of NSDCs Amended Allocations & Development Management Development Plan Document (ADMDPD) which is currently underway with the representation period on the Second Publication document having closed on 06.11.2023. The current timetable and process for the review of the ADMDPD is set out within our Local Development Scheme - July 2023 (PDF File, 274kb). It envisages submission to the Secretary of State in December 2023. Consequently, it is expected that the draft amended ADMDPD is likely to be at an advanced stage by the time an application for the DCO is made and may even be adopted prior to the consideration of this NSIP application. It should therefore be taken into consideration within the ES.

Chapter 5 Pg. 40-49	**Approach to EIA**	<u>Consultation</u> Consultation should include Parish Councils for whom the development falls within or adjoins their respective Parish. For example, it is noted that the list at para. 5.14 does not reference the Parishes of Thorney, Spalford or Harby. Consultation should also include Ward members whose Ward will be affected by the development. <u>Cumulative Effects</u> The ES should set out how projects included in the assessment are identified and these should be agreed with the local authorities. The assessments should consider all relevant types of development (including other NSIPs) and not be limited to solar farm projects. The ES should consider whether regional scale likely significant effects could occur with other large scale solar projects e.g., arising from changes in land use and disposal of waste. Para. 5.32 references a 5km search area to be used for the cumulative impact assessment. No information is given as to how this search area has been derived. In the event that this search area is determined to be reasonable, NSDC would request that this search area relates to the whole development. The structure of the ES should make it clear whether an assessment of cumulative effects will be on a topic-by-topic basis, or a standalone chapter. <u>Other Comments</u> The Applicant's proposed methodology would appear to accord with general practice.
Chapter 6 Pg. 50-65	**Biodiversity**	<u>Likely Significant Effects Scoped Out from Detailed Assessment</u> *Table 6-2: Likely Significant Effects Scoped out from the Biodiversity Detailed Assessment* Construction and Decommissioning Emissions: In the absence of information to in relation to traffic movements NSDC considers it to be premature to scope out potential effects from traffic and construction plant during the construction and decommissioning phases. The ES should provide information on trip generation, traffic routing and distances from receptors including any measures that are to be secured to

		avoid or reduce likely significant effects. Electro-magnetic Fields (EMF): It is noted that reference here is only made to buried cables despite the proposed cabling design and routing having yet to be determined. <u>Other Comments</u> NSDC notes there is no reference to provision of an Arboricultural Impact Assessment within the Scoping Report. NSDC consider the ES should identify any trees (including protected, ancient, veteran trees or woodlands) which may be affected by the Proposed Development and assess any likely significant effects. Para. 6.26 refers to the Development providing opportunities for delivering Biodiversity Net Gain (measured using Natural England's Biodiversity Metric 4.0). NSDC considers the ES should distinguish between measures intended to avoid or reduce the potential for likely significant effects and those which have been identified for enhancement only. <u>Comments from the Council's Ecologist</u> *"<u>Table 6-1: Ecological Features, ZoI and Information Sources</u>* *Legally protected and notable species – bats and aquatic mammals (otter and water vole) & Legally protected and notable species – all other species (Page 53).* *In addition to the identified Data Sources, useful ecological information is sometimes available in supporting documentation submitted as part of other planning applications. This is often not captured within local record centre datasets or has a relatively long lead-in time before being included. If such information exists, this might get captured as part of the EIA process to consider cumulative effects. However, many projects that might contain this information are likely to be screened out as being cumulative schemes.* *Whilst not suggesting that it should be a requirement of the ecological assessment to consider these as other potential sources of information, the assessment may wish to include some review of submitted planning applications within or immediately adjacent to the proposed application site, which are not included in the cumulative schemes list.*

		<u>Extended Phase 1 Habitat Survey and Habitat Condition Assessment (para. 6.6)</u> *Despite the heading title, there is no detail regarding Habitat Condition Assessment. This should be completed using the published Statutory Biodiversity Metric Condition Assessments[1]. The assessments should be undertaken at an appropriate time of the year for the specific habitat types, to enable accurate assessment of the relevant condition assessment criteria.* *<u>Bat Surveys (para. 6.10)</u>* *I am concerned that the Site has been determined to have 'Low' suitability for bats. This initial assessment is important in terms of determining a proportionate survey effort for bat activity surveys.* *Paragraph 2.6 of the Scoping Report describes the Site as "…predominantly arable agricultural land and includes a network of hedgerows, drains and ditches, and blocks of woodland." I consider this represents a landscape type likely to be used extensively by bats for foraging and commuting.* *The River Trent, which bisects the Site, is likely to form an important foraging and commuting linear feature for the local bat assemblage. That part of the Site that falls on the east side of the river corridor is formed by a network of agricultural fields bounded by hedgerows, with this hedgerow network providing good connectivity to a series of blocks of existing woodland running along the east boundary of the Site. Consequently, if considered against the guidelines that were appropriate at the time of determining the proposed survey effort, I would have expected this eastern side of the Site to be of 'Moderate' to 'High' suitability for commuting and foraging bats. Similarly, there are likely to be other, more localised areas of similar level of suitability.* *Acknowledging that the proposal will retain the existing hedgerow network with any losses restricted to minor removals for access points, and the need for survey effort to be proportional, I would agree that surveys of every field across the Site would be*

[1] https://assets.publishing.service.gov.uk/media/6565d39762180b000dce82e0/Statutory_Biodiversity_Metric__Condition_Assessments.xlsx

		disproportionate. However, I consider it likely that rather than applying a blanket 'Low' suitability across the Site, it could have been broken down to include localised areas of 'Moderate' and 'High' suitability which should then have been subjected to monthly sampling surveys, particularly for the east side of the Site. *In the absence of additional survey work to address this comment, I consider it is likely when the Environmental Statement has been prepared, that it will be my view that insufficient survey effort has been undertaken for bat activity to form a reliable baseline, and subsequent assessment of effects for this species group.* *<u>Riparian Mammal Survey (Otter and Water Vole) (para. 6.12)</u>* *It is noted that surveys for riparian mammals appear to have been restricted to searches for the signs of activity for water vole and otter, rather than specific surveys for these species, utilising the survey methodologies and survey effort that are outlined in the two referenced documents.* *However, this appears to be addressed in para. 6.25, which notes that further survey work for water vole and otter are to be undertaken in 2024. I consider this additional survey effort is required to determine a reliable baseline for these species.* *<u>Common Reptiles (para. 6.14)</u>* *Given the presence of the River Trent corridor and a network of drains and ditches, I would have expected grass snake to be more likely present within the Site than common lizard and slow worm which have been specifically mentioned. However, I note that in para. 6.17 there is an indication that some ditches are dry, but also that there is a network of wet ditches and standing open water habitat (para. 6.20).* *Whilst acknowledging that habitat features likely to be utilised by grass snake will likely be mostly retained, and there would be opportunities to enhance habitats for this species, this is a Species of Principal Importance as listed under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Also, there are specific selection criteria within the Nottinghamshire Local Wildlife Selection guidelines for reptiles which require survey data. Therefore, I consider that there should be some*

		assessment via targeted survey work for reptiles, particularly grass snake. *In the absence of additional survey work to address this comment, I consider it is likely when the Environmental Statement has been prepared, that it will be my view that insufficient survey effort has been undertaken for reptiles to form a reliable baseline, and subsequent assessment of effects for this species group.* *<u>Environmental Measures (para. 6.26-6.31)</u>* *The Government's current timetable is for mandatory Biodiversity Net Gain (BNG) to be implemented for Nationally Significant Infrastructure Projects (NSIP) in 2025. However, the proposed scheme is intending to provide a BNG assessment that demonstrates at least a 10% net gain. This approach is welcomed and supported.* *At the time of writing the draft secondary legislation required to enable mandatory BNG for development proposals that are not an NSIP development have just been published and will be laid before Parliament shortly. Also, supporting guidance documentation has also just been published, but some in draft format.* *Para. 6.26 indicates that the BNG assessment will utilise the Natural England Biodiversity Metric 4.0. Since the scoping report was prepared, there is now a Statutory Biodiversity Metric and associated publications[2]. I consider that the BNG assessment should utilise the Statutory Biodiversity Metric and follow the principles and processes associated with the legislation for mandatory BNG for non-NSIP developments, if at the time of the assessment the proposed development is not bound by specific BNG legislation for NSIPs.* *<u>Scope of Assessment</u>* *<u>Important Receptors Identified</u>* *Based on the comments I have made regarding reptiles; it might be subsequently concluded that reptiles should be included on the list.*

[2] Statutory biodiversity metric tools and guides - GOV.UK

		Methodology proposed to Undertake Detailed Assessment *Further Baseline Data* *Based on comments made above, I consider that additional survey work for bat activity and reptiles is required.* *Approach to Ecological Impact Assessment* *Where appropriate, I consider that use should be made of the Nottinghamshire Local Wildlife Site (LWS) Handbook as part of the assessment process to determine importance."* Comments from the Council's Tree Officer NSDC would expect to see a plan demonstrating where any TPO, veteran and ancient trees/woodlands are located within the site and that consideration is given to suitable working distances within proximity to trees. Consideration should also be given to any important hedgerows as defined under the Ancient Hedgerow Act 1997.
Chapter 7 Pg. 66-81	**Hydrology and Hydrogeology**	Flood Risk Para. 7.11 states that *"The EA Flood Risk from Surface Water mapping indicates the majority of the Site is at very low risk of flooding from fluvial sources […]"*. NSDC would query whether this statement is correct as surface water relates to pluvial flooding and para. 7.6 explains that the Site is at a medium-high risk of flooding from tidal and fluvial sources. Likely Significant Effects Scoped into the Detailed Assessment NSDC would highlight that the effect that the proposed development could have on the hydrogeology and groundwater flows (para. 7.28) should consider the proposed worst-case scenario for the foundations of the solar modules (for example, whether steel poles will be driven into the ground). NSDC considers the ES should include the cumulative impact of the proposed foundations across the entirety of the developable area and the potential effect on the drainage patterns within the site and the study area. Other Comments

