The Planning Inspectorate
Yr Arolygiaeth Gynllunio

# SCOPING OPINION:

# Proposed Great North Road Solar Park

**Case Reference: EN010162**

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

**19 December 2023**

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# 1. INTRODUCTION

1.0.1 On 08 November 2023, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Elements Green Trent Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Great North Road Solar Park (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/EN010162-000008

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 (eg 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 2)

| ID | Ref | Description | Inspectorate's comments |
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| 2.1.1 | Paragraph 13 | Proposed Development location | Paragraph 13 states that the site of the Proposed Development "*…(occupies) two main areas to the north and northwest of Staythorpe*". With reference to Figure 1.1, the Inspectorate is not clear how the Proposed Development can be described in this manner as the red line boundary shows a continuous circle of development rather than two main areas. The ES should provide a clear description of the Proposed Development boundary. |
| 2.1.2 | Paragraph 14 | Proposed Development location | Whilst the Inspectorate considers the description of the Proposed Development area in this paragraph to reflect the red line boundary, the description of the development as running north from Staythorpe may lead to confusion to a wider audience. The description could be read as though the Proposed Development is taking power from Staythorpe substation and transporting it northwards. As such the Inspectorate considers that clarity should be provided to ensure readers understand that Staythorpe substation is the export point for the solar generated and battery stored energy, with the cabling running north to south (in particular given that both the proposed battery and export point locations are to the far south of the red line boundary). |
| 2.1.3 | Paragraph 35 | Site selection principles | Whilst the site selection principles have been outlined, it is not entirely clear how they have been applied to identify the land within the red line boundary. Examples include: |

| ID | Ref | Description | Inspectorate's comments |
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| | | | • The second bullet point indicates that the Proposed Development would aim to use land adjacent to existing industrial infrastructure. It is not clear from the Scoping Report text or figures as to how this has been complied with, or what areas of land are considered to be industrial installations, as the area appears to be predominately greenfield sites or other agricultural land.<br>• The list of site selection principles given does not appear to fully reflect the constraints shown on Figures 2.3 and 2.4. For example, with reference to bullet points three on Grade 2 agricultural land and eight on Flood Zones 2 and 3, there are a number of areas of development within these designations. Based on the large geographic scale of the site, and approach of utilising individual parcels linked together with cabling rather than a single area of panels, the ES should justify the requirement to undertake construction in these constrained areas, with reference to any alternatives considered.<br>• The fourth bullet point on site selection principles indicates that the Applicant intends to "*adopt a coherent approach to individual field selection to contain the site and avoid sprawl*". However, no justification is provided as to the currently proposed land uses shown in Figure 2.2 which indicates a number of individual parcels with intervening areas of cabling or "*other land uses*" only, therefore resulting in the appearance of multiple areas of panels rather than a contained site.<br>The ES should provide a detailed explanation as to how the site selection principles have been used to identify the land and proposed layout within the boundaries of the Proposed Development. |
| 2.1.4 | Paragraphs 51 and 52 | Voltage of cabling | The Scoping Report is inconsistent in its description of the required infrastructure. Paragraph 51 indicates that 132kv cables will be used |

| ID | Ref | Description | Inspectorate's comments |
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| | | | between intermediate substations and the Staythorpe National Grid substation (ie only 132kv cables would be required for the whole development), however paragraph 52 notes the requirements for a 400kv substation (and cabling) between the intermediate substations and National Grid site.<br><br>The ES should ensure a consistent description throughout and to fully describe the required development parameters. Where these are not fully known, a worst case (maximum) scenario should be used. |
| 2.1.5 | Paragraph 55 | Trenching for substation cabling | The Scoping Report does not indicate whether each substation requires the associated cabling to be laid within an individual trench, or whether there are points at which a shared trench could be used (with the intention to reduce construction). The location of cabling routes between the substations and BESS / 400kv substation is also not shown.<br><br>The ES should provide this information, or where this is yet to be confirmed at the point of application, assess a worst-case scenario. |
| 2.1.6 | Paragraph 55 | Substation locations | The Scoping Report does not provide any criteria to be used for the final location of the four substations from the current larger number of possible locations. The ES should provide an explanation as to why the locations of the four substations were chosen. |
| 2.1.7 | Paragraph 76 | Connection to the National Grid Substation | Paragraph 76 refers to two options for the grid connection, one of which appears to be reliant on the outcome of a planning appeal. The ES should consider any consequences to the design of the Proposed Development should this appeal either not proceed or be refused.<br><br>Where the ES is to consider both options, the methodology for this should be clearly defined in each chapter. |

| ID | Ref | Description | Inspectorate's comments |
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| 2.1.8 | Paragraph 84 | Lighting | The Scoping Report provides limited information on the lighting requirements for all elements and phases of the Proposed Development. The ES should provide information regarding lighting requirements and explain what measures are proposed to minimise light spill on human and ecological receptors and include an assessment of this within relevant chapters. |
| 2.1.9 | Paragraph 91 | BESS and 400kv substation dimensions | The Scoping Report does not appear to give indicative dimensions or capacity of the BESS / 400kv compound or any infrastructure contained within. The ES should fully define the parameters of the Proposed Development, and where not known, base assessments on a worst-case scenario. |
| 2.1.10 | Paragraph 96 | Construction phasing | The Scoping Report indicates that the Proposed Development would be constructed in four sections, each comprising approximately one quarter of the overall Proposed Development, with each taking 6-12 months. The same paragraph also later states that construction may involve two phases at a time. The ES should present a clear description of the construction phasing.<br><br>The ES should also clearly describe how it proposes to assess the effects of the potential for some construction phases to be completed (and therefore technically be capable of operation) whilst others are being constructed, resulting in an overlap between construction and operation.<br><br>The ES should also confirm whether effects assessed throughout are relevant to the development as a whole, or specific to individual sections or locations. |
| 2.1.11 | Paragraphs 102 to 103 | Referencing of land parcels and development areas | The Scoping Report states that the Proposed Development will require approximately 22 temporary construction compounds in order to facilitate construction. The ES should define a way of naming or |

| ID | Ref | Description | Inspectorate's comments |
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| | | | labelling the construction compounds in order to assist the reader with locating them on relevant figures and within each technical assessment chapter.<br><br>The ES, where required, should also utilise a numbering or other referencing system for the individual fields, substation or other areas of development to aid with navigation of the ES and associated figures. |
| 2.1.12 | Paragraph 103 | Temporary construction compounds | Paragraph 103 states that each of the temporary construction compounds is likely to be established close to one of the access points. Whilst Figure 11.1 generally shows this to be the case, there are some that are located further from access points and would therefore require longer haul roads or other means of access. The ES should provide details of how the construction compounds would be accessed and how the effects of the construction and use of the haul roads would be assessed. |
| 2.1.13 | Figures 2.3 and 2.4 | Legibility of the Figures | The Inspectorate considers that the legibility of Figures 2.3 and 2.4 is limited due to the following:<br><br>• Figure 2.3 only contains reference to Flood Zone 2, whereas Figure 2.4 represents both Flood Zones 2 and 3 (Flood Zone 3 is also not differentiated into Flood Zone 3a and 3b).<br><br>• Figure 2.3 uses red shading to represent Conservation Areas and orange for Agricultural Land Classification Grade 1 and 2, however Figure 2.4 uses orange to represent Conservation Areas.<br><br>• Settlements represented on the small-scale Figure 2.3 are not represented on the larger scale Figure 2.4 where the Inspectorate considers they would be more beneficial. |

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| | | | The ES should ensure that figures are of an adequate legibility to represent the required information to all readers. |
| 2.1.14 | n/a | Overlap with A46 Newark Scheme | With reference to the digital shapefile provided to the Inspectorate, the Applicant's attention is drawn to a potential overlap with the scoping boundary of the A46 Newark NSIP scheme in the south-eastern corner of the Great North Road Solar Park scheme. The ES, (with particular reference to cumulative effects) should assess any implications of this overlap. |
| 2.1.15 | n/a | Grid Connection date | The Scoping Report specifies a construction period commencing in 2027 (paragraph 96). However, the anticipated National Grid connection date is not specified. If this is still unknown at the point of application then the ES should explain what assumptions have been made about the connection date and how this has been factored into the assessments. |
| 2.1.16 | n/a | Material Assets | As the Scoping Report does not contain information on the potential streams and volumes of construction and operation materials, the ES should provide this information within the Project Description chapter of the ES. |

## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Chapters 3 and 4)

| ID | Ref | Description | Inspectorate's comments |
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| 2.2.1 | Paragraph 42 | Assessment of diversion routes | The Scoping Report does not make reference to the requirement to assess any diversion routes for where traffic may be required to be diverted for the proposed highways works, as detailed in Paragraph 42. The ES should include an assessment of diversions where required in any relevant chapter. |
| 2.2.2 | Paragraph 100 | Use of the Construction Environmental Management Plan (CEMP) as embedded mitigation | The Scoping Report states that many of the mitigation measures used are mandatory and therefore would be embedded mitigation. The ES should clearly set out which mitigation measures included within the CEMP are considered to be embedded and which are considered to be additional. |
| 2.2.3 | Paragraph 109 | Substation use after decommissioning | The Scoping Report notes that there is a requirement for the Local Planning Authority (LPA) to agree the future of the substations after decommissioning. Where the ES relies on future management of the substations as a mitigation measure (for example landscape management), the ES should confirm how these matters are to be secured within the draft Development Consent Order (dDCO). |
| 2.2.4 | Paragraphs 107 - 111 | Decommissioning assessment | Paragraph 107 of the Scoping Report identifies a 40-year operational lifespan for the Proposed Development, with paragraph 110 confirming an anticipated decommissioning timescale of 18 – 24 months. Paragraph 111 states that the effects of decommissioning are often of a similar, or lower, magnitude than the construction effects and that it is not proposed to provide a separate decommissioning assessment for each aspect chapter unless there are specific issues related to decommissioning which could give rise to materially greater impacts than construction. |

| ID | Ref | Description | Inspectorate's comments |
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| | | | The ES should clearly set out if and how decommissioning is to be assessed and any components which may remain following decommissioning. Where decommissioning is not proposed to be assessed separately, a justification should be provided for this, including any agreement with the relevant statutory consultees.<br><br>Paragraph 109 also states that a Decommissioning Plan will be agreed with the LPA. The Inspectorate would expect to see this secured through the inclusion of an outline Decommissioning Plan (or similar) with the Application (as noted in paragraph 620 and 678). |
| 2.2.5 | Paragraph 115 | Use of expert opinion | Where expert opinion is used to determine significance or other aspects of topic specific methodologies, the rationale for the methodology/conclusions should be provided. |
| 2.2.6 | Table 4.1 | Likely Significant Effects | Where chapters do not propose to utilise the matrix-based approach (Chapters 5, 6, part of 10, 12, 13 and 14), the ES should clearly define what effects are deemed significant and explain how those conclusions have been reached. |
| 2.2.7 | Paragraph 138 and 141 | Cumulative assessment – development types | Paragraph 138 provides the general criteria for selection of cumulative schemes (eg DCO applications within 10km, EIA projects within 5km, major applications within 2-3km, and all other development within 100m). However, some of the aspect chapters of the Scoping Report (eg noise) do not follow this methodology and state that only other solar or BESS developments would be considered.<br><br>For the avoidance of doubt, the ES should consider the potential for significant cumulative effects from all other development types.<br><br>The Applicant should agree the scope of the cumulative assessment, including the other developments or allocations (of all types) to be assessed, with the relevant consultation bodies such as the LPAs. |

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| | | | The Applicant's attention is also drawn to the information provided within the consultation responses of parish councils in relation to current or planned schemes, and the list of NSIPs provided by Natural England (NE).<br><br>Evidence of this consultation and/or agreement should be provided within the ES. |
| 2.2.8 | Paragraph 553 | Relationship between mitigation documents | The Inspectorate consider that a number of measures listed for inclusion within the Construction Traffic Management Plan (CTMP) may be of relevance to other documents such as the overall CEMP. As a general comment for all chapters, where mitigation measures are listed in multiple documents, the ES should ensure these are consistent and can implemented without impacting on other mitigation measures. |
| 2.2.9 | Paragraph 584 | Assessment of future receptors | Within the glint and glare chapter of the Scoping Report (Chapter 13.1), the requirement to assess future residential receptors is identified. The Inspectorate is not clear whether all ES chapters are intending to assess future receptors.<br><br>The ES should clearly set out which receptors are to be assessed (with representation on an appropriate figure). Should the ES present some chapters where future receptors are assessed and others where they are not, a full justification for the selection of receptors should be provided. |
| 2.2.10 | All chapters | Detail and representation of receptors | The Inspectorate notes that in general, limited information is given in each chapter in relation to specific receptors.<br><br>The ES should provide sufficient detail on the inclusion or otherwise of sensitive receptors. It would also be helpful if each chapter of the ES provided figures showing the location of all receptors or groups of receptors considered. |

| ID | Ref | Description | Inspectorate's comments |
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| 2.2.11 | All Figures | Representation of the Scoping / Order Limits | It is noted that the figures provided for Scoping Report Chapter 5 (Landscape and Visual Impact) do not have the Scoping Boundary included. All figures provided within the ES should have the full Proposed Development boundary included. |
| 2.2.12 | All Figures | Provision of searchable figures | It is noted that some Figures within the Scoping Report have been provided as images. The Inspectorate consider that it would be helpful if figures are in a searchable format if possible. |
| 2.2.13 | n/a | General comment on potential effects | The Inspectorate considers that throughout the Scoping Report, potential significant effects are identified either as groups, or broad descriptions. The ES should describe and assess specific effects throughout. |
| 2.2.14 | n/a | 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.<br><br>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.<br><br>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. |

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| | | | 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/ |

# 3. ENVIRONMENTAL ASPECT COMMENTS

## 3.1 Landscape and Visual

(Scoping Report Chapter 5)

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| 3.1.1 | Paragraph 166 | National Character Areas (NCAs) | The Scoping Report identifies that an assessment of NCAs is only proposed if an assessment of the local landscape character receptors within these are subject to significant effects. No justification is provided for this approach, and therefore the Inspectorate that the ES should include an assessment of the effects on all affected NCAs. |
| 3.1.2 | Table 5.2 | Landscape and visual receptors beyond 5km from solar areas. | The Scoping Report proposes to scope this matter as it states that study areas of between 2-3km are usually adequate to identify potentially significant effects for solar farms. However, the Zone of Theoretical Visibility (ZTV) shows the potential for the Proposed Development to be visible beyond 5km in some areas. The Inspectorate considers that insufficient evidence has been provided to suggest that the Proposed Development would not have significant effects on receptors beyond a 5km radius from solar areas.<br><br>The ES should provide clear justification for the stated 5km study area including reference to the ZTV and the potential impacts to identified receptors. |
| 3.1.3 | Table 5.2 | Residential Visual Amenity Assessment (RVAA) – properties beyond 100m from solar areas. | This matter is proposed to be scoped out on the basis that the nature of the Proposed Development means it is unlikely to be overbearing and that the main consideration to residential amenity is whether a property may feel surrounded, given the scale. Considering the worst-case dimensions of the built elements of the Proposed Development, the Inspectorate does not agree that a 100m study |

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| | | | area for effects on visual amenity is sufficient to identify all Likely Significant Effects (LSE), as it appears that the current Proposed Development layout may result in properties being able to see an extensive area of panels or other infrastructure (as indicated by the ZTV provided in the accompanying Figures).<br><br>The ES should establish the study area with reference to the extent of the likely impacts and informed by fieldwork and the ZTV. The Applicant should agree this study area with relevant consultation bodies where possible.<br><br>The RVAA should also include all aspects and phases of the Proposed Development, as at present it is not clear as to whether all elements are proposed to be scoped in, or the presence of solar panels only. |

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| 3.1.4 | Paragraphs 152 to 159 | Baseline conditions | The Inspectorate notes that not all of the baseline conditions are represented on the figures provided, for example NCAs, and Regional Landscape Character Areas (RLCA). The ES should represent the relevant baseline information on an appropriate figure in order to aid the reader. |
| 3.1.5 | Table 5.1 | Viewpoints | The Inspectorate considers that the number of viewpoints proposed is insufficient to identify all likely significant visual effects, given the scale of the Proposed Development with some areas such as Laxton only having one viewpoint. Additional viewpoints should be included within the Landscape and Visual assessment. The Inspectorate refers to the consultation responses (Appendix 2 of this opinion) from consultees including, but not limited to, the host authorities, parish |

| ID | Ref | Description | Inspectorate's comments |
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| | | | councils and Canal and River trust for information on areas potentially lacking in viewpoints. |

## 3.2 Ecology, Ornithology and Biodiversity

(Scoping Report Chapter 6)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.2.1 | Paragraphs 237 to 238 | Decommissioning | Chapter 6 does not make any reference to an assessment of decommissioning. The Applicant's attention is drawn to ID 2.2.4 in relation to the need for an assessment of decommissioning. |
| 3.2.2 | Paragraphs 198 and 238 | Likely environmental effects – air quality (conclusions of associated assessments) | Whilst it is noted that a full list of associated topics is not given in paragraph 238, no reference is given in either Chapter 6 or Chapter 13 to air quality impacts on ecological receptors (including but not limited to dust generation and vehicular emissions.<br><br>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter from the assessment.<br><br>Accordingly the ES should include an assessment of whether the Proposed Development would result in LSE on ecology as a result of emissions to air during construction, operation and decommissioning or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of LSE. |
| 3.2.3 | Table 6.7 / paragraph 246 | International and national sites | The Scoping Report proposes to scope out nationally designated sites with the exception of:<br>• Eakring and Maplebeck Meadows Site of Special Scientific Interest (SSSI);<br>• Mather Wood SSSI;<br>• Laxton Sykes SSSI; and<br>• Redgate Woods and Mansey Common SSSI. |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| | | | The Scoping Report also seeks to scope out effects on the Birklands and Bilhaugh Special Area of Conservation (SAC) which is located within 10km of the Proposed Development.<br><br>The Scoping Report provides justification for seeking to scope out the nationally designated sites, (with the exception of those listed above), however other chapters (such as hydrology) of the Scoping Report seek to scope out a differing list of designated sites which is inconsistent with those discussed in Chapter 6.<br><br>The ES should provide an assessment of all designated sites which may be affected by the Proposed Development and ensure this is consistent between chapters.<br><br>The Applicant should seek to agree the approach to the assessment of nationally and internationally designated sites with NE. In the first instance, the Applicant's attention is drawn to NE's consultation response (Appendix 2 of this opinion) which provides a list of the sites recommended to be scoped into all relevant assessments, including the Sherwood Possible Potential Special Protection Area (ppSPA) which is noted to be partly within the scoping boundary. |

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| 3.2.4 | Paragraphs 184 and 208 | Baseline survey information | The Scoping Report states that a range of baseline surveys have been undertaken, however limited specific information is given as to timings, scope etc of these. The ES should provide all survey information and results undertaken throughout the project lifecycle.<br><br>With reference to paragraph 208, the surveys should identify any assumptions or limitations associated with the surveys, for example |

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| | | | timings and access, and identify where any are proposed to be updated.<br><br>Where surveys older than two years are to be relied upon, a justification of this should be provided, as it is considered that the baseline environment may evolve during this time period. |
| 3.2.5 | Paragraph 190 | Local Wildlife Sites (LWS) and other non-designated sites. | The Scoping Report refers to the presence of LWS but provides no information such as names, locations or reasons for designations. Where features are to be presented as receptors, and subsequently assessed, sufficient detail should be provided in the ES.<br><br>The ES should also assess the potential for effects on other non-statutory designated sites within the study area, such as North Muskham Lake Nature Reserve. |
| 3.2.6 | Paragraph 193 | Ancient woodland and veteran trees | The Scoping Report refers to the presence of ancient woodland and veteran trees within the Order Limits. The ES should identify any ancient woodland and veteran trees which may be affected by the Proposed Development and assess any significant effects where they are likely to occur. Any mitigation measures required to avoid / reduce impacts to ancient woodland and/or veteran trees, for example buffer zones, should be described in the ES and secured in the DCO.<br><br>In relation to buffer zones, the Applicant's attention is drawn to the consultation responses (Appendix 2 of this opinion) which indicate that a set buffer distance may not be appropriate, and instead a distance of one and a half times the tree height in the relevant woodland should be used.<br><br>The Applicants attention is also drawn to the Forestry Commission's consultation response (Appendix 2 of this opinion) which refers to the requirement to assess potential impacts on replanted ancient and other woodlands in relation to the use of public grant money from |

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| | | | either the English Woodland Grant Scheme (EWGS) or Farm Woodland Premium Scheme (FWPS) which are still under obligation.<br><br>The ES should also include an assessment of the implication of tree disturbance or removal where covered by a Tree Preservation Order. |
| 3.2.7 | Paragraph 197 | Protected and notable species | Table 6.4 lists the species for which surveys will be undertaken. Proposed surveys exclude species such as dormice, brown hare and hedgehog without explanation. The ES should assess impacts on protected and notable species where significant effects are likely to occur and provide a justification as to why further surveys are required. |
| 3.2.8 | Table 6.3 | Waterbodies | The Scoping Report refers to a large network of water features within the Order Limits but does not explain whether any will be affected as a result of the Proposed Development. The ES should explain if any water features will be lost, and any required mitigation measures for waterbodies. |
| 3.2.9 | Paragraph 200 | Important Ecological Features (IEF) | The ES should explain how the IEF, including its specified Zone of Influence (ZOI), has been determined, with reference to baseline data, relevant guidance and professional judgement. The Applicant should make effort to agree the list of IEF with the relevant consultation bodies. The ecological baseline should be evidenced by comprehensive surveys in line with relevant guidance, and this should be confirmed in the ES. |
| 3.2.10 | Table 6.4 | Study area - bats | The Scoping Report states that the study area for bats will take place within the Order Limits and "habitats likely to be directly affected by the development". The ES should justify why the study area for bats has been restricted to the Order Limits and habitat congruous to the Proposed Development. Agreement on the study area should be sought from NE and relevant consultation bodies and stakeholders |

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| 3.2.11 | Paragraph 214 | Invertebrate surveys (terrestrial and aquatic) | The Scoping Report states that it has not yet been decided whether to undertake terrestrial and aquatic invertebrate surveys. The Scoping Report states that the Proposed Development will seek to avoid high value invertebrate habitats but does not discuss potential impacts on aquatic invertebrates, for instance at crossing points or cabling works. The ES should assess impacts on both terrestrial and aquatic invertebrates where likely significant effects may occur. |
| 3.2.12 | Paragraph 217 | Fish surveys | The Scoping Report states that it has not yet been decided whether to undertake fish surveys. There are a number of waterbodies in and around the Proposed Development, such as the River Trent which is an important migratory watercourse for European eels and salmonids. Due to the proximity of the Proposed Development to the River Trent and other local watercourses, the Inspectorate considers that fish surveys should be undertaken to inform the ES. |
| 3.2.13 | Paragraph 218 | Great crested newt survey | The Applicant has confirmed that great crested newts are present in two waterbodies within the Order Limits. The Applicant should note that if they intend to offset the effects of the Proposed Development on great crested newts (GCN) by obtaining a licence through the NE District Level Licensing (DLL) scheme, the Inspectorate understands that the DLL approach includes strategic area assessment and the identification of risk zones and strategic opportunity area maps. The ES should include information to demonstrate whether the Proposed Development is located within a risk zone for GCN. If the Applicant enters into the DLL scheme, NE will undertake an impact assessment and inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The outcome of this assessment will be documented on an Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC can be used to provide additional detail to inform the findings in the ES, including |

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| | | | information on the Proposed Development's impact on GCN and the appropriate compensation required. |
| 3.2.14 | Paragraph 238 | Conclusions of associated assessments | The Scoping Report refers to the results of the agricultural and soils chapter of the ES, however the Inspectorate is unclear as to how agricultural land classification (physical soil characteristics) could impact ecology, ornithology and biodiversity. Where the ES chapter refers to other aspect chapters a clear explanation should be provided as to the relevance to the assessments. |
| 3.2.15 | n/a | Mitigation for habitat fragmentation. | The Scoping Report states that the site will be fenced by use of 'deer fence' design. The ES should include information on mitigation measures (such as the use of mammal gates) to avoid significant effects from restricting the movement of species during construction and operation of the Proposed Development. |
| 3.2.16 | n/a | Invasive Non-Native Species (INNS) | The ES should assess potential impacts from INNS where significant effects are likely to occur, as the EA consultation response indicates that multiple species may be present in the area. Where mitigation measures are required, the ES should describe these measures and signpost how they would be secured through the DCO. |
| 3.2.17 | n/a | Confidential annexes | Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as |

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| | | | normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request. |

## 3.3 Hydrology, Hydrogeology, Flood Risk and Ground Conditions

(Scoping Report Chapter 7)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.3.1 | Table 7.6 / Paragraph 283 | Effects on Besthorpe Warren and Besthorpe Meadows SSSIs.<br><br>Effects on Farndon Ponds and Devon Park Pastures Local Nature Reserves (LNR). | As noted in section 3.2 above, the reasoning around the identification of SSSIs which could be affected by the Proposed Development lacks clarity and consistency. The biodiversity aspect chapter of the ES should present a coherent assessment of the impacts on designated wildlife sites which explains which sites fall with the Proposed Development's ZOI.<br><br>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter from the assessment.<br><br>Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of LSE. In the first instance, the Applicant's attention is drawn to NE's consultation response (Appendix 2 of this opinion) which provides a list of the sites recommended to be scoped into all relevant assessments. |
| 3.3.2 | Table 7.6 | Transfer of sediment to surface water resources – operation only | Based on the operational characteristics of the Proposed Development (energy generation with limited maintenance works), the Inspectorate considers that it is unlikely that sediments (or other physical contaminants) would be transferred to surface waters during operation. The Inspectorate is therefore in agreement that this can be scoped out of further assessment for the operational phase only.<br><br>The ES should however describe any mitigation measures which are in place to reduce sediment movement during operation, including |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| | | | how rapidly these would become effective, for example if reliant on mature vegetation. |
| 3.3.3 | Table 7.6 | Transfer of chemicals to surface water resources – operation only | Based on the operational characteristics of the Proposed Development (energy generation with limited maintenance works), the Inspectorate considers that it is unlikely that chemicals or other pollution would be transferred to surface waters during operation. The Inspectorate is therefore in agreement that this can be scoped out for the operational phase only.<br>The ES should however, as required by other chapters, consider the implications of any runoff or other pollution incidents in the event of a fire or other damage to the battery storage facility or other electrical infrastructure.<br>The ES should however describe any mitigation measures which are in place to reduce the potential for pollution during operation. |
| 3.3.4 | Table 7.6 | Chemical pollution from damaged Photovoltaic (PV) arrays – operation only<br><br>Leakage from the PV arrays – operation only | Based on the information given in relation to solar panel construction and integrity, and considering ongoing maintenance of the Proposed Development, the Inspectorate is in agreement that an assessment of chemical pollution and leaks from solar panels can be scoped out of the assessment.<br>The ES should however describe any mitigation measures which are in place to reduce the potential for pollution during operation. |

| ID | Ref | Description | Inspectorate's comments |
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| 3.3.5 | Paragraphs 251 to 281 | Baseline conditions - subsequent assessment of ground conditions | Ground conditions are included in the title for Chapter 7 of the Scoping Report, however no baseline information has been provided |

| ID | Ref | Description | Inspectorate's comments |
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| | | | in relation to the potential for historic and contemporary contaminated land.<br><br>The ES should provide a detailed baseline description for all aspects assessed within the ES. |
| 3.3.6 | Paragraphs 251 to 281 | Baseline conditions - subsequent assessment of ground conditions | The Scoping Report also does not refer to other sensitive land uses such as mineral deposits / extraction and Unexploded Ordnance (UXO).<br><br>It is also noted that paragraph 328 of the Scoping Report states that *"Within the north of the Order Limits within the Ossington Airfield, there is a ruined Battle Headquarters dating back to the Second World War".* This suggests that UXO may be present on the site.<br><br>Accordingly the ES should include baseline information and a subsequent assessment (including methodology) of mineral resources and UXO, or information demonstrating agreement with the relevant consultation bodies that this matter can be scoped out and the absence of LSE.<br><br>With reference to UXO, this may be supported by information such as a desk-based assessment. |
| 3.3.7 | Paragraphs 251 to 281 | Study areas | The Inspectorate consider that the Scoping Report is unclear in the approach to be taken to the definition of study areas. Examples include::<br><br>• Paragraph 251 – The Scoping Report refers to a "*hydrology study area*" which comprises the Order Limits only, with paragraph 252 referring to a "wider study area" of hydrology and hydrogeology. It is not clear whether the hydrology study area of the Order Limits only is also considered relevant for hydrogeology, or whether hydrogeology is only considered within the "wider study area". |

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| | | | • No specific reference is given to a study area for ground conditions.<br>• Paragraph 252 - It is assumed that the 5km (Wider) hydrology study area is also to be used for Flood Risk, however the ES should confirm this.<br>• Paragraph 255 – Whilst the use of the Scottish Environmental Protection Agency (SEPA) guidance for a 1km study area for private and public water supplies (the Water Supplies Study Area (WSSA)) in the absence of guidance for projects in England is noted, it is not clear why this is considered appropriate given the noted 5km study area for both hydrogeology and hydrogeology (and therefore potential effects within this 5km area on supplies from groundwater).<br>The ES should provide a study area, with appropriate justification as to how it reflects the zones of influence of the Proposed Development, for all topics, with a representative figure showing these. |
| 3.3.8 | Paragraph 262 | Water Framework Directive (WFD) – surface water and groundwater bodies | The Scoping Report does not provide a full list of the WFD water bodies or their overall, chemical or biological status. A full list should be provided and be represented on an appropriate figure.<br>The ES should also consider the requirement for a WFD assessment; the Applicant's attention is drawn to the Environment Agency's consultation response (Appendix 2 of this opinion) in reference to WFD requirements. |
| 3.3.9 | Paragraphs 264, 278 and 279 | Use of terminology in relation to drinking water | Paragraph 264 refers to a drinking water protected area (with reference to hydrology), and paragraphs 278 and 279 refer to Drinking Water Safeguarding Zone and Source Protection Zones (with reference to hydrogeology). It would aid readers' understanding if the ES included definitions of the different zones. |

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| 3.3.10 | Paragraph 284 | Scope and methodology of assessment | Whilst Chapter 7.4 recognises the requirement to assess contaminated land, there is limited information provided in relation to guidance or legislation, specific receptors, contamination sources, significance criteria or other methodological or assessment matters for ground conditions.<br><br>The ES should clearly explain the methodology used in the assessment and how it was developed. |
| 3.3.11 | Paragraph 285 | Relevant legislation and guidance | The list of guidance omits the Environment Agency Land Contamination Risk Management (LCRM) guidance. The ES should include a consideration of this within the methodological approach. |
| 3.3.12 | Paragraphs 293 and 294 | Flood risk terminology | Where the assessment of flood risk utilises one of a list of possible parameters (in this case 2050s-2080s year and higher central band of fluvial flows), a full explanation of terminology and justification of the parameters selected should be used.<br><br>This should also be consistent throughout the ES, or where required to be changed, a justification provided, as bullet point 3 of paragraph 294 refers to the 2070s and 25% climate change allowance which differs from paragraph 293. |
| 3.3.13 | Paragraphs 294 and 295 | Flood Risk Data Sources | Paragraph 294 refers to the Newark and Sherwood District Council (NSDC) Strategic Flood Risk Assessment, however with no reference to any equivalent assessment from Nottinghamshire County Council (NCC) (though NCC are referred to as a data source in paragraph 295 but with no additional information provided). The ES should utilise all relevant available sources of data from the local authorities and Environment Agency (EA). |

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| | | | The ES should also, where possible, consider the implication of any known localised flood events or conditions ie those which may not necessarily be captured by strategic flood modelling. |
| 3.3.14 | Table 7.3 | Methodology for assessment of ground conditions | The Inspectorate also consider that receptor sensitivity, magnitude of impacts and overall significance criteria should be topic specific, as it is not clear how the criteria given in Table 7.3 (relevant to hydrology, flood risk and hydrogeology) could be applied to land contamination or other land use characteristics (such as migration of pollution to human or ecological receptors or the changing of soil compaction).<br><br>The ES should include details on the assessment methodology used, including the assessment of the sensitivity of receptors and the significance of effects. |
| 3.3.15 | n/a | General presentation of assessment | Based on the above comment requiring additional assessment beyond what is currently provided (including underground resources and UXO), the Inspectorate advises that it may be more helpful to divide the four separate topics (Hydrology, Hydrogeology, Flood Risk and Ground Conditions) into at least two chapters.<br><br>The Applicant may also wish to consider the relevance of the data within Chapter 10 relating to agricultural land use (as it is noted that Chapter 7 scopes in related matters such as soil compaction and drainage (interflow)). It may therefore be more appropriate to provide the assessment of ALC and soil quality within the ground condition chapter(s), with Chapter 10 focusing on socioeconomic aspects only.<br><br>Where matters relating to soil are assessed, the ES should also include the potential effects of the excavation, stockpiling and reinstatement of soils. |