		NSDC considers the ES should include a Flood Risk Assessment based on the requirements of the Environment Agency's standing advice (acknowledged at para. 7.30). This should include a description of how the Proposed Development satisfies the requirements of the sequential and exception test, where relevant, and the interplay with the consideration of alternative sites. The FRA should demonstrate the Proposed Development including flood suitable mitigation measures and flood resilient construction that will allow the development to remain operational for its intended lifespan (noting previous queries made in relation to whether the intention is for the Development to be time limited). This includes confirming that all the flood sensitive equipment associated with the Proposed Development would remain operational during flood events. Furthermore, the FRA should consider the surface water drainage/flood risk impacts that may occur off site and the potential of increased flood risk beyond the site boundary (including where this could impact nearby residential receptors). This should include consideration of the potential for the solar installation to increase the rate of runoff from the Site.
Chapter 8 Pg. 82-89	**Land and Soils**	NSDC does not presently have in-house expertise to cover this topic area but expects to commission a consultant to advise on this matter. <u>Approach to Collection of Baseline Data</u> NSDC notes that the baseline Agricultural Land Classification (ALC) has been established by reference to the Provisional ALC Map of England and ALC Grades – Post 1988 Survey (para. 8.3) and not based on any ALC surveys undertaken on the Site. An important consideration will be whether the site contains land classified as Best and Most Versatile (BMV) agricultural land and NSDC notes the intention at para. 8.21 for a detailed ALC survey to be undertaken prior to production of the ES. <u>Other Comments</u> NSDC notes that no mention is made to the potential for cumulative agricultural land

		effects within this chapter and considers that this should be included within the scope of the ES given the proximity of this site to other NSIP projects in the vicinity[3] and potential for cumulative agricultural land effects through the removal of land from arable production.
Chapter 9 Pg. 90-95	**Buried Heritage**	NSDC does not have in-house expertise to cover this topic area but has a contract in place with Lincolnshire County Council's Archaeologist who we understand has been consulted separately on this Scoping Report. <u>Methodology proposed to Undertake Detailed Assessment</u> Construction: Para. 9.21 appears to suggest that intrusive investigations would be carried out post-consent in advance of construction rather than informing the ES. However, without sufficient information on the presence, character, date and significance of deposits, there cannot be a robust assessment of impact or development of a mitigation strategy and NSDC therefore resists this proposal.
Chapter 10 Pg. 96-107	**Cultural Heritage**	<u>Baseline Conditions</u> <u>Approach to Collection of Baseline Data</u> NSDC would draw attention to our Non-Designated Heritage Assets: Criteria (March 2022) document which should be considered within this Chapter (para. 10.3). NSDC notes the intention for a study area of 2km proposed for built heritage assets, within which non-designated heritage assets (NDHAs) are proposed to be considered within a 1km radius only with a selective approach taken beyond this. NSDC agrees with this approach. In relation to para. 10.14 NSDC would draw attention to the Conservation Officers comments provided below which identifies buildings that NSDC has reviewed as being potential NDHAs within the study area which should be considered within the ES.

[3] Great North Road Solar Park, West Burton Solar Project, Gate Burton Energy Park, Cottam Solar Project

		Scope of Assessment Important Receptors Identified In reference to para. 10.18, NSDC would encourage consideration of the group value between North and South Clifton via the connecting road and intermediary assets that includes the Listed Church and School as a potential NDHA. We would also encourage consideration of the NDHA Station at North Clifton (particularly given its position on the former railway track now used as a footway). Methodology proposed to Undertake Detailed Assessment NSDC notes the intention to agree a shortlist of assets requiring full detailed assessment and a selection of viewpoints for heritage-focussed photomontages to support the understanding of potential effects with the Authorities Conservation Officers and Historic England (para. 10.27). Comments from the Council's Conservation Officer *"The masterplan covers several authority areas comprising Bassetlaw, West Lindsey and Newark. The part that impacts us is the south-eastern portion that includes North and South Clifton, as well as Thorney. The River Trent corridor is a broadly low-lying flat area with only limited undulating landscape areas further to the east of the river. North and South Clifton contain a number of heritage assets and are linked by a road that has some shared amenities such as the church and school. The river is an important feature with remnants of our industrial past that have some heritage value. Given the rural character of the area, there are a number of isolated features with potential heritage value.* *In the cultural heritage section of the submitted report, it is anticipated that a 2km study area will be utilised for built heritage assets, and 1km for NDHA with a selective approach for things beyond this radius. We are happy with this approach. In terms of designated heritage assets, these appear to have been correctly identified insofar as NSDC sites is concerned. In terms of NDHAs, we can see that the Notts HER has been used to highlight potential assets such as local interest buildings, unregistered parks and gardens and archaeology. We would like to draw attention to our recently adopted Criteria document for assessing NDHAs and the status of our draft Local List.*

		Essentially, the Conservation Team has been given delegated authority to survey the District and create a new Draft List of NDHA to be submitted to Members for potential adoption at the end of the process (estimated to be 3 years). Limited weight can only be given therefore to identified NDHAs through this process. The only buildings I am aware of that are not on the HER but have been reviewed as being a potential NDHA within the study area are North Clifton Primary School and North Clifton Station. In addition, we have had a submission to include remnants of the Marnham ferry docks as potential NDHAs. These have not yet been reviewed. Wigsley air tower has been identified as a NDHA, but sits at the fringe of the 2km zone, and it is accepted that impact is not likely to break the threshold for assessment outlined above (albeit, it does have some landmark qualities owing to its form and position within the former airfield). *We are content with the approach to receptors. We would encourage consideration of the group value between North and South Clifton via the connecting road and intermediary assets that includes the listed church and school as a potential NDHA. We would also encourage consideration of the NDHA station at North Clifton (particularly given its position on the former railway track now used as a footway).* *We have no objection to the suggested scoping out outlined in para 10.21-23.* *Archaeology is clearly an important consideration and we defer to our specialist. However, we would remind decision-makers that in some cases there are intrinsic relationships between sensitive historic environments, including those encapsulated in conservation areas and/or in medieval historic cores (typically around churches/manorial areas) with archaeological interest of a NDHA nature. It is accepted, as outlined in the methodology, that individually these NDHAs are not likely to be impacted due to their limited significance. It is possible, however, that such features resonate with important designated heritage assets. Potential examples of this include the earthworks to the east of Hall Farm in North Clifton. Similarly, the relationship between NDHAs can be an important factor in their identification (as explained in our Criteria document). There is a connection for example between the Fledborough Viaduct and North Clifton Station. However, I do not think this contradicts the*

		assumptions made in the proposed methodology and limits of the scoping."
Chapter 11 Pg. 108-123	**Landscape and Visual**	Introduction NSDC does not presently have in-house expertise to cover this topic area but expects to commission a consultant to advise on this matter. However, it is noted that the LVIA will follow Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013 (GLVIA3) (para. 11.3). Local Planning Policy NSDC would highlight its previous comments in relation to the Draft ADMDPD. In addition to the policies cited in the Scoping Report is also considered that the following policies are of relevance: Core Policy 9 of the Amended Core Strategy (2019) and Policies DM4 and DM5 of the ADMDPD (2013). NSDC's Landscape Character Assessment Supplementary Planning Document (2013) should also be considered. Baseline Conditions Para. 11.7 explains a preliminary LVIA study area of 2km from the Site boundary. NSDC considers this to be comparatively small to other local NSIP projects and their ES' and therefore would raise concerns as to the adequacy of this study area. NSDC note that the local landscape is relatively flat with low levels of vegetation cover and considers the study area should be informed by a Zone of Theoretical Visibility (ZTV) and in consultation with the local authorities. Scope of Assessment Important Receptors Identified *Table 11-1 Landscape and Visual Receptors to be Scoped In* Residents of villages: NSDC considers the residents of the village of Harby should be considered as a visual receptor. NSDC also agrees that representative viewpoints should be agreed with the local authorities. Likely Significant Effects Scoped Out from Detailed Assessment *Table 11-2: Likely Significant Effects Scoped out from the Landscape and Visual*

		Detailed Assessment Lighting: NSDC considers that whilst the site is not within an identified *'dark skies'* location, given the scale of the site and the unknown extent and type of external lighting at this stage, a quantitative lighting assessment considering sky glare and glow should be scoped-in to the LVIA for all stages of the Development and not reserved for consideration solely in the Construction Environmental Management Plan and Demolition Environmental Management Plan. <u>Methodology proposed to Undertake Detailed Assessment</u> NSDC notes the intention to agree the visual receptors who have the potential to be impacted by the Development and the locations of viewpoints to represent these views (para. 11.48) – the Authority is in the process of appointing a Landscape Consultant and it is requested that the Applicant continue to liaise with the Authority on this matter. <u>Assessment methodology for Construction, Operation and Decommissioning</u> NSDC agrees this a Residential Visual Amenity Assessment should be undertaken in the event that the visual assessment identifies major adverse effects on residents at year 15 of operation (para. 11.54). <u>Assumptions, Limitations and Uncertainties</u> The applicant should use all endeavours to visit any residential properties potentially affected and not solely rely upon aerial photography and fieldwork observations (para. 11.55).
Chapter 12 Pg. 124-132	**Transport and Access**	<u>Likely Significant Effects Scoped Out from Detailed Assessment</u> NSDC notes the low movements that would be generated through the operations phase and does not object to this being scoped out (para. 12.20). However, the ES description of development should still evidence the likely operational traffic movements to demonstrate that transport effects will not be significant. <u>Likely Significant Effects Scoped into the Detailed Assessment</u> NSDC notes that the potential interaction between construction traffic and the Public

		Rights of Way within the site is not included into this section (para. 12.21), however the Authority considers the ES should include this information to enable this matter to be scoped out of the assessment. <u>Other Comments</u> It is noted that there is no reference made to an assessment of the potential cumulative transport impacts of this Development with other Developments in the local area. This should be scoped into the assessment.
Chapter 13 Pg. 133-144	**Air Quality**	<u>Likely Significant Effects Scoped Out from Detailed Assessment</u> *Table 13-3: Likely Significant Effects Scoped out from the Air Quality Detailed Assessment* Operational Effects: NSDC agrees that operational vehicle emissions can be scoped out from further assessment, subject to the description of development demonstrating that vehicle numbers are sufficiently low as to not trigger the thresholds for an air quality assessment. <u>Comments from the Council's Environmental Health Technical Officer</u> *"I have now had the opportunity to review the Air Quality chapter (13) of the Scoping Report (November 2023) submitted in support of this proposal. This describes the approach that will be taken and factors which will be considered as part of the detailed air quality assessment that is proposed. Some factors have been scoped out of the assessment using appropriate guidance and the report has identified those matters which require further detailed assessment using ADMS Roads dispersion modelling.* *I can broadly agree with the methodology and breadth of the proposed detailed assessment."*
Chapter 14 Pg. 145-151	**Carbon and Climate Change**	<u>Likely Significant Effects Scoped into the Detailed Assessment</u> NSDC considers an assessment of the impact of the Proposed Development and future climate change in relation to flood risk should be scoped into the ES. The Site is located adjacent to the River Trent which is tidal in this location. Significant effects are likely to occur in that flooding risk will be increased from climate change during the lifetime of the development. It is therefore suggested that an assessment of sea level rise in

		climate change resilience review should be scoped-in to the ES.
Chapter 15 Pg. 152-163	**Noise and Vibration**	<u>Likely Significant Effects Scoped Out from Detailed Assessment</u> *Table 15-1: Likely Significant Effects Scoped out from the Noise and Vibration Detailed Assessment* On Site Construction and Decommissioning Traffic: In the absence of information to in relation to traffic movements NSDC considers it to be premature to scope out potential effects from vibration from traffic movements during construction and decommissioning. The ES should provide information on trip generation, traffic routing, noise emissions and distances from receptors including any measures that are to be secured to avoid or reduce likely significant effects. Operational Traffic: The Scoping Report anticipates minimal numbers of road traffic movements during the operational phase. NSDC agrees that this matter could be scoped-out, however the ES description of development should confirm the anticipated trip generation during operation to justify this. Solar PV Arrays: Given the type of panels proposed has not been set the ES should include an assessment of noise generated by tracking panels and its potential impact on residential and ecological receptors. <u>Comments from the Council's Environmental Health Officer</u> *"Operational Noise: At present, exact details of the proposal are not known, including the layout of the development and the number, specification and positioning of the above potentially noisy plant. As such, it is not possible to comment in detail in relation to noise. However, I am aware that some modelling of exiting noise levels arising from road traffic has been undertaken, and that background noise monitoring is proposed in several locations within the development area. Given the size of the development area, it is likely that plant can be accommodated in areas distant from residential receptors which may be affected by noise.* *I would therefore suggest that noise disturbance is taken into account when designing*

		the scheme, and that an assessment of noise at the nearest receptors be submitted with any forthcoming application. *Construction Noise: It is likely that construction of the solar farm will require the creation of access roads and plant areas, as well as the installation of the solar panels and cable connections. Given the scale of the proposal, this is likely to take place over a prolonged period. I would therefore recommend a Construction Management Plan be submitted with the application, taking into account hours of operation, vehicle routing, etc.*"
Chapter 16 Pg. 164-182	**Human Health**	Likely Significant Effects Scoped into the Detailed Assessment *Table 16-3 Consideration of Wider Determinants of Health to be Scoped In* Health related behaviours - Physical activity […]: NSDC agrees that this is an important consideration but notes reference is only made to '*physical health*' and does not include mental health as a wider determinant. NSDC considers the recreational value and enjoyment of the Public Right of Way network should be scoped-in to the ES.
Chapter 17 Pg. 183-189	**Socio-Economics**	Likely Significant Effects Scoped into the Detailed Assessment The Development is proposed on areas of agricultural land. Consequently, the ES should consider the socio-economic effects of the loss of productive agricultural land, including the potential for displacement of tenant farmers.
Chapter 18 Pg. 190-193	**Environmental Topics Scoped Out**	*Table 18-1: Technical Aspects Scoped Out* Glint and Glare Given the scale of the Site and the fact that the design parameters of the Proposed Development are not set NSDC does not agree that the potential for significant effects from Glint and Glare should be scoped-out of the ES. The Glint and Glare Assessment should assess a worst-case scenario, which at present includes the consideration of tracking and stationary panels, and the conclusions of the assessment should inform the LVIA. The Council's Environmental Health Officer has also provided the following comments: *Glint and Glare Assessment: A glint and glare assessment should be carried out to:*

		• *Determine the locations, numbers and orientations of the solar panels.* • *Identify local areas that could be affected by glint or glare from the panels throughout the year.* • *Identify geographical and vegetation features that might shield sensitive locations from glint and glare.* • *Provide recommendations for mitigating measures that would reduce or eliminate the effects of glint and glare."* <u>Risk of Major Accidents and Disasters</u> Whilst it is not proposed to have a standalone chapter, NSDC considers that the risk of battery fire/explosion should be addressed in the ES, including where any measures designed to minimise impacts on the environment in the event of such an occurrence are proposed. <u>Waste</u> NSDC notes the initial reference within the Scoping Report to the Applicant not seeking a time limited consent and has queried whether the Development should therefore be assessed as a permanent proposal. It is understood that solar developments are typically considered to be 30 to 40 year developments with panel degradation cited as a limiting factor on project lifespan. On this basis, some panels may need to be replaced during the operational life of the Development. The Scoping Report states that waste during construction would be recycled where practicable however does not address the potential for component replacement during operation. Irrespective of whether a time-limit is stated for the Development the ES should include an assessment of the likely impact of component replacement (e.g., batteries and panels) and outline what measures, if any, are in place to ensure that these components are able to be diverted from the waste chain. NSDC considers the ES should also assess the likely significant effects from waste at decommissioning to the extent possible at this time. The Scoping Report does not refer to provision of a Decommissioning Plan (only a Site Waste Management Plan during enabling and construction works), however NSDC would expect to see an Outline Decommissioning Plan or similar with the Application. The ES should also clearly set

		out how decommissioning is to be assessed and any components which may remain following decommissioning.
	NSDC Summary	Subject to the comments above, NSDC is generally in agreement with the proposed scope of the ES.

Please consider the comments made above to constitute Newark & Sherwood District Council's formal consultation response under regulation 10(6) of the EIA Regulations.

Yours faithfully,

[redacted]

Honor Whitfield MRTPI MSc
Planner, Planning Development Business Unit
On behalf of Newark & Sherwood District Council

From:	Honor Whitfield
To:	One Earth Solar
Subject:	RE: EN010159: Newark & Sherwood District Council Scoping Consultation Response
Date:	11 December 2023 16:10:06
Attachments:	image001.png LLFA Comments 23-02003-CONSUL.pdf N-23-02003-CONSUL.pdf

OFFICIAL

OFFICIAL

Good afternoon,

Please also find attached consultation comments NSDC has received today from Notts County Council as the LLFA and the Highway Authority.

Many thanks,

Honor Whitfield MRTPI MSc
Planner
Planning Development Business Unit
Newark and Sherwood District Council
Tel: [redacted]
Email: [redacted]
www.newark-sherwooddc.gov.uk

Please note that any advice is given at officer level only and will not prejudice any future decision made by the Council.

NEWARK & SHERWOOD DISTRICT COUNCIL

This matter is being dealt with by:
Ross Marshall
T [redacted]
E [redacted]

Nottinghamshire County Council

Planning ref:
23/02003/CONSUL
Consultation received:
22/11/23

Mr Matt Lamb
Director of Growth and Regeneration
Newark and Sherwood District Council
Castle House
Great North Road
Newark
NG24 1BY

11 December 2023

Dear Mr Lamb

PROPOSAL: Development Consent for the One Earth Solar Project - Scoping Consultation
To view the documents, please follow the link;
https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010159/EN010159-000005-One%20Earth%20-%20Scoping%20Report.pdf

LOCATION: One Earth Solar Project,

Nottinghamshire County Council as the Lead Local Flood Authority (LLFA) has reviewed the pre-app advice application which was received on the 22 Nov 2023.

As no specific information has been submitted with regards to drainage for this pre-app enquiry, we have made some general comments on the information that we would expect see when the application is submitted for planning approval.

Given the proposed scale of the development to satisfy the National Planning Policy Framework (NPPF) further details would need to be submitted to support this application. Paragraph 163 fn.50 of the NPPF requires that applications in Flood Zone 2, 3 and in Flood Zone 1 over 1 hectare should be accompanied by a site-specific flood risk assessment, reviewing the potential flood risks to the development from all sources. An FRA is vital if the local planning authority is to make an informed planning decision.

As LLFA we also require details of the proposed surface water drainage strategy for the development. Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The LLFA expect that any proposed drainage strategy is in accordance with CIRIA C753 and current best practice guidance. Any FRA or drainage strategy should include following information:

- An assessment of the nature of SuDS proposed to be used and demonstration that design is in accordance with CIRIA C753 and NPPF Paragraph 169.
- Details of a proven outfall from site in accordance with the drainage hierarchy. The following options should be considered in order of preference:
    - Infiltration
    - Discharge to watercourse

    - Discharge to surface water sewer
    - Discharge to combined sewer
- Justification for the use or not of infiltration, including the results of soakaway testing, in accordance with BRE 365.
- Evidence the maximum discharge is set to the QBar Greenfield run-off rate for the positively drained area of development.
- Demonstrate the site drainage system should cater for all rainfall events up to and including the 1 in 100-year event including a 40% allowance for climate change.
- Provide details for exceedance flows; surface water should be contained within the site boundary without flooding any properties in a 1 in 100 year plus 40% climate change storm.
- Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of approval for drainage infrastructure crossing third party land where applicable.
- A surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness, and the party responsible for this.