## 3.4 Cultural Heritage and Archaeology

(Scoping Report Chapter 8)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.4.1 | Table 8.4 | Effects on buried archaeology - Operation | This matter is proposed to be scoped out on the basis that the operational phase is not likely to require any additional land take or ground removal. The Inspectorate agrees that operational activities are unlikely to result in additional significant effects on buried archaeology, and therefore operational effects on buried archaeology can be scoped out from further assessment. |
| 3.4.2 | Table 8.4 / paragraphs 341 and 342 | Decommissioning effects | The Scoping Report proposes to scope this matter out on the basis that all potential effects to heritage assets would have occurred during the construction and operational phases of the Proposed Development.<br><br>The Inspectorate considers that there remains a potential for impacts during the decommissioning phase, particularly to buried archaeology as a result of the removal of piles and soil compaction. In addition, given that the potential effects on setting during decommissioning are likely to be similar to those experienced during construction the Inspectorate is of the opinion that this matter cannot be scoped out at this stage.<br><br>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment. Accordingly the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of LSE. |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.4.3 | Table 8.4 | Effects on grade II listed heritage assets greater than 2km from the Order Limits – All phases | The Scoping Report proposes to scope this matter out on the basis that the assets are not considered to derive their significance from the site and, by their nature, are less sensitive to change than more highly designated assets. Limited information has been provided to support the claim that the assets do not derive any significance from the Proposed Development site. The Inspectorate is therefore not in agreement to agree to scope this matter out of further assessment.<br><br>The Applicant should use the ZOI of the project to identify heritage receptors. Unless otherwise agreed with the relevant consultation bodies, all heritage assets within the ZOI for the project should be included within the assessment. |
| 3.4.4 | Table 8.4 | Effects on designated heritage assets beyond a 5km radius – All phases | This matter is proposed to be scoped out on the basis that the nature of the development and the surrounding topography means assets beyond a 5km radius from the solar areas are unlikely to suffer significant effects. It is noted at Figure 5.2 (ZTV) that there are areas of high visibility beyond the proposed 5km study area. However, these areas are not shown in the figures illustrating the locations of designated heritage assets (Figures 8.1 to 8.12). The Inspectorate considers that there is insufficient evidence to rule out effects on designated heritage assets beyond the 5km boundary. The Inspectorate is therefore not in agreement to scope this matter out.<br><br>Unless otherwise agreed with the relevant consultation bodies, all heritage assets within the ZOI for the project should be included within the assessment. |
| 3.4.5 | Table 8.4 | Cumulative effects on buried archaeology beyond 500m – All phases | The Scoping Report proposes to scope this matter out on the basis that any archaeological assets found within the site are unlikely to extend beyond 500m of the site boundary. The Inspectorate agrees that cumulative impacts are unlikely to occur on buried archaeological |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| | | | assets further than 500m from the Proposed Development boundary, and therefore this matter can be scoped out from further assessment.<br><br>As a general comment, this line of the table has not been repeated in the summary Chapter 15. The ES should ensure that any summary chapter reflects the content of the individual chapters. |
| 3.4.6 | Table 8.4 | Cumulative effects on designated heritage assets beyond 5km – All phases | The Scoping Report states that significant cumulative effects are not anticipated to occur on heritage assets beyond a 5km radius. Limited information has been provided on the cumulative schemes in proximity. The Inspectorate does not therefore agree that this matter can be scoped out of further assessment.<br><br>Receptors at risk of cumulative effects should be identified using the ZOI of the project in conjunction with the ZOIs of identified cumulative schemes. Unless otherwise agreed with the relevant consultation bodies, all heritage assets within the area of intersection of these ZOIs should be included in the assessment of cumulative effects.<br><br>As a general comment, this line of the table has not been repeated in the summary Chapter 15. The ES should ensure that any summary chapter reflects the individual chapters. |

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| 3.4.7 | Paragraphs 51 to 59 | Archaeological investigations | The Scoping Report has listed archaeological investigations as activities which will be undertaken in the cable areas and other areas.<br><br>It is unclear why archaeological investigations are not currently proposed for the solar areas, BESS, substations or construction compounds (as there is no confirmation of this in the archaeology |

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| | | | chapter). The ES should justify the extent of baseline surveys undertaken for archaeology.<br><br>Efforts should be made to agree survey methodologies and coverage with the relevant consultation bodies and evidence of this should be provided within the ES. |
| 3.4.8 | Paragraph 337 | Direct impacts on heritage assets - Construction | It is noted that the list of potential construction effects at Paragraph 337 does not include direct effects to above ground heritage assets, only buried archaeology. For the avoidance of doubt, the ES should consider the potential for direct impacts on these receptors such as those associated with piling and increased construction traffic (vibration etc). |
| 3.4.9 | Figure 8.1 / Chapter 8 | Representation of archaeological and heritage assets | Whilst the Inspectorate considers the division of Figure 8.1 into individual Figures 8.2-8.12 to be appropriate, it is not clear from the figures of the Scoping Report chapter how the ES will provide reference to the assets represented. At present, the assets are unlabelled and a full list is not provided. The Applicant should consider how to fully describe and reference the assets, for example using a gazetteer and assigning each asset a reference number which can then be placed onto the relevant figures. |

## 3.5 Noise (and vibration)

(Scoping Report Chapter 9)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.5.1 | Paragraph 389 | Vibration effects from construction activities except piling and compaction works | The Scoping Report states that vibration associated with piling and compaction of tracks/hardstanding areas during construction has the potential to lead to significant effects, however all other construction activities are likely to produce negligible levels of vibration and therefore do not require detailed assessment.<br><br>It is unclear on what basis this assumption is made considering paragraph 99 of the Scoping Report highlights construction activities which have the potential to produce vibration, such as digging of trenches and Horizontal Directional Drilling (HDD). It is noted in paragraph 395 that vibration effects will be predicted using modelling.<br><br>In the absence of further information, such as duration, extent, and location of these proposed activities, and the location of sensitive noise receptors, the Inspectorate does not agree to scope this matter out at this stage. Accordingly, the ES should include an assessment of vibration effects from all construction activities, or the information required to demonstrate the absence of a likely significant effect. |
| 3.5.2 | Paragraph 400 | Decommissioning traffic noise | Paragraph 400 states that decommissioning noise effects are expected to be lower than construction noise effects and therefore will not be assessed separately. Whilst the Inspectorate is broadly content that decommissioning phase effects would be unlikely to be more significant that construction phase effects, details of the number and type of traffic movements anticipated for decommissioning are not provided within the Scoping Report.<br><br>The ES should include an assessment of this matter or provide further justification for the assumption that decommissioning traffic noise |

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| | | | would be less than that during the construction phase, such as clarification of the likely duration of construction and decommissioning phases and the likely traffic movements associated with these phases. The Applicant's attention is drawn to ID 2.2.4 above. |
| 3.5.3 | Table 9.7 | Vibration from construction, operation, and decommissioning traffic | The Applicant proposes to scope out vibration from traffic for all phases on the basis that there is no realistic likelihood that vibration from traffic sources will result in an adverse effect. It is stated that this is in line with the Design Manual for Roads and Bridges (DMRB) guidance, however it is noted that this guidance has been withdrawn.<br><br>Indicative traffic numbers are not provided for any of the phases of the Proposed Development. Paragraph 383 states that there are a number of sensitive residential receptors which are located around the Order Limits and Figure 11.1 shows sensitive receptors located within the vicinity of proposed traffic routes.<br><br>In the absence of further information, such as indicative traffic numbers for each of the phases of the Proposed Development, as well as the location of transport routes in relation to sensitive receptors, the Inspectorate does not agree to scope this matter out at this stage for construction and operation. Accordingly, the ES should provide an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect such as information demonstrating that the number and type of traffic movements do not exceed thresholds required detailed assessment in line with guidance. Furthermore, the ES should be based on current guidance rather than guidance which has been withdrawn.<br><br>In relation to decommissioning, the Applicant's attention is drawn to ID 2.2.4 above. |

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| 3.5.4 | Table 9.7 | Operation and decommissioning vibration – All other sources | The Applicant proposes to scope out vibration for all other sources for the operation and decommissioning phases on the basis that significant effects are not likely to occur based on the plant to be used.<br><br>Considering the nature of the Proposed Development during operation the Inspectorate is content to scope this matter out of further assessment for the operational phase. However, the detailed description of the Proposed Development within the ES should demonstrate that operational plant and equipment (eg substations, battery storage infrastructure, and tracker panel mechanisms) is of a type and to be used in locations unlikely to result in significant vibration effects on sensitive receptors. The ES should detail any measures to control vibration emissions during operation.<br><br>Although it is noted that no piling or track compaction is proposed during decommissioning, no further detail on the decommissioning phase activities are proposed and it is unclear whether there is potential for sources of vibration, such as from the removal of piles. On this basis the Inspectorate is not in a position to agree to scope this matter out at this stage. The Applicant's attention is drawn to ID 2.2.4 above. |
| 3.5.5 | Table 9.7 | Operation traffic noise | The Scoping Report proposes to scope out an assessment of noise associated with operational traffic on the basis that the traffic movements would be limited to occasional maintenance visits only.<br><br>Considering the characteristics of the Proposed Development, the Inspectorate is content that this matter can be scoped out of further assessment. However, the ES project description should confirm the anticipated trip generation (including number and type of vehicles) required for "*occasional maintenance visits*" during operation to justify this, as the number and/or type of vehicle required, or |

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| | | | frequency of maintenance visits, is not specified within the Scoping Report. |

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| 3.5.6 | Paragraph 381 | Receptors | The Scoping Report states that all residential receptors within 300m of the Order Limits will be identified. There is no indication that other types of sensitive receptors would be assessed, although paragraph 411 states that residential receptors are the closest receptors. Table 11.1 and Figure 11.1 identify other types of sensitive receptors located within the vicinity of the proposed traffic routes. It is unclear whether noise and vibration effects on these receptors will be assessed.<br><br>Whilst it is noted that consultation will be undertaken with NSDC and therefore the receptors are not yet finalised, the Applicant should consider the potential for the Proposed Development to impact on all noise sensitive receptors within the study area, including the traffic routeing.<br><br>The Applicant's attention is drawn to the consultation responses from the parish councils (Appendix 2 of this Opinion) which list possible receptors including heritage assets, education, laboratories and workshops or other buildings sensitive to vibration, and nearby flood defences. |
| 3.5.7 | Paragraphs 388, 390, and 406 | Operational phase effects | It is noted that during operation, noise would be generated by the substations, inverters, and transformers and this is proposed to be assessed using modelling.<br><br>Whilst it is unclear whether this list is exhaustive, there is no mention of noise associated with other components of the Proposed Development such as the BESS or tracker panels. The Applicant |

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| | | | should ensure the noise assessment is fully comprehensive of all components of the Proposed Development which are likely to result in noise and vibration effects. Where uncertainty exists regarding the final infrastructure components to be used, such as tracker or fixed panels or the number of BESS units, the ES should assess a worst-case scenario or multiple worst-case scenarios. |
| 3.5.8 | Paragraphs 398 and 399 | Construction and decommissioning noise methodology | It is stated that for activities which would occur for less than one month, the magnitude of effect is considered to be negligible. It is stated (in paragraph 398) that this is based on British Standard Guidance BS 5228-1. However, this guidance states that this is subject to there being no works of a shorter duration which could lead to a significant effect.<br><br>The ES should provide further justification that works of a duration of less than one month would not result in likely significant effects in line with the guidance referenced. Any assumptions adopted within the ES should be fully justified. |

## 3.6 Socioeconomics, Tourism, Recreation and Land Use

(Scoping Report Chapter 10)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.6.1 | Paragraphs 458, 459 and 462 | Socioeconomics - Operational phase effects excluding tourism | The Scoping Report proposes to scope out all socioeconomic impacts which were scoped in for the construction phase, resulting from the operation of the Proposed Development (with the exception of effects on tourism) from the operational assessment on the basis that these effects would be similar to the construction phase, but to a much lesser extent.<br><br>It is however noted at paragraph 487 that operational effects on recreation are scoped into the ES, and at paragraphs 505 and 513 that there is potential disruption to farm businesses. Furthermore, the ES does not refer to any leisure and recreation users, businesses related to these.<br><br>As such, it is unclear what effects the Scoping Report is referring to here, and consequently the Inspectorate is not in agreement that an assessment of the operational effects can be scoped out. The ES should assess all potentially significant effects on socioeconomics resulting from the operation of the Proposed Development. This should include any impacts on the viability of farm businesses resulting from the loss of access or holdings being split. |
| 3.6.2 | Paragraph 484 and 532 | Diversion of Public Rights of Way (PRoW) | Paragraph 484 refers to the alteration of the routes of PRoW to fall under the operational phase. The ES should however assess any effects of the physical process of altering these routes during the construction phase assessment.<br><br>No specific information is given as to whether any PRoW or other public access such as footpaths etc require permanent stopping up or diversion (as paragraph 532 states "*diverted if necessary*". If this is |

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| | | | required, an assessment of this should be undertaken within the socioeconomic chapter and any relevant other chapters, and the route of any diversions represented. |
| 3.6.3 | Paragraph 486 | Physical and other potential effects | The Scoping Report does not appear to make reference to considerations such as noise or other nuisances affecting tranquillity of socioeconomic (or associated heritage, landscape or visual) receptors. The ES should include a consideration of effects such as disturbance of tranquillity. |
| 3.6.4 | Paragraphs 505 and 513 | Impacts to agricultural businesses and food production / security | With reference to paragraphs 505 and 513, whilst it is noted that Chapter 10 proposes to focus on agricultural land classification (ALC) (a physical characteristic of soils which does not require an assessment of land use and food production), the Scoping Report does refer to the potential disruption or benefits (such as introduction of grazing opportunities) to existing farm businesses (during both construction and operation).<br><br>The Inspectorate considers that the topics of land use and food production in relation to business (landowner and tenant farmers) should be assessed as part of the assessment of farm businesses. |
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| 3.6.5 | Paragraphs 454 and 455 | Accommodation for construction workers | The potential impacts listed in paragraphs 454 and 455 within the Scoping Report socioeconomics chapter do not specifically refer to the potential impact of construction workers on the capacity of local accommodation and services (despite this being noted to be required by paragraph 421). The ES should define a worst-case scenario of construction worker numbers and assess impacts on the availability of |

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| | | | local accommodation and services where significant effects are likely to occur. |
| 3.6.6 | Table 10.3 | Specific tourism assets and attractions | There is no list in Table 10.3 (or elsewhere in the Scoping Report) of the specific tourism assets and attractions scoped into the assessment. The ES should provide this information along with a description of the receptors. |
| 3.6.7 | Paragraph 502 | Terminology of ALC | The Scoping Report uses the terms very good, good and moderate to refer to ALC. It would be beneficial for the ES to define these in relation to the numbered grading ALC system (presumed from the associated Figure 10.2 to refer to Grade 2, 3a and 3b respectively). |
| 3.6.8 | Figure 10.1 | PRoW, Bridleways and other Public Access | Figure 10.1 does not include all relevant OS map features within the legend, for example long distance trails such as Robin Hood Way and Trent Valley Way.<br><br>The Inspectorate considers that any route which may be affected by the Proposed Development should be clearly labelled and annotated on an appropriate figure to ensure that all parties are clear on where these are located. Any required closures or diversions should also be represented.<br><br>This comment is also of relevance to ES Figure 11.1 of the traffic and access chapter as this also utilises the same base map with not all features labelled. |
| 3.6.9 | Figure 10.2 (and paragraph 498 and 509) | Provisional ALC | Figure 10.2 refer to the available mapping of provisional Agricultural Land Classification which appears to refer to the Ministry of Agriculture, Food and Fisheries (MAFF) mapping data. The Scoping Report notes, in paragraphs 498 and 509, that a more recent system of mapping for Best and Most Versatile Land (BMV) has been produced by NE. |

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| | | | The Applicant should consider whether this more recent data is required to be represented on a figure as well, and how any differences between these data sets (in particular the subdivision of grade 3 into 3a (BMV) and 3b (Not BMV) is considered within the relevant assessments. For the avoidance of doubt, the ES should differentiate between grades 3a and 3b where possible. |

## 3.7 Traffic and Access

(Scoping Report Chapter 11)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
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| 3.7.1 | Paragraphs 518 and 569 | Operation phase | It is unclear whether an assessment of the operational phase is proposed to be scoped out. Paragraph 518 proposes to scope out the operational phase, whereas paragraph 569 states that "*the operational phase and decommissioning phase will be assessed*". Furthermore, paragraph 569 is under the subheading 11.7 which lists the matters and aspects to be scoped out but is not included in Table 11.6 which summarises matters to scope out.<br><br>Considering the characteristics of the operational phase, the Inspectorate is content that significant effects are unlikely to occur. Therefore, an assessment of the operational phase can be scoped out of further assessment, subject to the number and type of vehicles, and frequency of maintenance visits, being confirmed within the ES. |
| 3.7.2 | Paragraphs 519 and 569 | Decommissioning phase | Regarding the decommissioning phase, paragraphs 537 and 538 state that both the construction and decommissioning phases could lead to effects. However paragraph 519 states that a separate assessment of the decommissioning phase is not proposed on the basis that any effects would be equivalent to, or less than, those of the construction phase. Decommissioning is however not included in Table 11.6 which summarises matters to be scoped out.<br><br>On the basis of the information provided the Inspectorate does not agree to scope out this matter out at this stage. The ES should include an assessment of the decommissioning phase, or the information required to demonstrate the absence of a likely significant effect. The Applicant's attention is drawn to ID 2.2.4 above. |

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| | | | Where the Applicant proposes to rely on mitigation measures for the decommissioning phase, these should be clearly specified, as whilst paragraph 554 indicates that a CTMP would be provided, there is no reference to an equivalent for the decommissioning phase. |
| 3.7.3 | Table 11.6 | PRoW outside of the adopted highway – Construction | The Applicant proposes to scope out an assessment of construction effects on PRoW outside of the adopted highway on the basis that they will be assessed as part of the Socio-economics, Tourism, Recreation and Land Use Chapter.<br><br>The Applicant is advised to consider whether it would be more appropriate to assess impacts on the PRoW network as a whole, rather than separating impacts on PRoW across two separate chapters depending on whether they are located outside or inside the adopted highway.<br><br>The Applicant's attention is drawn to the consultation response from NCC and NSDC (Appendix 2 of this Opinion) which states that all PRoW are highways. The Applicant is therefore advised to assess the impact on all PRoW within the Transport and Access chapter of the ES. |

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| 3.7.4 | Paragraph 520 | Transport Assessment (TA) | The Scoping Report notes that whilst a TA is to be scoped separately in consultation with relevant statutory consultees, it will not be provided as part of the ES. It is therefore unclear how the ES traffic and access chapter links to the TA, or whether the data such as traffic forecasts which would result from the TA are to be brought forwards to the ES for relevant chapters (such as noise, air quality and traffic). |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| | | | For example, some of the likely environmental effects given in paragraphs 538 and 548 would typically form part of a TA.<br><br>The ES should provide a full methodology within the Transport and Access chapter, with appropriate cross references to the TA where required and clear signposting or description of which aspects are assessed within each document.<br><br>The scope of the TA should be agreed with the relevant statutory consultees. The Applicant's attention is drawn to responses including NCC, NSDC and the parish councils (Appendix 2 of this Opinion) which provide some initial details, including local factors such as the presence of frequently used railway level crossings.<br><br>Any relevant results of the TA which require mitigation which may impact topics scoped into the ES should also be considered. |
| 3.7.5 | Paragraphs 522, 523, and 525 | Study area | It is stated that the study area encompasses "*all areas of the Local Road Network from the Strategic Road Network to the Development*". This implies that the Strategic Road Network (SRN) would not be included within the study area. As noted in paragraph 525, the Scoping Boundary is bounded by 'A roads' and it is stated in paragraph 529 that the majority of construction access routes would be via the A1. Considering some of the A roads listed (namely A1 and A617) constitute part of the SRN, the Inspectorate is of the opinion that the ES should assess the significant effects of the Proposed Development on the SRN or provide justification for the study area proposed, such as in line with the results of the TA.<br><br>The Applicant should make efforts to agree the study area with the relevant consultation bodies, noting that National Highways is proposed to be consulted, as stated in paragraph 522.<br><br>The ES should also show the roads considered as the affected road network on an accompanying plan. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.7.6 | Table 11.1 | Sensitive receptor definitions | Table 11.1 lists receptors as either 'settlement' or 'residential', however no definition or explanation is given as to the difference between these. Where receptors are assessed by type, a full explanation of this should be given. |
| 3.7.7 | Table 11.1 | Sensitive receptor definitions | Table 11.1 does not identify any receptors such as walkers, cyclists or horse riders (non-motorised users), however these are referred to in relation to potential effects in paragraph 538 due to changes to route connections and amenity. The Inspectorate consider that these groups should be identified as sensitive receptors and therefore be subject to assessment within the ES. |
| 3.7.8 | Paragraph 538 | Assessment of non-Heavy Goods Vehicle (HGV) construction traffic | The list of potential effects given only refer to assessment of an increase in HGV movements and subsequent effects. No information is given as to the anticipated construction vehicle movements for other vehicles. As such, the Inspectorate considers that all movements should be considered within the assessment. |
| 3.7.9 | Paragraph 548 | Potential for Abnormal Indivisible Loads (AIL) | Given the description of the potential need for road widening in paragraph 42 (with no specific reason given), the ES should detail whether any AIL movements are required (for example for the larger infrastructure such as the BESS and 400kv substation) and assess any potential effects of these. |
| 3.7.10 | Paragraph 559 | Methodology | The Scoping Report states that an increase of fewer than 30 additional vehicle trips per hour during each of the development peak hours would be categorised as very low magnitude, regardless of the proportional increase in traffic flows. Based on professional judgement, the Scoping Report cites that an increase of less than one vehicle every two minutes is unlikely to result in a significant effect.<br><br>The Inspectorate is of the opinion that the assessment should use a proportional increase in traffic flows based on the existing baseline |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| | | | traffic flows for the highway network. In the absence of the baseline data, it is currently unknown what level of change the increase of 30 additional vehicles represents.<br><br>The Institute of Environmental Management and Assessment (IEMA) Guidelines: Environmental Assessment of Traffic and Movement (GEATM) (2023) (as referenced in paragraph 540 of the Scoping Report) states that the assessment should consider the forecast changes to the baseline and make it clear how a change is considered significant or not. Furthermore, the types of vehicles are not specified and therefore it is unknown whether HGV movements are captured in these absolute levels. The guidance states that HGV movement estimates should be provided separately.<br><br>The Applicant should make efforts to agree the approach to assessment with the relevant consultation bodies and provide evidence of this within the application documents. |
| 3.7.11 | Figure 11.1 | Access points | There appears to be a number of access points on Figure 11.1 that either do not have any associated land use (for example in grid square 470000, 361000 and the eastern access point in grid square 479000, 364000) or are not represented at all (grid square 476000, 367000).<br><br>The ES should accurately represent all required access points and provide a description of why these are required. |
| 3.7.12 | Figure 11.1 | Representation of receptors | Figure 11.1 includes a number of identified receptors, with some detail given in Table 11.1. However, it is not clear how the receptors on this figure relate to the transport chapter, as they relate to residential or similar receptors rather than those which would commonly be included within a Traffic and Access chapter or assessment. The ES should provide a justification of the inclusion of these receptors. |

## 3.8 Climate Change

(Scoping Report Chapter 12)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.8.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.8.2 | n/a | n/a | n/a |

## 3.9 Glint and Glare

(Scoping Report Chapter 13.1)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.9.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.9.2 | Paragraphs 579 and 582 | Sensitive receptors | The Scoping Report proposes to include road users, residents, rail users and aviation. The Inspectorate also considers that given the current rural nature of the surrounding area, and requirement to scope in recreation in the socioeconomic chapter, the ES should assess other receptors such as users of vessels on waterways within the ZTV, agricultural workers including when using farm machinery, ecological receptors and recreational users (eg walkers, cyclists and horse riders).<br><br>The assessment should also consider the implications of these users being at varying heights from ground level, as for example, a horse rider would experience glint and glare at a different angle than a pedestrian. |
| 3.9.3 | Paragraph 592 | Reliance on other forms of mitigation | Paragraph 592 states that *"significant effects may be lessened by utilising standard mitigation methods used by pilots flying in the direction of the sun".* The Inspectorate is unclear if this is to be relied upon as a mitigation measure to conclude no significant effects. The ES should clarify this, and also justify how this could be relied on as the safety features on aircraft are outside of the control of the Applicant. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.9.4 | Paragraph 593 | Methodology | Paragraph 593 states that *"Mitigation measures will be recommended in order to screen any High or Medium impacts upon ground-based receptors."* It is not clear if the use of the terms medium and high are in relation to the magnitude of change, or the significance of effects. If they relate to significance, this is a different methodological approach than the overarching methodology (with reference to Table 4.1).<br><br>The methodology used should be provided in full, including the criteria used to define significance. |
| 3.9.5 | Paragraph 597 | Sensitive receptors | The Scoping Report uses a study area of 30km for aerodromes and 5km for small aerodromes, however no criteria are given to define how an aerodrome will be classified as small. The ES should provide the criteria and the rationale for the selection, and a justification of the distances used. |

## 3.10 Human Health

(Scoping Report Chapter 13.2)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.10.1 | Table 15.1 | Operational effects | Table 15.1 of Chapter 15 proposes to scope out human health effects from electrical infrastructure during the operational phase (though this is not referred to in Chapter 13). The Inspectorate agrees that this matter can be scoped out of further assessment for other electrical infrastructure on the basis that the Scoping Report states that battery safety (paragraph 603) and Electro Magnetic Fields (EMF) effects associated with the 400kv cabling (paragraph 609) will be assessed. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.10.2 | Paragraph 603 | Topics which may affect human health | The Scoping Report lists traffic, noise, residential amenity, security, health and safety, EMF and battery safety as topics to be considered within the human health assessment. The Inspectorate is unclear why only these topics only are proposed, as the ES also includes assessments of other topics such as air quality, major accidents, recreation, and socioeconomics. The ES should provide a clear justification the scope of the human health assessment.<br><br>The ES should consider all relevant aspects assessed within other chapters within the human health assessment. The ES should also specify where the chapter assesses the project phases of construction, operation and decommissioning. |
| 3.10.3 | Paragraph 603 | Topics which may affect human health | It is also unclear where the topics such as security and health and safety are to be assessed within the ES for the human health assessment to refer to, as they do not have their own chapters. Any |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| | | | findings from other chapters which are relied on in the human health assessment should be clearly signposted. |

## 3.11 Telecommunications, Television Reception and Utilities

(Scoping Report Chapter 13.3)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.11.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.11.2 | n/a | n/a | n/a |

## 3.12 Waste

(Scoping Report Chapter 13.4)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.12.1 | Paragraph 621 | Operational waste generation | Based on the nature of the Proposed Development operational stage (energy generation with limited personnel attendance or waste generation), the Inspectorate is in agreement that an assessment of waste generation during the operational phase can be scoped out of the ES, provided that the ES details the anticipated operational waste streams, including solar infrastructure, water or other disposal from welfare and grass cuttings / vegetation management.<br><br>The ES should also explain if extensive replacement of solar panels or other infrastructure is likely to be required during the lifetime of the Proposed Development. If significant replacement of infrastructure is required, the ES should provide an assessment of this, including any inter relationships such as traffic movement. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.12.2 | n/a | n/a | n/a |

## 3.13 Air Quality

(Scoping Report Chapter 13.5)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.13.1 | Paragraph 626 | Operational phase | The Applicant proposes to scope out an assessment of effects for the operational phase. The reasoning provided is that traffic generation would be very low, associated with maintenance and servicing vehicles only, and therefore would lead to a slight (negligible) positive effect.<br><br>Considering the characteristics of the Proposed Development the Inspectorate is content that this matter can be scoped out of further assessment, however, the ES should specify the number and type of vehicle movements likely to be required during the operational phase to justify this. |
| 3.13.2 | Paragraphs 629 to 633 | Construction and decommissioning vehicles | The Applicant proposes to scope out an assessment of effects from construction and decommissioning vehicles and plant on the basis that these are likely to be negligible. Although paragraph 629 notes that as the construction/decommissioning is proposed to be conducted in phases, and therefore activities would take place at different times across the site using different access routes, the construction phasing is currently unclear (see ID 2.1.10 above).<br><br>Indicative traffic movements, either for the Proposed Development as a whole, or each section, are not provided within the Scoping Report nor are proposed construction routes in relation to sensitive receptors. It is also unclear whether there is potential for sensitive receptors to be consistently affected by traffic movements in subsequent phases of construction/decommissioning.<br><br>In the absence of this information, the Inspectorate does not agree that this matter can be scoped out at this stage. The ES should |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| | | | provide an assessment of this matter, or the information required to demonstrate the absence of a likely significant effect.<br><br>The Inspectorate also does not consider it an appropriate justification to refer to the Cleve Hill Solar development as a basis to scope out as it is not of a similar scale or geographic location to the Proposed Development. The ES should provide project-specific evidence and assessments. |
| 3.13.3 | Paragraphs 629 to 633 | Construction and decommissioning plant | Paragraph 629 states that construction and decommissioning plant emissions are anticipated "*to represent a small source of emissions relative to ambient local conditions in the vicinity of the site based on the scale of construction that will occur in any given location and the number of plant vehicles that will be required*".<br><br>Considering the characteristics of the Proposed Development, and the anticipated construction activities described in paragraphs 98 and 99, the Inspectorate is content that this matter can be scoped out. However, the ES should confirm the anticipated type and number of plant required for construction and decommissioning and any measures in place that reduce the potential for likely significant effects to occur. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.13.4 | n/a | n/a | n/a |

## 3.14 Major Accidents and Disasters

(Scoping Report Chapter 13.6)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.14.1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.14.2 | n/a | n/a | n/a |

## 3.15 Inter relationships

(Scoping Report Chapter 14)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|---|---|---|---|
| 3.15.1 | Paragraphs 647 and 648, and Table 14.1 | Matters scoped out due to being addressed within other chapters | The Scoping Report indicates that the inter relationships chapter proposes to exclude Chapter 6 (Ecology, incorporating Ornithology), Chapter 8 (Cultural Heritage and Archaeology) and part of Chapter 10 (Recreation within Socioeconomics), as these chapters already contain inter relationships as part of the methodology.<br><br>The Inspectorate considers that the scope of the assessment of interrelationships should be clearly defined in the ES. Where part of the assessment is contained in other chapters, there should be clear signposting to the relevant sections of those chapters.<br><br>It is unclear to the Inspectorate if Table 14.1 is an example table or represents the final scope of the assessment. It is noted that the chapters listed in this table do not include all the aspect chapters likely to be relevant to the assessment. The Inspectorate considers that all chapters, including Chapters 5, 7, 9, 10, 11, 12 and 13 which are not listed, should also be included in the table and the assessments of inter relationships. |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| 3.15.2 | Table 14.1 | Sensitive receptors | Table 14.1 identifies that the receptors assessed would be residents, schools and road users. For the avoidance of doubt, the interrelationships chapter should include all types of receptor included in individual chapters where meeting the inclusion criteria set out in |

| ID | Ref | Description | Inspectorate's comments |
|---|---|---|---|
| | | | paragraphs 656 and 657. This may include, but not be limited to, aviation, rail, walkers, cyclists, leisure users and horse riders. |
| 3.15.3 | Paragraph 655 | Signposting to assessments | Where the full results of individual chapters are not repeated in the inter relationships chapter, the ES should clearly signpost to where the assessments are undertaken. Whilst it is noted that a list of receptors included will be provided (paragraph 675), the Inspectorate considers that the inter relationships chapter should also specify what the effects that are being assessed are (eg naming the effect and assessed significance), as at present the Scoping Report states that effects will not be listed. The Applicant's attention is drawn to ID 3.15.1. |
| 3.15.4 | Paragraph 664 | Grouping of receptors | The Scoping Report does not provide a justification or any criteria which would enable receptors to be grouped. The ES should provide this justification. |
| 3.15.5 | Paragraph 667 | Nosie effects | Paragraph 667 of the Scoping Report states that the methodology for Chapter 9: Noise does not propose to use the significance matrix of negligible to major. This does not reflect the methodology given in Chapter 10 which indicates that the matrix (Table 9.6) will be used and a significance assigned.<br><br>The ES should ensure that any assessment undertaken within the inter relationships chapter is consistent with the methodologies and conclusions of the individual chapters. |

# 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 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 | Nottinghamshire Fire and Rescue Service |
| The relevant police and crime commissioner | Nottinghamshire Police and Crime Commissioner |
| The relevant parish councils | Averham, Kelham and Staythorpe Parish Council |
| | South Muskham/Little Carlton Parish Council |
| | Bathley Parish Council |
| | Eakring Parish Council |
| | Caunton Parish Council |
| | Kneesall, Kersall & Ompton Parish Council |
| | Laxton and Moorhouse Parish Council |
| | Norwell Parish Council |
| | Sutton on Trent Parish Council |

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

| SCHEDULE 1 DESCRIPTION | ORGANISATION |
|---|---|
| | North Muskham Parish Council |
| | Carlton on Trent Parish Council |
| | Weston Parish Council |
| The Environment Agency | The Environment Agency |
| The Civil Aviation Authority | Civil Aviation Authority |
| The Relevant Highways Authority | Nottinghamshire County Council |
| The relevant strategic highways company | National Highways |
| The Coal Authority | The Coal Authority |
| The relevant internal drainage 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 |
| The Crown Estate Commissioners | The Crown Estate |
| The Forestry Commission | The Forestry Commission |
| The Secretary of State for Defence | Ministry of Defence |

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS[2]**

| STATUTORY UNDERTAKER | ORGANISATION |
|---|---|
| The relevant Integrated Care Board | NHS Nottingham and Nottinghamshire Integrated Care Board |
| The National Health Service Commissioning Board | NHS England |
| The relevant NHS Trust | East Midlands Ambulance Service NHS Trust |

[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 |
|---|---|
| Railways | Network Rail Infrastructure Ltd |
| | National Highways Historical Railways Estate |
| Civil Aviation Authority | Civil Aviation Authority |
| Universal Service Provider | Royal Mail Group |
| Homes and Communities Agency | Homes England |
| The relevant Environment Agency | The Environment Agency |
| The relevant water and sewage undertaker | Severn Trent |
| The relevant public gas transporter | Cadent Gas Limited |
| | Northern Gas Networks Limited |
| | Scotland Gas Networks Plc |
| | Southern Gas Networks Plc |
| | Energy Assets Pipelines Limited |
| | ES Pipelines Ltd |
| | ESP Connections Ltd |
| | ESP Networks Ltd |
| | ESP 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 |
| | Mua Gas Limited |

| STATUTORY UNDERTAKER | ORGANISATION |
|---|---|
| | Quadrant Pipelines Limited |
| | Squire Energy Limited |
| | National Gas |
| The relevant electricity generator with CPO Powers | Staythorpe Power Station |
| 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 |
| | 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] |
|---|
| Newark and Sherwood District Council |
| Nottinghamshire County Council |
| Melton Borough Council |
| West Lindsey District Council |
| North Kesteven District Council |
| Bassetlaw District Council |
| Rushcliffe Borough Council |
| Gedling Borough Council |
| South Kesteven District Council |
| Ashfield District Council |
| Mansfield District Council |
| North Lincolnshire Council |
| Rotherham Metropolitan Borough Council |
| Nottingham City Council |
| Doncaster Metropolitan Borough Council |
| Derbyshire County Council |
| Leicestershire County Council |
| Lincolnshire County Council |

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

# APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

| CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE: |
|---|
| Averham, Kelham & Staythorpe Parish Council |
| Bathley Parish Council |
| Canal and River Trust* |
| Carlton on Trent Parish Council |
| Caunton Parish Council |
| Coal Authority |
| Environment Agency |
| Forestry Commission |
| Historic England |
| Kneesall, Kersall & Ompton Parish Council |
| Laxton & Moorhouse Parish Council |
| National Grid Electricity Distribution (East Midlands) |
| National Grid Electricity Transmission |
| Natural England |
| Network Rail |
| Newark and Sherwood District Council |
| NHS Nottingham and Nottinghamshire Integrated Care Board |
| North Kesteven District Council |
| North Lincolnshire Council |
| North Muskham Parish Council |
| Norwell Parish Council |
| Nottinghamshire County Council |

| |
|---|
| Rotherham Metropolitan Borough Council |
| South Kesteven District Council |
| South Muskham & Little Carlton Parish Council |
| Sutton-on-Trent Parish Council |
| United Kingdom Health Security Agency |

*Whilst the Canal and River Trust Response was dated after the 28-day consultation period, this is a version provided to correct a naming error of the Proposed Development only, with the remainder of the content the same as a version received within the 28-day period.