This is only a brief outline of the minimum information we would be expecting to see and not an exhaustive list.

Informative

1. SuDS involve a range of techniques and SuDS methods can be implements on all sites. SuDS are a requirement for all major development as set out within paragraph 165 of the NPPF.

2. The LLFA does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

3. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

Yours sincerely

Ross Marshall

Ross Marshall
Principal Flood Risk Management Officer
Nottinghamshire County Council
Please ensure any consultations are sent to flood.team@nottscc.gov.uk

Form TP.52

Nottinghamshire County Council

TOWN AND COUNTRY PLANNING ACT
HIGHWAY REPORT ON PROPOSALS FOR DEVELOPMENT

DISTRICT:	Newark	Date received	22/11/2023
OFFICER:	Honor Whitfield		
PROPOSAL:	Development Consent for the One Earth Solar Project - Scoping Consultation	D.C. No.	N/23/02003/CONSUL
LOCATION:	One Earth Solar Project		
APPLICANT:	One Earth Solar Farm Ltd		

The approach of the scope set out appears to be in accordance with DMRB and DfT Guidance so the principle appears acceptable.

Specific details of the Transport Assessment should be agreed with the Highway Authority at a later date.

Please note that we are a direct consultee for this proposal so further formal consultation from the District Council will not be necessary (but we will be happy to make such consultation responses available if requested).

Sarah Hancock
Principal Officer – Highway Development Control

11th December 2023

From: Stephen Faulkner [redacted]
Sent: 15 November 2023 15:24
To: One Earth Solar oneearthsolar@planninginspectorate.gov.uk
Cc: Alice Craske alice.craske@norfolk.gov.uk
Subject: FW: EN010159 - One Earth Solar Farm - EIA Scoping Notification and Consultation

FAO Neva Johnson

Planning Inspectorate.

Thank you for your email below.

Given the location of the proposed development on the Nottinghamshire / Lincolnshire Border, I can confirm that Norfolk County Council does not have any cross-boundary comments / issues to raise at this stage.

Stephen Faulkner BA(Hons), MSc, DipTP, MRTPI Principal Planner - National Infrastructure Planning Lead Officer Strategy and Transformation

Norfolk County Council
Tel: [redacted]

From:	Nick Feltham
To:	One Earth Solar
Subject:	23/1341/NSIP (EN010159) - One Earth Solar Farm - EIA Scoping Notification and Consultation
Date:	13 November 2023 14:55:55
Attachments:	image474690.png image342300.png image968244.png image453435.png

Dear Sir, Madam

Thank you for consulting North Kesteven District Council in relation to the EIA Scoping Report for the One Earth Solar Farm Nationally Significant Infrastructure Project (NSIP).

The Council's comments are primarily in relation to section 5.3 'Cumulative Effects' onwards. Paragraph 5.32 states that;

'Details of the cumulative schemes to be considered within the detailed assessment will be identified based on information available on the local authorities planning registers and on PINS website and discussed during the consultation stages. The current criteria for inclusion in the study are as follows:

> other projects within the local vicinity (at this stage assumed to be within 5km of the Proposed Development):
> that have planning permission (or development consent) but are not yet built; or
> schemes where a planning application (or DCO application) has been submitted but a decision not yet made; or
> major projects likely to occur due to existing policy'

It is assumed that the applicant only intends to review cumulative effects in relation to other NSIP proposals within 5km of the site; which is not supported. The applicant is requested to consider cumulative land use and agricultural impacts (BMV land) alongside all currently registered/examined NSIP solar projects in Lincolnshire/Rutland; including within North Kesteven District namely Fosse Green, Springwell, Beacon Fen and Heckington Fen. The Lincolnshire Reservoir NSIP should also be included in this assessment, along with the recently registered Great North Road solar farm NSIP in Newark and Sherwood. The location of the site is such that we have no objection to cumulative effects in relation to other topic areas (including LVIA) being scoped out of the assessment.

We agree with paragraph 11.37/'Table 1 Landscape and Visual Receptors to be Scoped In' in that it proposes assessment of impact on users of the Sustrans cycle route 647. This route passes through into North Kesteven District beyond the eastern boundary of the proposed development and we consider that it should be assessed as having higher receptor significance and sensitivity by virtue of it being part of a longer distance national cycle route.

Regards
Nick Feltham

Nick Feltham

North Kesteven
DISTRICT COUNCIL

Assistant Development Manager

Tel: [redacted]
Email: [redacted]
www.n-kesteven.gov.uk
Kesteven Street, Sleaford, NG34 7EF

From: Andrew Law
To: One Earth Solar
Subject: EN010159 - Scoping Response NLC
Date: 07 December 2023 15:01:04

Good afternoon,

Thank you for giving North Lincolnshire Council the opportunity to comment on the Scoping Request in respect of the One Earth Solar Farm Project.

Having reviewed the Scoping Report and giving due regard to the location and nature of the proposed development I can confirm that North Lincolnshire Council have no comments to make in this instance.

Kind Regards

Andrew Law
Development Management Specialist | Development Management | Economy and Environment

@ [redacted]
☎ [redacted]
✉ North Lincolnshire Council, Church Square House, 30 – 40 High Street, Scunthorpe, DN15 6NL

This matter is being dealt with by:
Stephen Pointer
Reference:
T [redacted]
E planning.policy@nottscc.gov.uk
W nottinghamshire.gov.uk

Nottinghamshire County Council

The Planning Inspectorate
Environment Services Operations Group 3

Sent by email to
OneEarthSolar@planninginspectorate.gov.uk

11th December 2023

Dear Sir

ONE EARTH SOLAR PROJECT
SCOPING CONSULTATION AND NOTIFICATION

I am writing to respond to your letter of 13 November concerning the above. Nottinghamshire County Council is responding to the Scoping Report as follows:

Highways

The Highway Authority (HA) has reviewed the content of the Environmental Impact Assessment (EIA) Scoping Report (SR) dated Nov 23 submitted by Logika Group Ltd on behalf of One Earth Solar Farm Ltd. The application comprises the construction and installation of solar panels, battery energy storage systems and associated grid connections to generate 740 MW of renewable energy/electricity across 1,500 hectares in Lincolnshire, Bassetlaw and Newark & Sherwood. Chapter 12 of the SR determines the extent of the traffic & transportation issues to be considered. The main areas considered are broad transport aspects, with limited detail provided.

A proposal of this magnitude will have significant impact on the existing transportation network mainly during the project's construction phase. Therefore, the HA will require a detailed Transport Assessment (TA) and supporting studies to assess the additional traffic demands and any required mitigation to the highway network. These should be prepared in accordance with current Planning Practice Policy, Nottinghamshire County Council's Design Guide and other industry accepted guidance on TA's. The HA will need to consider the detail of the transportation impacts once the planning application (s) is/(are) made and is likely to secure any necessary mitigation measures through planning condition and S106 obligations.

The TA should include the following details and information: -
1. The access strategy outlining design philosophy and the approach for the scale of development proposed using
https://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide

2. Note - baseline appraisal data, key analysis parameters and assessment methodology should be agreed with the HA before the full TA work is undertaken.

3. The TA should clearly define the proposed schemes in relation to the different LPA administrative boundaries i.e., Bassetlaw, Lincolnshire, and Newark & Sherwood.

4. The number, size and frequency of the vehicles that will be associated with the construction and completed – operational phases of the proposal.

5. The proposed routing of the construction vehicles from the principal highway network to the proposed sites, including vehicle tracking where necessary to show that the highway network can adequately accommodate construction vehicles access, egress and turning. This will require a Construction Traffic Management Plan (TMP) to be agreed with the HA. Contacts tro@viaem.co.uk abnormalloads@viaem.co.uk

6. Details of the proposed temporary/permanent access(s)/hardstanding in the site, including achievable visibility splays, access widths, finished gradients, surfacing materials and drainage measures. The layout plan(s) should show the proposed access and its interface with the existing public highway network. This must be a topographical plan, accurately showing all street furniture/posts/trees/assets at a minimum scale of 1:500. Access arrangements and proposed highway improvements will require independent Stage I Road Safety Audit (RSA) to be undertaken in accordance with HD 19/15.

7. Details of the proposed welfare compounds/parking/unloading/manoeuvring areas within the site during both the construction and operational phases by use of a comprehensive Construction Management Plan (CMP).

8. All temporary construction sites (expected to be mostly agricultural field) should include proactive measures to prevent deleterious construction material and mud being transferred to the public highway i.e., Wheel wash facilities.

9. The reports should include detailed long-term management strategies to mitigate any negative transport impacts of the development and where possible promote sustainable active movement.

10. The TA should include a chapter that deals with cable routing corridors and utility diversion/installation over/under the public highway for the National Grid connection. Especially, how the main connection of the solar power system will be established at High Marnham substation. The opportunity to share cabling infrastructure with the other solar panel schemes/utilities in the area should be explored.

11. All new cables in public highway need to be installed by a statutory undertaker and use of a Section 50 licence under the NRSW Act for installation by other companies is not acceptable. Contact licences@viaem.co.uk streetworks@viaem.co.uk

12. Some sensitive rural roads will require dilapidation surveys and road condition prior to and after heavy construction work has been undertaken.

13. The proposal must identify any minor public highways affected and their future treatment. This should include definitive/non-definitive rights of way such as public footpaths, public road, bridleway, BOAT or restricted bye way. Contact countryside.access@nottscc.gov.uk.

14. The area appears to contain a limited number of environmental weight limits, but the HA encourages early consultation to limited environmental annoyance to affected villages/residents and to ensure works programmes are not hindered. Contacts

15. Enquiries about adopted public highway records highwaysearches@viaem.co.uk

Please note this list is not exhaustive and the applicant will be expected to provide appropriate assessment information that reflects site conditions and its locality. Furthermore, the HA reserves its right to vary its assessment requirements and the amount of detail required depending on the outcomes of the iterative transport evaluation process.

Ecology

The County Council is satisfied with the proposed scope of survey and assessment as set out in the Scoping Report in terms of Biodiversity. However, we have the following comments:

- The Breeding Bird Survey is described as sampling five areas across the site, rather than providing full site coverage. We are not entirely comfortable with this approach, as it risks missing scarce/rare species which may be present only patchily in the landscape, e.g. Turtle Dove, Tree Sparrow, Corn Bunting. It also risks under-estimating the impact of the development on other breeding birds. However, it is difficult to comment further without knowing the size or location of the sample areas.
- Similarly, bat activity surveys are described as being based on three transect surveys and we would question whether this is sufficient given the size of the application site – but again, it is difficult to comment further without knowing the length or location of the transects (and static detector locations). Whilst it is noted that the site is generally considered to be of low suitability for bats, it is immediately adjacent to higher quality habitats including wetland and woodland, and I would draw the applicant's attention to recent research about the impact of solar PV sites on bats –Tinsley, E., Froidevaux, J. S. P., Zsebők, S., Szabadi, K. L., & Jones, G. (2023). Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity. Journal of Applied Ecology, 60, 1752–1762. https://doi.org/10.1111/1365-2664.14474.

Local Flood matters

Having reviewed section 7 of the EIA Scoping Opinion report which has been submitted this appears to follow all the relevant policy and legislative guidelines and appropriately consider flood risk and drainage at this stage.

Due to the nature of the proposals these do not appear to seek to significantly increase the impermeable area of the site, and as such the LLFA would only like to comment that surface water runoff from the site should not be exacerbated. Any increased runoff from the site, such as from any hardstanding/small buildings, should be appropriately managed on site to prevent increasing runoff from the site and therefore prevent increasing the risk of flooding the surrounding area of the site.

Heritage and Archaeology

The One Earth Solar Park covers a significant area of eastern central Notts, an area which is regionally significant for its density of cropmarks and stretches across the Trent into Lincolnshire. Some of the cropmarks were recorded in the 1980's as part of the then English Heritage funded National Mapping Programme (NMP). We would be interested to know if the consultants have managed to obtain the data from HE, because without it they will inevitably underestimate the archaeological potential of the sands and gravels of the Trent Floodplain. It is not obvious from their recorded sources they have accessed this data directly. This link may be helpful; Aerial Archaeology Mapping Explorer (arcgis.com)

"Aggregates and Archaeology in Nottinghamshire" (Knight and Spence, 2013) identified that there were at least 7.34 archaeological sites per km2 on the sands and gravels, a figure which is now well out of date and consequently a present-day recalculation would be considerably higher. The proportionate response to evaluation methodologies which is mentioned needs to fully recognise the high potential of the area. Obviously, the various evaluations need to be undertaken as soon as possible and certainly before submission of the ES. I think the scope of evaluation needs to be widened considerably. We are seeing a significant number of solar farm developments arguing that there is no need to undertake significant predetermination archaeological evaluation because the damage to such remains is limited. There is NO evidence to back such a view up and a considerable body of evidence which argues to the contrary. This County will proceed on the basis of a worst damage case until we are successfully satisfied otherwise in each case.

The scoping document mentions that there are a significant number of earlier prehistoric sites in the area of the proposed scheme. It would be worth noting the internationally significant Late Upper Palaeolithic site on the Trent sands and gravels at Farndon, on a similar geology to much of the proposed development site. This was not located through DBA, geophysics and trial trenching, the standard evaluation techniques, but through fieldwalking. This difficulty also arises in identifying sites of Mesolithic, Neolithic and Bronze Age date, significant examples of all of which have been identified by the One Earth work so far. Consideration should be given to undertaking fieldwalking and metal detecting survey to locate the very many types of sites which are not conducive to being discovered through the standard evaluation techniques I have just noted, and which are the only ones currently proposed for this site. A reasonable rationale will be expected for not undertaking such surveys, which on current evidence would be difficult to sustain. We are currently developing policy for these major types of development which have an arguably less damaging effect than, for instance, mineral extraction. Our current view is that if insufficient evaluation is undertaken we should regard these developments as potentially on the same scale of potential destruction to archaeological remains as mineral extraction, and as such the recommendations of Knight and Spence 2013, p.41 should apply.

Consideration of Lidar data is noted. For a scheme of such a scale it might be worth commissioning new, high accuracy Lidar.

It was not clear from the cultural heritage section whether the decommissioning phase was scoped in or out of the ES. Clarification on this would be useful. It is our opinion that the less direct evaluation through ground truthing, by field evaluation, that is undertaken, the higher the risk of not locating archaeological sites, and the higher the potential risk to the significant loss of archaeological sites of unknown significance. Our developing policy, which it is planned will be adopted by the East Midlands Association of Local Government

Archaeological Officers, our professional regional body, is seeking a *minimum* of 3% trial trenching across the proposed development site in addition to the other methodologies previously mentioned.

I hope these responses are helpful.

Yours sincerely

Stephen Pointer MRTPI
Team Manager (Planning Policy) Nottinghamshire County Council

Telephone: 01733 453410 (9am - 1pm Mon, Wed, Fri)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 23/00951/CONSUL
Your Ref: EN010159

PETERBOROUGH CITY COUNCIL

Planning Services

Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Peterborough Direct: [redacted]

Mr Joseph Briody
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

29 November 2023

Dear Mr Briody

Planning enquiry

Proposal: Application by One Earth Solar Farm Ltd (the Applicant) for an Order granting Development Consent for the One Earth Solar Farm (the Proposed Development

Site address: One Earth Solar

Further to your enquiry received on 13 November 2023, in respect of the above, the Local Planning Authority makes the following comments:

The proposal site is remote from the Peterborough area, and as such, we do not have any comments to make on this Scoping Opinion.

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

[redacted]

Mr A O Jones
Principal Minerals and Waste Officer

From:	Robert Morrell
To:	One Earth Solar
Subject:	Your Ref: EN010159
Date:	20 November 2023 11:21:56
Attachments:	image001.png image003.png

FAO: Joseph Briody

Dear Joseph

With regard to the above, I am writing to confirm that RMBC do not have any comments to make on this proposal due to the distance from our administrative boundary.

I trust the above information is of use to you.

Regards

Rob Morrell BA (Hons) MSc
Assistant Development Manager
Development Management
Regeneration and Environment
Rotherham Metropolitan Borough Council

Tel: [redacted]
Email: [redacted]

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Before printing, think about the environment.

Local Authority Planning Team of the Year 2018

RTPI AWARDS FOR PLANNING EXCELLENCE WINNER 2018

From:	Andrew Waskett-Burt
To:	One Earth Solar
Subject:	EN010159 - One Earth Solar Farm - EIA Scoping Notification and Consultation - Rutland County Council Response
Date:	11 December 2023 10:26:16

Dear Neva,

Thank you for the opportunity to comment on the Scoping Opinion.

It would appear from going through the One Earth Solar Farm materials that the main topics will be covered, including heritage, flooding, landscaping, visual amenity, local wildlife sites and transport and access. Rutland County Council's only other comment at this time would be to underline the need for further survey work to accompany the Agricultural Land Classification system to establish the grade of the proposed sites, as the potential loss of agricultural land would appear to be significant.

Kind regards,

Andrew Waskett-Burt | Principal Planning Officer
Rutland County Council
Catmose, Oakham, Rutland LE15 6HP
T: [redacted]

If my email finds you outside of your normal working hours, please feel free to read, act on or respond at a time that works for you.

Letter to National Planning Inspectorate from South Clifton Parish Council regarding OneEarthSolarFarm.

Thank you for the opportunity to provide you with the information that we consider should be included in the Environmental Statement submitted from OneEarthSolarFarm regarding this project. The council has unanimously objected to this proposed development because of its vast size and the impact that will have on the small villages it engulfs and the good farming land it will destroy.

Our environmental considerations can be summarised under three headings –

Environmental

Socio-Economic

Health and Well-being

Environmental Impacts

Water – the development spans the River Trent in an area prone to flooding. How can OneEarthSolarFarm ensure that the flooding of the land either side of the Trent is not made worse? What effects will the development have on the underground water system and the ability to pump water into the dykes and the river? Who will be responsible for this? What effect will the rain water, falling from the panels, have on the land, as it will always be falling on the same area, creating rivulets? Do OneEarthSolarFarm intend to consult with the Land Drainage Board and The Canals and Rivers Trust?

Land – we are very concerned about the degradation of good farming land and resultant effect on the soil over the span of the project (40years?). OneEarthSolarFarm have yet to dismantle an old project, how can they guarantee that the soil will be good enough to return to farming use? They intend to leave any underground 'infrastructure' in place – how can farmers farm safely with plastics/metal/copper under their land? We would like to know how many miles of underground cables, their exact make-up/sizes etc, where the underground cables will run, the nature of covering (hardcode or soil?) and how deep they will be situated? How much land will be lost to access roads, and how much top soil will be removed for the access roads and wherever else required? What long-term effects this will have on the land, as well as the insects and other creatures that live underground. Looking ahead, how can OneEarthSolarFarm ensure that our villages are not left surrounded by an industrial wasteland or a brownfield site?
What is the nature of the fund set aside for dismantling this site, how much will this be, who will be holding these funds and what happens in the event of this company going into liquidation? How long are the solar panels expected to last before needing replacing, and where will the old panels go to – what are the recycling options available to avoid land-filling the panels? How will be the panels be cleaned, how often and what chemicals will be used?
We would like OneEarthSolarFarm to comment on the huge negative impact on our carbon footprint of producing and importing hundreds of solar panels and their associated infastructure.