## Averham, Kelham & Staythorpe Parish Council 5th December 2023

**Response to:**

Great North Road Solar Park, Environmental Impact Assessment Scoping Report, November 2023

**AKS Parish Council Comments:**

Page 13 states "The whole of the area within the current Order Limits is described as being in one, and only one, of the following:

- Solar areas;
- Cable areas; or
- Other areas."

It goes on further to state "In addition, approximate locations for BESS, substations and construction compounds have been identified. These are within either Solar, Cable or Other areas" The PC believes that BESS and Substations warrant inclusion as individual "areas" similar to solar or cable areas and should be scoped in accordingly.

Page 17 Paragraph 138 seeks to set distance limits to other proposed developments that should be included in the cumulative assessment. By doing so it sets unreasonable parameters by completely ignoring any BESS proposals and any individual, smaller scale solar developments in the locale. The PC would seek to have all such developments, at whatever stage of the process be taken into account in any Cumulative Assessments.

Page 33 Table 5.1 identifies potential view points for the LVIA. The PC would comment that the number included in and around the Averham, Kelham and Staythorpe are are insufficient to adequately assess the visual impact on our community given the high concentration of the project in such a small community.

Page 35 Section 5.8 seeks to identify matters and aspects to be scoped out of the LVIA. It is an over simplification to suggest that a distance of 2-3 km is adequate for solar panels, this does not take into account the associated infrastructure comprising transformers and the like which are considerably higher. nor does it take in to account the greater visual impact of substation and BESS installations. Additionally it seeks to exclude residential visual amenity of properties over 100m from solar areas **and other above ground installations** which again would include BESS, substations and all associated infrastructure. The PC would request that the stated distance of 5km be adhered to and a minimum distance of 500m be applied in the case of residential properties.

Page 54 paragarph 253 sates "At distances greater than 5 km, it is considered that solar developments in low lying catchments are unlikely to contribute to chemical or sedimentation effects due to attenuation, dilution and deposition". This section stays silent on BESS, substation and infrastructure areas. The PC request that these areas be scoped in especially in and around the Averham, Kelham and Staythorpe area where there are direct routes from proposed areas into adjacent drainage dykes into the River Trent. This

is of further concern as in AK&S such installations will be adjacent or on areas proposed as floodplain compensation for the proposed dualling of the Newark Bypass.

Page 64 paragraph 308 states “Therefore, for the purposes of the assessment of potential cumulative effects on the catchment in which the Development is located, only proposed developments, which require large scale construction / excavation, within approximately 5 km of the Order Limits will be considered.” As with the above item AKS PC would request that BESS, substation and infrastructure areas should be considered in the cumulative effects on catchment areas.

Page 64 Table 7.6 seeks to scope out the transfer of chemicals to surface water resources during operation and chemical pollution from damaged PV arrays / leakage from the PV arrays. However it stays silent on BESS, substation and infrastructure areas. AKS PC would request that these be included in the cumulative impact assessments especially given the enormous H&S and environmental impact a fire or the like would have in and around a BESS facility.

Page 82 paragraph 384 identifies a number of roads as key receptors. It does not include the A617, the PC would suggest that this be included.

Page 109 Table 11.2 does not include traffic flows for the A617, this is a major route used by heavy goods vehicles travelling form East to West from the A1 to the M1 Via the MARR and a survey should be undertaken and included. This is especially pertinent to traffic flows over Kelham Bridge which is a Grade II listed structure.

Page 111 section 11.5.3 indicates Broadgate Lane Kelham as a potential key construction access routes, the PC consider this route to be unsuitable for all but minor traffic and should not be included as an option for construction traffic.

Page 113 paragraph 573 states “Assessment of the Development's effects on climate change (calculation of carbon footprint) to include calculation of greenhouse gas emissions relating to construction, operation, decommissioning and the production of electricity” In order to fully assess the carbon footprint it is now accepted that the “whole life cycle” of a project should be taken into consideration. In this case there is no mention of the process whereby minerals are extracted, transported, processed, manufactured and delivered in order to produce the components required. The PC would request that this be taken into account to establish the true green credentials of this proposal.

Page 123 paragraph 620 states “Waste during construction and decommissioning would be recycled in line with good practice and market conditions.”. The PC would request the removal of the wording “and market conditions” as this would leave the project open to waste being removed in the most cost effective manner for the developer as opposed to the most environmentally friendly also, potentially, leaving Parishes with sites not returned to their original condition.

Page 127 table 13.2 under the Fire section states that “There is a known, small risk of fire associated with Battery Energy Storage Systems (BESS)”. It is widely acknowledged that the risk of fire associated with BESS facilities is high and the consequences would prove to be catastrophic from a Health & Safety and environmental perspective and should not be underestimated.

Section 15 Table 15.1 outlines elements to be scoped out of the EIA. The PC would comment as follows:

The LVIA section seeks to excludes properties beyond 100 m from the Solar Areas and other above ground elements. Given the nature of the scale and height of the associated infrastructure and BESS the PC would request that the 100m limitation be increased to a minimum 500m.

The Hydrology section seeks to exclude the following at the operational stage:

- Transfer of sediment to surface water resources.
- Transfer of chemicals to surface water resources during operation
- Chemical pollution from damaged PV arrays / leakages from the PV arrays.

There is no mention here of the infrastructure and BESS areas. The PC request that these elements be scoped in especially in and around the Averham, Kelham and Staythorpe area where there are direct routes from proposed areas into adjacent drainage dykes into the River Trent. This is of further concern as in AK&S such installations will be adjacent or on areas proposed as floodplain compensation for the proposed dualling of the Newark Bypass.

The noise sections seeks to scope out the effect of traffic vibration which is dismissed as having any adverse effect by comparing it to “closing doors, walking on suspended wooden floors and operating domestic appliances”, this is a somewhat dismissive statement. The PC would request that due consideration be given to the potential effects that traffic vibration may cause and scope in the construction phase as a minimum.

Socio Economics section states that the Socio-economic effects from the Development are expected to be modest during the operation phase and much less than those of the construction phase. Social and economic factors include factors such as income, education, employment, community safety and social support. The choices that are available in a community are impacted by social and economic factors. These choices include our abilities to afford medical care and housing and to manage stress. This development will have an impact on a large number of communities to a greater or lesser degree. One of these impacts will be a reduction in the desirability or appeal as rural residential areas which will have a socio economic impact in those communities. The PC would request that this be scoped in and not excluded.

The PC would also request for consideration that Human Health be included as a Chapter in it’s own right rather than be included under miscellaneous. In addition we would also request a section be included to cover Climate Change.

AKS Parish Council sincerely hope that you will consider the incorporation of our comments above.

Bathley Parish Council
c/o Sally Grogan
Bathley House
Main Street
Bathley
NG23 6DJ

**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Consultee Bathley Parish Council ('the Council')**

## 1.Introduction

Elements Green Trent Ltd ('the Applicant') proposes to construct and operate Great North Road Solar Park (GNR) ("the Development"), a proposed solar photovoltaic (PV) electricity generating facility within the district of Newark and Sherwood and the county of Nottinghamshire. When built, the Development would have an anticipated solar electricity generation capacity of approximately 1,120 megawatts (MW) Direct Current (DC) to be connected into the existing National Grid Staythorpe Substation. The following represent the views of Bathley Parish Council as to what should be scoped into the eventual Environmental Impact Assessment (EIA) and subject to examination. We are grateful to the Planning Inspectorate for being included as a consultee.

## 2.Cumulative Assessments

Section 4.1.6 of the Scoping Report (SR) addresses this topic and as far as paragraphs 131- 141, **the Council would wish these to be scoped in.**

The Council notes the PINS Advice Note 17 and the findings in the High Court judgement Pearce v Secretary of State for Business, Energy, and Industrial Strategy [2021] EWHC 326 (Admin). The parameter of projects being 'reasonably foreseeable' should be the assessment criterion, therefore

**The Council would wish that all approved and undetermined applications for PV farms and BESS within 10km of the Order Limits be included in cumulative assessments. It would be sensible to attach a minimum capacity size to projects to be included. It is hoped that expert guidance could advise on this but one suggestion might be that for PV farms, a minimum output of 3MW AC and for a BESS maximum storage of 20MW could be limits.**

In general, though, the Council accepts the Assessment methodology at 14.2 of the SR.

### 3.1 Landscape and Visual Impact Assessment (LVIA) -RVAA

The Council welcomes the inclusion of a Residential Visual Amenity Assessment (RVAA) within the LVIA and this should be scoped in. The Applicant has suggested that the following PV solar farm components:-

fixed or single axis tracker panels with a suggested height of approximately 4m.

Deer fencing with a height of up to 2.5m. Deer fencing has a lesser visual impact than security fencing. Within the industry there is a gradual move away from deer fencing to security fencing given a spate of thefts from solar farms.

CCTV and lighting poles with no height given. Typical CCTV poles could be around 2.5m – 3m with lighting poles higher.

At 5.8 of the SR it is stated that solar developments are limited height. The 4m height limit is not low and the effect of long lengths of 10 foot fencing add to the reduction in visual amenity.

The Guidelines for Landscape and Visual Impact Assessment (3rd edition) -Landscape Institute/ Institute of Environmental Management and Assessment (2013) [GLVIA3] stipulates that a key matter for any LVIA would be to scope and address the main receptors ie those persons who can view the development and the changes to the landscape it brings about and are
affected by the changes.(S3)

**The Residential Visual Amenity Assessment should scope in all impacted residential premises within 1km of the solar arrays, infrastructure and the BESS and all residential premises within 500m of the outer edge of the cable corridors.**

### 3.2 Landscape and Visual Impact Assessment (LVIA) -Landscape

**The Council would wish that a landscape study area of 5km from the solar arrays be scoped in** but would accept that fields at the extremities of the Order Limit that are only being used for underground cabling, need not be the start point for the 5km measuring point.

### 4. Traffic and Access

The Council agrees this matter should be ‘scoped in’ and appropriate assessments included as part of the Environmental Statement (ES). Figures at 11.1 of the SR show the proposed construction key access routes. Paragraph 548 states that the Traffic and Access Chapter will report the assessment of likely transport effects. It limits the Fear and Intimidation effects to pedestrians. When assessing the suitability of mainly narrow country lanes chosen as site access routes, **the Council believe that a Fear and intimidation assessment (comparable with the weighting system included in the 2023 IEMA Guidelines) should include cyclists, equestrian traffic and pedestrians with dogs and this should be scoped in.**

Paragraph 569 states that "*the operational phase is expected to only generate a very small number of vehicular trips.".* Whereas this may well be true for routine plant and land maintenance, there seems to be an underlying assumption that there will be no need for panel replacement during the lifetime of the project. This may be true or may not. The SR states this will be assessed in the Traffic and Access ES Chapter.

**The Council believes this chapter should assess, quantify and scope in the issue of panel replacement and the traffic plans to so accommodate.**

**5. Flooding and Hydrological**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. It is accepted that the Flood Risk Assessment (FRA) will attempt to demonstrate that field run off will not accelerate during the operational phase by using sustainable drainage systems (SuDS).

The applicant seeks to scope out three potential assessments.(Table 7.6)

*Transfer of sediment to surface water resources*

*Transfer of chemicals to surface water resources during operation*

*Chemical pollution from damaged PV arrays/ leakage from PV arrays*

The justifications for scoping out are on-site vegetation cover and the physical separation between the arrays and surface water. This will not necessarily prevent run off. The quantity and nature of on-site stored chemicals also needs to be quantified and assessed in the ES.

For these reasons, it is contested that the arguments for their 'scoping out' fall and **The Council believes that the transfer of sediment to surface water resources and the transfer of chemicals to surface water resources during operation should be scoped in for assessment.**

**The Council feels that an evidence-based risk assessment of the potential for chemical pollution from damaged/end of life fixed and single axis tracker panels should be scoped in.**

**6. Glint and Glare**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. Glint and glare assessors often rely on a circa 1.5m AGL receptor height assumption.

**However, for the purposes of scoping in, The Council believes that the assessment should vary the receptor height when analysing the effects on transport.**

This should be for all major roads frequently used by HGVs. A comprehensive traffic survey by the Applicant will also hopefully identify roads in the study area commonly used

by agricultural vehicles, especially during harvest. This height variance may have always been intended but it is not clear.

**The Council believes that sample points covering the A1 northbound carriageway and the East Coast mainline should be significantly closer then 200m apart and their data should be scoped in. It is also believed that the glint and glare assessment should include proposed future height changes in the A46 carriageways.**

**7. Socio-Economics, Tourism and Recreation**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. Paragraph 461 attempts to summarise the likely environmental effects of the development. It includes the phrase:-

*"Creation of long-term employment opportunities once the Development is operational including, consideration of any existing employment uses on-site (principally related to agricultural land use);"*

It is hoped the meaning of the second part of this sentence means that this includes a quantifying of the long term lost employment opportunities in agricultural and leisure businesses and their related supply chains, due to the change of land use. If it does not **the Council would wish this to be scoped in.**

**The Council believes that the ES should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the operation of the development and a comparison of this to the economic benefits/gains identified. This should be an individual assessment and a cumulative one, encompassing all other proposed schemes within or in proximity to the order limits.**

To fully satisfy these requirements, it will of course necessitate an assessment covering the operational phase and not just construction and decommissioning. Great care should be taken when making these assessments if they are to include shepherds and others associated with caring for sheep. It is noted that this project is yet another PV farm proposal which suggests possible dual use – PV panels and sheep grazing. During the last six years, the number of sheep nationally has declined in all but one year (2022). Also, many sheep keepers do not like using solar arrays for grazing as it is very difficult to gather the sheep when they need to be moved.

**The Council believes that the sheep argument for dual use here should be backed with scoped in evidence of significant local demand for extra grazing land.**

The Council feels that the Inspectorate must satisfy themselves that this can be secured as part of any proposal to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic.

Paragraph 462. Is unclear on this-

*Both direct and indirect effects will be assessed for both the construction and operation phases of the Development. The operation phase will consider tourism only.*

**So for clarity's sake, the Council would wish scoped in assessments of effects for construction, operation and decommissioning including effects on tourism for all three phases.**

**9. Land Use**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.
The development will require the removal of a significant amount of topsoil to facilitate the construction of access roads and tracks and the then likely replacement with sand and aggregate. It is accepted (though not clear) that this might be addressed by paragraph 507 -

*"It will consider the method and activities of the construction phase and the impacts and effects that this would have on soil qualities."*

As this development will be temporary and the stated intention is to return the land back as much as is possible to its original state, **the Council believe that details should be scoped in of how and where the removed topsoil is to be stored and the long-term effect of such storage on its quality.** It is accepted that full details could be included in any site waste management plan.

**10**. **Waste**

Paragraph 621 states:-
*"The production of waste during the operational phase of the Development will be minimal and is proposed to be entirely scoped out of the EIA."*

Given that the site will have to include large areas of grassland (for the sheep), the operational phase will require a grass management strategy for the 40 years. It would seem essential that mowing will be required.

Biogas largely consists of methane (CH4), produced during the natural decomposition of organic material in an airtight environment. Ordinary lawn clippings yield one of the highest volumes of biogas per ton. Methane is a potent greenhouse gas—about 28 times more powerful than carbon dioxide at warming the Earth, on a 100-year timescale, and more than 80 times more powerful over 20 years.

If the cuttings from this site grass mowing during spring and summer were not transported off site but left to rot in piles, this would lead to anaerobic digestion, producing methane. Aerobic digestion, as happens when plant matter is incorporated into soil, leads to carbon capture. Without a submitted waste management plan as part of the ES covering this point, it is impossible to evaluate the costs and benefits of the planned grassland.

**Therefore, the Council believes that the management of 'waste' grass cuttings on-site during the operational phase should be scoped in.**

**11. Ecology, Ornithology and Biodiversity.**

In all their proposals with regards wildlife, they are only commenting on Protected and notable Species, but there is a whole host of common or garden species that will have their lives severely affected. Deer, of which there a very many grazing wild in Notts, foxes, hares, rabbits etc etc. Are these fences going to block these animals' normal routes around the countryside? When new roads cross badger paths there must be accommodation made for them.
Will gaps be left under the fences to allow access to these mammals? Where will the deer go if their normal routes are blocked by the deer fences? They will be pushed onto the roads and cause danger to themselves and vehicles.

**As well as looking at habitat for wildlife including their holts, setts and burrows etc, the ES must look at the restriction to the ability to access the normal travel routes and food sources.**

**12. Other Assessments.**

The Council agree with the Applicant and believe the following should also be scoped in for assessment:

Cultural Heritage and Archaeology
Human Health
Climate Change

The Council submits the above for consideration.

Bathley Parish Council

Canal & River Trust
Making life better by water

**Your Ref** EN010162

**Our Ref** IPP-209

**Monday 11 December 2023**

BY EMAIL ONLY GreatNorthRoadSolar@planninginspectorate.gov.uk

**EN010162 Great North Road Solar Park – Scoping and Regulation 11 Notification**

Thank you for your consultation on the Environmental Impact Assessment Scoping report, which relates to the Great North Solar Park project.

The Canal & River Trust 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.

The Trust Navigation Authority for The River Trent, including canalised sections in and around Newark on Trent. The Trust also have land interests in the local area.

Having reviewed the Scoping Document, we wish to raise the following comments.

The red line boundary of the project is separated from our assets by both the A1 and existing railway alignments. The Trust does not own or managed the non-navigation parts of the Trent closest to the project between Averham and South Muskham, which are the closest part of the wider river corridor to the red line boundary of the project. As a result, impacts for the Trust are likely to be limited to long distance views and the routing of construction traffic to access the development site.

**Landscape and Visual Effects (Chapters 6 and 7)**

The above ground installation of the solar farm would result in both long-term landscape/visual impacts and temporary visual impacts to facilitate construction. Due to the scope and scale of the solar project, it is likely that elements of the project will be visible from the waterway corridor managed by the Trust.

Boaters using the river Trent will be within 5km of the Order Limits to the east of the solar farm, and we request that the LVIA should assess impacts as viewed from the river. To ensure this forms part of the wider assessment **we request that they should be identified as a receptor within paragraph 158 of the Scoping Report** so that any impact on these users is assessed in addition to people using footpaths and open access areas.

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 appreciate that the LVIA will include viewpoints close to the Trent to the East of the site (viewpoints 18 and 20 as seen on figure 5.1). The submitted zone of theoretical visibility within figure 5.1 shows that the banks either side of the river Trent might be above to view a proportion of the solar areas, which suggests that this part of the Trent will be the part most impacted by works. An additional viewpoint to the south of viewpoint 20 could be used to help judge the full impact of the scheme on the river (and users of the river) itself.

### Glint and Glare

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

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

Paragraph 582 lists potential receptors to 'Glint and Glare' effects, but does not list boaters. We advise that this paragraph should be amended to include these users, so as to ensure that the full assessment considers these users and the potential impact on navigation. Boaters should be considered as a separate receptor for the purposes of being split into subgroups for the assessment of glare effects (paragraph 586), which would then enable further assessment should the initial review highlight any potential concerns.

### Traffic and Access

Paragraph 522 confirms that detailed consultation has not yet taken place in relation to traffic and access. It is noted that the Trust are listed as a body to be consulted through the EIA process on traffic impacts, which is welcome. For clarity, we advise that the Trust is addressed identified by our correct name "Canal & River Trust", with no use of plurals to avoid confusion.

Due to the distance of the red line boundary from our network, we expect that impacts concerning traffic and access 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.

### Other Comments

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

The proposals are not in close proximity to Trust land or waterways. Should the red line boundary of the scheme be amended, the Trust would wish to be reconsulted on the proposals so that any impact on Trust assets can be fully assessed.

Proposals that include works in close proximity to the Trust's waterways would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'; which could apply if the scheme is amended to incorporate land incorporating/close to Trust assets. The applicant/developer is advised to contact the Canal & River Trust's Works Engineering Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.

Yours Sincerely

**Simon Tucker MRTPI**
Area Planner

[redacted]

https://canalrivertrust.org.uk/specialist-teams/planning-and-design

Carlton on Trent Parish Council
The Shires
Castle Hill
Carlton on Trent
Notts NG23 6NX

GreatNorthRoadSolar@planninginspectorate.gov.uk

To The Planning Inspectorate

**Subject: Comments on Scoping Opinion for the Great North Road Solar Park**

As statutory consultees on the above-named proposed development, the Parish Council appreciate the opportunity to contribute to the scoping process and ensure that all relevant aspects are considered in the planning and development of this project.

The Parish Council is acutely aware that current generations are more focused on a greener way of living than ever before. There is a concentrated effort to slow down Global Warming and reduce the negative impact the human race is having on this planet, specifically with regard to our carbon footprint. The 'Great North Road Solar Park' is of such a scale that there will clearly be a significant impact locally. As consultees it is the responsibility of the Parish Council to ensure that the applicant has considered all aspects and taken all relevant action to mitigate against any detrimental effect, short term, long term and in perpetuity.

**Environmental Impact Assessment (EIA):** It is imperative that the scoping opinion includes a comprehensive Environmental Impact Assessment (EIA) that thoroughly examines the potential environmental consequences of the solar farm. The Parish Council welcome the inclusion of all the aspects covered in the applicant's scoping report and would like to see these enforced. However, given the unprecedented scale of the development the Council feel that table top studies will not suffice and that accurate data collection is a must. The council therefore request that the Planning Inspectorate impose greater requirements throughout and especially in the areas detailed below.

1. **Flooding and Hydrology :** Having recently suffered at the mercy of storm Babet with houses being evacuated as a result of water ingress attributable to the volume of run off from the fields forming part of this development, the council want to see very stringent requirements in place around flood mitigation. The sloping nature of the fields within our parish that form part of this development will, as acknowledged by the developer, lead to increased surface water run off during rainfall events. This enhanced run off will contribute to soil erosion, consequently exacerbating surface water flooding downstream. The slope may pose challenges in effectively managing storm water on the site. The installation of solar panels and associated grading will alter natural hydrological patterns on the slope, potentially leading to changes in water flow and drainage pathways, which are likely to contribute to surface water flooding. The gradient of the fields is likely to accelerate the flow of

surface water, increasing water velocity. Higher water velocities can contribute to erosion and the potential for more extensive flooding downstream, particularly in areas where water drainage pathways converge. This can increase the likelihood of surface water flooding in downstream areas with the gullies unable to cope with the volume of water (as experienced in 2007, 2017 and October 2023). The installation of solar panels on a south-north sloping field requires comprehensive surface water management plans to mitigate the potential negative impacts on local hydrology and reduce the risk of flooding. Altered water flow patterns and increased sedimentation can have long-term consequences for local ecosystems and water quality, impacting flora and fauna beyond the area of the development itself. The council therefore feels there needs to be a hydrological study covering a 20 km radius, focusing on potential impacts on all drainage systems and water bodies. This needs to be combined with an onerous flood mitigation plan that goes above and beyond standard requirements, accounting for extreme weather events such as the recent surface water flooding in the parishes within this development area. The significance of adequate water storage to hold any water runoff caused by the panels cannot be understated. The council request that information collected on the adequacy of water collection and storage on existing solar farms is incorporated into any EIA to inform this development and thus mitigate against the increased effect from flooding.

2. **Residential Amenity Impact**: Negative psychological impacts of large solar farms are subjective and vary among individuals and communities. This development has already raised anxiety about aspects of the development such as glare and noise or the visual impact on walking the local area. Differing opinions within the community regarding solar energy and this specific development are already exposing tensions and conflicts, impacting social cohesion and the overall community atmosphere. Changes to the landscape and the introduction of large solar panels can be perceived as visually disruptive, leading to a sense of loss in the aesthetic appeal of the surroundings. Some individuals are already worried about decreases in property values due to the presence of such a large solar development which is affecting their perception of their home's worth and long-term investment. There are also concerns about health impacts related to electromagnetic fields generated by solar infrastructure. Even though scientific evidence generally suggests low health risks, such a major development will create a significantly increased risk. Many of the comments in this scoping response result from concerns raised by residents who are already questioning glare, noise, impact on wildlife, increased traffic, etc. It is therefore imperative that there is a thorough investigation of the potential impact on residential properties within a 3 km radius, including noise, visual intrusion, and psychological effects There needs to be a continuous monitoring plan for residential areas throughout the project lifespan, with a commitment to act upon any such negative impact. Those concerned don’t just need reassurance that glare and noise will not impact, they need to be given a guarantee that if affected, the appropriate panels/power units will be removed to alleviate the psychological and/or physical impact.  Such reassurances and

commitments to prevent any physical or psychological impact from an early stage will be essential to gaining support for the project.

**Site Selection and Alternative Analysis:** No land categorised grade 3a or above should be used as part of this project. Land for sale in this parish has been assessed as grade 2. The Parish Council anticipate a robust independent assessment will take place to ensure land suitable for agricultural use is not used for the purpose of PV panels. Members of the council with long standing knowledge of agricultural practise are well aware that the land quality is determined by the management used. While Great North Road Solar Park is a temporary structure the change in land management will inevitably affect the long term structure and quality of the soil. There are many solar farms that are well established; the council would like an analysis of the changes in the soil structure since such land has been removed from generic farming practise; a comparison of soil status after being under panels to before. A desk top survey will not suffice. This would satisfy a concern about the degradation of the land and confirm land reinstatement as possible.
The use of agricultural land for anything other than the growing of crops means production of food for our ever-growing population becomes increasingly dependent on other nations, shifting the burden of our carbon footprint from energy production to food importation. The EIA must therefore demonstrate that careful consideration has been given to sourcing alternative sites such as the use of rooftops, both industrial and residential being exploited to its maximum capacity and use of brown field sites rather than agricultural sites. The benefits of the solar farm in energy production and carbon reduction, must be shown against the loss of crop production and the increase in reliance on importing food. A site of this scale will undoubtedly raise concerns about its impact - the EIA should therefore also demonstrate why it is necessary to concentrate production into one huge area rather than being on a much smaller scale, spread around the country to reduce the impact to any specific area. The EIA should include a comprehensive report justifying the chosen site over all other potential locations, considering environmental, social, and economic factors. The developer should also provide a detailed comparative analysis of alternative renewable energy, such as water turbines on the river and the step fusion plant provision being developed at West Burton.

3. **Visual Impact and Landscape Assessment:** Solar panels will impact the landscape visually. This assessment should therefore evaluate the aesthetic impact and address any potential visual intrusion on the scenic quality of the area. The EIA should include a visual amenity study with a radius of 10 km, accounting for the potential visual impact on historically significant viewpoints. This development will potentially cover two thirds of this parish in solar panels, not to mention impacting 18 other parishes. There will be a vast impact to whole villages, both in how the villages and their surrounding landscapes look and what the residents look at from within their homes. The parish council therefore feel it is very important that the EIA includes appropriate visualisation points, both in number and position. Indeed, the council would welcome the opportunity to recommend specific points, including but not limited to;

- from across the Trent basin looking towards Carlton from Besthorpe/Collingham,
- from the turbines at the top of the hill on Ossington Road looking across to Lincoln,
- looking towards the parish from Tuxford including the cumulative impact with the current panels of Egmanton and the wind turbines,
- from the A1 approaching the parish from the south.
  The iconic visual landmark of our parish is St Mary's Church spire, the council wish to preserve this and are keen to mitigate against any negative impact.
  The council would like to see each parish impacted by the development invited to submit visualisation points which must be included in the EIA.
  The Parish Council would like to see an independent third-party expert panel engaged for an independent assessment of the visual amenity, providing detailed reports on the potential degradation of the landscape.

4. **Community Engagement and Stakeholder Consultation:** The scoping opinion should emphasize the importance of robust community engagement and stakeholder consultation throughout the planning and development phases. The Parish Council feel concerned that developers have been in talks with landowners for some two years regarding this project but chose not to make plans public until a matter of days before submitting the scoping opinion, giving little time for parishes to comprehend the scale, nature and impact of the project and prepare a comprehensive scoping response. The council would like to see a much more transparent operation moving forward in which communities are properly consulted and have the opportunity to work with developers to embrace green energy provision whilst protecting the special features of their local environment. The Council believe that as a minimum this should include letters sent to every household informing them of the proposal and inviting them to a **series** of meetings presenting the many different aspects of the proposal, discussing concerns and evidencing resulting changes to the plan, as well as explaining how the public can comment on the application.

5. **Glint and Glare:** The council would like to see a detailed analysis of glint and glare, considering potential impacts across the full development on aviation, road safety, public rights of way and residential areas. This must be accompanied by a mitigation plan that exceeds industry standards due to the scale of the project, ensuring minimal glint and glare effects. Most vehicles using the roads around this development have high cabs such as HGVs and tractors, this road safety issue needs specific consideration when mitigating for the effect of glint and glare.

6. **Wildlife and Habitat Protection:** The solar farm's impact on local wildlife and habitats should be thoroughly assessed. Measures to mitigate potential harm to fauna and flora, as well as the preservation of critical habitats, should be explicitly outlined in the scoping opinion. The council request engagement of a team of ecologists to conduct continuous monitoring of flora and fauna, with monthly reports on the conservation status throughout the development of the

project and a commitment to respond to any negative impact. The council would also like to see an extensive habitat restoration program that goes beyond compensatory measures, ensuring a net gain in biodiversity. The destruction of many acres of land, which is currently a habitat for thousands of different species, will have a negative impact for all. A formal study by an independent specialist would highlight exactly the scale of this impact. The EIA should therefore include a specialized study on the potential impact of reflected light on birds and insects, especially on migratory routes given the fact that the Trent Valley is significant for many migratory birds. This should be accompanied by a commitment to implement mitigation measures that exceed industry standards, ensuring minimal disturbance to local wildlife. Where removal of hedges occurs it will have a significant impact on biodiversity so the EIA needs to show that there will be no loss of habitat or wildlife corridors.

7. **Sustainable Practices and Renewable Energy Benefits:** The scoping opinion should highlight the project's commitment to sustainable practices, such as the use of environmentally friendly materials, energy-efficient technologies, and the incorporation of renewable energy benefits beyond electricity generation.

8. **Traffic and Infrastructure:** Assessments of the potential impact on local traffic and infrastructure should be included in the scoping opinion. This should address any increased traffic flow during the construction and operation phases and propose solutions to mitigate adverse effects. It is noted that the scoping report does mention construction traffic but that it refers to the noise level as minimal. Councillors feel this is based upon studies which were carried out when the UK had a well-maintained road system. It is widely reported that potholes are the blight of the nation, causing sleep deprivation in areas of heavy traffic. This development will result in a massive increase in the number of vehicle movements along narrow rural roads, some of which have weight limits and most of which are already scarred with potholes. The council would therefore like to see more in the EIA on the impact of noise from empty vehicles clunking over pothole pitted surfaces and a commitment to addressing the issue of damage to road edges and verges caused when such vehicles have to pull over to pass other road users. The council do not want to see the ruts in the verges which were prevalent prior to the weight limits being imposed. It would not be sufficient to provide a detailed analysis of the potential disruption caused by construction traffic, including road closures, detours, and delays. The usually quiet, narrow roads are popular with non-vehicle users and make development of a traffic management plan that guarantees zero impact on pedestrian, cyclist, and equestrian users of all roads, equally important.

9. **Tourism and Leisure:** As the name suggests, the Newark and Sherwood area inextricably links Newark on Trent, just South of this development and renowned for being a fiercely contested hotspot in the Civil War, to Sherwood Forest to the North of the development and notorious for its connections to Robin Hood. These make the whole area very popular with tourists bringing income to the local economy, with local pubs, restaurants and B&Bs

benefitting. The rural beauty of the area makes it popular with walkers, cyclists and horse riders. It is almost incomprehensible to think that covering the area in solar panels will continue to have the same attraction. The council would therefore like to see a comprehensive study on the potential negative impact on local tourism and leisure activities, including detailed assessments of foot traffic, horse riding, and other recreational pursuits along with a robust tourism promotion plan to counteract any negative impacts. Carlton-on-Trent benefits from the local caravan parks, public house and B&B's, the need to protect the tourism and leisure revenue supports the need for stringent Visual Impact Assessments.

10. **Cumulative Impact:** Within the same area there are two further proposed solar farms of sufficient scale to be considered NSIPs, as well as numerous existing solar farms. The cumulative impact will dramatically change the rural nature of the landscape over a considerable area – turning in excess of 25,000 acres of agricultural land to industrial use. The scoping opinion should consider the cumulative impact of the proposed solar farm in conjunction with all existing and planned developments in the surrounding area. This holistic approach is crucial for understanding the overall impact on the environment and community. The Parish Council request the inclusion of a detailed analysis of all solar farm projects within a 50-mile radius (including successes and failures and sites at all stages in the development process) to show the cumulative impact of this development.

11. **Land Reinstatement:** The council want to see a detailed plan for land reinstatement that includes a financial guarantee for the complete restoration of the site, irrespective of the financial standing of the developer at the time of decommissioning with a third-party escrow service to hold the restoration funds to ensure their availability even in the case of bankruptcy. To date there is no data publicly available showing how land quality has been affected by the long term establishment of solar farms. Land grade prior to any solar farm construction is rigorously assessed and it is feasible to reassess the quality of the land thus ensuring no deterioration has occurred. The Council wish to have included an analysis of the land/soil condition before and since establishment to demonstrate that reinstatement to agricultural use will be possible at the end of the project.