Biological/Wildlife – we live in an area rich in diverse wildlife. How can OneEarthSolarFarm guarantee that the transient animals (deer, hares, snakes and badgers particularly) will not be affected by this vast proposed site. The birds in the area are plentiful (Barn Owls, Tawny Owls, Little Owls, Kestrels, Peregrines as well as a huge variety of garden/hedgerow/waders and meadow birds), how can One Earth ensure that we do not lose this rich diversity and number of birds. Much of the site provides a stop-over point for migrating geese at the end and beginning of their migrating season – what will happen to the birds that normally rest here? We need proof (what academic studies have been done) that the birds are unaffected by the panels and battery/invertor sites (noise, proximity, mistaking them for water) and loss of habitat? We have a healthy bat population in the villages, how are they affected by the noise from the infrastructures?

Socio-Economic Environmental Impacts

Recreation – the area has many bridleways, cycle routes and footpaths that are well used, as well as the Stustrans 647 path linking Fledborough to Lincoln, the Trent Valley Trail and the (newly built) Trent Vale Trail. How will One Earth ensure complete access to these amenities that are used by the wider population, not just the locals, and also, prove that the numbers using these tracks and trails will not decrease?

Negative impact on farming/jobs - the council are concerned with the loss of specific, as well as diverse farming jobs/skills and expertise. How can OneEarthSolarFarm ensure that this does not happen, so that IF, on dismantling the solar farm after 40 years, the land is capable of supporting farming again, it can be used successfully for that purpose? What studies have one earth done on the jobs affected by this, how many farm-hand or contractor jobs will be lost?

Tourism – Our villages are within easy reach of historic Lincoln and Newark. We have many thriving B&Bs and small businesses that will be impacted by this development and stand to lose their income. We also feel no-one else will want to set up business in our area, meaning a loss of investment. The River Trent attracts anglers and boat clubs and is a popular route for boats from the Humber through to Newark. The council is sure the present users will not want to look out on fields of black panels. We want OneEarthSolarFarm to address these negative factors, citing how other developments have been affected and how they will address any negative impacts.

Economics – The council feel that no-one will want to move into an area that is surrounded by fields of solar panels a minimum of 2.7m tall and up to 3.8m tall. This will mean that house prices will drop as those residents wishing to sell their house, cannot do so, which could lead to depopulation of the villages, with the loss of young people and the closure of our school. There a number of family homes that will be very badly affected/surrounded by this site, what is the nature and size of buffer zones around these family homes and what compensation will these families receive for loss of property value? We want OneEarthSolarFarm to look at other solar farms of this size, surrounding populated land and report back on the problems above.

Heritage and Social Heritage – North and South Clifton share a beautiful 12th Century Church that has a long social history. The general area boasts a Victorian Viaduct, a Roman Fort, yet to be investigated Saxon settlements, many listed buildings and a conservation area. We want OneEarthSolarFarm to prove that their proposed development will not negatively impact these sites and other built and buried heritage within the area.

Health and Well-Being

Noise pollution – We have a recording of the noise/humming produced by the batteries and have been made aware of noise from other equipment used to produce, convert and store the electricity. Apart from affecting wildlife, this is bound to negatively affect the local population. What studies have OneEarthSolarFarm done on other solar farms regarding this problem and what results have they found regarding the effects on the health and mental well-being of the people near the installations? What is the nature/size/number of these battery/storage facilities and how will they be sympathetic to their surroundings? Where will the lighting be situated and also CCTV?

Health –the countryside is a proven asset to aid health and well-being. This development will mean there will be reduced access to the countryside for all ages, harming the character of the countryside and the public rights of way. The proposed plans, at the moment, completely envelop our Primary School. Can One EarthSolarFarm prove this will not have a detrimental effect on the health of those living nearby or the youngsters and staff at the school? Also, the use of monitoring cameras on the site will affect the privacy of the villagers. What evidence does OneEarthSolarFarm have to suggest this will not affect the health and well-being of those close by? Will they be instigating independent mental health studies before the final stages of this project goes to government? Looking further into the worries and mental health aspects,

concerned parishioners do not understand and are asking why this production of power cannot be done with off-shore wind turbines such as the Vestas V236 15MW, of which only 12 or 13 would be required to produce the same amount of power and could leave our agricultural land for farming. We would like OneEarthSolarFarm to comment on this.

Accidents – The A1133 has several accident black spot adjacent to the affected villages. With increased construction traffic and the maintenance traffic, how can OneEarthSolarFarm ensure there is not an increase in road accidents? There have also been incidents where batteries have caught fire and been very difficult to extinguish. How will OneEarthSolarFarm ensure this does not happen on their site, bearing in mind the local fire station is tiny? What is the nature/size/area and numbers of batteries/invertors and associated equipment**?** How will OneEarthSolarFarm ensure the safety of the general public during the construction process, particularly with cables, large equipment being transported and erected?

Vistas and Views – OneEarthSolarFarm has chosen our area because it is flat and there is easy access to High Marnham Sub Station. This means there are extensive views across to Lincoln Cathedral to the east, up the Trent Valley to the north and south and over rolling fields to Tuxford Moor to the west. If this proposed development goes ahead, all the views to the east, north and west will be lost and replaced by fields of black panels. How can OneEarthSolarFarm justify this massive environmental impact on the villages surrounded by the solar farm? Have they also taken into account the new pylon line coming in from the North Sea Wind Turbines bringing 400,000 volts into High Marnham Sub Station, adding another industrial structure to the proposed solar farm development and changing our' green and pleasant land' forever?

Gill Cobham

On behalf of South Clifton Parish Council pcsouthclifton@gmail.com

Trent Valley Internal Drainage Board
Water Management Consortium

Mr A. McGill, M.A., F.C.M.I.
Chief Executive

Mr R. Brown, BEng (hons), GMICE
Senior Engineer

Wellington House, Manby Park, Manby,
LOUTH, Lincolnshire, LN11 8UU.

Telephone: 01507 328095
E-mail: planning@tvidb.co.uk

Your ref: EN010159

Our ref: TV23020

Please ask for: Darren Cowling

11th December 2023

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/Madam

Response to Scoping consultation for One Earth Solar Farm

With regard to the request for consultation response regarding the above project I would advise that the extent of the overall development covers areas under the control of Trent Valley Internal Drainage Board.

There are numerous watercourses that are likely to be impacted by the development, either by the position of the proposed arrays, cable route or potential increase in flows. Please see the attached plan which highlights Board maintained watercourses within the project's scoping boundary.

I feel that it is important to raise some specific issues that will need to be considered further and in detail as a part of the DCO process.

All Board watercourses are subject to Byelaws, which are intended to protect the watercourses and the Board's ability to maintain them. With this in mind I would advise the following.

Byelaw Number 3 states that:

No person shall as a result of development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended ("the 1990 Act")) (whether or not such development is authorised by the 1990 Act or any regulation or order whatsoever or none of them) for any purpose by means of any channel, siphon, pipeline or sluice or by any other means whatsoever introduce any water into any watercourse in the District so as to directly or indirectly increase the flow or volume of water in any watercourse in the District (without the previous consent of the Board)."

Consent will only be granted for the increase in flow to a watercourse where the Board is happy that in doing so no demonstrable harm will be caused. It may be the case that appropriate mitigations are required to be put in place to either attenuate flow or to enhance the existing

watercourse to ensure no detriment. If this is not possible alternative outfall locations may need to be considered.

Byelaw Number 10 states that:

No person without the previous consent of the Board shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within nine metres of the landward toe of the bank where there is an embankment or wall or within nine metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within nine metres of the enclosing structure.

This will relate primarily to the location of the arrays, compounds and transformer stations.

Byelaw number 17 states that:

No person shall without the previous consent of the Board -

i. place or affix or cause or permit to be placed or affixed any gas or water main or any pipe or appliance whatsoever or any electrical main or cable or wire in, under or over any watercourse or in, over or through any bank of any watercourse;

ii. cut, pare, damage or remove or cause or permit to be cut, pared, damaged or removed any turf forming part of any bank of any watercourse, or dig for or remove or cause or permit to be dug for or removed any stone, gravel, clay, earth, timber or other material whatsoever forming part of any bank of any watercourse or do or cause or permit to be done anything in, to or upon such bank or any land adjoining such bank of such a nature as to cause damage to or endanger the stability of the bank;

iii. make or cut or cause or permit to be made or cut any excavation or any tunnel or any drain, culvert or other passage for water in, into or out of any watercourse or in or through any bank of any watercourse;

iv. erect or construct or cause or permit to be erected or constructed any fence, post, pylon, wall, wharf, jetty, pier, quay, bridge, loading stage, piling, groyne, revetment or any other building or structure whatsoever in, over or across any watercourse or in or on any bank thereof;

v. place or fix or cause or permit to be placed or fixed any engine or mechanical contrivance whatsoever in, under or over any watercourse or in, over or on any bank of any watercourse in such a manner or for such length of time as to cause damage to the watercourse or banks thereof or obstruct the flow of water in, into or out of such watercourse.

Provided that this Byelaw shall not apply to any temporary work executed in an emergency but a person executing any work so excepted shall, as soon as practicable, inform the Board in writing of the execution and of the circumstances in which it was executed and comply with any reasonable directions the Board may give with regard thereto.

The Board will require all watercourses to be crossed by means of HDD at a depth no less than 2 metres PLUS the cable safety distance below the hard bed level of all watercourses (to ODN if EA or IDB maintained). This will apply to the primary cable route and any interconnecting cables between array sites. The purpose of this requirement is to allow the IDB to maintain and have the flexibility to improve watercourses in the future due to climate change (works will include deepening & widening of watercourses).

It is anticipated that the above requirements would be covered by SOCGs, MOU, and via Protective Provisions within the DCO. This matter should be discussed further and in more detail as the proposed cable route is refined.

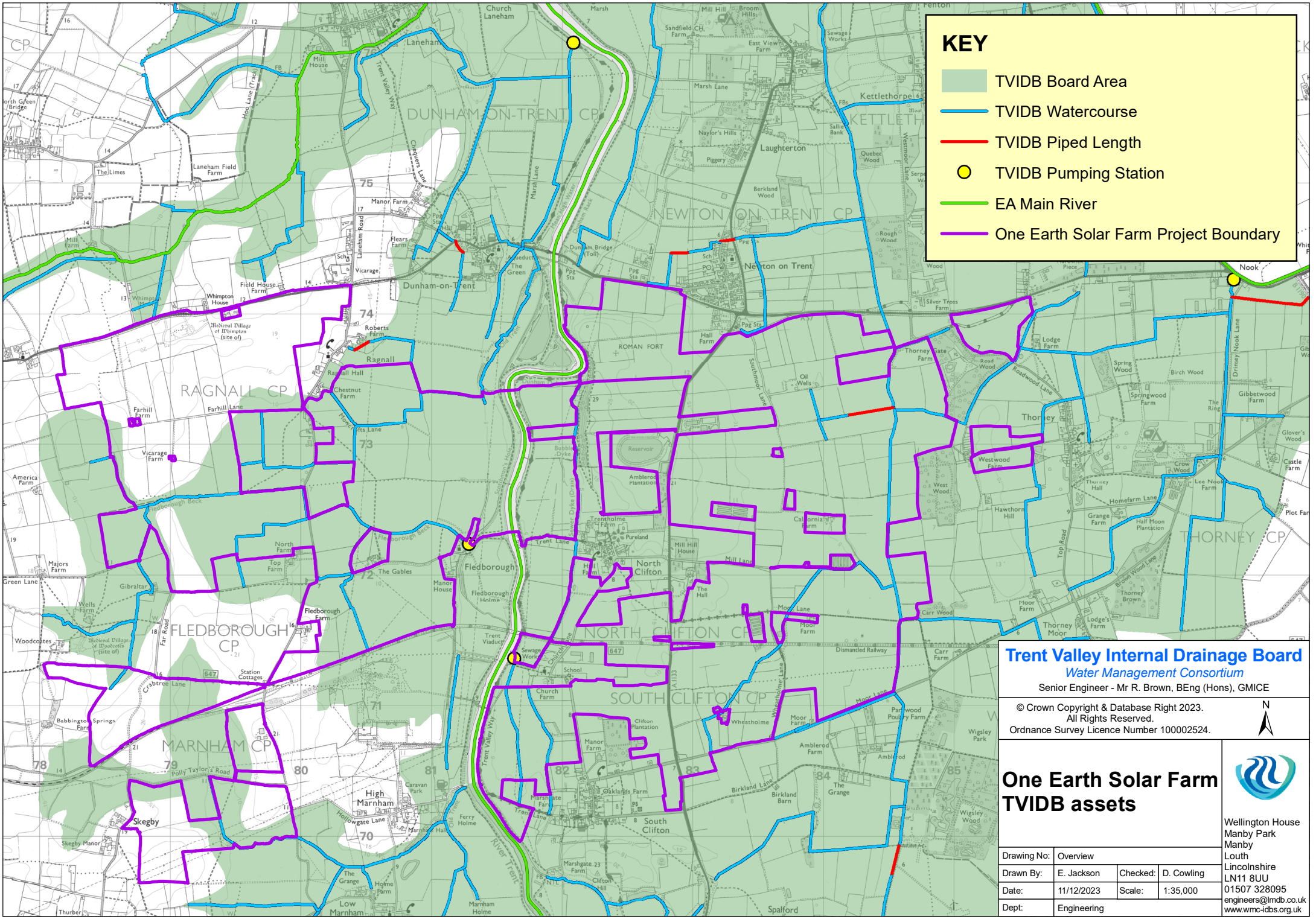
Any culverting or other works within the bed of any riparian watercourse within the Board's district be they temporary or permanent will also require consent. The Board would not look to be disapplying section 23 of the Land Drainage Act (1991).

I would advise that any consent issued under the Lane Drainage Act (1991) would be additional to any permission gained under the Town and Country Planning Act 1990. The Board's consent will only be granted where proposals are not detrimental to the flow or stability of the watercourse/ culvert or the Board's machinery access to the watercourse/ culvert which is required for annual maintenance, periodic improvement and emergency works.

I hope that the above is of assistance and I look forward to further ongoing detailed discussions with regard to the proposal.

Yours faithfully

Planning and Development Control Officer



Trent Valley Internal Drainage Board
Water Management Consortium
Senior Engineer - Mr R. Brown, BEng (Hons), GMICE

N

One Earth Solar Farm TVIDB assets

Drawing No:	Overview		
Drawn By:	E. Jackson	Checked:	D. Cowling
Date:	11/12/2023	Scale:	1:35,000
Dept:	Engineering		

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www.wmc-idbs.org.uk

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
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NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN010162
Our Ref: CIRIS 64781

Mr Joseph Briody
EIA and Land Rights Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
BRISTOL BS1 6PN

7th December 2023

Dear Mr Briody

Nationally Significant Infrastructure Project
One Earth Solar Farm; PINS Ref: EN010159
Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We recognise the promoter's proposal to include a health section in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*', setting out aspects to be addressed within the ES[1]. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

It is noted that emissions to air from construction and decommissioning plant; and operational effects have north been scoped-out of any further assessment in the ES.

It is also noted that likely significant air quality effects that will be scoped-in for detailed assessment in the ES include:

- Impacts on dust soiling and PM_{10} emissions during the enabling, construction and decommissioning of the Proposed Development, at existing sensitive receptors; and
- Impacts of NO_2, PM_{10} and $PM_{2.5}$ emissions from vehicles associated with the enabling and construction, and decommissioning, of the Proposed Development during the peak year, at existing sensitive receptors.

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

[1] https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

during development design, environmental and health impact assessment, and development consent.

It is noted that the applicant has scoped-out any further consideration of the potential risk of fire originating from the operation of the Battery Energy Storage Systems.

Recommendation
Due to our experience with lithium-ion battery fires, and the associated risks, we would recommend that the risks associated with fires is scoped-in for further assessment in the ES.

Human Health and Wellbeing - OHID

This section of OHID's scoping response, identifies the wider determinants of health and wellbeing we expect the Environmental Statement (ES) to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID has no specific comments at this stage.

Electromagnetic Fields (EMFs)

It is noted that the current proposals do not appear to consider possible health impacts of EMF.

Recommendation
The applicant should assess the potential public health impact of EMFs arising from any electrical equipment associated with the development. Alternatively, a statement should be provided explaining why EMFs can be scoped out. For more information on how to carry out the assessment, please see the accompanying UKHSA guidance document referenced below[2].

[2] https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

Yours sincerely

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Guildhall
Marshall's Yard
Gainsborough
Lincolnshire DN21 2NA

Telephone 01427 676676
Web www.west-lindsey.gov.uk

Your contact for this matter is:
Danielle Peck
[redacted]

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

11 December 2023

Dear Sir/Madam,

APPLICATION REFERENCE NO: 147587

PROPOSAL: PINS consultation on behalf of the Secretary of State regarding information (Scoping Opinion) to be provided in an Environmental Statement - Ref: EN010159

LOCATION: One Earth Solar Farm

Thank you for your consultation request under regulation 10 (6) of the EIA Regulations.

West Lindsey District Council as a consultation body and one of the administrative authorities that the site falls within, wishes to make the following comments in regard to the information to be provide within the Environmental Statement. The following comments are made, following the structure of the Environmental Impact Assessment Scoping Report prepared by One Earth Solar- Logika Group Ltd dated November 2023.

1. **Introduction (pages 2- 10)**

We agree that the development falls under paragraph 3(a) of Schedule 2. In the absence of an EIA Screening Opinion, we believe that 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 1.10.)

2. **Description of the Site and Surrounding Area (pages 11-17)**

We agree with the description of the site and its location adjacent to nearby villages and settlements. It is noted that the villages of Laughterton and Thorney have not been explicitly mentioned, however they are located close to the north and east boundaries of the site limits.

3. **The Development Proposals (pages 18-29)**

We are agreeable to the suggested approach of the 'Rochdale envelope' as per PINS advice note 9 (paragraph 3.1.) 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."*

It is noted that paragraph 3.9. states that there are two options for the panels. One of the options would be fixed south facing PV arrays with the other single axis tracker arrays. The ES should be explicitly clear on which type of arrays are proposed. It should be clear on what basis the Environmental Impact Assessment is assessed from. Applying the "Rochdale Envelope" approach, it should be the higher, more visibly prominent of the options.

It is noted that paragraph 3.11. refers to differing heights of the Solar PV modules in areas at risk of flooding. It states that where *flood depths are less than 1m, the maximum height of the top of the Solar PV modules would be 3.8m.* It then goes on to state that the *"The maximum heights in areas of flood risk greater than 1m will be determined following further discussions with the Environment Agency."*

The max height of 3.8m for the Solar PV modules are noted where the flood depths are less than 1m. However there are concerns with the proposed overall height where panels would be located in areas where flood depths exceed 1m.

It has been noted that within the Hydrology and Hydrogeology Section of the report at Paragraph 7.22. that it states: *Solar panels provided within the flood extents however, will be raised on frames to be a minimum of 1.8m above the ground surface therefore ensuring that a 300mm freeboard is provided between the lowest point of the panel and the flood level.*

The ES should be clear on what option array option is proposed and also fully detail the heights of the arrays when they are to be located in flood risk areas (in flood risk depths of more than 1m).