12. **Grid Connection:** The EIA needs to show that Staythorpe has sufficient capacity to take all the planned solar developments prior any development taking place. It is documented that a number of wind turbines erected in Scotland have never turned because they did not obtain grid connection before installation and were refused it after. It would be a travesty to fill fields with solar panels which stood unused. The EIA should therefore give a thorough assessment of the capacity of Staythorpe Power station. There should be a cumulative maximum output assessment to determine the increase this development and all those already approved but not yet completed could create. There needs to be robust checks to ascertain that there is sufficient surplus within the present system to accommodate the potential increase generated by all sites.

The Parish Council trust that these comments will be taken into consideration during the scoping process.  This scoping response aims to ensure the utmost diligence in assessing and mitigating potential impacts associated with a solar farm of unprecedented scale, setting the highest standards for environmental, social, and economic considerations. The Council appreciate the Planning Inspectorate's commitment to transparency and thorough evaluation in ensuring the responsible development of the Great North Road Solar Park Project.

Thank you for your attention to this matter. The Parish Council look forward to continued collaboration in the planning and execution of this significant project.

Sincerely,

Tanya Grimes
Clerk to Carlton on Trent Parish Council

**From:** info@floralmedia.co.uk
**Sent:** 07 December 2023 16:43
**To:** Great North Road Solar
**Subject:** FW: Great North Road Solar Park - EIA Scoping Notification and Consultation

[You don't often get email from info@floralmedia.co.uk. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification ]

FAO Joseph Briody (EIA advisor)

This is in response to a request for our view on inclusions to the EIA scoping report on behalf of Caunton Parish Council contact details below

Lisa-Jayne (L-J) Campbell
Clerk for Parish Councils:
Oxton, Caunton, Epperstone, Upton, Hoveringham, Bulcote, Caythorpe & Gunthorpe Church Administrator:
Benefice of West Trent beneficeofwesttrent@gmail.com Office Hours: 10am - 2pm Mon-Fri
Tel: [redacted]
Email:

We have canvassed opinion and used our own knowledge of our immediate area.

1 ,Flood risk assessment (FRA): the flood risk assessment should take into account the following; o Accurate assessment of the increased run-off from the PV panels especially sensitive due to recent floods in and around Caunton o Any mitigation measures and sustainable drainage (SUDs) schemes must be assessed based on realistic view that these measures are unlikely to receive meaningful maintenance during the 40-year period and therefore will not have the full capacity intended by the design.
o
In addition to historic data, the FRA must take into account data from extensive flooding in many areas including farmlands. This should also be informed by any incident investigation by Nottinghamshire County Council

2,Impact on people working in the area: The scale and timeline for the development will have considerable impact on the land, people living in the area. Consideration should be given to the negative impact/mitigation on farming workforce that will lose their jobs as well as loss of skills.
Financial handouts such as those on the company's website are no substitute for employment and more robust assessment should be provided

3, Impact on Rights-off-Way: Impact assessment should include Rights of Way for walkers/ramblers as well as bridleways which is traditional to the area.
Specifically, this should include the impact of extensive security fencing and any mitigation measures as well as confirmation of consultees such as Ramblers Association

4. Decommissioning; The report mentions decommissioning and removal of equipment with transformers removal "subject to discussions with the local authority". This element needs precise legal confirmation of responsibilities. This should include any transfer of ownership of the development (which is not unusual for capital venture backed schemes). It is also important to address in principle the responsibility for decommissioning should the operator cease trading. Will that fall on national, local government or land owners. This is important for the local residents because it may impact their future local taxes With best wishes

Steven Routledge (Caunton Parish Council chair)

https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.floralmedia.co.uk%2F&data=05%7C01%7Cgreatnorthroadsolar%40planninginspectorate.gov.uk%7C4def840463ae47e2c09808dbf743943a%7C5878df986f8848ab9322998ce557088d%7C0%7C0%7C638375643460543247%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000%7C%7C%7C&sdata=KUlZtZMaLxG6ve56XR78HmbZAgtTonKvMFZwa9SjgIc%3D&reserved=0
Steven mob: [redacted]

The Coal Authority

INVESTOR IN PEOPLE

RTPI Learning Partner

**200 Lichfield Lane**
**Berry Hill**
**Mansfield**
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**NG18 4RG**

**Tel:** **01623 637 119 (Planning Enquiries)**

**Email:** **planningconsultation@coal.gov.uk**

**Web:** **www.gov.uk/coalauthority**

For the Attention of: Planning Inspectorate

Newark & Sherwood District Council

**[By Email: GreatNorthRoadSolar@planninginspectorate.gov.uk ]**

16 November 2023

Dear Planning Inspectorate

**PLANNING APPLICATION: EN010162 Great North Road Solar Park NSIP ON**

**Scoping Opinion - A proposed Solar photovoltaic (PV) electricity generating facility; WEST OF THE A1 NORTH OF THE A617, EAST OF EAKRING, AND SOUTH OF EGMANTON, NORTH AND NORTH-WEST OF STAYTHORPE, NOTTINGHAMSHIRE**

Thank you for your consultation notification of the 09 November 2023 seeking the views of The Coal Authority on the above planning application.

The Coal Authority Response: **Material Consideration**

I can confirm that the above planning application has been sent to us incorrectly for consultation.

The application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

The Coal Authority Recommendation to the LPA

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Yours sincerely

**Christopher Telford BSc(Hons) DipTP MRTPI**
**Principal Development Manager**

**From:** The Coal Authority-Planning
**To:** Great North Road Solar
**Subject:** RE: [External] EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation
**Date:** 30 November 2023 13:12:00
**Attachments:** image003.png
image008.png
image001.png
image002.jpg
image004.png
image006.png

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Dear Joseph Briody,

Thank you for your notification of 09 November 2023 seeking the views of the Coal Authority on the above.

I have checked the site location plan against our coal mining information and I can confirm that whilst the site falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. On this basis the Planning team at the Coal Authority have no comments to make.

I hope that this is helpful, however please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

**Sophie Cleaver**
**Registration Process Co-ordinator – Planning & Development Team**
**T :** [redacted]
**E :** planningconsultation@coal.gov.uk
**W:** gov.uk/government/organisations/the-coal-authority

My pronouns are: she / her
How to pronounce my name (phonetic spelling): So-fee Clee-ver

Advance notice of annual leave

27th – 29th December 2023

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**From:** Great North Road Solar <GreatNorthRoadSolar@planninginspectorate.gov.uk>
**Sent:** 09 November 2023 15:23
**Subject:** [External] EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation



Dear Sir / Madam,

Please see attached correspondence on the proposed Great North Road Solar Park (Nationally Significant Infrastructure Project).

Please note the deadline for consultation responses is **Thursday 07 December 2023** and is a statutory requirement that cannot be extended.

Kind regards,
Joseph

creating a better place
for people and wildlife

Environment Agency

Planning Inspectorate
National Infrastructure
Planning
Temple Quay House (2 The
Square) Temple Quay
Bristol
Avon
BS1 6PN

Our ref: LT/2023/128195/01-L01
Your ref: EN010162
Date: 06 December 2023

Dear Sir/Madam,

**ENVIRONMENTAL SCOPING REPORT (08 NOVEMBER 2023)**

**GREAT NORTH ROAD SOLAR PARK**

Thank you for consulting us on the EIA Scoping Opinion for the above project.

We have reviewed the Scoping Report, "0026_GNR_ScopingReport_v2-2_PP_20231101.docx", dated November 2023, and have the following advice.

**Flood Risk Comments**

Scoping in/out

- Transfer of sediment to surface water resources should be **scoped in** for operation as it will take time for the vegetation to establish itself.
- Vibration from Construction, Operation and Decommissioning Traffic should be **scoped in**. The justification does not consider the potential for nearby sensitive flood defences.
- Decommissioning Vibration should be **scoped in** because the extraction of piles can be just as onerous in regards to vibration as installation.
- We would expect flood risk to be **scoped in** within the Chapter 14 Interrelationships.
- Climate change in the context of flood risk should be **scoped in**.

General comments

The development is classed as "essential infrastructure". In line with NPPF; the lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment. The development should consider a climate change allowance of 39% in line with government guidance. Please see the guidance on climate change allowances Climate change - GOV.UK (www.gov.uk). It would therefore be necessary for climate change to be scoped in to consider the flood risk of the development over its lifetime.

As the development proposes works in close proximity to the Tidal River Trent, it is necessary to provide a 16-metre buffer to maintain access routes, and ensure no damage of flood defences or the banks of the river. Horizontal Directional Drilling (HDD) should have a defined minimum vertical offset from watercourses which should be justified in the context of erosion and climate change throughout the lifetime of development. For works within 16 metres of a main river a Flood Risk Activity Permit is required, see permitting advisory at the end of this section.

Section 2.6.2 (98) suggests the inclusion of culverts within the scheme. We would oppose the culverting of any watercourses and instead prefer the installation of a temporary clear-span bridge crossing. This is in line with the Environment Agency's anti-culverting policy. We will normally only grant a permit for a culvert if there is no reasonably practical alternative, and if the detrimental effects would be sufficiently minor that a more costly alternative would not be justified or there are reasons of overriding public/economic interest. The developer should consider the effects of proposed crossings on hydrology and geomorphology. The developer will need to model the hydrology of culvert installation and how this relates to flood risk.

Table 13.2 states that for Flood Defence Failure:
*"This will be covered in the Flood Risk Assessment and will also be reported in the ES. It will cover any risk to the Development and any increased risk caused by the Development."*
Hence, vibration should be considered in more detail and scoped in.

Section 2.5.3.5 (80) describes the potential for the rerouting of infrastructure. Any rerouting of existing infrastructure across/under watercourses will require consideration of flood risk, asset geometry, offset, asset condition, vibration, and potential intersection with assets.

Section 2.5.3.6 (82) suggests the inclusion of Deer fencing, please note deer fencing may affect hydrodynamics.

Section 7.5.4 (292) describes the raising of electronically sensitive equipment. A 600mm freeboard should be used (instead of 300mm) for raising all electronically sensitive equipment above the highest modelled flood level for the 1% AEP event plus an allowance for climate change (or the breach scenario - whichever is highest).

The developer should consider:

- Surface water runoff during all phases of the development
- Loss of flood storage volume after the Sequential and Exception Test has been applied. Please note that any proposed compensation of flood storage volume will need to be localised, level-for-level and volume-for-volume. We would seek a net gain in flood storage volume.
- Any changes to hydrodynamics brought about from the proposed development.
- How the development may affect nearby assets.
- Future flood extents and depths within the lifetime of the development in the context of positioning proposed infrastructure.

The developer should consider the following data/models (please note that this list is not exhaustive):

- Tidal Trent, Jacobs, 2023.
- Trent and tributaries at Newark SFRM2.
- Halcrow, July 2011 plus the EA climate change 2020 rerun.
- Assessment for a breach on any defences along the main river(s).
- We advise using the latest climate change allowances within the models to better understand the risks related to overtopping or breach.
- The Environment Agency's Customer and Engagement team may be able to provide the following:
    - Flood map for planning.
    - Historic flood map - plus all recorded flood outlines.
    - Risk of flooding from surface water.
    - Reservoir flood extents.

If the developer utilises an existing model, it is important to check that it:

- Represents current risk.
- Uses the latest available datasets.
- Complies with current modelling standards.
- Is at a scale suitable for the assessment being undertaken.
- Captures the detail required for a site-specific assessment.
- Makes use of current climate change allowances.

Please be aware that:

- Environment Agency models are not designed to assess third-party developments. The developer should not assume that the model is suitable for assessing the flood risk associated with the proposed development.
- It is the developer's responsibility to assess the suitability of a model for the project.
- The developer should provide evidence of any modelling checks and subsequent updates and document these in the FRA model reporting.

Flood Risk Activity Permitting Advisory

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres 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

**Groundwater and Contaminated Land Comments**

The majority of the site is underlain by the Mercia Mudstone Group, with small areas underlain by the Gunthorpe Member and the Tarporley Siltstone. These are all classified as Secondary B aquifers.

Superficial deposits are present in parts of the site but are largely absent across the majority of the site. Areas of Alluvium associated with minor watercourses are present within the development boundary. Small areas of glaciofluvial deposits and Holme Pierrepont Sands and Gravels are also present. The superficial deposits are classified as Secondary A aquifers.

The Caunton public water supply abstraction is present within 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).

Near Eakring, to the west of the proposed development, the scoping boundary also crosses into the SPZ3 associated with the wider Triassic Sandstone outcrop.
We are 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 section 7 below and some general advice regarding waste management for the scheme.

Section 7: Hydrology, Hydrogeology, Flood Risk and Ground Conditions
In relation to groundwater protection and land contamination, the following matters have been scoped into the assessment.

- Chemical pollution;
- Changes in groundwater flow;
- Changes in quality or quantity of supply (PWS and PuWS);
- Migration of Pollutants from Contaminated Land.

Paragraph 291 states that:

*"The assessment will be based on a source-pathway-receptor methodology, where the sensitivity of the receptors and the magnitude of potential change (effect) upon those receptors is identified within the study areas identified in Section 7.3.1."*

We note that Table 7.3 details the framework for determining the sensitivity of receptors, but it does not explicitly mention aquifers or Source Protection Zones which we would expect.

Battery Energy Storage Systems (BESS) have the potential to pollute the environment. We note that risks from potential fire-water in relation to the BESS element of the scheme has not been mentioned within the report. 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. This is particularly important in the areas of the site that are within the source protection zone 3. Suitable environmental protection measures should be provided including systems for containing and managing water run-off. The applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring. It may be that this will be included within the CEMP.

In relation to ground conditions and land contamination there isn't much detail about how the assessment will be completed. We would expect that all potential sources of

contamination would be identified within the Preliminary Environmental Impact Assessment. For instance, we are aware that there are two historic landfills present to the south-west of Little Caunton, one within the development boundary and one immediately adjacent. We expect that this will be covered in the topic of 'Migration of pollutants from contaminated land'.

We expect the assessment in relation to land contamination to be completed in line with our guidance, Land Contamination Risk Management which we note has not been mentioned in the report.

If contamination is identified as part of the land contamination assessment works we would expect to see that a foundation works risk assessment is completed for the development. 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. This includes the use of drilling muds for the horizontal directional drilling that may be employed within the construction element of the scheme.

Waste Management Advice

Waste on site

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.

Developers 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

Developers 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.

**Biodiversity Comments**

Table 6.7 highlights the biodiversity matters to be scoped out of the assessment, we agree with the information provided in this table.

We have the following comments to make in relation to Chapter 2 and 6 from our biodiversity remit:

Section 2.5.2 (60) Buffer Zones - We are pleased to see the inclusion of at least 10m buffer zone for watercourses.

Section 2.5.2 (61) Cabling - It is understood that onsite cabling between parcels of land will seek to avoid ecological features such as watercourses and ditches. Where avoidance is not an option, trenchless method such as horizontal directional drilling will be considered. HDD and other trenchless methods generally pose least risk to existing ecology and are our preferred method.

Section 2.5.3.6 Fencing - This section states that deer type fencing is to be used on site. We are pleased to see there will be a gap of at least 3m 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.

Section 2.5.3.7 Access - Should any access tracks cross watercourses or ditches we would expect to see open span bridge design.

Section 2.5.4 Outline Landscape and Biodiversity Management Plan - We look forward to reviewing the oLBMP in due course. Whilst not presently a statutory component of NSIPs, we hope that this document will include consideration of Biodiversity Net Gain and the role Local Nature Recovery Strategies can play in ensuring development has a positive impact on biodiversity.

Section 2.6.2 Construction Activities - Clear span bridges are the preferred method for watercourse crossing points as these pose the least impact. Culverts should be

avoided. Construction compounds (including temporary 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.

Section 2.6.3 Construction Environmental Management - We support the development of a Construction Environmental Management Plan and look forward to reviewing this document in due course.

Section 2.6.7 Site Reinstatement and Habitat Creation - We look forward to reviewing further detailed proposals for environmental enhancement. We would expect the applicant to work towards achieving the requirements of Biodiversity Net Gain. Opportunities for gain may be found through the Local Nature Recovery Strategies and mitigation measures under the Water Framework Directive.

Section 6.2 (183) - We recommend the Environment Agency is added to the key consultees identified in this section.

Section 6.3.2 (196) - We recommend further investigation into which of the identified habitats are classified as Habitats of Principal Important under the NERC Act 2006. The presence of invasive non-native species and the risk of spread during construction works will need to be considered. There are records of signal crayfish, Himalayan balsam, nuttals water weed and curly water weed being present in the vicinity but there may also be other non-native species present.

Table 6.3 - We support the inclusion of great crested newt, water vole and otter within the preliminary baseline associated with the network of freshwater and associated terrestrial habitats within the order limits. For the other species identified we recommend the applicant liaise with Natural England.
We note that fish species, including eel and salmonids have not been identified. The River Trent and its tributaries are key migratory routes for both eel and salmonids. There may also be minor fish species present which are also protected, such as Bullhead. The impacts of these works including any temporary or permanent water course crossings, dewatering of watercourses and laying of cables under watercourses will need to be shown to have been considered.
There are also records of Desmoulins whorl snail and Narrow mouther whorl snail in the locality.

Table 6.4 Ecological Feature Study Area - This table will need to be updated in response to the comments above.
With regards to great crested newt, it is unclear whether the 250m is from the nearest pond habitat or whether it will include potential terrestrial habitats also. Great Crested Newts can travel significant distances both between ponds and their

terrestrial habitat, both will need to be considered. We recommend you liaise with Natural England for further guidance.

6.5.4.2 Preliminary Ecological Appraisal - We look forward to reviewing this document in due course once all surveys are completed.

6.5.4.3 Invertebrates - We would recommend aquatic invertebrates are considered where development will impact a watercourse, this could be an access crossing point or cable crossing point amongst other activities.

6.5.4.4 White clawed crayfish - We support the further assessment of white clawed crayfish.

6.5.4.5 Fish - We would recommend fish are considered where development will impact a watercourse, this could be an access crossing point or cable crossing point amongst other activities. We look forward to further information on this in due course.

6.5.4.9 Water vole - We support the approach to undertake further targeted surveys in areas where works are likely to be within 10m of the watercourse.

6.5.4.10 Otter - We support the approach, please ensure any site compounds and fencing areas are included as these may impede movement by otter or pose a risk of entrapment.

We expect to receive a Biosecurity Protocol within the Environmental Statement.

**Water Quality Comments**

| Section 7 - Hydrology, Hydrogeology, flood risk and ground conditions | | |
|---|---|---|
| 7.5.4.1 | Issue | Table 7.3 states that waterbodies with a WFD chemical status of “Fail” will be categorised as low sensitivity receptors. All waterbodies in have a current chemical status of “Fail”. |
| | Impact | With this current approach there is a risk that all waterbodies will be assessed as low sensitivity receptors. This scenario would not accurately describe the risk to each waterbody. |
| | Solution | We recommend removing or editing this aspect of Table 7.3. |
| 7.5.4.2 | Issue | Table 7.4 states that a “High” magnitude of effect will include a “major shift in hydrochemistry or hydrological” that would result in “downgrading WFD Quality classification by two classes”. It then goes onto explain that a “Medium” magnitude of effect would include a “non-fundamental change” that downgrades an “EA water quality classification by one class”. |

| | | |
|---|---|---|
| | Impact | The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 sets out an obligation to prevent any deterioration in WFD status, in either overall classification or for specific quality elements. Therefore, any deteriorations caused by the development would result in non-compliance with these regulations and should be considered a high magnitude of effect. The EA would not consider the deterioration in class of a water quality element to be a "non-fundamental change". |
| | Solution | The applicant should review their methods for determining magnitude of effect. |

Further General Comments

Within the scoping report the applicant confirms that an Outline Construction Environmental Management Plan (CEMP) will be included within the DCO application, which will mitigate and prevent pollution impacts during construction. Large construction sites of this nature can cause pollution due to the production of an insufficient CEMP or the failure of contractors to follow the CEMP. To reduce this risk, the EA recommends ensuring that the outline CEMP includes pollution prevention measures that can withstand significant heavy rainfall events. Additionally, we recommend the inclusion of monitoring, reporting, and reviewing procedures to ensure the project team and principal contractor have sufficient oversight of employed contractors.

The applicant does not identify the likely fate of sewage produced during construction. If disposal to public sewer, the applicant should consult with the local water company to ensure that adequate sewer capacity is available, and no adverse effects will occur because of the connection. If treatment and discharge at the site is required, the applicant should consider any potential impacts of this discharge and confirm that a water discharge activity permit will be sought. If road transport to an offsite disposal facility is required, then the applicant should have regard for this within their waste management procedures.

A water discharge activity permit is required to carry out discharges of sewage and trade effluent. Given the size of the development it is unlikely that the Regulatory Position Statement on *Temporary dewatering from excavations to surface water* can be met and therefore a permit will likely be required to discharge dewatering effluent or surface water run-off generated from areas of exposed soil during construction. Given the timeframe to determine environmental permits we encourage the applicant to engage with us on permit requirements at the earliest possible stage.

**Water Resources Comments**

Section 2 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 de-watering 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 2.6.2 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 the Environment Agency prior to the commencement of dewatering activities at the site.

If dewatering is required, it will require an abstraction license 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 license 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 e.g. 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.

**Additional Information**

Battery Life cycle

An important factor that can be overlooked by parties involved in new battery storage projects or investing in existing projects is that battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs, but on the positive side, the regime also creates opportunities for battery recyclers and related businesses. Operators' of battery storage facilities should be aware of the Producer Responsibility Regulations. Under the Regulations, industrial battery producers are obliged to:

- take back waste industrial batteries from end users or waste disposal authorities free of charge and provide certain information for end users;

- ensure all batteries taken back are delivered and accepted by an approved treatment and recycling operator;
- keep a record of the amount of tonnes of batteries placed on the market and taken back;
- register as a producer with the Secretary of State;
- report to the Secretary of State on the weight of batteries placed on the market and collected in each compliance period (each 12 months starting from 1January).

Putting aside the take back obligations under the producer responsibility regime, batteries have the potential to cause harm to the environment if the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place.

The Waste Batteries and Accumulators Regulations 2009 also introduced a prohibition on the disposal of batteries to landfill and incineration. Batteries must be recycled or recovered by approved battery treatment operators or exported for treatment by approved battery exporters only.

Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport"

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.

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.

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.

Yours faithfully,

**Mr Joshua Milsom**
**Planning Specialist**

Direct e-mail [redacted]

| | |
|---|---|
| **From:** | Squire, Sandra |
| **To:** | Great North Road Solar |
| **Subject:** | EN010162 - Great North Road Scoping Consultation |
| **Date:** | 24 November 2023 13:32:08 |
| **Attachments:** | image001.jpg |

Thank you for consulting the Forestry Commission on this proposal.

As the Government's 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 may be applied to any assessment of route options or site choice.

The UK Forestry Standard (UKFS) sets out the 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 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).

We note there are several fragmented woodlands and areas of lowland mixed deciduous woodland both within and adjacent to the proposed order limits, some of these were either established or managed with the support of public grant money from either the English Woodland Grant Scheme (EWGS) or Farm Woodland Premium Scheme (FWPS) and are still under obligation. The landowner is expected to meet all of the Terms and Conditions of the agreement contract. Failure to do so is likely to require the Forestry Commission to seek to recover all of the relevant grant that has been paid:

Approximate locations:
SK7662 6707 (FWPS) – within site
SK7662 6655 (EWGS) – adjacent to site
SK7695 6636 (EWGS) – adjacent to site
SK7648 6608 (EWGS) – within site
SK 7537 6537 (EWGS) – adjacent to site
SK7573 6553 (EWGS) – adjacent to site
SK7574 6488 (EWGS) – adjacent to site
SK7774 6482 (FWPS) – within site
SK7767 6546 (FWPS) – adjacent to site
SK7485 5842 (FWPS) – adjacent to site

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. Hedgerows and individual trees within a development site need to be considered in terms of their overall connectivity between woodlands affected by the development.

Also adjacent to the proposed site is the Ancient replanted woodland of Cheveral Wood and the Ancient Semi natural woodlands of North Wood, Carlton Wood, Muskham Wood, Coppice Wood, Lady Wood and Dukes Wood. Both Coppice Wood and Lady Wood are also under obligation to one of our legacy grant schemes.

Ancient and veteran trees are irreplaceable habitats. They have great value because they have a long history of woodland cover, being continuously wooded since at least 1600AD with many features

remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).
We also particularly refer you to further technical information set out in Natural England and Forestry Commission's Standing Advice on Ancient Woodland – plus supporting Assessment Guide and "Keepers of Time" – Ancient and Native Woodland and Trees Policy in England.

As highlighted in Paragraph 180 (c) of the National Planning Policy Framework, which states: *"Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".* While Nationally Significant Infrastructure Projects are not subject to the NPPF, it sets out the importance of these habitats.

Buffer zones should be provided to protect trees from any potential impacts 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. These zones should contribute to wider ecological networks and could include further tree planting or a mosaic of semi-natural habitats.
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). It is essential that fuels, chemicals, or waste materials such as topsoil, minerals or hardcore are not stored on ancient woodland soils or under the woodland canopy.

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.*

With the Government aspirations to plant 30,000 ha of woodland 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
- Woodlands need to be climate, pest and disease resilient
- Maximise the ecosystem services benefits of all new woodland wherever possible (eg, flood reduction)
- Planting contributes to a resilient treescale by maximising connectivity across the landscape
- Plans are in place to ensure long term management and maintenance of the woodland

We hope these comments have been useful to you. If you need any further information on woodland creation or management, please don't hesitate to contact me.

| | |
|---|---|
| **From:** | Allen, Tim |
| **To:** | Great North Road Solar |
| **Cc:** | Midlands ePlanning |
| **Subject:** | HISTORIC ENGLAND ADVICE: EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation PL00794580 |
| **Date:** | 07 December 2023 18:41:18 |
| **Attachments:** | image009.png<br>image010.png<br>image012.jpg<br>image014.png<br>image016.png<br>image259653.jpg |



Dear Mr Briody,

**HISTORIC ENGLAND ADVICE: EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation PL00794580**

We welcome that the historic environment is scoped in both for construction and as built impacts.

**General Methods**

Scoping Report 8.2 Consultation to Date
312

Historic England were approached for comments on proposed trenching, we responded that we needed an holistic consultation on the scheme including all historic environment matters, despite our offers of pre-application advice on the scheme as a whole we have received no further engagement as yet.

We note at that the applicant proposes to approach us with regards to setting of designated heritage assets, we are the Government's Advisor on the Historic Environment we should be consulted on the scheme as a whole.

8.3.1 Proposed Archaeological and Heritage Study Areas
313 – 316

We note the tiered approach to areas of study viz 1km from order limits (all heritage assets), 2km (designated assets) 5 km (upper tier designated assets) we welcome a nuanced approach but would note that a degree of refinement on the basis of professional judgement should be allowed for to address assets of higher importance within these categories.

**Tables 8.1, 8.2 and 8.3**

These tables require some revision both in terms of clarity and to align better with legislation and policy, for instance in the use of the words outstanding and exceptional. Refer to our website in respect of designated assets for how we talk about importance. The suppresion of localy listed buildings to the low category is unhelpful. Overall the use of a lot of importance bands can tend to an illusion of precion and sometimes suppression of effects, we do however welcome the use of

unknown as a category (which should lead to further investigation). Certain grade ii listed buildings, conservation areas and Gii registered parks and gardens should be treated in the high category (on their merits). Where assets are grouped or closely associated it is generally good practice to assess and discuss impacts (inparticular setting effects) in an holistic manner rather than taking a more atomised approach.

**Archaeology**

8.3.2.1

Early Prehistoric – there will need to be a focus on potential survival of late upper Palaeolithic (ice-age) material this needs to be grounded in a landscape scale understanding of deposit modelling (cf work on the A46 at Farndon Fields).

8.3.2.4 Post-medieval to Modern
325, 326, 327, 328

Particular attention will need to be paid to the archaeological landscapes of the 17th Century Civil War. This will require specialist expertise and investigative techniques both in respect of artefact scatters and field works and the landscape scale understanding of significance and impacts.

Impacts may occur in association with the ground works striking buried archaeological remains and through setting impacts, the introduction of new hydrological pathways or barriers as a result of cable installation may also have longer term impacts upon buried remains than those associated with the installation itself.

The appropriate and proportionate management of archaeological and project risk requires a stage process of investigation with appropriate techniques for the archaeological remains likely to occur. Desk-based assessment and deposit modelling is key to targeting of appropriate investigation techniques. Whilst there is considerable scope to avoid harm to buried remains through the layout and detailing of solar schemes this elasticity can only be effectively deployed if the archaeological resource is well characterised, for example by understanding where burial sites or building remains sensitive to piling occur or where cable routes may encounter buried wet remains in former water courses or mires. Certain classes of site such as military skirmishes require bespoke techniques such as structured metal detector survey and therefore early targeting from sources such as the Portable Antiquities Scheme data.

A staged programme of archaeological survey and investigation is necessary to effectively manage risk and inform design and the decision making process, we refer you to the detailed advice of the local authority archaeological curators in these matters supported by the expertise of out science advisor and to our documents :-

https://historicengland.org.uk/images-books/publications/planning-archaeology-advice-note-17/

https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/
https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/

**Setting**

We refer you to structured approach to the assessment of setting impacts set out in our https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/

The particular distribution of arrays proposed may pose particular challenges in respect of how settlements sit and are experienced in their historic landscape context hence an approach to the consideration of setting issues will need to consider the kinetic experience of moving through the space in considerable detail.

Views from and to heritage assets should be considered as should views in which the arrays will be juxtaposed with heritage assets.

In the context of features relating to the Civil War (and potentially also earlier conflict) designated and undesignated assets should be seen not in isolation but in the relationships they articulate to each other, to historic troop movements, encounters, to rivers, roads, settlements and other topographical features and to the ability in the present to consider multiple alternative interpretations in what were uncertain events in a dynamic landscape.

**Conclusion**

Please consider the issues raised above without prejudice to other heritage matters which may emerge through the EIA process and see also our published general advice on commercial renewables https://historicengland.org.uk/images-books/publications/commercial-renewable-energy-development-historic-environment-advice-note-15/

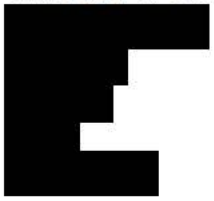
Please direct all future communication to our Midlands caseworks address e-midlands@HistoricEngland.org.uk to ensure corrent and timely logging.

We look forwards to a formal approach from the developer for advice on the proposed scheme as a whole.

Yours sincerely
Tim Allen

Tim Allen MA FSA
Team Leader (Development Advice)

Kneesall, Kersall & Ompton Parish Council
C/o R W D Greenland



**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Consultee Kneesall, Kersall & Ompton Parish Council ('the Council')**

## 1. Introduction

Elements Green Trent Ltd ('the Applicant') proposes to construct and operate Great North Road Solar Park (GNR) ("the Development"), a proposed solar photovoltaic (PV) electricity generating facility within the district of Newark and Sherwood and the county of Nottinghamshire. When built, the Development would have an anticipated solar electricity generation capacity of approximately 1,120 megawatts (MW) Direct Current (DC) to be connected into the existing National Grid Staythorpe Substation. The following represent the views of Kneesall, Kersall and Ompton Parish Council as to what should be scoped into the eventual Environmental Impact Assessment (EIA) and subject to examination. We are grateful to the Planning Inspectorate for being included as a consultee.

## 2. Site Description

We are not about to provide a detailed description of the site. However, the Development extends over a vast expanse of farmland currently used for food production. At our count, it would involve land in some eighteen parishes. What we would like to draw attention to is that there a number of solar farms already in operation in the Newark and Sherwood District, as well as a number of planning applications (at various stages) for Battery Energy Storage Systems (BESS) and PV solar farms. These sites are located in the same general areas of this proposed development.

## 3. Cumulative Assessments

Section 4.1.6 of the Scoping Report (SR) addresses this topic and as far as paragraphs 135- 141, **the Council would like these to be scoped in.** Paragraph 138 seeks to set distance limits to other proposed developments that should be included in the cumulative assessment. Paragraph 138 lists four criteria for inclusion in cumulative assessment. With regard to the second criterion, the majority of proposed solar farms with a maximum theoretical output not exceeding 50MW alternating current (AC) would not require an Environmental Impact Assessment (EIA). Similarly, the majority of BESS developments escape the need for an EIA, as they do not generate electricity and would mostly fall to Schedule 3. It is possible that such developments as the last two could be classed as 'major' and therefore be captured. But 'major' is subjective.

The Council note the PINS Advice Note 17 and the findings in the High Court judgement Pearce v Secretary of State for Business, Energy, and Industrial Strategy [2021] EWHC 326 (Admin). The parameter of projects being 'reasonably foreseeable' should be the assessment criterion

**The Council would like all PV Farms and BESS, with approved or undetermined applications, within 10km of the Order Limits to be included in the cumulative assessments. A minimum capacity size of the projects to be included, would make sense, some expert guidance would be helpful here.** In general we the council accept the Assessment Methodology outlined in section 14.2 of the SR.

## 4. Landscape and Visual Impact Assessment (LVIA) -RVAA

The Council welcomes the inclusion of a Residential Visual Amenity Assessment (RVAA) within the LVIA and this should be scoped in. The Applicant has suggested the following PV solar farm components:

- Fixed or single axis tracker panels with a suggested height of approximately 4m.
- Deer fencing with a height up to 2.5m.
- CCTV and lighting poles with no height given. Typical CCTV poles could be around 2.5m – 3m with lighting poles higher.

At 5.8 of the SR it is stated that solar developments are limited height. The 4m height limit is not low and the long lengths of 2.5m fencing add to the reduction in visual amenity.

The Guidelines for Landscape and Visual Impact Assessment (3rd edition) -Landscape Institute/ Institute of Environmental Management and Assessment (2013) [GLVIA3] stipulates that a key matter for any LVIA would be to scope and address the main

receptors i.e. those persons who can view the development and the changes to the landscape it brings about and are affected by the changes. (S3)

The Residential Visual Amenity Assessment Guide (TGN 02/19 Landscape Institute 2019) is quoted by the applicant. That guide defines Residential Visual Amenity as:-

*The overall quality, experience and nature of views and outlook available to occupants of residential properties, including views from gardens and domestic curtilage. It represents the visual component of Residential Amenity.*

The applicant states that 50m from the solar array boundary is typically used as the norm when deciding the distance for the study area, but goes on to extend to 100m for the purposes of the SR. Despite lengthy research it has not been possible to yet find another solar farm LVIA which used 50m or even 100m.

As examples, four nearby solar farm LVIA s have been checked and the distances used are below:

- Knapthorpe, assessed isolated properties up to over 2km away.
- Foxholes (near Norwell), 1km
- Kelham, 500m ( panels are only 2m high)
- Weston, 1km

The above four applications were to the Local Planning Authority. There is therefore merit in seeking corroboration from LVIAs submitted as part of an application for an NSIP solar farm.

The following quotes are from LVIAs such as these:-

Quote 1

*“The 0.5km Study Area for the Cable Route Corridor.....This radius is considered appropriate for the Cable Route Corridor, since this involves the construction phase only, which is short term and temporary.”*

Quote 2

*“The 1km Study Area: This is for the area extending as a radius for the Visual*

*Assessment of the Residential Properties (the ‘Residential Receptors’) and for the Transport Receptors and is based on the visibility of the Scheme. This radius is considered appropriate for the residential receptors and transport receptors...”*

The source document for this quote is also helpful in that it suggests a 500m study area for residential properties for the cable route corridors...

Quotes 1 and 2 are taken from LVIA for the West Burton Solar project. A separate NSIP solar farm project at Cottam (which is also being developed by Island Green Power UK Ltd) uses identical wording.

Different developers are behind the Mallard Pass solar farm NSIP application. Their LVIA considered dwellings situated over 700m away. We consider the argument that the development site is of a dispersed nature, is not grounds to devalue loss of visual amenity. Also with other NSIP solar farms, impacted dwellings often do not have sight of the whole development and are still assessed.

The Council do not agree with the proposed scoping out of residential properties more than 100m away from the development. And, it does not agree with the assertion that the industry standard is 50m.

**The Council request that the Residential Visual Amenity Assessment should scope in all impacted residential premises within 1km of the solar arrays, infrastructure and the BESS and all residential premises within 500m of the outer edge of the cable corridors.**

## 5. Flooding and Hydrological

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. The SR rightly identifies The Beck as one of the relevant tributaries of the River Trent. During periods of substantial rainfall it is prone to flooding at various locations. The villages of Caunton, Cromwell and Norwell have all experienced water ingress to residential properties in recent years, including this year. It is accepted that the Flood Risk Assessment (FRA) will attempt to demonstrate that field run-off will not accelerate during the operational phase by using sustainable drainage systems (SuDS).

However, the applicant seeks to scope out three potential assessments. (Table 7.6)

*Transfer of sediment to surface water resources during operation*

*Transfer of chemicals to surface water resources during operation*

*Chemical pollution from damaged PV arrays/ leakage from PV arrays during operation*

The justifications for scoping out are on-site vegetation cover and the physical separation between the arrays and surface water.

In many places there is physical separation between the Beck and the arrays. However, at Kersall, field run-off feeds into a stream linking to the Beck. Also, careful consideration needs to be given to the connectivity with ponds at Kersall as this quadrant had the only 2 ponds containing newts from the 130 considered within the Order limits. At the Eakring site, physical separation it is minimal. The solar array north west of Cromwell, at its western perimeter is contiguous to the Beck. The Moorhouse Beck runs straight through

several planned arrays. The quantity and nature of on-site stored chemicals also needs to be quantified and assessed in the ES.

The council would like to include the potential for chemical pollution as a result of lightning damage. Included in the glint and glare section in paragraph 604 is:-

*“Risks associated with electrical infrastructure such as from lightning strikes are removed or reduced through inbuilt control systems and are therefore proposed to be scoped out of the assessment.”*

Considerable international research has been published on the subject of lightning damage to PV modules and associated electrical infrastructure. The South African Institute of Electrical Engineers has reported that more than 32% of damages to solar panels are caused by lightning, placing atmospheric discharges as the first cause of deterioration. As previously stated, the Applicant has stated that the chosen PV modules will retain their structural integrity if damaged. There are methods of reducing the likelihood of lightning damage, some more expensive than others. It is accepted that there are also ways to protect other parts of the development grid from collateral damage. But **the Council believe that these lightning damage protection methods should be scoped into the technical specifications of the ES.** The reason is that damaged PV modules can pose an environmental risk.

The applicant states that PV modules will not leak, in the event of damage/impact, due to their composition, and for this reason should be scoped out. The council believe this requires further scrutiny, given the materials forming the panels and panel degradation over life. The Applicant's proposed panels may be capable of retaining structural integrity, even towards end of life. The table also only deals with fixed panels and racking, even though, in the SR there is consideration of both fixed panels and single axle trackers, the latter requiring greater maintenance. At the end of life, panels are considered hazardous waste. So how safe are they close to end of life? It may be that the applicant is able to allay all fears here but **The Council consider that an evidence based risk assessment of the potential for chemical pollution from damaged/end of life fixed and single axis tracker panels should be scoped in.**

For these reasons, it is contested that the arguments for their 'scoping out' fail and, **The Council believe that the transfer of chemicals to surface water resources during operation, and Chemical pollution from damaged PV arrays/ leakage from PV arrays during operation should be scoped in for assessment**

## 6. Glint and Glare

The Council agrees this matter should be ‘scoped in’ and appropriate assessments included as part of the ES. No robust analysis of the intended glint and glare methodology is intended here, that can wait for the final report. Glint and glare assessors often rely on a circa 1.5m AGL receptor height assumption. **However, for the purposes of scoping in, The Council believe that the assessment should vary the receptor height when analysing the effects on transport.** This should be for all major roads frequently used by

HGVs. A comprehensive traffic survey by the Applicant will also hopefully identify roads in the study area commonly used by agricultural vehicles, especially during harvest. This height variance may have always been intended but it is not clear.

The council believe the receptor height must be varied when assessing the potential effects on some users of the A1 (especially HGVs) and the East Coast mainline. This must include but not be restricted to the stretch of the A1 at North Muskham where there is little existing mitigation. For the East Coast mainline, this must include but not be restricted to any stretch of line approaching track side signals. Furthermore, the actual height of the track and the A1 must be used as baselines, as opposed to the rough height taken from online mapping. This is particularly important for the rail track which in many places is raised above surrounding ground levels. This exercise may not be possible just using a desk based assessment.

The applicant states they will consider the effects to nearby road and rail receptors such as the A1 and North-eastern Railway Line. **The council consider the A616 should be considered in this assessment, as it the diversion route for the A1, in both the Northbound and Southbound directions, with panels near Kersall to the east and west of the carriageway.**

The Applicant was intending a 200m gap between sample receptor points. It is possible that the Applicant intended a more thorough and less distanced sampling where it is stated there will be *a sequential assessment as receptors move along these routes* (the A1 and the North-eastern Railway line). If that is the case the gap argument here is a moot point. However, it is ambiguous. So for the sake of certainty, **The Council believe that sample points covering the A1 northbound carriageway, the A616, and the East Coast mainline should be significantly closer then 200m apart and their data should be scoped in.**

## 7. Noise and Vibration

The Council agrees these matters should be 'scoped in' and appropriate assessments included as part of the ES. In general the Council agree with the SR methodology to address noise and vibration, though that is not to say that it agrees with its full contents. At paragraph 378, the Applicant correctly refers to Design Manual for Roads and Bridges (DMRB) Volume 11. This is the La 111 revision 2 version and the Applicant adopts the suggested construction noise study area sizes for the purposes of the SR.

Table 9.7 later attempts to scope out assessment of vibration caused by construction traffic. The justification relies on a quote from DMRB:-

*".. that normal use of the buildings such as closing doors, walking on suspended wooden floors and operating domestic appliances can generate similar levels of vibration to those of road traffic."*

This is a quote not from the above current version but from an old withdrawn version. The above guidance is not in the current version. But if credence is still going to be given to that version, what was not quoted from that old version from the same section (section 6.2) is the following:-
*"Occupants of hospitals, educational establishments and laboratories or workshops where high precision tasks are performed may well be affected to a greater extent than residents of domestic dwellings."*

Hospitals can be excluded here clearly. But the outdated guidance, taken as a whole, revises the criteria for assessment. There also remains the possibility that on any of the proposed CTMP routes, there may be designated heritage assets, not usually exposed to heavy passing traffic (either because of weight restrictions, or the general location) and whose ability to cope with sustained HGV vibration is less than a standard dwelling.

**The Council would wish to have the scoping out replaced with, an assessment as to potential vibration effects from construction traffic should be made, and scoped in for any of the following, if they are situated on any final CTMP suggested route:**

- **any designated heritage asset**
- **any educational premises**
- **any laboratories**
- **any workshops or other premises where high precision tasks are performed.**

**8. Socio-Economics, Tourism and Recreation**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. Paragraph 461 attempts to summarise the likely environmental effects of the development. It includes the phrase:-

*"Creation of long-term employment opportunities once the Development is operational including, consideration of any existing employment uses on-site (principally related to agricultural land use);"*

It is hoped the meaning of the second part of this sentence means that this includes a quantifying of the long term lost employment opportunities in agricultural and leisure businesses and their related supply chains, due to the change of land use. If it does not, **the Council would wish this to be scoped in.**

It would then follow that methodology in Table 10.3 should be amended in the *people in employment or seeking employment* section with the method used now to include the word 'net'.

**The Council believe that the ES should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the operation of the development and a comparison of this to the economic benefits/gains identified. This should be an individual assessment and also a cumulative one, encompassing all other proposed schemes within or in close**

**proximity to the order limits.**

To fully satisfy these requirements, it will of course necessitate an assessment covering the operational phase, and not just construction and decommissioning. Great care should be taken when making these assessments, if they are to include shepherds and others associated with caring for sheep. It is noted that this project is yet another PV farm proposal which suggests possible dual use, PV panels and sheep grazing. Given that DEFRA's latest figures (*"Livestock populations in England at 1st June 2023*"), shows yet another reduction in the number of sheep nationally. And, during the last six years, the number of sheep nationally has declined in all but one year (2022). **The Council believe that the sheep argument for dual use here should be backed with scoped in evidence of a significant local demand for extra grazing land.**

The Council feel that the Inspectorate need to be satisfied that is proposed mitigation measure, to off-set or compensate for the loss of arable land, is realistic and can be secured.

The Council submits the above for consideration.

Kneesall, Kersall, Ompton Parish Council.

5 December 2023

Laxton and Moorhouse Parish Council
C/O Parish Clerk Catherine Wilson

**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Laxton and Moorhouse Parish Council ('the Council')**

## 1. Introduction

As a Parish Council within part of the proposed development area, we have been asked to submit our views on the Environmental Impact Assessment Scoping Report (SR). The following represent the views of Laxton and Moorhouse Parish Council as to what should be scoped into the eventual Environmental Impact Assessment (EIA) and subject to examination. We are grateful to the Planning Inspectorate for being included as a consultee. However, we would wish to point out that the SR is a highly technical document, and it has been difficult to interpret and understand, without the advice and guidance of a suitably qualified professional, as we do not have the funds to employ one.

Laxton and Moorhouse are two small farming villages in the parish of Laxton and Moorhouse. "*Laxton in Nottinghamshire is unique among the villages of England. It is the one place which has retained the medieval 'open field' system of farming down to the present day*" (University, 2008)

Nottingham University article cited gives some historical background to the village and the open field system. The three fields within the system, Mill Field, South Field and West Field have recently been enclosed within the revised conservation area of Laxton. The edge of South Field, is within 500 m of the proposed development.

## 2. Site Selection

The council would dispute that The Applicant has followed their own site selection principles (Section 2.2, para 35).

Particularly "*Adopting and approach of using land abutting existing industrial infrastructure"*. There is very little industry, other that agriculture around the proposed development.

*"Minimising the use of Best and Most Versatile land"*, as this appears to be equal to the best quality land in the district and therefore the most productive land in the district. **The Council proposes that all the land within the proposed development is assessed to ensure that it doesn't meet the criteria for Grade 1 & 2 land as this would immediately preclude the land form any development by the developers Section 2.2 (Para 35) Site Selection criteria and this included within the scoping.**

## 3. Site Description

This is a massive development covering some 2900 hectares, of mainly good quality farmland, used for food production. In fact, the development covers 4.45%[1] of the 651.4 km$^2$ of the Newark and Sherwood district and 1.34%[2] of the 2160 km$^2$ of Nottinghamshire. The proposed development would add to a number of solar farms already in the district, some within the same general area.

## 4. Scoping

The council would agree to the scoping suggested within the SR and our additional scoping requests have been outlined in the Section 5.

## 5. Additional Scoping

### a. Section 5 Landscape and Visual Impact Assessment

#### i. Proposed Viewpoints

1. Table 5.1 lists only two viewpoints in Laxton, (VP 11- Mill Field, & 12-Laxton) and one in Moorhouse (VP 13-Moorhouse). **The Council proposes that the viewpoints should be increased to include**
    a. **Various points within all three of the Open fields,**
    b. **Locations within the village, including the Grade 1 listed Church and churchyard.**
    c. **Laxton Castle Site**
    d. **Any other high points within the conservation area overlooking the proposed development**
    e. **Moorhouse Church.**
2. Consideration should be given to the woodland areas in and around the proposed development, these woodlands could be felled within the 40-year operational phase under woodland management schemes**.** How would this change the development impact? **The Council proposes that the scope should include detailed assessment of the various woodland management schemes and scope any changes that result.**
3. Table 5.2 in Section 5.8 talks about the distance used to assess whether a property may feel surrounded. **The Council proposes that the scope looks at the options to increases this to a distance mutually agreed with property owners.**

### b. Section 6 Ecology, Ornithology and Biodiversity

#### i. Breeding Birds

[1] Area of proposed development 2900 hectares= 29 km$^2$. The Newark and Sherwood District area = 651.4 km$^2$. 29/651.4 x 100%= 4.45%

[2] Area of proposed development 2900 hectares= 29 km$^2$. Nottinghamshire= 2160 km$^2$. 29/2160 x 100%= 1.34%

1. Local landowners, in partnership with The British Trust for Ornithology have engaged in increasing the local Barn Owl population, for more than 15 years. A program of owl nesting boxes and ringing has seen the population rise over the years, with records showing that the birds move about the local area to breed. Nocturnal birds are overlooked in the survey. (Section 6.5.4.12 Para 227) "*A transect is walked in each section between approximately sunrise and late morning"* **The Council proposes that night-time surveys are included in the scope to incorporate the owl population.**
2. The propose development significantly increases the amount of artificial cover which will prevent birds of prey feeding in the area. **The Council proposes that the scope should include**
    a. **The effects including the potential rise in small mammals, including mice and other vermin due to the restriction of natural predators.**
    b. **The effects including the forced relocation of birds and birds of prey, including, but not limited to, kingfishers, owls, buzzards, red kites and peregrine falcons currently in the area.**
    c. **Any other effects, including the security lighting**
3. Under Section 11 Traffic and Access (para 518) states *"There are anticipated to be only minimal visits to the development per month for maintenance purposes".* **The Council proposes that the scope should include the effects of wildlife getting stuck in the compound or within the wire fence surrounding the development.**
4. Careful consideration is needed to prevent wildlife emerging onto a highway. **The Council proposes that the scope should look at the creation of un-natural pinch point and corridors caused by the fencing around the proposed development.**

***c.*** **Section 7 Hydrology, Hydrogeology, Flood Risk and Ground Conditions**

i. **The Council proposes the scope is extended to cover contamination in the event of an emergency, such as fire. Large quantities of firefighting media could be used which would ultimately enter the local watercourses along with the contaminants and products of combustion.**

ii. There have been cases of flooding in residential properties in Moorhouse**, the Council proposes that the scope includes the effects of the development, on water levels in the watercourses feeding into Moorhouse Beck to ensure that the amount and speed of water entering the watercourses does not worsen the risk of flooding. In all phases.**

**d. Section 8 Cultural Heritage and Archaeology**

**i. The Council proposes that the scope is expanded to include Listing Effects to Grade I designated heritage assets at a distance greater than 2 km from the Order Limits, Effects to Grade I and II designated heritage assets at a distance less than 2 km from the Order Limits.** as this is missing from **Table 8.4**

*e.* **Section 9 Noise**

*i.* Under Section 3.1 (para 379) *"There are no guidance documents or standards which present study areas for operational noise effects. As such, the assessment of operational effects will include receptors within 300 m of the Order Limits, based on professional judgement and experience on similar projects".*

**The Council proposes that a study is undertaken and included in the scope, to assess the noise and vibration of the panel as they are moved as "*tracker modules*" and the regime needed to maintain them in good working order.**

**f. Section 10 Socio-Economical, Tourism and Land Use**

i. Laxton and Moorhouse like many other countryside areas is popular for countryside pursuits, in particular hunting with dogs and shooting. **The Council proposes that the scope includes a study on the impacts of the loss of land for countryside pursuits**

ii. In Newark and Sherwood recently, there has been a planning application by a Sainsburys chain to build a supermarket on greenbelt land on the edge of Southwell. Planning permission was applied for as the land involved had been part of the route of a proposed bypass around the town. **The Council proposes that the scope includes all the impacts if this precedent is followed by future developers.**

**iii.** *"Land that is normally used for agricultural purposes may occasionally be used for other purposes. Provided those other purposes are not the primary reason for the occupation of the land, the land should be regarded as occupied "for the purposes of agriculture when considering a deduction for relief".* HMRC Inheritance Tax Manual. **The Council proposes that the scope include the effects of losing the status of agricultural land for the land owners in the proposed development and the cost to their estate on death.**

**iv. The Council proposes that the argument for dual use with sheep grazing here should be backed with scoped in evidence of significant local demand for extra grazing land and what the effect the extra sheep would have on existing sheep farmers and their farm viability. This needs to cover the 40-year operational phase and consider market forces.**

**v. The Council proposes that the scope should look at the true effects of Agrivoltaic farming with sheep, for example the provision of drinking water is not mentioned.**

vi. **The Council proposes the scope should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the all phases and a comparison of this to the economic benefits/gains identified. This should be an individual assessment and also a cumulative one, encompassing all other proposed schemes within or in proximity to the order limits.**

vii. **The Council proposes that the scope should include the impact on domestic property prices in the area since he announcement of the proposed development and how property owners will be compensated for their losses.**

viii. **The Council feel that the Inspectorate must satisfy themselves that this can be secured as part of any proposal to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic**.

ix. **The Council is intrigued on how the developer is "***going to improve "the recreational amenity"* Section 10.2.4 (Para 484) when talking about PRoWs or "*provide an alternative route that provides an acceptable alternative to recreational users*" Section 10.2.4 (Para 488) and **proposes that the scope includes the means to evaluate what an improvement in the PRoW looks like and who makes the decision that any alternatives are acceptable.**

x. This will be a temporary development and the intention is to return the land back to its original state. **The Council proposes that details should be scoped in of how and where the removed topsoil is to be stored and the long-term effect of such storage on its quality.**

xi. The Council is concerned that the development might not be decommissioned in a timely manner, due to the company running the development not being able to carry out or complete the task, for what ever reason. **The Council proposes that the scope includes whatever measures are required to ensure that the land is returned to its original state.**

g. **Miscellaneous Issues**

i. **Section 13.4 Waste** *"The production of waste during the operational phase of the Development will be minimal and is proposed to be entirely scoped out of the EIA." Section* 13.4 (Para 621). The proposed development will consist of a large amount of grassland, which will require a grass management strategy, which should include an alternative if the sheep option is not viable for part or whole of the operational phase. Either way, a large amount of grass will need mowing and the grass cuttings will be need dealing with, as if left they will rot producing greenhouse gasses, which are counterproductive to the proposed developments green energy ideals, although these are not made clear in the SR. **The Council proposes that the management of 'waste' grass cuttings on-site during the operational phase should be scoped in.**

ii. **Section 13.1 Glint and glare**

1. **The Council proposes that the assessment should vary the receptor height to account for all road users and various heights to accommodate the various agricultural machines that work on the land surrounding the proposed development.**
2. Section 13.1.2 (Para 583) lists some of the surrounding airfields, but misses Retford Gamston Airport, which is quite significant in the area and runs a number of training flights over the area with both fixed wing and helicopters. In addition, the Lincs & Notts Air Ambulance regularly flies over the proposed development. **The Council proposes that the scope is expanded to include these omissions and that both establishments are consulted.**
3. Similarly, the receptor height must be varied when assessing the potential effects on some users of the A1, A46 (especially LGVs and coaches) and the East Coast mainline. The road and rail height vary along the edge of the proposed development this would not be possible with an office-based assessment. Particular care should be taken around signage and slip roads to ensure that road safety is not compromised; and signage and signals for rail safety. **The Council proposes that the scope includes a widened assessment of the impact of Glint and Glare on the local major transport infrastructure.**

h. **Section 15 Items Scoped Out of the EIA**

i. **Ecology and Hydrology**. All Laxton Sykes are not separated by "*extensive agricultural landscape*" and do share hydrological connectivity (Table 15.1). **The Council proposes that this is scoped**.

**The Council submits the above for consideration.**

Laxton and Moorhouse Parish Council on behalf of the parishioners of Laxton and Moorhouse

## Works Cited

University, N., 2008. *Laxton: Living in an open field village.* [Online]
Available at:
https://www.nottingham.ac.uk/manuscriptsandspecialcollections/learning/laxton/introduction.aspx
[Accessed 29th November 2023].

**From:** Stratton, Mike
**To:** Great North Road Solar
**Subject:** EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation
**Date:** 14 November 2023 10:21:09

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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

[redacted]

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

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

Tiffany Bate
Development Liaison Officer
UK Land and Property
[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
GreatNorthRoadSolar@planninginspectorate.gov.uk

07 December 2023

Dear Sir/Madam

**APPLICATION BY ELEMENTS GREEN TRENT LTD (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE GREAT NORTH ROAD SOLAR PARK (THE PROPOSED DEVELOPMENT)**

**SCOPING CONSULTATION RESPONSE**

I refer to your letter dated 09 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.

**Existing Infrastucture**

Substation

- Staythorpe 1B 132 kV Substation
- Staythorpe 1C 132 kV Substation
- Staythorpe 400 kV Substation
- Associated overhead and underground apparatus including cables

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CV34 6DA

Overhead Lines

| | |
|---|---|
| ZDF 400 kV OHL | Cottam- Staythorpe 1<br>High Marnham-Stoke Bardolph |
| ZDA 400 kV OHL | Cottam- Grendon<br>Cottam- Staythorpe 2 |
| KK 25 kV OHL | Newark BR – Staythorpe B |
| 4ZV 400 kV OHL | Chesterfield- High Marnham 1<br>Chesterfield- High Marnham 2 |
| ZD 400 kV OHL | High Marnham – Stoke Bardolph<br>Ratcliffe- Staythorpe |

Cable Apparatus

- Cable Fibre- 6789
- Cable Fibre- 4826

**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'

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.

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.

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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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.

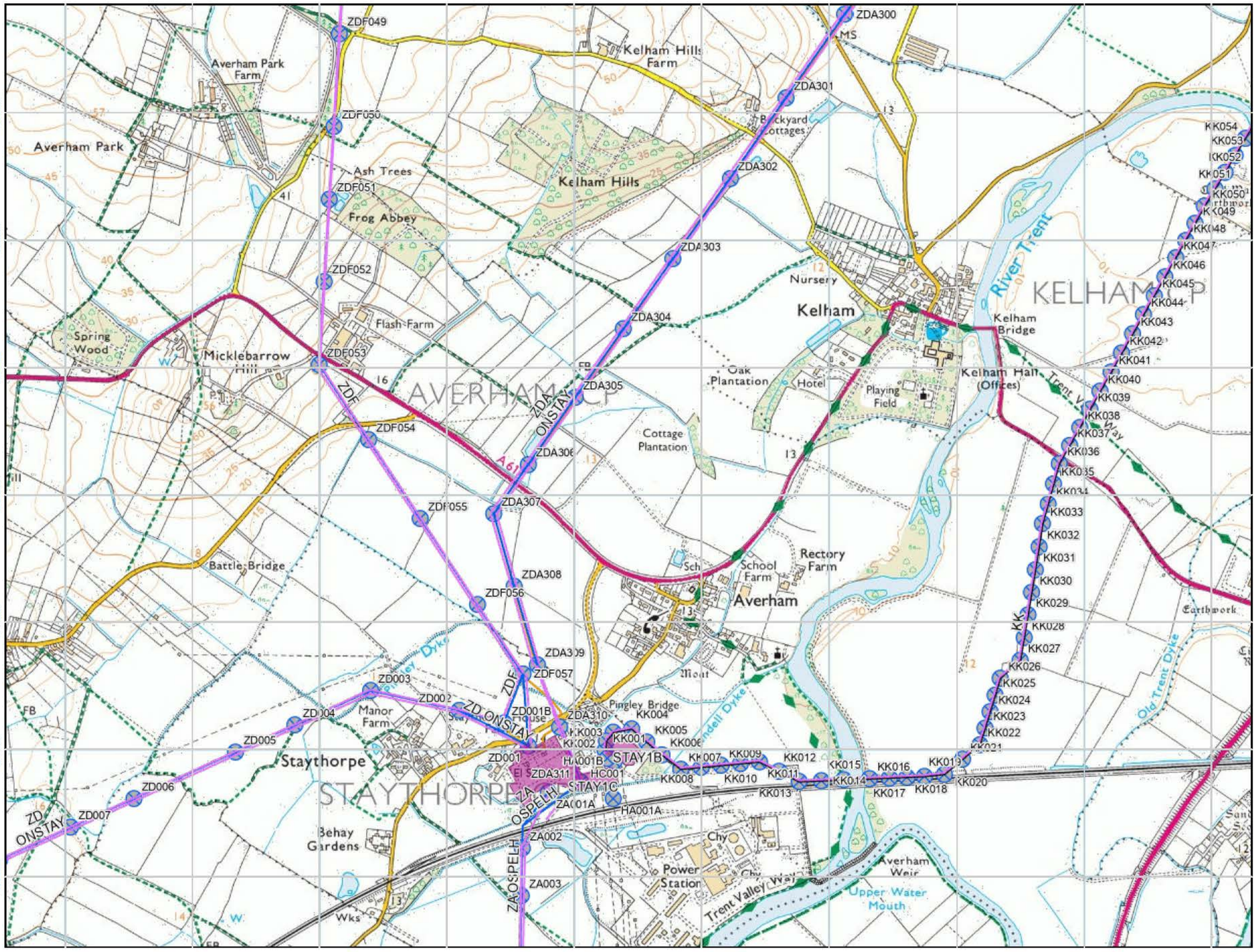
The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully

[redacted]

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

# nationalgrid | National Grid Web Map





**Legend**

Telecoms

RAMM

Fibre Cable

Fibre Cable Commissioned

Towers

Towers Commissioned

OHL 132Kv & Below

OHL 132Kv & Below Commissioned

OHL 400Kv

OHL 400Kv Commissioned

OHL Circuits

Commissioned

Decommission Group

Substations

Substations Commissioned

Notes

0 0.2 0.4 0.8 1.2 1.6 km



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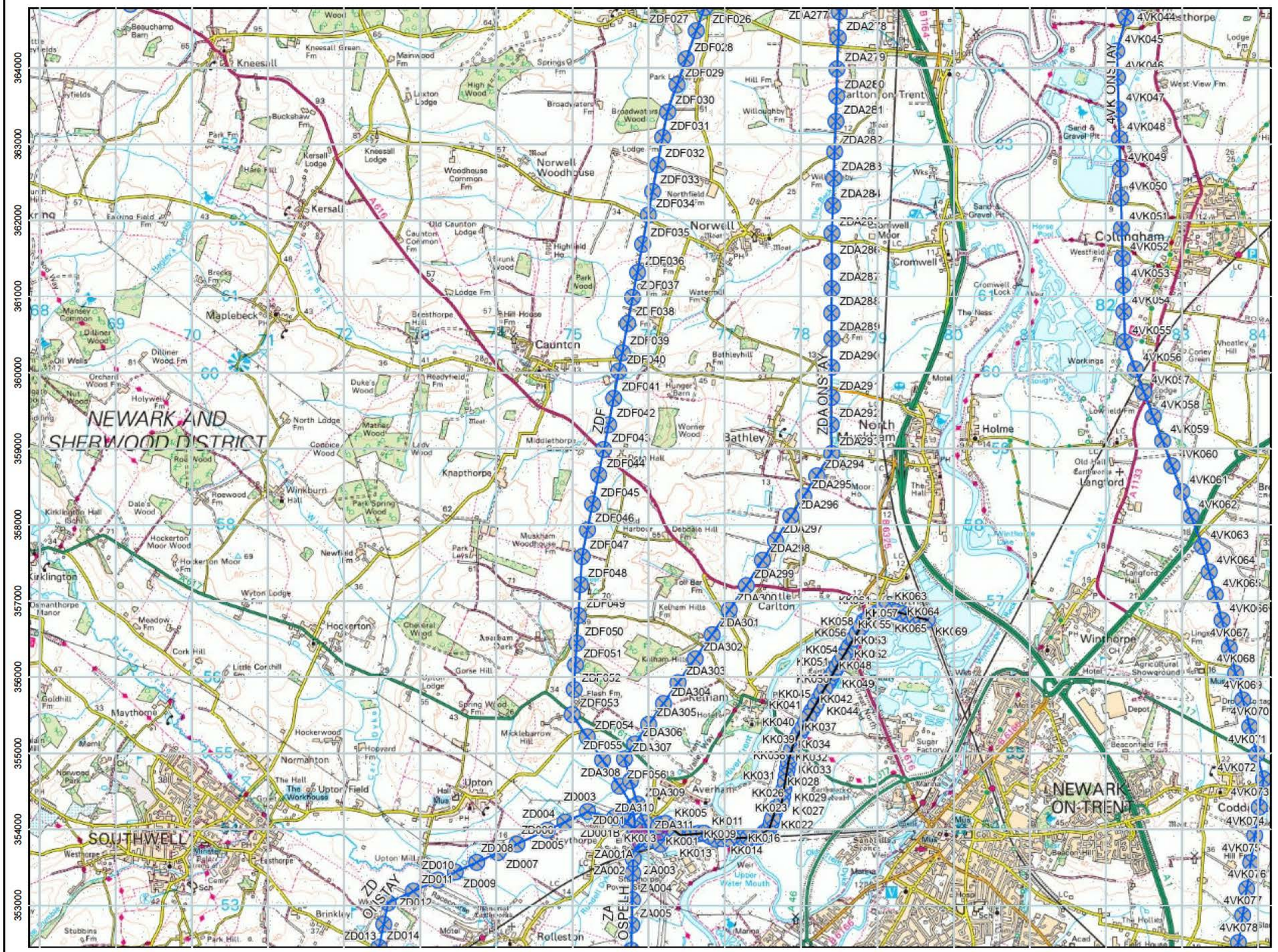



**Legend**

Fibre Cable

- Fibre Cable Commissioned

Towers

- Towers Commissioned

OHL 132Kv & Below

- OHL 132Kv & Below Commissioned

OHL 400Kv

- OHL 400Kv Commissioned

Substations

- Substations Commissioned

Notes

0 0.5 1 2 3 4 km



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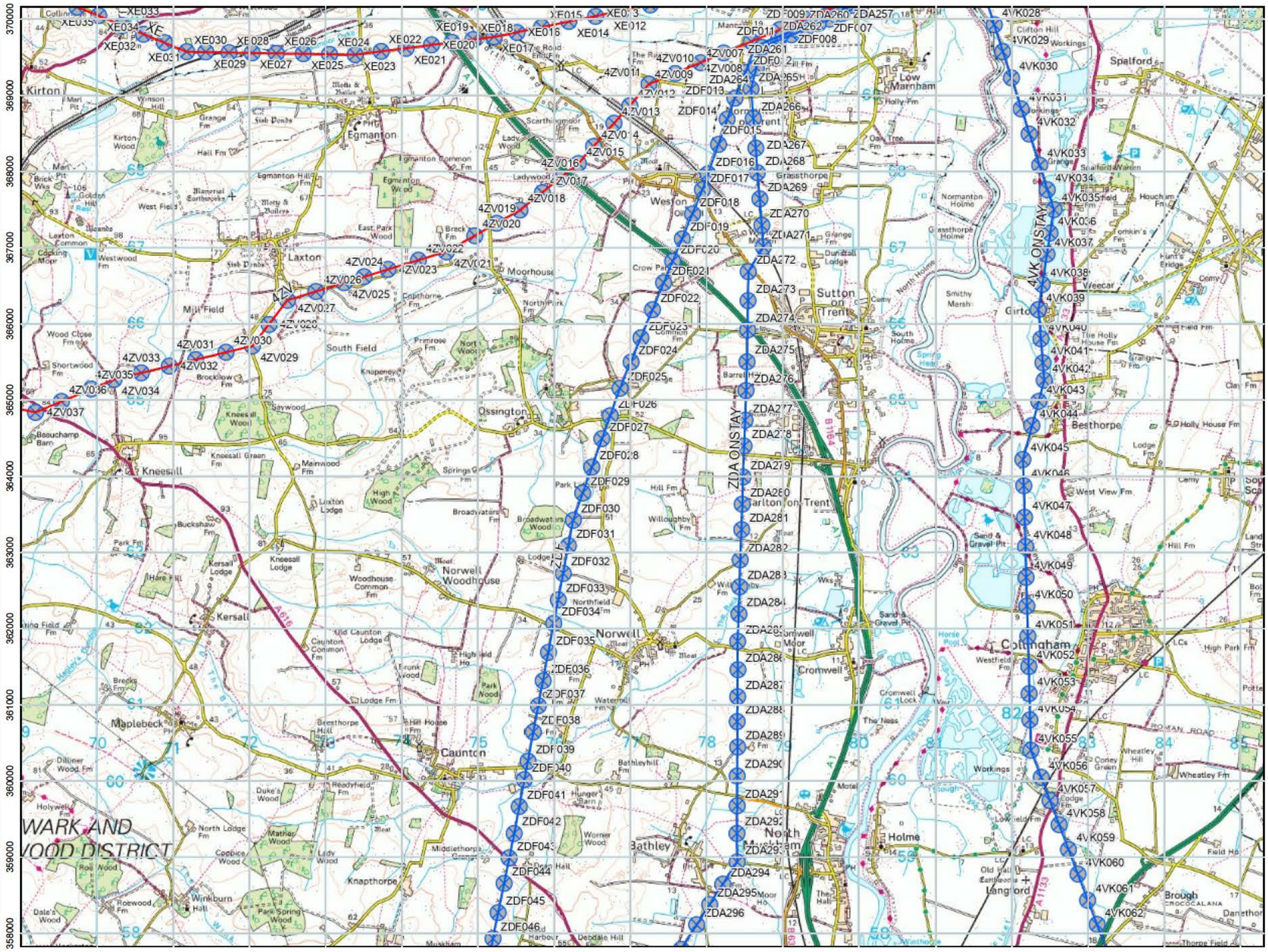



**Legend**

Fibre Cable

- Fibre Cable Commissioned

Towers

- Towers Commissioned

OHL 275Kv

- OHL 275Kv Commissioned

OHL 400Kv

- OHL 400Kv Commissioned

Notes

0 0.5 1 2 3 4 km



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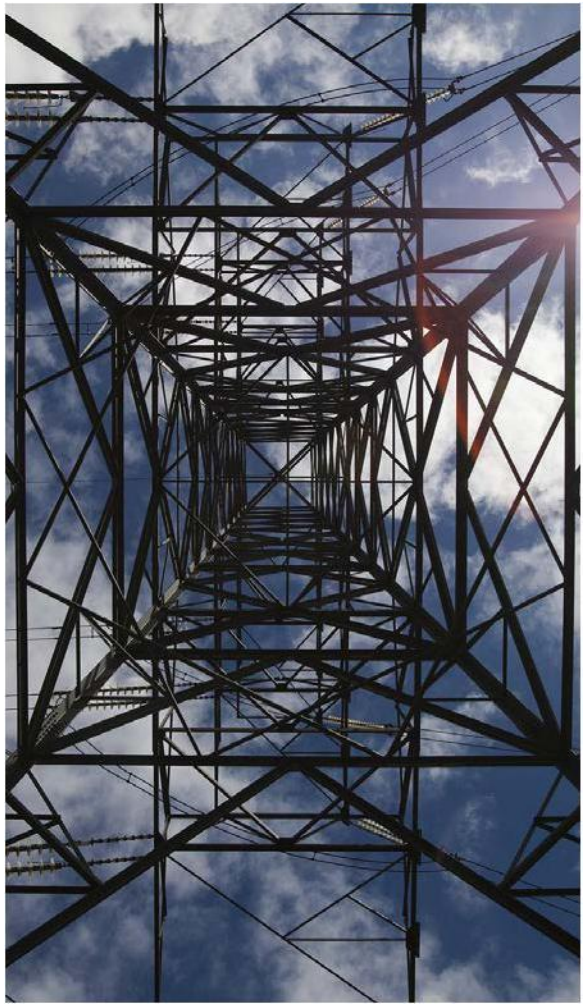
Note: Any sketches on the map are approximate and not captured to any particular level of precision.