The ES should also be very clear in setting out which parameters 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.

The report states (paragraph 3.55.) The operational life of the Proposed Development is not proposed to be specified in the application, the applicant is not seeking a time limited consent until the EIA has been prepared and would be dependant on if there are any effects which would justify limiting the time period of consent. It is noted under the new EN-3 (paragraph 2.10.65) that an upper limit of 40 years is typical. We would therefore expect the ES to be clear as to why the development would be considered to have a longer project lifetime, and be clear in its assessment as to whether the environmental effects of development would be temporary or permanent.
The proposals to include a Construction Environmental Management Plan (CEMP) are noted (para 3.51.) this should also include any details of phasing. The ES should contain details of construction compounds, their locations and likely environmental effects during the construction phases of development.

4. Planning Policy Context (pages 30-39)

It is noted that reference to the most up to date Development Plan for the West Lindsey District is referenced. The Central Lincolnshire Local Plan 2023 was adopted in April 2023. https://www.n-kesteven.gov.uk/central-lincolnshire

It does not appear that there are any relevant made neighbourhood plans or neighbourhood plans in preparation either adjoining or adjacent parishes to the site boundaries within the West Lindsey District.

It should also be noted that part of the site which lies within the West Lindsey District is within a Sand and Gravel Minerals Safeguarding Area and therefore Policy M11 of the Lincolnshire County Council Minerals and Waste Local Plan Core Strategy and Development Management policies is relevant. https://www.lincolnshire.gov.uk/directory-record/61697/minerals-and-waste-local-plan-core-strategy-and-development-management-policies

Lincolnshire County Council are the minerals authority and would defer to them in this regard.

5. Approach to EIA (pages 40-49)

The proposed approach to EIA is broadly agreeable.

Paragraphs 5.30- 5.35. discusses the consideration of cumulative impacts and details criteria that will be considered, being other projects within 5km of the site, those that have planning permission and schemes where a planning app or DCO has been submitted but a decision not yet made.

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 should be noted that West Lindsey currently has a number of NSIP proposals within the District, at differing stages. These include the Gate Burton Energy Park, Cottam Solar Project, West Burton Solar Project and the Tillbridge Solar Project, three of which being already at examination, and the fourth expected to be submitted in early 2024.

Full details of the stages of these applications is available using the following link: https://www.west-lindsey.gov.uk/planning-building-control/solar-development-proposals-west-lindsey

There are significant concerns with the cumulative impacts that these proposals will have on the rural landscape of West Lindsey and Lincolnshire as a whole. Further discussion and cumulative consideration should be given to these proposals within the specific technical chapters of the ES**.**

6. Biodiversity (pages 50-59)

It is noted that some initial surveys have been done and some are ongoing. The ES should include full details of survey results for all species identified, ensuring that these are carried out at the correct time of year where required. It is disappointing that discussion around how the development, including such things as perimeter fencing and construction compounds may impact protected species, particularly those where their movement may be impeded.

Paragraph 6.26.- *The proposed Development provides opportunities for delivering Biodiversity Net Gain (measured using Natural England's Biodiversity Metric 4.0) at a scale in keeping with the Lawton Principles (i.e. more, bigger, better and joined up).* Application of the Metric tool to assess both existing and proposed biodiversity value is encouraged.

Paragraph 6.40. – it is noted that the approach to Ecological Impact Assessment will follow the guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM) (updated 2022).

7. Hydrology and Hydrogeology (pages 66- 81)

The proposed approach to Hydrology and Hydrogeology is broadly agreeable.

Attention is drawn to Paragraph 7.10. which states that Surface water mapping shows that the majority of the site is at very low risk of flooding from fluvial sources. Surface water flood risk is not the same as fluvial flooding.

It is noted in Paragraph 7.29. that a Flood Risk Assessment is proposed and that consultation with the Environment Agency, Nottinghamshire County Council and Lincolnshire County Council to obtain relevant flood risk information and discussion around the approach to surface water drainage will take place, this is encouraged.

It is also recommended that discussion takes place with the relevant Internal Drainage Boards (IDB's), who may maintain or manage of watercourses in the site area. This does not appear to be mentioned within the report.

8. Land and Soils (pages 82- 89)

The ALC identifies that much of the site is Grade 3. It is noted that field work to study soil and site limitations is being undertaken from October 2023 and is expected to be completed in Q1 of 2024 (paragraph 8.15.). The preliminary information will be reported in the PEIR with full results being reported in the ES. It is disappointing that this work has not yet been carried out given that the loss of agricultural land could potentially be a significant impact. We would have expected this information to have been taken into consideration during the site selection and alternatives considered stage.

It is noted that the fieldwork is being done using a hand held 50mm diameter "Dutch" auger and/or spade to a maximum depth of 1.2m however it is not clear as to what spacing intervals this is being carried out at.

9. Buried Heritage (pages 90-95)

Paragraph 9.9. recognises that the most notable know Roman remains on the site are those of the Roman Vexillation Fortress and Marching camps, to the south west of Newton on Trent, located within the West Lindsey District boundary. Impact on this Scheduled Monument should be scoped in.

It is noted that an Archaeological Desk based Assessment covering the whole site will be carried out as well as physical investigations in areas that have been identified as having higher archaeological potential. Liaison with the Historic Environment Team at Lincolnshire County Council as well as Historic England is recommended.

10. Cultural Heritage (pages 96- 107)

The Roman Vexillation Fortress (Scheduled Monument) lies within the West Lindsey District and is included as an important receptor. It is welcomed that the effects of the setting of this Scheduled Monument will be included in the ES. It is also noted that discussions will take place with LPA Conservation Officers and Historic England which is welcomed.

It is noted within paragraph 10.21. that all heritage assets in Newton on Trent and Kettlethorpe are to be scoped out due to *' the A57 Dunham Road providing a strong perceptual and visual separation from Site, as observed during fieldwork.*' As the definition of heritage setting goes beyond direct line of sight in order to appreciate the significance of the asset, there is concern that a number of these assets are being scoped out. These sites are in the 1km zone and should be scoped in. Where any harm is identified, it should be included. Applying the "Rochdale envelope" scenario – the maximum impact of development should be accounted for.

11. Landscape and Visual (pages 108-123)

It is agreed that the LVIA should follow Guidelines for Landscape and Visual Impact Assessment Third Edition (GLVIA3). (Paragraph 11.3.)

Paragraph 11.7. states that the preliminary LVIA study area extends up to 2km radius from the site boundary given the desk-based review, it is noted that the study area from Laughterton and Kettlethorpe (north) and the Fossdyke Navigation (east) are to be included. However, it is noted that no exact viewpoints/ visual receptors have been given in the report, these should be agreed with all relevant LPA's.

It is noted in that lighting is to be scoped out (Table 11-2), however there are concerns with this given that the exact lighting and if it will be triggered by motion detectors is yet to be decided. It is expected that this element should at least be covered in a chapter within the LVIA.

12. Transport and Access (pages 124 132)

The general approach to Transport and Access is broadly agreeable. It is noted that the users (receptors) of the A57 and A1133 (within the West Lindsey District) will be considered during the construction and decommissioning phases. It is also noted that the eastern parts of the site will be accessed from the A1133.

Liaison with Nottinghamshire and Lincolnshire County Councils who are the relevant Local Highways Authorities is recommended. Vehicle trip generation should be calculated and submitted.

13. Air Quality (pages 133-144)

The proposed methodology to assessing baseline air quality is noted. Any air quality impacts would generally be concentrated to construction/decommissioning. There does not seem to be any reason to doubt this – although final judgment should be reserved upon the submission of the ES. It is noted that many of the initial surveys. i.e transport have not yet been carried out to inform air quality.

14. Carbon and Climate Change (pages 145- 151)

The contents in this section are noted.

15. Noise and Vibration (pages 152- 163)

The proposed methodology to noise and vibration is largely agreeable. The closest settlement within the West Lindsey District is Newton on Trent where existing residential properties are located adjacent to the north of the A57.

It is noted that vibration from the construction and decommissioning traffic, operational traffic and cable routes and solar PV arrays are to be scoped out.

The intention to scope in construction traffic noise is agreeable (paras 15.13.- 15.15.) as well as noise and vibration from construction activities and noise impacts from ancillary equipment. Vehicle trip generation should be calculated and submitted.

16. Human Health (pages 164-182)

The contents in this section are noted.

17. Socio- Economics (pages 183- 189)

The contents in this section are noted, the effects to be scoped into the assessment are broadly agreed with.

18. Environmental Topics Scoped Out (pages 190-193)

It is noted that Glint and Glare is proposed to be scoped out. There are concerns with this element being scoped out. The panels that would be located in flood risk areas could potentially be surrounded by flood water in a future flooding event, meaning that glint and glare could be more prominent, especially if the panels were to be at the predicted heights. This is not consistent with other solar projects in West Lindsey District in which glint and glare is within the scope of EIA – and the scoping report does not set out any site specific factors which should exclude it. It is also recommended that glint and glare consideration is given to the other nearby Solar Parks in the West Lindsey District and the potential for cumulative impacts, it is recommended that this is at least covered by the ES LVIA Chapter.

It is noted that the Risk of Major Accidents and Disasters is to be scoped out. It is noted that a management plan for BESS safety will be prepared and submitted with the DCO, as detailed in Chapter 3- Development Proposals.

It is noted that Waste and Wind Microclimate are to be scoped out. However, the Secretary of State has given the opinion that waste should be in scope, in other solar project developments in the district, including West Burton Solar.

Please consider the above to constitute West Lindsey District Council's formal consultation response under reg10(6) of the EIA Regulations.

Yours faithfully

D Peck

Danielle Peck
Senior Development Management Officer
On behalf of West Lindsey District Council

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