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.

« Section continued from previous page

## 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

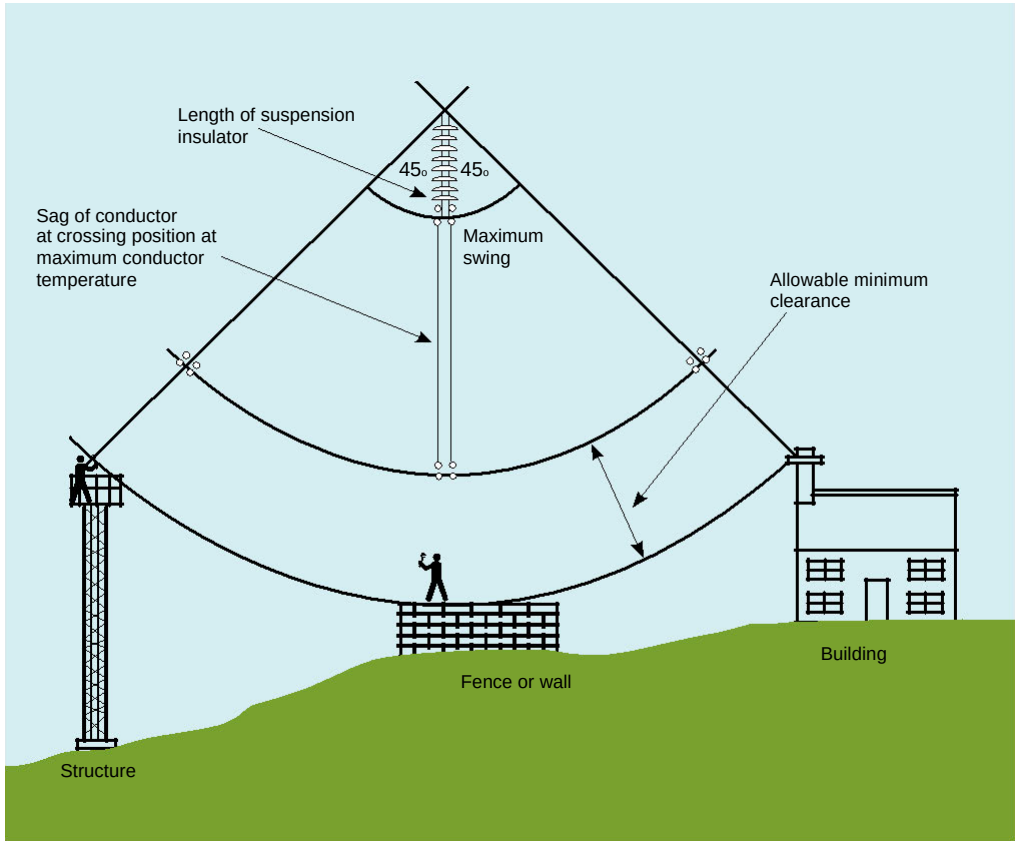
*The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.*

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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## 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 l kely 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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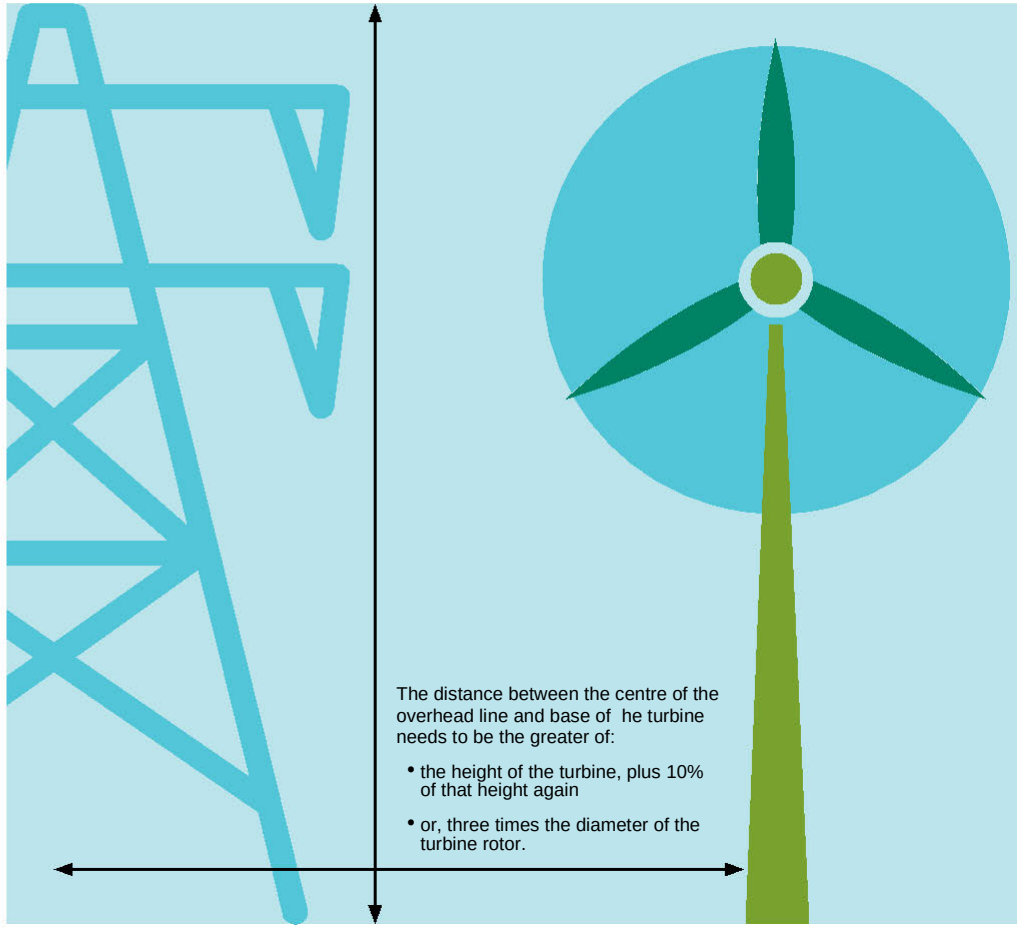
***Diagram not to scale***




***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.

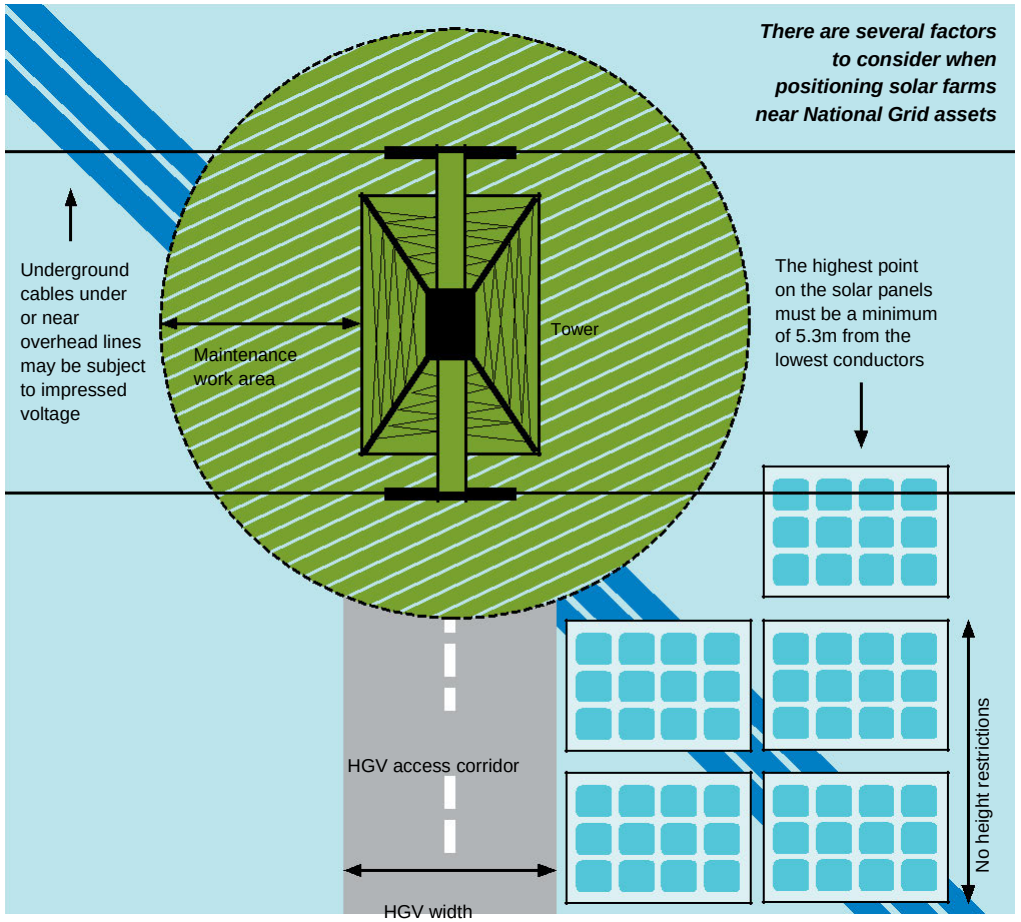
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

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

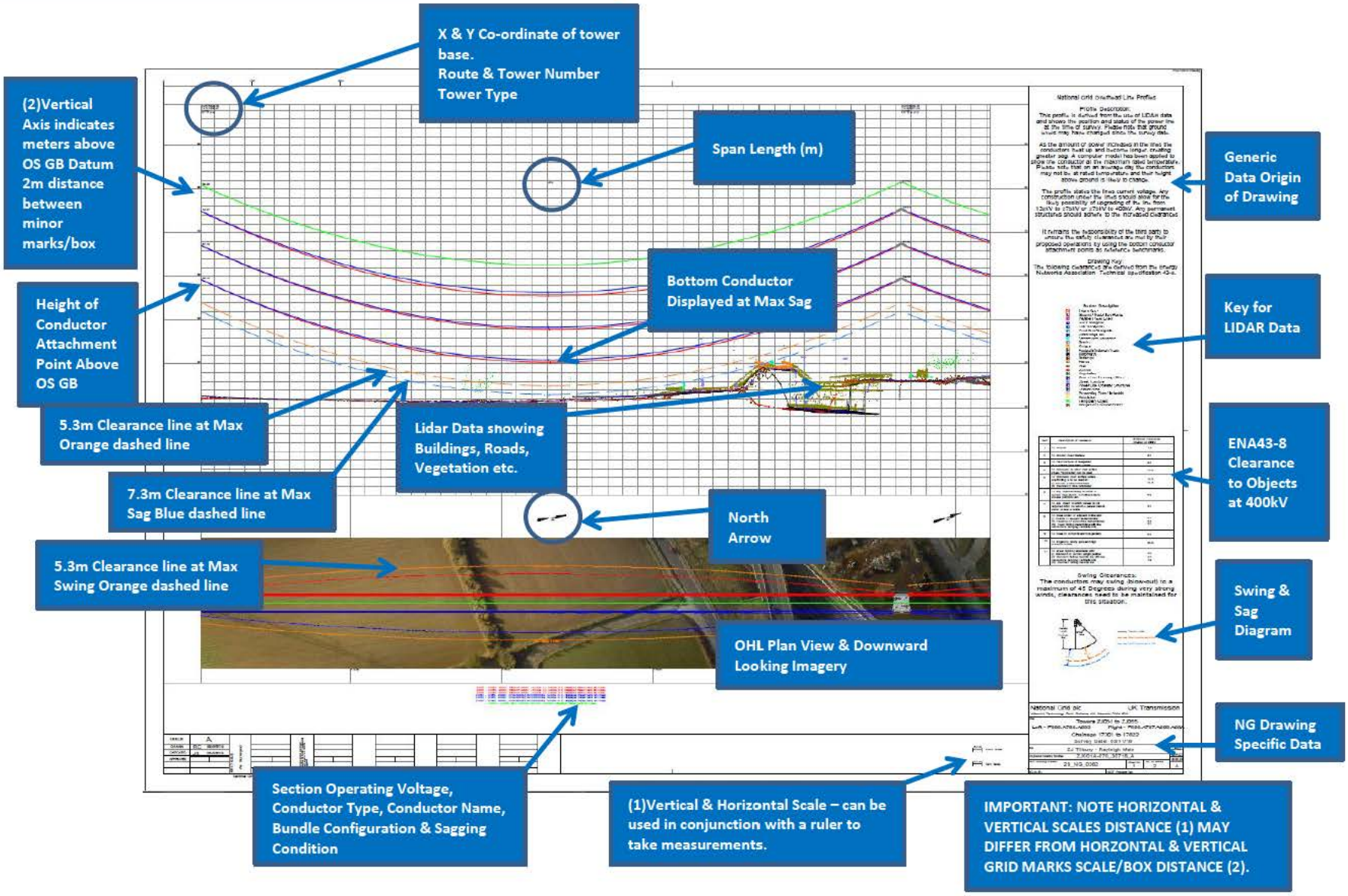
Email:
assetprotection@nationalgrid.com

Call Asset Protection on:
0800 0014282

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

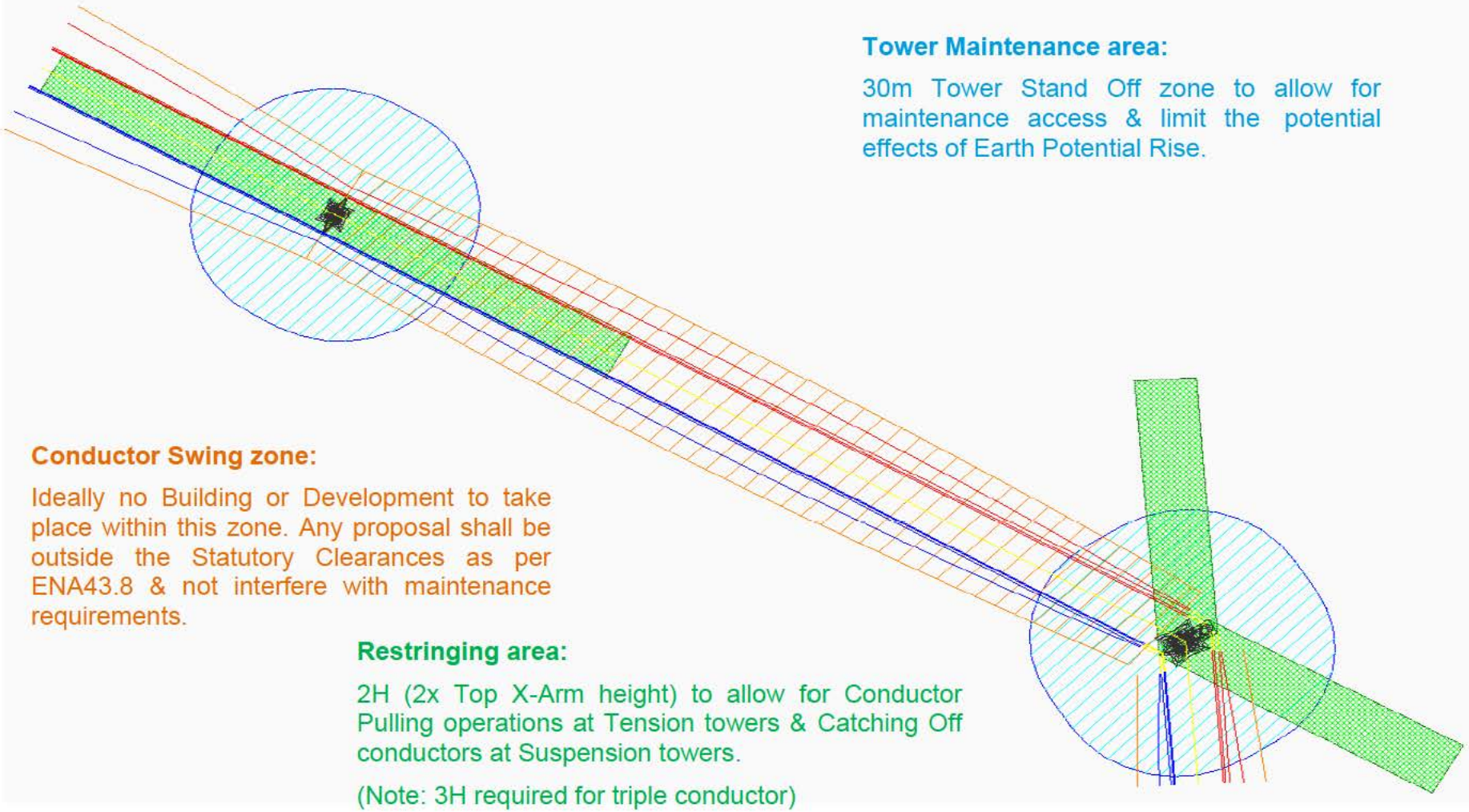
# 14 APPENDIX A

## 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)

Date: 06 December 2023
Our ref: 456409
Your ref: EN010162

Consultations
Hornbeam House
Crewe Business Park
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

**BY EMAIL ONLY**

Dear Joseph Briody,

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

**Proposal:** Great North Road Solar Park - EIA Scoping Notification and Consultation
**Location:** District of Newark and Sherwood, County of Nottinghamshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 09 November 2023, received on 09 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.

Natural England have not been engaged by the applicant to provide any pre-application advice to date.

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 Megan Bromiley, [redacted] and copy to consultations@naturalengland.org.uk.

Yours sincerely

Megan Bromiley
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
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided[1].
- 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
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

From the information provided to date we are confident that the general principles are likely to be addressed within the Environmental Statement.

### 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;

[1] National Infrastructure Planning (planninginsepctorate.gov.uk) Insert 2 – information to be provided with a scoping request, Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements

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. This includes Marine Conservation Zone GIS shapefiles.

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 assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

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).

## 5. International and European Sites

The development site is within or may impact on the following **European/ Internationally Designated Nature Conservation Site:**

**Birklands & Bilhaugh SAC (Special Area of Conservation)**
The Birklands & Billhaugh SAC is located within 10km of the development site and therefore potential impacts upon the designated site should be taken into consideration.

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.
Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

The development site is within or may impact on the following **Possible Potential Special Protection Area:**

**Sherwood Possible Potential Special Protection Area (ppSPA)**
We note the proposed development is near the Sherwood Forest area, which has been identified as important for breeding nightjar and woodlark and which may or may not in the

future become a Special Protection Area (SPA). Therefore, we refer you to Natural England's Advice Note (attached) on this matter which provides more information and outlines Natural England's recommended 'risk-based approach'. In particular, consideration should be given to loss, fragmentation and/or damage to breeding and/or feeding habitat of nightjar and woodlark in the Sherwood Forest area.

## 6. Nationally Designated Sites

**Sites of Special Scientific Interest**

The development site is within or may impact on the following **Sites of Special Scientific Interest (SSSI's):**

- Besthorpe Meadows SSSI
- Besthorpe Warren SSSI
- Eakring and Maplebeck Meadows SSSI
- Laxton Sykes SSSI
- Mather Wood SSSI
- Redgate Woods and Mansey Common SSSI
- Roe Wood SSSI
- Wellow Park SSSI

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. We acknowledge the applicant's search and agree with the identified list of statutory designated SSSI sites in Table 6.2 of the Scoping Report. Specific consideration should be given to those designated sites which are directly adjacent to the development boundary, including Eakring and Maplebeck Meadows SSSI and Mather Wood SSSI.

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on SSSIs and their special interest features can be found at www.magic.gov .

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

## 7. 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, geo-conservation 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.

## 8. Protected Species

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.

Applicants should check to see if a mitigation licence is required using NE guidance on licencing NE wildlife licences. Natural England are unable to advise upon the decision for a licence. This responsibility falls to the developer. Applicants can also make use of Natural England's charged service Pre Submission Screening Service for a review of a draft wildlife licence application. Natural England 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. Work relating to a LONI may be undertaken via the existing Service Level Agreement between the Applicant and Natural England. Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning contains details of the LONI process.

## 9. District Level Licensing for Great Crested Newts

Where strategic approaches such as district level licensing (DLL) for great crested newts (GCN) are used, a letter of no impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

If no GCN surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

By demonstrating that the DLL scheme for GCN will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

It should be noted that at present, no scheme is active within the project boundary in Nottinghamshire. However, a DLL scheme is planned to be launched within Nottinghamshire in 2024. Natural England would encourage engagement from the applicant regarding DLL as soon as possible to ensure entry into the scheme is feasible. Contact can be made with GCNDLL using the following email address, gcndll@naturalengland.org.uk.

### 10. 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

### 11. Ancient Woodland, Ancient and Veteran Trees

Ancient woodland has been identified within the scoping areas for the proposed development. The ES should assess the impacts of the proposal on the ancient woodland and any 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.

Ancient woodland needs to be considered in line with the Overarching National Policy Statement (NPS) for Energy EN-1. The NPS EN-1 makes reference to ancient woodland, veteran trees and other irreplaceable habitats in the following paragraphs: 5.4.14, 5.4.15, 5.4.32 & 5.4.54.

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.

### 12. 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 and acknowledge the reference made in the Scoping Report to assessments that will be carried out using the Statutory Biodiversity Metric. We also welcome the commitment to large-scale habitat creation, management and monitoring and support the stakeholder and relevant specialist engagement in the process.

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 Statutory 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 and Nottinghamshire County Council. 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.

In addition, it has been identified that there are several BNG opportunities for habitat enhancement in the Sherwood area through the possible creation of connections between isolated habitat areas. This could involve the connection of fragmented woodlands, creation of shelterbelts and the buffering of existing woodland.

## 13. Landscape

### Nationally Designated Landscapes

The proposed development is not within the setting or near any designated landscapes or heritage coast and therefore it is considered that effects on designated landscapes are unlikely. Natural England welcome the site selection principles outlined in the Scoping Report which refer to avoiding areas with designated heritage assets or landscape designations as part of the design aim during site selection and the wider development process.

### Landscape and Visual Impacts

The environmental assessment should refer to the relevant National Character Areas as referenced in paragraph 155 of the Scoping Report (48 Trent and Belvoir Vales). 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 National Landscapes, 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.

### 14. 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.

### 15. 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 and there will be reference in the relevant National Policy Statement. 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.

We welcome the applicant's reference to mitigation measures in paragraph 5.11.30 of the Scoping Report which acknowledges the importance of recreational facilities for walkers, cyclists, and horse riders, such as Public Rights of Way, along with access to land. Natural England also welcomes the consideration of appropriate mitigation measures to address any adverse effects on access, along with opportunities there may be to improve or create new access for the public.

### 16. Soils and Agricultural Land Quality

Due to the scale of the project, there is potential for significant impacts to Soils and Best and Most Versatile Agricultural Land.

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 paragraphs 5.168, 5.167 and 5.179 of the NPS for National Networks. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

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. This includes during construction (i.e. siting of construction compounds and temporary access tracks) and operation (i.e. location of pylons, permanent access tracks and supporting infrastructure).
- 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 will require a detailed Agricultural Land Classification (ALC) survey on the entire Order Limits and the cable route. 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. This may be amended for linear areas to provide an accurate depiction of the land quality along the linear area. 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 through the Soil Management Plan. This should include consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain, as well as sustainable soil management throughout all phases of the development. 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.

### 17. Decommissioning and After use

The ES should include details of the decommissioning and after use of the site, with details relating to proposed methods of restoration of land to agricultural use – which should be of an equal grade to the pre-development ALC grading.

Section 6.34 states that a Framework DEMP will be included in the ES. We acknowledge that this will require some assumptions to be made, as a result of the uncertainty introduced by the time elapsing during the operational phase. Nonetheless, alongside setting out the basis for protecting habitats and species during decommissioning, this should provide the framework for ensuring soil resources are protected.

The loss of created habitats in order to revert to agriculture after 40 years of operation could have a negative impact on biodiversity, habitats and species which have established in the

operational period. Natural England consider that the ES could include provision for new surveys and assessment to inform any additional mitigation/compensatory measures to be implemented prior to any reinstatement works occurring.

### 18. 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 of 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).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001

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

There is potential for this development to cause adverse impacts to designated sites via dust and vehicle emissions during the construction phase of the development. We welcome Section 5.14 of the applicant's Scoping Report, which indicates that traffic and transport during all project phases will be considered under the government's wider objectives for energy infrastructure and sustainable development. Please note that adverse impacts specifically to designated sites during all phases of development should be assessed within

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

the ES.

### 19. Climate Change

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development will embed Nature Based Solutions, maintain ecological networks and build resilience to climate change. The ES should also incorporate the policies as set out in NPS EN-1 relating to climate change. The NPPF also requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

### 20. 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.

# Advice Note to Local Planning Authorities regarding the consideration of likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest region

**March 2014**

This advice note updates and replaces the previous note dated 5 September 2012 to reflect the introduction of the National Planning Policy Framework ('NPPF') and amendments to the Conservation of Habitats and Species Regulations 2010 ('the Habitats Regulations').


**Summary**

**While no conclusion has yet been reached about the possible future classification of parts of Sherwood Forest as a Special Protection Area (SPA) for its breeding bird (nightjar and woodlark) interest, Natural England advise those affected Local Planning Authorities (LPAs) to be mindful of the Secretary of State's decision in 2011, following Public Inquiry, to refuse to grant planning permission for an Energy Recovery Facility at Rainworth where the potential impacts on these birds and their supporting habitats was given significant weight.**

**In light of this decision we therefore recommend a precautionary approach should be adopted by LPAs which ensures that reasonable and proportionate steps have been taken in order to avoid or minimise, as far as possible, any potential adverse effects from development on the breeding populations of nightjar and woodlark in the Sherwood Forest area. This will help to ensure that any future need to comply with the provisions of the 2010 Regulations is met with a robust set of measures already in place.**

**This Advice Note provides a brief explanation of the background to the current situation and suggests a 'risk-based' approach that could be followed to help future-proof decision-making on plans and projects. In addition a summary of the current LPA statutory duties in relation to birds is provided for clarity and there are links to further information relating to the legislation and policy that affects SPAs. The document is set out as follows:**

- **Background – including reference to planning case law**
- **Current situation**
- **The recommended 'risk-based' approach**
- **Existing statutory duties relevant to birds**
- **Further information**
- **Map highlighting the areas of greatest ornithological interest for breeding nightjar and woodlark**


## Background – the possibility of a protected area (Special Protection Area) for nightjar and woodlark in Sherwood and Rufford Energy Recovery Facility planning case law

The UK government is required by European law to identify how it can contribute to the conservation of particular bird species across their natural range in Europe through the protection of suitable sites. In doing this exercise it has identified that the populations of nightjar and woodlark in Sherwood may warrant such protection. A final decision has not been made and it remains under consideration as part of a UK-wide SPA Review Programme being led by the Joint Nature Conservation Committee[1]. The possibility of the area becoming an SPA creates a risk for spatial planning in the Sherwood area. This is because any formalisation of the site as a Special Protection Area (SPA) would place a legal

[1]See http://archive.defra.gov.uk/rural/documents/protected/spareview-tor.pdf

obligation on decision-taking bodies requiring past decisions to be reviewed and potentially modified.

In 2011, following a Public Inquiry, the Secretary of State decided to refuse to grant planning permission for an Energy Recovery Facility on land at the former Rufford Colliery site at Rainworth. The likely effect on the breeding populations of woodlark and nightjar was a key consideration in the Secretary of State's decision[2].

The Secretary of State agreed that whilst the application site was not within an area currently identified as a Special Protection Area (SPA), there was merit in following the formal approach required for SPAs. He agreed that when considering the impact of the development on the use of the area by the bird species listed on Annex 1 of the European Wild Birds Directive – in this case woodlark and nightjar - an approach similar to that set out in the relevant legislation (Regulation 61 of the Habitats Regulations[3]) should be adopted. The Secretary of State concluded that he could not be sure that the proposed development would not harm the integrity of the area used by the birds and that the conflict this created with the aims of the Regional Spatial Strategy and the potential harm to the integrity of the habitat used by woodlark and nightjar weighed significantly against the proposal.

**Current situation**

Until the SPA Review concludes and provides further guidance as to whether new SPAs for nightjar and/or woodlark should be classified in the UK to meet the obligations of the Wild Birds Directive, there continues to be uncertainty about the future classification of an SPA in the Sherwood Forest area. However it is our view that, based on the evidence from the most recent national nightjar and woodlark surveys in 2004 and 2006 and the interpretation of that data, there remains a possibility of an area of Sherwood Forest being recommended for future classification.

We recognise that in the interim this creates difficulty for LPAs in how they should consider land allocations and policies in Development Plans and individual planning applications within the Sherwood Forest area. How local authorities choose to confront this issue is ultimately a matter for them, however Natural England advise that LPAs should adopt a form of 'risk based approach' or similar of the kind taken by the Secretary of State in the case referred to above. This should provide decision-making with a degree of future-proofing until such a time that there is greater certainty on whether the Sherwood Forest area is to be afforded pSPA or SPA status and whether the provisions of the 2010 Regulations are to take effect as a matter of policy or law.

**The recommended 'risk-based' approach**

The 'risk based' approach advocated by Natural England was endorsed by the Secretary of State in coming to his decision on the development proposal at the former Rufford Colliery.

Natural England suggest that in taking a risk-based approach to development plan making and decision-making, LPAs seek to ensure that plans and proposals are accompanied by an additional and robust assessment of the likely impacts arising from the proposals on breeding nightjar and woodlark in the Sherwood Forest area. This should ideally cover the potential direct, indirect and cumulative impacts which may include, but may not be limited to, the following;

- disturbance to breeding birds from people, their pets and traffic
- loss, fragmentation and/or damage to breeding and/or feeding habitat
- bird mortality arising from domestic pets and/or predatory mammals and birds
- bird mortality arising from road traffic and/or wind turbines

[2] See http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/planning-callins/pdf/1914959.pdf

[3] See http://www.legislation.gov.uk/uksi/2010/490/made

- pollution and/or nutrient enrichment of breeding habitats

No formal assessments of the boundary of any future SPA have been made; therefore it is not possible to definitively identify whether individual application sites would fall inside or outside any possible future designated area. However the enclosed map, which highlights the areas of greatest ornithological interest for breeding nightjar and woodlark, was submitted as evidence to the Rufford ERF Public Inquiry and could be of assistance to your Authority in this regard[4]. It is worth noting that the Inspector at the Rufford ERF Inquiry decided it appropriate to consider both boundaries to inform his recommendations.

We also advise that LPAs should seek to satisfy themselves that planning applications contain sufficient objective information to ensure that all potential impacts on the breeding nightjar and woodlark populations have been adequately avoided or minimised as far as is possible using appropriate measures and safeguards. It may be necessary to obtain ecological advice in relation to the potential impacts of a proposal and any possible avoidance or mitigation measures.

Natural England would encourage those LPAs in the Sherwood Forest area to work together, in compliance with the duty to cooperate, to consider the combined effect of their plans and proposals in order to gain a strategic overview and develop a collaborative approach. We are of the view that taking the approach outlined above represents good planning practice which will assist your Authority should the site be classified as SPA in limiting the number of plans and projects which would need to be re-considered as part of the review of consents process required by the 2010 Regulations.

**Existing biodiversity and wild bird duties**

In addition to advising that a risk based approach will assist LPAs in future-proofing plans and decisions, Natural England advises that there are other relevant duties in legislation and policy that direct you to consider the protection and enhancement of nightjar and woodlark populations in the Sherwood area.

Your Authority must discharge its statutory duty given under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity. It follows that your authority should have regard to conserving nightjar and woodlark, owing to their inclusion as Species of Principal [conservation] Importance in England[5].

Your Authority should also have regard to new duties given under regulation 9A of the Habitats Regulations, which requires LPAs to apply all reasonable endeavours to avoid the deterioration of wild bird habitat (including that of nightjar and woodlark) when exercising their statutory functions. The presence of either or both species and any effects on them is a material consideration when considering planning applications, regardless of whether the Sherwood area is put forward for classification as an SPA in due course.

**Further information**

Information on the legislation, policy and classification process affecting Special Protection Areas (SPAs) is available from the following websites:

- JNCC http://jncc.defra.gov.uk/page-162
- Natural England http://www.naturalengland.org.uk/ourwork/conservation/designations/spa/default.aspx
- Defra https://www.gov.uk/protected-or-designated-areas

[4] http://www.nottinghamshire.gov.uk/planningsearch/plandisp.aspx?AppNo=ES/1144%20

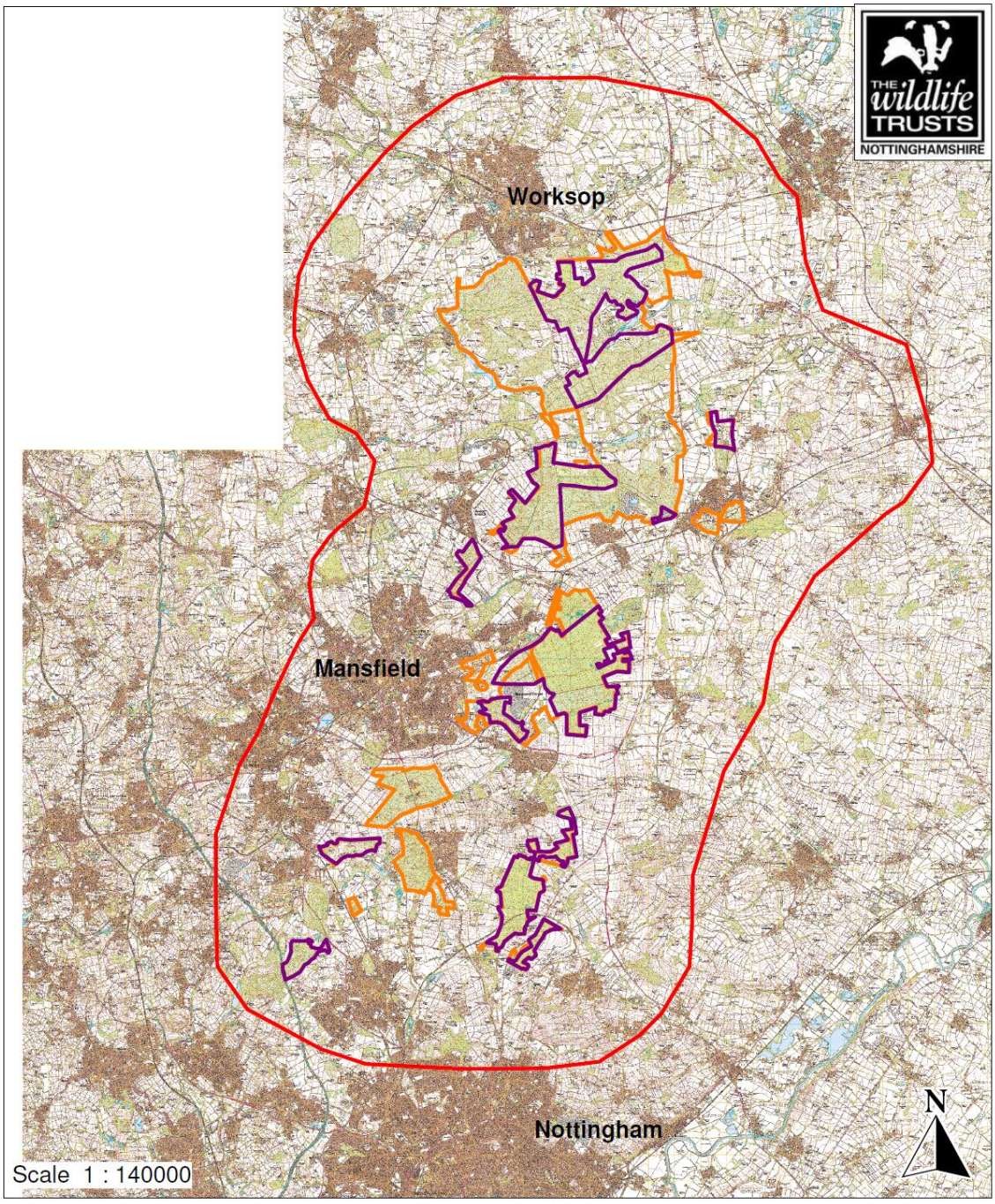
[5] As listed in section 41 of the Natural Environment and Rural Communities Act 2006 to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of that Act

We hope this advice is helpful and provides further assistance. Should Natural England be in a position to update these views and advice, we will do so and notify you accordingly.

If you have any queries about this advice, please contact either Liz Newman [redacted] or Ryan Hildred [redacted]

Natural England
Land Use Operations
March 2014

**Map highlighting the areas of greatest ornithological interest for breeding nightjar and woodlark, submitted as evidence to the Rufford ERF Public Inquiry 2010**




Key

- RSPB IBA Boundary with 5Km buffer
- NE Indicative Core Area
- RSPB IBA Boundary

Plan 1

| | |
|---|---|
| **From:** | Aaron Walsh on behalf of Town Planning LNE |
| **To:** | Great North Road Solar |
| **Subject:** | EN010162 - Scoping Opinion for Great North Road Solar Park |
| **Date:** | 24 November 2023 15:43:49 |
| **Attachments:** | image001.png |

OFFICIAL

**FAO – Planning Inspectorate**
**Ref – EN010162**
**Proposal – Scoping Opinion for Great North Road Solar Park**
**Location – Great North Road Solar Park**

Thank you for your letter of 9 November 2023 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

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

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

Kind regards

**Aaron Walsh**
Graduate
Network Rail Property (Eastern Region)
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Environmental Services - Operations Group 3,
Temple Quay House,
2 The Square Bristol,
BS1 6PN
Sent via email to:
GreatNorthRoadSolar@planninginspectorate.gov.uk

Your Ref: EN010162
Our Ref: 23/01990/CONSUL

Date: 07 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 Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (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 9th November 2023 and requests this Council's comments by 7th 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 Great North Road Solar Park Environmental Impact Assessment Scoping Report prepared by the Applicant Elements Green Trent Ltd (dated November 2023).

Given the degree of uncertainty around key design elements of the Proposed Development, NSDC anticipates the enclosed comments may be reviewed and added to as the ES develops, noting that the EIA process is iterative and includes public participation as an essential component.

| Reference/ Pages | Description | NSDC's Comments |
|---|---|---|
| **Chapter 1**<br>Pages 7-9 | **Introduction** | NSDC agrees that the development is a Schedule 2 development under Part 3a 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 agree with the Applicant's intention that they will submit an Environmental Statement (ES) with their application (para. 24).<br><br>The Order Limits shown on figure 1.1: Development Location includes part of the site proposed for a grid support BESS on land immediately to the west of National Grid Staythorpe Substation, which was the subject of a planning application that was refused by NSDC in July 2023 (ref: 22/01840/FULM). NSDC notes an appeal has now been lodged with the Planning Inspectorate. |
| **Chapter 2**<br>Pages 10-22 | **Project Description** | <u>Figure Referencing and Mapping (2.1)</u><br>Paragraph 32 of the EIA Scoping Report states "For ease of reference the Development Figures have been divided into four sectors…reference as north-east (NE), south-east (SE), south-west (SE) and north-west (NW) sectors respectively". Whilst individual plans for each sector are provided, the site areas (hectares) and electricity generating capacity (megawatts) of each sector have not been specified. However, given the entire site has an anticipated electricity generation capacity of approximately 1,120 megawatts (MW) Direct Current (DC) / 800 MW Alternating Current (AC), which is significantly over the NSIP threshold of more than 50 MW, it is considered likely that each sector would constitute an NSIP its own right. NSDC therefore queries, if each sector has an anticipated electricity generation capacity of over 50 MW, why they are not being considered as separate NSIPs in their own right, particularly as it is anticipated that the development would be built in four phases (para. 96), with an intermediate substation in each sector (figure 2.2).<br><br><u>Site Selection Principles (2.2)</u> |

| Reference/ Pages | Description | NSDC's Comments |
|---|---|---|
| | | See comments under Project Components, Activities, and Design Parameters (2.5.3) below and on Chapter 4 'Environmental Impact Assessment (EIA)'.<br><br><u>Site Description (2.3)</u><br>Paragraph 42 of the EIA Scoping Report states "The Order Limits include some public roads, where electrical cabling might cross or run along the road or roadside, and/or where road works, such as temporary or intermittent widening of the road, are required to facilitate construction". NSDC would expect the ES to include more specific details on cabling routes, as key design elements of the Proposed Development, to ensure the assessment of environmental impacts covers the maximum parameters/the 'worst case' scenario.<br><br><u>Iterative Design and Rochdale Envelope (2.4)</u><br>NSDC supports the Applicant's intention to use the 'Rochdale Envelope' approach to ensure realistic worst-case effects of the Development are assessed for each potential receptor in accordance with PINS Advice Note 9 (para. 45). 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."*<br><br>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 overground and underground cables.<br><br><u>The Development (2.5)</u><br><u>*Overview of the Main Development Areas (2.5.1)*</u> |

| Reference/ Pages | Description | NSDC's Comments |
|---|---|---|
| | | Although the EIA Scoping Report identifies the approximate location of the proposed BESS/400 kV Compound Area (figure 2.2) and the likely components/activities it would comprise of (para.54), it provides no indication of the storage capacity of the site or the amount of land 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.<br><br>In addition, the definition of BESS provided within Chapter 17 - Glossary states "it may also import surplus energy from the electricity grid". The ES should therefore be clear on whether or not this is likely to be the case.<br><br>*Buffer Zones from Woodland etc. (2.5.2)*<br>The EIA Scoping Report suggests buffer distances between ground works and natural features including ancient woodlands and watercourses, however, it is unclear how the suggested distances have been derived at and whether they take account of relevant best practice. For example, NSDC understands that National Grid key assets set a boundary/ safe working distance of 1 1/2 tree lengths to key assets, which may/may not fall within the suggested buffer distances. The ES should justify the reasons for the selection of any buffer distances provided.<br><br>NSDC welcomes the proposal to use existing gaps in field boundaries to facilitate vehicular access where possible and would expect these to be shown on the 'Traffic and Access' Development Figures contained within the ES (figure 11.1).<br><br>*Project Components, Activities, and Design Parameters (2.5.3)*<br>*Solar PV Modules* - The EIA Scoping Report indicates the solar PV modules mounted on a metal frame would likely have a maximum height of 4m (para. 66) but goes onto state that these dimensions are indicative at this stage as the final elevations will be influenced by design factors including detailed flood risk modelling and local topography (para. 71). |

| Reference/ Pages | Description | NSDC's Comments |
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| | | Figure 7.1 of the EIA Scoping Report shows the majority of the Study Area is located within Flood Zone 1, with areas classed as Flood Zone 2 and 3 located predominantly in the eastern section of the Study Area. Although solar farms are classified as 'Essential Infrastructure' within the NPPF Annex 3: Flood risk vulnerability classification and are therefore regarded as appropriate, in flood risk terms, in Flood Zones 2 and 3 (with the latter being subject to application of the Exception Test), NSDC queries why these areas have been included, as significant electricity generation capacity could conceivably be achieved by developing areas at lower flood risk alone. Site Selection Principles are outlined within Section 2.2 of the EIA Scoping Report also lists one of the design aims at the centre of the development process has been "avoiding high-risk flood zones".<br><br>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.<br><br>*Fencing and Security Measures* – The EIA Scoping Report indicates it is likely that movement-triggered lighting and passive infra-red sensors would be deployed for security purposes around the areas containing electrical infrastructure and no areas of the Development are proposed to be continuously lit (para. 84). Nevertheless, NSDC considers, given the scale of the site, that sky glare and glow from external lighting should be identified as one of the key issues for the assessment of potential landscape and visual effects relating to the Development within the ES (para. 160).<br><br>*Access Routes, Points and Tracks* – The EIA Scoping Report states access points and access routes to the Development are still under review, although preliminary access routes and access points are shown on figure 11.1. NSDC defers to National Highways and Nottinghamshire County Council Highways Authority for their views on the suitability of the proposed access routes etc., but wishes to note that the |

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| | | determination of planning application 22/01983/FULM – Construction of Solar farm with associated works, equipment and necessary infrastructure – Land At Foxholes Farm Bathley Lane North Muskham, which falls within the loop of land parcels proposed to comprise this Development, has been significantly delayed due to concerns over access, particularly in relation to the width of the main access route, Vicarage Lane, which is typical of the minor roads in the locality (i.e., narrow and unsuitable for 2-way traffic).<br><br>*Intermediate Substations and Control Buildings* – The EIA Scoping Report indicates the intermediate substation compounds could cover an area of up to 215m x 115m, and the control buildings approximately 20m x 20m x 6m but notes these dimensions "are highly dependent on the findings of further work" (para. 90). Whilst the report goes on to state that the maximum height of transformer components would be 12m, NSDC considers the ES should describe the maximum parameters/the 'worst case' scenario of the intermediate substation compound areas and associated control buildings, given the inference that such dimensions are highly dependent on the findings of further work (noting that the nature and scope of such further work is not explicitly defined within the submitted Scoping Report).<br><br>*Landscape and Biodiversity Management* – NSDC welcomes the suggested inclusion of an outline Landscape and Biodiversity Management Plan (oLBMP) in the ES and would expect this to be developed in consultation with the local planning authority as well as other relevant statutory and non-statutory consultees. The ES must also take into account the time and nature of any new landscaping being established and maturing during the lifetime of the development.<br><br>Construction (2.6)<br>*Construction Programme and Phasing (2.6.1)* – Whilst it is appreciated that it is currently anticipated that the Development would be built in phases, it is unclear at which phase the proposed BESS/400 kV Compound Area would be developed and |

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| | | when electricity would be first imported to it. NSDC considers this should be made clear within any outline construction programme, including proposed phasing, provided in the PEIR and ES.<br><br>*Construction Activities (2.6.2)* – Although it is appreciated that the list of types of construction activities that may be required is unlikely to be exhaustive at this stage, it is unclear which activities specifically relate to the proposed BESS/400 kV Compound Area, including components/activities listed within paragraph 2.5.1.4. The ES should clearly identify the anticipated construction activities to ensure a worst-case assessment is provided.<br><br>*Temporary Roadways (2.6.6)* – The EIA Scoping Report states "depending on conditions during construction, temporary roadways (e.g., plastic matting/geo-grid) may be utilised to access parts of the Development where ground conditions require" (para. 104). NSDC considers this statement to be particularly vague and, in the absence of more specific details including location, extent, duration, and type of surfacing, taking into account the scale of the site, considers that temporary roadways should be identified as one of the key issues for the assessment of potential traffic and access effects relating to the Development to ensure a worst-case assessment is provided (para. 538).<br><br>Operation (2.7)<br>NSDC notes the operational life of the Development is expected to be 40 years, which would start when full operation (maximum electrical export) is first achieved (i.e., when all phases of development are complete). The official start date would, however, be limited to a maximum of 3 years (36 months) from when electricity is first exported from the Development. The EIA Scoping Report therefore confirms that many of the effects of the operational phase will be regarded as temporary and reversible upon decommissioning. |

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| | | <u>Decommissioning (2.8)</u><br>NSDC considers the phrase "the effects of the decommissioning phase will not be assessed separately" (para. 111) to be misleading and notes issue specific chapters aim to consider environmental effects of all stages of development including the decommissioning phase. In addition, quantities and types of waste generated during the decommissioning phase are likely to be different to those generated during the construction phase and, as such, should be assessed separately.<br><br><u>Other Comments</u><br>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 3**<br>Page 23 | **The Planning Framework** | Paragraph 113 of the EIA Scoping Report states the Preliminary Environmental Impact Report (PEIR), and Environmental Statement (ES) will each include a chapter setting out the legislative framework in relation to the application for the DCO for the Development.<br><br>The NPPF is mentioned several times throughout the EIA Scoping Report, but not the most recent version published in 2023. Similarly, the report refers to draft National Policy Statements rather than Forthcoming National Policy Statements that were published in November 2023 ahead of coming into force in early 2024. NSDC would expect these references to be updated and relevant sections reviewed accordingly as part of the ES.<br><br>Paragraph 112 states "planning policy is relevant to the decision-making process, however, it is not relevant to the identification and assessment of likely significant effects". However, reference to local development plans is made within issue specific chapters and therefore may be of relevance. Consequently, NSDC would expect reference to be made to relevant NSDC Development Plan Policies including Core |

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| | | Policy 10 (Climate Change) of the Amended Core Strategy DPD (2019) and Policy DM4 (Renewable and Low Carbon Energy Generation) of the Allocations & Development Management DPD (2013). Other Development Plan policies contained within the two cited documents will be relevant to this Application and should be referenced accordingly within the ES.<br><br>There is also a current review of NSDCs Amended Allocations & Development Management Development Plan Document (ADMDPD) with the representation period on the Second Publication document having closed on 06 November 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 4** Pages 23-28 | **Environmental Impact Assessment (EIA)** | Cumulative Effect Assessment and Interrelationships<br>Paragraph 138 of the EIA Scoping Report states "In relation to the Development, it is suggested that DCO applications will be identified within a 10 km radius of the Order Limits, EIA projects within a 5 km radius and major planning applications within a 2-3 km radius. All other developments/ planning applications that lie within 100 m of the Order Limits will also be considered." However, it is unclear how the suggested radii have been derived at and whether they take account of Zones of Influence (ZOI) for each environmental aspect to be considered within the ES (NSDC notes ZOIs are only mentioned briefly in the ecology chapter at present). At this stage, and in the absence of further detailed information, NSDC is unable to comment on the appropriateness or otherwise of the suggested approach and would welcome further discussions with the Applicant on this matter in due course to ensure the long list and subsequent short list of 'other existing development and/or approved development' identified for the cumulative effects assessment is comprehensive and accurate. |

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| | | <u>Site Selection and Consideration Of Alternatives</u><br>PINs Advice Note 7 recommends that an EIA Scoping Report should include "an outline of the reasonable alternatives considered and the reasons for selecting the preferred option" (Insert 2). However, the EIA Scoping Report simply states that the ES will include a detailed section presenting the reasonable alternatives considered by the Applicant in respect of the location of the Development, its scale and design and the implications of a "do nothing" scenario. Although Site Selection Principles are outlined within Section 2.2 of the EIA Scoping Report, it is clear the location has been led by available grid connection capacity at Staythorpe National Grid Substation, with the Order Limits then being guided by a range of site selection principles and design aims (para. 35). However, in the absence of an outline/summary of the reasonable alternatives considered, NSDC is concerned the Applicant has not duly considered this requirement of the EIA Regulations from the outset. |
| **Chapter 5** Pages 28-35 | **Landscape and Visual Impact Assessment** | NSDC does not presently have in-house expertise to cover this topic area but expects to commission a consultant to advise on this matter imminently. It is therefore requested that the Applicant continues to liaise with NSDC on this matter.<br><br><u>Preliminary Baseline Conditions (5.3)</u><br><u>*Proposed Landscape Study Area (5.3.1)*</u> – NSDC notes for the Scoping and PEIR stages, a landscape study area of 5km from the proposed Solar Areas is proposed (figures 5.1 and 5.2), which would appear to capture all Substation Areas and the proposed BESS/400 kV Compound Area that would include transformer components up to a height of 12m.<br><br><u>*Preliminary Baselines Conditions (5.3.2)*</u> – Although reference is made to relevant local, regional, and national landscape character studies/publications within this section of the Scoping Report, such studies/publications are referenced as footnotes and not listed under 'Relevant Guidance, Legislation and Information' (5.5.2), which is limited |

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| | | to procedural guidance and advice notes relevant to the Landscape and Visual Impact Assessment. NSDC considers local, regional, and national landscape character studies/publications are relevant to the identification and assessment of likely significant effects and, as such, should be appropriately referenced under 'Relevant Guidance, Legislation and Information'.<br><br>On a more general note, but related to the point above, the EIA Scoping Report includes links to entire documents, rather than specific passages/policies/relevant parts, which PINs Advice Note 7 discourages as it is usually unhelpful and leads to the need for clarification further down the line. NSDC would therefore expect the ES to include more precise referencing.<br><br>Paragraph 154 of the EIA Scoping Report refers to 'Sherwood Forest Regional Park', which is not a recognised landscape designation. Although the Newark and Sherwood Amended Core Strategy DPD (2019) refers to Sherwood Forest Regional Park, proposals for a regional park are no longer being actively pursued at this time. The ES should ensure that any references made to sites within the text are accurate and substantiated.<br><br><u>Likely Environmental Effects (5.4)</u><br>External 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.<br><br><u>Assessment Methodology (5.5)</u><br>*<u>Relevant Guidance, Legislation and Information' (5.5.2)</u>* – see comments under 5.3.2 above.<br><br>*<u>Baseline Survey Methodology</u>* – NSDC assumes reference to "The Newark and |

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| | | Sherwood Regional Park" in paragraph 167 is also reference to 'Sherwood Forest Regional Park', which is not a recognised landscape designation and therefore should not be treated as a designated landscape receptor. As inferred by paragraph 165 of the EIA Scoping Report, the Newark and Sherwood Landscape Character Assessment should be used as the primary reference to identify landscape character receptors.<br><br>*Proposed Viewpoints (5.5.4.4)* – due to the limited time NSDC has to comment on the EIA Scoping Report, it has not been possible to comprehensively review the Proposed Viewpoint Locations shown on figures 5.1 to 5.4 and listed in Table 5.1. NSDC is therefore unable to comment on the appropriateness or otherwise of the proposed viewpoint locations at this stage. However, the Applicant's intention for the selection of viewpoints to be agreed through further consultation following the issue of the PEIR is noted (para. 174). Also, in the absence of more precise referencing, and noting that no consultation in relation to landscape and visual impacts has been undertaken to date, it is unclear how the proposed viewpoint locations have been derived at and/or the criteria used to inform their selection.<br><br>Assessment of Cumulative Effects (5.6)<br>Paragraph 176 of the EIA Scoping Report states "existing developments will be considered as part of the baseline, and consented development as part of the future baseline", with cumulative effects to be considered in the main body of the assessment. NSDC considers this statement ambiguous and recommends a clear staged approach be adopted to the cumulative effects assessment in accordance with PINS Advice Note 17. In the absence of further detailed information, NSDC is unable to comment on the appropriateness or otherwise of the suggested approach and would welcome further discussions with the Applicant on this matter in due course to ensure the long list and subsequent short list of 'other existing development and/or approved development' identified for the cumulative effects assessment is comprehensive and accurate. |

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| | | <u>Assessment of Effects on Residential Visual Amenity (5.7)</u><br>Whilst the Applicant's intention to apply a study area of 100m from the Solar Areas and other above ground elements for the inclusion of residential properties within the Residential Visual Amenity Assessment (RVAA) the scope of this assessment is otherwise unclear, e.g., will it cover all phases of development?<br><br><u>Matters and Aspects to be Scoped Out of the Assessment (5.8)</u><br>As noted previously, NSDC does not presently have in-house expertise to cover this topic area but expects to commission a consultant to advise on this matter imminently. It is therefore requested that the Applicant continues to liaise with NSDC on this matter which may include a review of matters to be scoped in/out of the LVIA. |
| **Chapter 6**<br>Pages 35-51 | **Ecology, Ornithology and Biodiversity** | NSDC's Biodiversity and Ecology Lead Officer has reviewed this chapter of the EIA Scoping Report and their comments are provided as a separate document at Appendix A.<br><br>Paragraph 213 of the EIA Scoping Report confirms that a tree survey and Arboricultural Impact Assessment (AIA) to British Standards (BS) 5837:2012 will be undertaken to inform design and mitigation in areas where works may affect trees. NSDC's Tree and Landscape Officer has also reviewed this chapter of the EIA Scoping Report and their comments are provided as a separate document at Appendix B. |
| **Chapter 7**<br>Pages 53-64 | **Hydrology, Hydrogeology, Flood Risk and Ground Conditions** | NSDC largely defers to relevant statutory consultees with expertise in this topic area, including the Environment Agency and Nottinghamshire County Council as the Lead Local Flood Authority, for their views on the scope of the assessment etc., but wishes to note the following points.<br><br>To support the review of the Allocations & Development Management DPD, NSDC have brought together an updated evidence base, and a key part of this is a 'refresh' to the Level 1 and Level 2 Strategic Flood Risk Assessments. Together they provide the most up- |

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| | | to-date understanding of flood risk for the District, and so should be the evidence base used for the EIA. Currently the two documents are hosted on the plan review evidence base webpage, and incorporate everything under the following references.<br><br>ENV 13: Strategic Flood Risk Level 1 Refresh<br><br>ENV 14: Strategic Flood Risk Level 2 Refresh<br><br>There will be dedicated webpages created for the two documents in due course.<br><br>In addition, as noted within our comments on Chapter 2, NSDC queries areas in Flood Zones 2 and 3 have been included, as significant electricity generation capacity could conceivably be achieved by developing areas at lower flood risk alone. Site Selection Principles outlined within Section 2.2 of the EIA Scoping Report also lists one of the design aims at the centre of the development process has been "avoiding high-risk flood zones".<br><br>Finally, NSDC considers the ES should reference 'Flood risk and coastal change' Planning Practice Guidance, which was significantly refreshed in 2022 to bring it up to date and in line with the latest policy position on flood risk introduced in the updates to the National Planning Policy Framework in 2018 and 2021. |
| **Chapter 8** Pages 65-80 | **Cultural Heritage and Archaeology** | NSDC notes and welcomes the intention to carry out archaeological trial trenching in early 2024 to provide information to inform the proposed assessment. NSDC does not have in-house expertise to cover this topic area but has a contract in place with Lincolnshire County Council's Archaeologist. It is understood a draft Written Scheme of Investigation has been shared for comment. NSDC notes that Nottinghamshire County Council has been consulted separately on this Scoping Report, who may also wish to comment on archaeological matters.<br><br>NSDC's Conservation Team have reviewed this chapter of the EIA Scoping Report and |

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| | | their comments are provided as a separate document at Appendix C. |
| **Chapter 9** Pages 81-87 | **Noise** | NSDC's Senior Environmental Health Officer (EHO) has reviewed this chapter of the EIA Scoping Report and their comments are provided as a separate document at Appendix D.<br><br>In addition to the abovementioned EHO comments, NSDC wishes to note the following points.<br><br>It is considered Chapter 9 should be re-titled 'Noise and Vibration' as the EIA Scoping Report notes that vibration associated with piling of photovoltaic (PV) mounting structures and compaction of tracks/hardstanding areas have the potential to cause an effect at nearby receptors and will therefore form part of the assessment (para. 389).<br><br>Also, given the type of panels proposed has not been set the ES should include an assessment of noise and vibration generated by tracking panels and its potential impact on residential and ecological receptors.<br><br><u>Assessment of Cumulative Effects (9.6)</u><br>Paragraph 414 notes the assessment will identify any other Solar or Battery Energy Storage System (BESS) developments which have the potential to result in cumulative effects where study areas overlap. NSDC considers this unnecessarily restrictive and contrary to the suggested overall approach to the assessment of cumulative effects. At this stage, and in the absence of further detailed information, NSDC is unable to comment on the appropriateness or otherwise of the suggested approach and would welcome further discussions with the Applicant on this matter in due course to ensure the long list and subsequent short list of 'other existing development and/or approved development' identified for the cumulative effects assessment is comprehensive and accurate. |

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| **Chapter 10** Pages 88-106 | **Socio-Economic, Tourism, Recreation and Land-Use** | Socio-Economics and Tourism (10.1)<br>As noted within our comments on Chapter 3, the NPPF is mentioned several times, but not the most recent version published in 2023. Similarly, this chapter refers to draft National Policy Statements rather than Forthcoming National Policy Statements that were published in November 2023 ahead of coming into force in early 2024. NSDC would expect these references to be updated and relevant sections reviewed accordingly as part of the ES.<br><br>*Summary of Likely Environmental; Effects (10.1.3.4)* – 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.<br><br>Recreation (10.2)<br>*Preliminary Baseline Conditions (10.2.3)* – NSDC considers principle recreational receptors and resources within or in close proximity to the Development should not be limited to Public Rights of Way (PRoW) but should also include sports and recreational facilities including sports fields, allotments, and public open spaces. The ES should also provide details of a measurable distance (in metres) that is intended to capture those receptors and resources 'in close proximity'.<br><br>Land Use (10.3)<br>NSDC does not presently have in-house expertise to cover this topic area but expects to commission a consultant to advise on this matter imminently. It is therefore requested that the Applicant continues to liaise with NSDC on this matter.<br><br>*Preliminary Baseline Conditions and Information Gathering (10.3.2)* – NSDC notes and welcomes the intention to carry out field survey work to determine the ALC grading of the land within the Order Limits (para. 499). Given the scale of the site, it is considered the ES should include a figure to show the full geographical extent and coverage of |

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| | | field survey work carried out, which should be agreed in advance with relevant consultation bodies including Natural England.<br><br>*Assessment of Cumulative Effects (10.3.6)* – The EIA Scoping Report states "cumulative effects resulting from other sies and developments at a range of geographical scales will be considered". NSDC considers this statement to be particularly vague and contrary to the suggested overall approach to the assessment of cumulative effects. At this stage, and in the absence of further detailed information, NSDC is unable to comment on the appropriateness or otherwise of the suggested approach and would welcome further discussions with the Applicant on this matter in due course to ensure the long list and subsequent short list of 'other existing development and/or approved development' identified for the cumulative effects assessment is comprehensive and accurate. |
| **Chapter 11** Pages 106-115 | **Traffic and Access** | NSDC largely defers to relevant statutory consultees with expertise in this topic area, including the National Highways and Nottinghamshire County Council Highways Authority, for their views on the scope of the assessment etc., but wishes to note the following point.<br><br>*Sensitive Receptors (11.3.2.3)* – due to the limited time NSDC has to comment on the EIA Scoping Report, it has not been possible to comprehensively review the Proposed Sensitive Receptors shown on figure 11.1 and listed in Table 11.1. NSDC is therefore unable to comment on the appropriateness or otherwise of the proposed viewpoint locations. Also, noting that no detailed consultation in relation to traffic and access impacts has been undertaken to date, it is unclear how the proposed sensitive receptors have been derived at and/or the criteria used to inform their selection. |
| **Chapter 12** Page 115 | **Climate Change Impact Assessment** | The EIA Scoping Report notes that the River Trent is tidally dominated north of Cromwell Lock (para. 270). NSDC therefore considers significant effects are likely to occur in that flooding risk will be increased from climate change during the lifetime of |

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| | | 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.<br><br>Overall, NSDC would welcome further discussion with the Applicant on the approach to the climate change assessment. |
| **Chapter 13** Pages 117-129 | **Miscellaneous Issues** | Glint and Glare (13.1)<br>*Assessment Methodology (13.1.6.2)* – Paragraph 598 of the EIA Scoping Report notes advice that the assessment to identify the potential for solar reflections to affect sensitive receptors may need to account for 'tracking' panels if they are proposed but does not specifically refer to this within the proposed assessment methodology (para. 600). The ES should include a full comparison of impacts of the two potential options considered in the Scoping Report for the deployment of either tracking or fixed solar panels, unless the detailed design has reached a point where the proposed panel type is confirmed. Should tracking solar panels be selected, glint and glare potential in relation to the degree/orientation and any pivot of the panel should also be considered within the ES in accordance with the advice contained within the forthcoming National Policy Statement for Renewable Energy Infrastructure (EN-3).<br><br>NSDC's Senior Environmental Health Officer (EHO) has also reviewed this section of the EIA Scoping Report and their comments are provided as a separate document at Appendix D.<br><br>Human Health Including Electromagnetic Fields (13.2)<br>Consideration should be given to direct and indirect impacts on human health receptors, which are not identified or explored within the EIA Scoping Report. It is therefore unclear whether effective scoping of human health matters has been carried out. The assessment should be informed by relevant guidance such as the Institute of Environmental Management and Assessment (IEMA) 2022 guidance 'Determining Significance for Human Health in Environmental Impact Assessment', which NSDC |

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| | | notes is not referred to within the EIA Scoping Report.<br><br><u>Telecommunications (13.3)</u><br>Very limited information has been provided within the EIA Scoping Report to enable NSDC, or any other consultee, to comment on the scope of the assessment of impacts on utility infrastructure at this stage.<br><br><u>Waste (13.4)</u><br>NSDC defers to relevant statutory consultees with expertise in this topic area, including Nottinghamshire County Council as the Minerals and Waste Authority for their views on the scope of the assessment etc.<br><br><u>Air Quality (13.5)</u><br>The EIA Scoping Report proposes to scope out 'Air Quality – pollution from emissions of vehicles and plant' for the Construction and Decommissioning phases of the Development (table 15.1). However, no details of the likely levels of construction traffic are provided in the report and details of the locations of access points and construction compounds are currently unclear. On that basis, NSDC does not agree that these effects can be scoped out of the assessment at this stage.<br><br>The EIA Scoping Report also proposes to scope out 'Air Quality – pollution from emissions of vehicles and plant' for the Operation phase of the Development (table 15.1). NSDC is minded to agree with this provided it can be demonstrated that vehicle numbers are sufficiently low as to not trigger the thresholds for an air quality assessment.<br><br><u>Major Accidents or Disasters (13.6)</u><br>NSDC notes and welcomes the inclusion of information on the risk of major accidents and/or disasters. However, due to the limited time NSDC has to comment on the EIA Scoping Report, it has not been possible comprehensively review the short list of |

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| | | major accidents or disasters that are listed in Table 13.21. NSDC is therefore unable to comment on the appropriateness or otherwise of the events identified. It is also noted that there are no major accidents or disasters proposed to be scoped out of the assessment at this stage, although paragraph 639 notes "it is considered highly likely that as the design of the Development evolves and addresses these risks, it will become clear that there is no real risk or serious possibility of an event occurring or interacting with the Development". NSDC considers this statement unnecessarily dismissive and would expect the ES to include a more detailed assessment following the EIA process and methodology outlined in Chapter 4. |
| **Chapter 14** Pages 129-134 | **Interrelationships** | The proposed approach to assessing interrelationship effects appears to be reasonable, although NSDC expects this to be reviewed with relevant consultation bodies as various assessments progress. |
| **Chapter 15** Page 135 | **Items Scoped Out of the EIA** | In addition to comments already provided in respect of the scope of the EIA, and with reference to Table 15.1 Effects to be Scoped Out of the EIA, NSDC does not agree that 'Vehicle Trips Decommissioning' should be scoped out of the assessment at this stage, as no details of the likely levels of decommissioning traffic are provided in the report, therefore, it cannot be concluded, at this stage, that the effect will be less than the construction phase.<br><br>In addition, Table 15.1 suggests 'Public Rights of Way (PRoWs) outside of the adopted Highway' would be scoped out of the assessment of construction impacts, however, as Via East Midlands Ltd. notes in their comments provided at Appendix E, PRoWs are public highways and can be referred to as the minor highways network and are subject to the same legislation and regulations as the major highway network (roads and carriageways). |

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| **Chapter 16** Page 140 | **ES Supplementary Documents** | NSDC welcomes the inclusion of the listed outline plans as Technical Appendices to the ES. |
| | **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,

*ADavies*

Mrs Amy Davies MRTPI
Planner (Development Management)
Planning Development Business Unit
**On behalf of Newark & Sherwood District Council**

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| Application Ref: | 23/01990/CONSUL |
| Proposal: | Development Consent for the Great North Road Solar Project - Scoping Consultation |
| Date: | 01/12/2023 |

## 1.0 Documents Reviewed

1.1. I have reviewed the Great North Road Solar Park Scoping Report[1] to inform my comments.

1.2. For the avoidance of doubt, unless discussed below, I consider all aspects of Chapter 6 Ecology, Ornithology and Biodiversity, within the Scoping Report to be acceptable.

## 2.0 Preliminary Baseline Conditions

### Designated Sites (Section 6.3.1)

*Possible Potential Special Protection Area*

2.1. A very small portion of the Order Limits on the east side of Eakring falls within an area where there might be a future classification as a Special Protection Area, hereafter referred to as a possible potential Special Protection Area (ppSPA), for its breeding bird (specifically nightjar and woodlark) interest. Because this is neither a formal designation or a potential SPA, it is frequently missed by the usual desk study procedures. Natural England have produced an Advice Note[2] which details a risk-based approach for developments within the ppSPA area to consider potential impacts on breeding nightjar and woodlark. In this instance the Order Limits only appear to encroach into the ppSPA area by approximately 400m and the farmland habitats that I believe this involves would be unsuitable to support these species. However, for completeness and avoidance of doubt I would recommend that this is given consideration within the Environmental Statement, and it should be possible to do this succinctly because of the area and habitat types likely to be involved.

## 3.0 Assessment Methodology

### Relevant Guidance, Legislation and Information (Paragraph 203)

3.1. 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 ecological importance.

### Preliminary Ecological Appraisal (including Habitats) (Section 6.5.4.2).

3.2. It appears that the field surveys for the Preliminary Ecological Appraisal (PEA) were undertaken in January and October 2022. Whilst these are both months that are sub-optimal for botanical assessments, but acceptable for determining some broad habitat types, they would be unlikely to be considered acceptable survey timings for accurately determining some habitat types. These timings would also be potentially unsuitable for undertaking habitat condition assessments for some habitat types for the purposes of

[1] Microsoft Word - 0026_GNR_ScopingReport_v2-2_PP_20231101.docx (planninginspectorate.gov.uk)

[2] Natural England. (2014). *Advice Note to Local Planning Authorities regarding the consideration of likely effects on the breeding population of nightjar and woodlark in the Sherwood Forest region. March 2014.* https://tinyurl.com/5exud7hz

Biodiversity Net Gain (see comments on BNG below). I note that further survey work was to be continued in 2024, but potentially only for areas subsequently brought into the Order Limits. Therefore, I would advise that care should be taken to ensure that where appropriate and proportionate, that habitat assessments have been undertaken at suitable survey timings.

**Reptiles (Section 6.5.4.7)**

3.3. Paragraph 219 suggests that targeted surveys for reptiles will only be undertaken in 2024 where there are extensive areas of high-value habitat that are at direct risk of harm to disturbance. Given the presence of the River Trent corridor and a network of drains and ditches, I would expect grass snake to be present within the Order Limits.

3.4. 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 there should be some assessment via targeted survey work for reptiles, particularly grass snake but the scope of this survey work should be reconsidered to enable a better understanding of the baseline conditions for reptiles, particularly grass snake, within the Order Limits.

**Mitigation and Enhancement (Section 6.5.5.4) –Biodiversity Net Gain (BNG) (Paragraph 242)**

3.5. 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. This approach is welcomed and supported.

3.6. 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.

3.7. Paragraph 242 indicates that the BNG assessment will utilise the prevailing Department for Environment, Food and Rural Affairs (DEFRA) Biodiversity Metric 4.0. Since the scoping report was prepared, there is now a Statutory Biodiversity Metric and associated publications[3]. 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.

3.8. Habitat Condition Assessments are an integral part of the BNG calculation. These should be completed using the published Statutory Biodiversity Metric Condition Assessments[4]. Following on from my comments in Paragraph 3.2, the assessments

[3] Statutory biodiversity metric tools and guides - GOV.UK (www.gov.uk)

[4] https://assets.publishing.service.gov.uk/media/6565d39762180b000dce82e0/Statutory_Biodiversity_Metric_Condition_Assessments.xlsx

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.

## 4.0 Matters and aspects to be scoped out of the assessment.

4.1. It is my understanding at the time of writing, that Natural England are going to launch an updated version of the Sites of Special Scientific Interest (SSSI) Impact Risk Zones (IRZ) and this will for some IRZs contain additional information and advice. Whilst this may not alter the decision to scope out the four SSSIs detailed in Table 6.7, the assessment process should ensure that it utilises up to date information, so this assessment should be reconsidered to ensure that it is still appropriate and in accordance with the IRZ update.

**Nick Law**
**Biodiversity and Ecology Lead Officer**
**Planning Development**
Newark and Sherwood District Council
[redacted]

| Tree and Landscape Officer Comments | |
|---|---|
| **Application No:** | 23/01990/CONSUL<br>Development Consent for the Great North Road Solar Park - Scoping Consultation<br>To view the documents, please follow the link:<br>https://infrastructure.planninginspectorate.gov.uk/projects/east- |
| **Identify tree(s) and or hedgerow affected and their amenity value:** | <u>Drawings referred to</u><br>1. scoping report environmental impact<br>a. Insufficient detail is included in the plan to allow a full assessment of the potential impacts for example, it is accepted that veteran trees, ancient trees/ woodlands are not all mapped either with DEFRA or NGO noting the advice that "You should consider wood pastures identified as ancient in the same way as other ancient woodland when making planning decisions" (https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions). As this is a reasonable reason to refuse development over a significant area it is suggested this be fully explored and documented prior to a layout being placed forward.<br>b. NPPF (2021) 174B "recognises intrinsic character and beauty of the countryside" is suggested there is a hierarchy of visual inputs commensurate residential units / listed buildings/ key historical views/ pause points on public highways (intersections), adjacent open space, public rights of way are suggested as a key form of public interaction with the rural landscape. It is considered of major importance as these routes are preserved in character and feel for all users ensuring that the rural landscape is not altered into an industrial landscape. To wider views for example major roads with speed limits over 50 mph intersecting tree lights. Noting those protected by statute including tree preservation order, conservation area, SSSI, ancient woodlands, veteran trees, ancient trees, listed monuments (noted are shown on drawing).<br>c. Landscape and visual amenity, it is accepted that much of the area within this landscape is characterised by important hedgerows as defined under the ancient hedgerow act 1997<br>for example, Crow lane stream running north and northeast clearly visible from crow lane and Great North Road both the woodland, small stream, hedge line can clearly be seen on the 1875 mapping (snippet below) it is reasonably likely that this will contain veteran or ancient trees and an important hedgerow. The proposal acknowledges none of these constraints significantly changing altering the character the rule area.<br>d. TPO N206 - Cheveral Wood, Hockerton, North Clifton, Notts, an acknowledged ancient woodland protected by TPO. Noting that trees fail in high winds, particularly veteran trees, as such any offset should be 1and a half times the mature tree height.<br>c. Lowland Mixed Deciduous Woodland is considered a priority habitat. It is accepted that trees have associated wildlife, are important as woodlands for biodiversity, flood alleviation et cetera. It is normal with the lifespan of the woodland that trees will drop branches and occasionally fail in their |

| | |
|---|---|
| | entirety. National Grid key assets set a boundary/ safe working distance of 1 1/2 tree lengths to key assets. The placement of solar panels does not appear to take into account the RPA (root Protection area), ecology, climate change impacts. |
| **Overall Conclusion:** | It is suggested.<br>1. The current proposal will have a strong negative impact on statutorily protected trees (TPO), priority habitats, character of the open rural landscape.<br>2. Insufficient information has been presented to allow a reasonable assessment of the proposal.<br>It is further suggested.<br>1. As per British standard 5837 (2012) a constraints drawing is raised clearly demonstrating the reasonable viability of the layout, through its whole lifespan including restoration/decommissioning.<br>2. Key landscape, historic, protected features are respected and enhanced.<br>3. The intrinsic character and beauty of the open countryside is respected, shown with full mitigation for any impacts from the proposal |


Identify
Frow Lane

| Heritage advice<br>NSDC PLANNING CONSULTATION<br>*comments* | |
|---|---|
| **Application number**: 23/01990/CONSUL | **Date:** 30/11/23 |
| **Proposal** | Development Consent for the Great North Road Solar Park - Scoping Consultation |
| **Site address** | Great North Road Solar Park |

We have been consulted on the above proposal. Our understanding is that this project is essentially in pre-application stages with PINS and that they have been asked to give a scoping opinion to which we are now being consulted.

The conservation team have identified some errors in the mapping of a few conservation areas (Ollerton, Laxton, Southwell and Newark) which have recently been reviewed (2022). These recently amended conservation area boundaries will need to be updated.

In the cultural heritage section of the submitted report, it is anticipated that there will be a 2km inner study area and a 5km outer study area. It is proposed to scope out Grade II listed heritage assets located at a greater distance than 2km. The conservation team have concerns about this approach, however, understand that the assessment also needs to be proportionate. It is suggested that Grade II heritage assets, not located in a conservation area at a greater distance than 2km should be included within the scoping.

It is also recommended that advice is sought from neighbouring Bassetlaw's conservation team. Parts of the northern section of the 5km buffer falls within Bassetlaw District.

It is not clear if non-designated heritage assets are not included in the 'recorded historic environment recourse' to be assessed within 1km of the order limits. 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). The conservation team would like to ensure that the potential impact on unregistered parks and gardens, in particulars their setting and significance is assessed.

Documents provided, relevant to the cultural heritage include

- Indicative developable areas
- Planning and environmental designations
- ZTV study with viewpoints
- Designated heritage assets

For clarification it would be useful to have the developable areas overlaid on the designated heritage asset maps, rather than only having the red-line boundary.

A description for the different developable areas has been provided. Included are some approximate dimensions and parameters, such as underground cabling. The conservation team would want to see the necessary assessments on the assumptions made on the worst case scenario.

Viewpoints within CAs appear to have been identified at the parish church. This will often be the highest-grade heritage asset with the conservation area; however, it will not be the only high grade heritage asset within the settlement. This approach doesn't allow for viewpoints to enable the assessment of potential impacts on the general character and appearance of the conservation area, as well as the setting of heritage assets and how the assets are experienced. It is recommended that the existing viewpoints are reviewed and having multiple viewpoints within a historic settlement/conservation area are considered. In addition, once the definitive Prow data has been received, these locations may also inform additional viewpoints.

[redacted]

**From:** Dale Brain
**Sent:** 30 November 2023 15:22
**To:** planning
**Subject:** 23/01990/CONSUL

OFFICIAL

23/01990/CONSUL

I am commenting in relation to the potential for noise, glint and glare disturbance arising from the development.

**Operational Noise**
Whilst the solar panels themselves will not create noise, plant associated with the generation of electricity does emit noise (inverters, transformers, substations, etc).
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 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 wind 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.

**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.

**Dale Brain**
**Senior Environmental Health Officer**
**Public Protection**
Newark and Sherwood District Council
[redacted]
www.newark-sherwooddc.gov.uk
NEWARK & SHERWOOD DISTRICT COUNCIL

[redacted]

**From:** Jane Baine [redacted]
**Sent:** 23 November 2023 11:50
**To:** planning
**Subject:** 23/01990/CONSUL Great North Road Solar Park



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I have reviewed the Environmental Impact Assessment Scoping Report for the Great North Roads Solar Park

The only comments I have to make currently are:

Public Rights of Way (RoW) are public highways and can be referred to as the minor highways network and are subject to the same legislation and regulations as the major highway network (roads and carriageways)

RoW can be temporarily closed to allow for construction/decommissioning as part of an application under a Temporary Traffic Regulation Order (TTRO), managed by the highway authority (Nottiinghamshire County Council)

RoW can be permanently diverted (or extinguished) if the development cannot avoid them, under a Public Path Order (PPO). These require public consultation and should be discussed with the highway authority (NCC) at an early stage to avoid delaying the development. The orders should be made and confirmed prior to works starting on site

I look forward to seeing the ES Supplementary documents and the Outline PRoW Management Plan

**These comments have been provided by Via East Midlands Limited on behalf of Nottinghamshire County Council, in its capacity as Highway Authority, through Via's continuing role of providing operational services on behalf of the County Council**

Regards

Jane

**Jane Baines**
Rights of Way Manager
**Via East Midlands Ltd**

**Working in partnership with Nottinghamshire County Council**

[redacted]

Head Office: Bilsthorpe Highways Depot, Bilsthorpe Business Park,
Eakring Road, Bilsthorpe, Newark NG22 8ST

| | |
|---|---|
| **From:** | ESTATES (NHS NOTTINGHAM AND NOTTINGHAMSHIRE ICB - 52R) |
| **To:** | Great North Road Solar |
| **Subject:** | FW: EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation |
| **Date:** | 15 November 2023 15:31:52 |
| **Attachments:** | image001.png<br>image007.png<br>image002.png<br>image004.png<br>image006.png<br>image005.jpg<br>EN010162 Great North Road Solar Park - Letter to stat cons Scoping & Reg 11 Notification.pdf |

Hello Joseph,

Thank you for consulting with the ICB on this planning application. I can confirm, that as there are no dwellings proposed in this scheme, that the ICB has no further comment to make.

Kind regards
Sue

**My working days are Mon-Wed**
Telephone: I am currently working from home – please email me with your query and I will respond as soon as possible
nnicb-nn.estates@nhs.net

Head office: Sir John Robinson House, Sir John Robinson Way, Arnold, Nottingham, NG5 6DA



**From:** Great North Road Solar <GreatNorthRoadSolar@planninginspectorate.gov.uk>
**Sent:** 09 November 2023 15:23
**Subject:** EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation

| | |
|---|---|
| **From:** | Nick Feltham |
| **To:** | Great North Road Solar |
| **Subject:** | EN010162 - Great North Road Solar Park - EIA Scoping Notification and Consultation |
| **Date:** | 10 November 2023 08:32:39 |
| **Attachments:** | image001.png<br>image003.png<br>image004.png<br>image005.png<br>image006.png<br>image241248.png<br>image200144.png<br>image173413.png<br>image041711.png<br>image311811.jpg |

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Dear Sir, Madam

Thank you for consulting North Kesteven District Council in relation to the EIA Scoping Report for the Great North Road Solar Park Nationally Significant Infrastructure Project (NSIP).

The Council's comments are primarily in relation to section 5.6 'Assessment of Cumulative Effects'. With reference to paragraph 175 we note that the cumulative study area for landscape and visual receptors will extend to 10 km from the Order Limits. This may stray into the proposed Order Limits of the Fosse Green solar NSIP proposed around Witham St Hughs/Thorpe on the Hill/Bassingham in North Kesteven District. The Fosse Green solar project should therefore be scoped in to the assessment of cumulative LVIA effects. Furthermore, depending on the timescales of the respective projects the applicant might also need to consider cumulative traffic and transport matters also associated with the Fosse Green solar project with reference to both schemes potentially using the A46/M1 corridors for construction deliveries.

In terms of LVIA we note the proposals at paragraph 5.3.1 propose a landscape study area of 5 km from the proposed Solar Areas as shown by Figures 5.1 and 5.2. Whilst this may be appropriate the Council would highlight that there are extensive views from the elevated Lincoln Cliff Area of Great Landscape Value (AGLV) over towards Newark and the Trent Valley. The Fosse Green solar project is proposed within the Witham Valley; between the ALGV and the Great North Road Solar Park. We therefore recommend that the applicant considers including an initial viewpoint from the northern end of the AGLV (potentially around Harmston/Coleby/Boothby Graffoe; from the Viking Way footpath) to assess individual and cumulative LVIA effects and whether more detailed assessment is required.

Finally, we also request that the applicant 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.

Regards
Nick Feltham

**From:** Andrew Law
**To:** Great North Road Solar
**Subject:** EN010162 - Scoping response NLC
**Date:** 07 December 2023 14:51:27

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You don't often get email from [redacted] Learn why this is important

Good afternoon,

Thank you for giving North Lincolnshire Council the opportunity to comment on the Scoping Request in respect of the Great North Road Solar Park 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

North Muskham Parish Council
c/o The Clerk to the Council
[redacted]
Email: northmuskhampc@hotmail.co.uk

**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: North Muskham Parish Council**

North Muskham Parish Council has considered the scoping report and wishes to make the following observations:

1. **Cumulative assessments**
   In addition to this proposal, we are aware of other singular planning applications for Battery Energy Storage systems and PV solar farms in the Newark ad Sherwood District Council area and in identifiable and potential impactive proximity to this proposal that are currently undergoing various stages of the planning process. Whilst in a singular state, impact on a receptor may be moderate but, cumulatively, may have a severe effect. This will include landscape and visual effects but also potentially in physical and psychological health terms of residents and visitors to the area.
   **The Council wishes for these to be scoped in, ie: all approved and still to be determined applications for PV BESS and PV farms within 10km of the order limits.**

2. **Landscape and Visual Impact Assessment**
   No height given for CCTV and Lighting poles, but we presume that these will be at a minimum height of 4mtrs and, as such, are likely to have a substantial impact on residential visual amenity and as such should be further determined and highlighted.
   **Further, we suggest that, in line with growing standard practice in the UK, that the residential visual amenity assessment should scope in all impacted premises within 1 km of the solar arrays and associated structures and all residential properties within 500m of the outer edge of the cable corridors.**

   As a minimum, with regard to residential visual amenity impacts, we note that the Landscape Institute's Technical Guidance Note suggests that, for lower profile structures, Residential Visual Amenity Assessment (RVAA) may be required for properties in "very close proximity", which could be 50-250m from the development, rather than the 100m suggested.

The proposal has a peak of 800MW. Given that Staythorpe's gas-powered output is 1750MW. The proposal will add another 50% to its capacity. Will this necessitate additional overground transmission infrastructure. **If so, this element should be scoped in we suggest. Further that the landscape study area of 5km be scoped in excepting underground cabling.**

3. **Traffic and access**
   **Fear and intimidation effects are stated as applicable to pedestrians only. Given the national cycle route network is within the proposed development area, which is popular with long distance cycling clubs, the Parish Council asks that cyclists and indeed equestrian users are included and all scoped in.**

   **Insufficient volumes, times etc of visiting vehicles to support operational maintenance, repair and renewal and incident response, are shown. Estimated quantification and frequency should be highlighted.**

   On traffic and access, environmental weight limits apply to many local roads, constraining route choice. The cumulative impact of construction journeys on those available must take into account that (a) local level crossings are closed for rail traffic for significant periods, (b) local roads are frequently used as diversionary routes for the A1 and (c) the A46 Newark by-pass upgrade is likely to be being constructed on a similar timeframe.

   The National Cycle Trail crosses parts of the scoping area.
   **These aspects should be scoped in.**

4. **Flooding and Hydrological**
   Pluvial and fluvial extremes and return periods are being re-defined and will continue to do so as locked in climate change impacts increase. Climate change impacts on SUDS must be considered, especially in higher areas where overtopping will result in flooding at lower levels and down stream of watercourses. Also changes to the natural off flow from the land occupied by the Solar arrays is likely and is likely also to form new channels and ill-defined water courses. **The risk of run off of any operational pollutants onto neighbouring arable land should be considered and scoped in.**

   **The impact on acquifers in the development area should be determined, quantified and scoped in.**

5. **Glint and Glare**

   **The proposed elevated section of the A46 dualling project should be re-considered for such impact ref 5.2 (Zone of theoretical visibility- south east area). The Council suggests that this be scoped in and also the sample points for the A1 and East Coast Main Line should be closer than the stated 200mtr centres**.

   We are concerned that it may be difficult to assess the scope of glint and glare impact until more exact panel height, type (fixed or tracking) and locations are known. Until then, as well as transport receptors, a precautionary approach that scopes in any ground receptors within the identified zones of visual influence should be taken.

6. **Land Use and Food production**

   The Scoping Report refers to the agricultural land considered as either Grade 2 or Grade 3.

   2.2 Site Selection Principles 35 – Minimising the use of the Best and Most Versatile (BMV) land, avoiding outline Grade 2 agricultural land where possible and practical and avoiding any development on Grade 1 agricultural land These categories are determined by DEFRA and can be described as:-

   - Grade 1 - Excellent quality agricultural land with no or very minor limitations
   - Grade 2 - Very good quality agricultural land with no or very minor limitations
   - Grade 3 - Good to moderate quality agricultural land (see Sub Grades below)
   - Grade 4 - Poor quality agricultural land with severe limitations which significantly restrict the range and level of yield of crops.
   - Grade 5- Very poor-quality agricultural land with very severe limitations which restrict use of permanent pasture or rough grazing with the exception of occasional pioneer forage crops.

   Category 3 is further divided into two Sub Grades, thus forming 6 effective grades in total.

   - Grade 3a - Good quality agricultural land with moderate limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land can produce moderate to high yields of a narrow range of crops or moderate yields of a wide range of crops.
   - Grade 3b – Moderate quality agricultural land with strong limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land produces moderate yields of a narrow range of crops, low yields of a wide range of crops and high yields of grass.

   The designated 3a subdivision is particularly important in relation to planning. Grades 1, 2 and 3a need to be considered much more carefully when considering planning applications. Grades 1, 2 and Subgrades 3a are considered the 'best and most versatile' (BMV) land category in the current planning system. This land is deemed the most flexible, productive and efficient in response to inputs. It is the best to deliver future crops for food and non food uses (such as biomass, fibres and pharmaceuticals).

The National Planning Policy Framework (paragraph 170) requires planning authorities to "recognise the economic and other benefits of the best and most versatile agricultural land" when making decision on development proposals. https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for.

Much of the land immediately west of North Muskham is high quality arable land being used for production of cereals, potatoes and sugar beet for the local sugar factory and for a significant part of the proposal area, similar crops are grown as well as maize for anaerobic digesters.

Much land in/near Muskham is actually in Category 2. The areas that are nearest to North Muskham as defined in the Figure Referencing (page 160) within the Scoping Report are as follows:

- SE-e6 – North of Muskham village
- SE-d5 – North West
- SEd6 – North West
- SEd4 – South West

Further North to Cromwell:

- NE-d1 – North North
- NE-e1 – North North West

Figure 10.2 Provisional Agricultural Land Classification in the Scoping Report shows the Grade 2 Land in light blue. The Defra Open-source website confirms much of the land as category 3 (it does not show Sub Grades 3a and 3b) but that some is Grade 2. All of the Land in the above figure referencing around North Muskham are either entirely or largely Grade 2.

**We consider that the effect of the development on food security should be assessed, since the impact on soil quality does not account for the socio-economic effect of having so large an area of land out of food production for so long a period, particularly where conditions for production are good and the local economy is historically adapted to this industry. We consider this impact should be scoped in**.

The report suggests (pg 105/504) that sheep farming may be conducive and supportive with regards to the beneficial and concurrent land use beneath the solar arrays. The report does not however reflect that sheep farming in the UK is in the decline and land use for sheep farming has substantial availability above demand.

7. **Ecology, Ornithology and Bio diversity**

**A number of species are mentioned but we suggest the following should also be scoped in:- Barn Owls, Deer, Hen Harriers – one of the UK's rarest birds of prey. (Conservation status – Hen Harrier Classified in the UK as Red under the Birds of Conservation Concern 5: the Red List for Birds (2021). Protected in the UK under the Wildlife and Countryside Act, 19). Residents have seen these on numerous occasions in and around SE-26.**

It is not clear whether the study will consider the impact on the stated study species in regard of their natural and habitual behaviour to travel significant distances from their base habitat. This is especially relevant with Otter and to a lesser extent Badger. **It is suggested that the report and study should include the impacts that the substantial fencing will have on these behaviours and the well being and sustainability of habitats and be scoped in.**

8. **Proposed Ecology study area/survey area:**

Nottinghamshire Wildlife Trust Nature Reserve is not highlighted on maps or in the Scoping Report. Figure 6.1 Statutory Designated Sights – has a key indicating, amongst other things, Local Nature Reserves. **Whilst the Nottinghamshire Wildlife Trust Nature Reserve at North Muskham (off Manor House Drive) is just outside of the Order Limits in should still be scoped in and highlighted in dark blue as per similar sites.**

**Immediately north of this asset is a further 25acres of land currently being sought for purchase by Nth Muskham Parish Council to protect and nurture the land and to make formal submission for this to be a nature reserve. This should also be highlighted and scoped in as per above.**

9. **Public Rights of Way**

**FP1 and FP 8 are incorrectly marked on the map.**
The many PROWs within the scoping area are high contributors to the attraction of the area for recreation and tourism. Many are ancient rights of way which are part of the culture of the area. **The Council considers that stopping up and diversions will remove this historic link and legacy and the historic character of such rights of way should be considered and scoped in.**

10 **Miscellaneous Issues**
Human Health Impact Assessment: ONS published 27/11/2023: ”A million fewer people are gaining health benefits from nature since 2020 http://tinyurl.com/4zmbtmc8, estimating the financial and medical cost of post-covid reduction in accessing nature. GNRSP would likely further discourage such access. **We suggest that the cumulative impacts during construction, operation and de-commissioning of the proposal on the physical and psychological health and well being of residents with the area must be considered and scoped in.**

We trust that these observations and suggestions are useful and will be taken on board. We would be pleased to discuss the matter further should it assist.

North Muskham Parish Council
6th December 2023

Norwell Parish Council
c/o The Clerk
[redacted]

**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Consultee Norwell Parish Council ('the Council')**

## 1. Introduction

Elements Green Trent Ltd ('the Applicant') proposes to construct and operate Great North Road Solar Park (GNR) ("the Development"), a proposed solar photovoltaic (PV) electricity generating facility within the district of Newark and Sherwood and the county of Nottinghamshire. When built, the Development would have an anticipated solar electricity generation capacity of approximately 1,120 megawatts (MW) Direct Current (DC) to be connected into the existing National Grid Staythorpe Substation. The following represent the views of Norwell Parish Council as to what should be scoped into the eventual Environmental Impact Assessment (EIA) and subject to examination. We are grateful to the Planning Inspectorate for being included as a consultee.

## 2.Site Description

We do not intend to provide a detailed description of the site. Suffice to say that the Development extends over a vast expanse of farmland currently used for food production. At our count, it would involve land in eighteen parishes. What is relevant is that, in addition to currently operational solar farms in the Newark and Sherwood District, there are a number of planning applications for Battery Energy Storage Systems (BESS) and PV solar farms currently undergoing the various stages of the planning process. These sites are co-located in the same general areas of this proposed development.

## 3.Cumulative Assessments

Section 4.1.6 of the Scoping Report (SR) addresses this topic and as far as paragraphs 131- 141, **the Council would wish these to be scoped in.** Paragraph 138 seeks to set distance limits to other proposed developments that should be included in the cumulative assessment. Paragraph 138 lists four criteria for inclusion in cumulative assessment. With regard to the second criterion, the majority of proposed solar farms with a maximum theoretical

output not exceeding 50MW alternating current (AC) would not require an Environmental Impact Assessment (EIA). Similarly, the majority of BESS developments escape the need for an EIA, as they do not generate electricity and would mostly fall to Schedule 3. It is possible that such developments as the last two could be classed as '*major*' and therefore be captured. But 'major' is subjective.

The Council note the PINS Advice Note 17 and the findings in the High Court judgement Pearce v Secretary of State for Business, Energy, and Industrial Strategy [2021] EWHC 326 (Admin). The parameter of projects being 'reasonably foreseeable' should be the assessment criterion.

Therefore,**the Council would wish that all approved and undetermined applications for PV farms and BESS within 10km of the Order Limits be included in cumulative assessments. It would be sensible to attach a minimum capacity size to projects to be included. It is hoped that expert guidance could advise on this but one suggestion might be that for ground mounted PV farms, a maximum output of 3MW AC and for a BESS maximum storage of 20MW could be starting points for inclusion.** In general though, the Council accept the Assessment methodology at 14.2 of the SR.

**4.1 Landscape and Visual Impact Assessment (LVIA) -RVAA**
The Council welcomes the inclusion of a Residential Visual Amenity Assessment (RVAA) within the LVIA and this should be scoped in. The Applicant has suggested that the following PV solar farm components:-

- fixed or single axis tracker panels with a suggested height of approximately 4m.
- Deer fencing with a height of up to 2.5m. Deer fencing has a lesser visual impact than security fencing. Within the industry there is a gradual move away from deer fencing to security fencing given a spate of thefts from solar farms.
- CCTV and lighting poles with no height given. Typical CCTV poles could be around 2.5m – 3m with lighting poles higher.

At 5.8 of the SR it is stated that solar developments are of limited height. The 4m height limit is not low and the effect of long lengths of 10-foot fencing add to the reduction in visual amenity.

The Guidelines for Landscape and Visual Impact Assessment (3rd edition) - Landscape Institute/ Institute of Environmental Management and Assessment (2013) [GLVIA3] stipulates that a key matter for any LVIA would be to scope and address the main receptors i.e. those persons who can view the development and the changes to the landscape it brings about and are affected by the changes.(S3)

The Residential Visual Amenity Assessment Guide ( TGN 02/19 Landscape Institute 2019) is quoted by the applicant. That guide defines Residential Visual Amenity as:-
*The overall quality, experience and nature of views and outlook available to occupants of residential properties, including views from gardens and domestic curtilage. It represents the visual component of Residential Amenity.*

The applicant states that 50m from the solar array boundary is typically used as the norm when deciding the distance for the study area, but goes on to extend to 100m for the purposes of the SR. Despite lengthy research it has not been possible to yet find another solar farm LVIA which used 50m or even 100m.

As examples, four nearby solar farm LVIA s have been checked and the distances used are below:-

- Weston 1km
- Kelham Solar Farm 500m (panels are only 2m high)
- Foxholes Solar Farm nr Norwell – Assessed properties over a 1km away
- Knapthorpe Assessed isolated properties over 2km away.

The above four applications were to the Local Planning Authority. There is therefore merit in seeking corroboration from LVIAs submitted as part of an application for an NSIP solar farm. The following quotes are from LVIAs such as these:-

Quote 1
*"The 1km Study Area: This is for the area extending as a radius for the Visual Assessment of the Residential Properties (the 'Residential Receptors') and for the Transport Receptors and is based on the visibility of the Scheme. This radius is considered appropriate for the residential receptors and transport receptors..."*
The source document for this quote is also helpful in that it suggests a 500m study area for residential properties for the cable route corridors...

Quote 2
*"The 0.5km Study Area for the Cable Route Corridor.....This radius is considered appropriate for the Cable Route Corridor, since this involves the construction phase only, which is short term and temporary."*

Quotes 1 and 2 are taken from LVIA for the West Burton Solar project. A separate NSIP solar farm project at Cottam (which is also being developed by Island Green Power UK Ltd) uses identical wording.

Different developers are behind the Mallard Pass solar farm NSIP application. Their LVIA considered dwellings situated over 700m away from the development there. The argument that the development site is of a dispersed nature is not grounds to devalue loss of visual amenity. Invariably with other

NSIP solar farms, impacted dwellings often do not have sight of the whole development either. But they are still assessed.

The Council therefore do not agree with the proposed scoping out of residential properties more than 100m away from the development. It does not agree with the assertion that the industry standard is 50m. **The Residential Visual Amenity Assessment should scope in all impacted residential premises within 1km of the solar arrays, infrastructure and the BESS and all residential premises within 500m of the outer edge of the cable corridors.**

**4.2 Landscape and Visual Impact Assessment (LVIA) -Landscape**
**The Council would wish that a landscape study area of 5km from the solar arrays be scoped in** but would accept that fields at the extremities of the Order Limit that are only being used for underground cabling, need not be the start point for the 5km measuring point.

**5. Traffic and Access**
The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the Environmental Statement (ES). Figures at 11.1 of the SR show the proposed construction key access routes. It is accepted that detailed scrutiny of any Construction Traffic Management Plan (CTMP) will occur at a later stage. Paragraph 548 states that the Traffic and Access Chapter will report the assessment of likely transport effects. It limits the Fear and Intimidation effects to pedestrians. When assessing the suitability of mainly narrow country lanes chosen as site access routes, **the Council believe that a Fear and Intimidation Assessment (comparable with the weighting system included in the 2023 IEMA Guidelines) should include cyclists and equestrian traffic and this should be scoped in.**

Paragraph 569 states that "*the operational phase is expected to only generate a very small number of vehicular trips."*Whereas this may well be true for routine plant and land maintenance, there seems to be an underlying assumption that there will be no need for panel replacement during the lifetime of the project. This may be true, or may not. The SR states this will be assessed in the Traffic and Access ES Chapter. **The Council believe this chapter should assess, quantify and scope in the issue of panel replacement and the traffic plans to so accommodate.**

**6.Flooding and Hydrological**
The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. The SR rightly identifies The Beck as one of the relevant tributaries of the River Trent. During periods of substantial rainfall it is prone to flooding at various locations. The villages of Caunton, Cromwell and Norwell have all experienced water ingress to residential properties this year. It is accepted that the Flood Risk Assessment (FRA) will attempt to demonstrate that field run off will not accelerate during the operational phase by using sustainable drainage systems (SuDS).

The applicant seeks to scope out three potential assessments.(Table 7.6)

- *Transfer of sediment to surface water resources*
- *Transfer of chemicals to surface water resources during operation*
- *Chemical pollution from damaged PV arrays/ leakage from PV arrays*

The justifications for scoping out are on-site vegetation cover and the physical separation between the arrays and surface water. In many places there is physical separation between the Beck and the arrays. However, at the Eakring site, it is minimal. At Kersall, given the topography, field run off feeds into a

stream linking to the Beck. The array north west of Cromwell, at it's western perimeter is contiguous to the Beck. The Moorhouse Beck runs straight through several planned arrays. For a large part of the year these sites have on-site vegetation. The quantity and nature of on-site stored chemicals also needs to be quantified and assessed in the ES.

For these reasons, it is contested that the arguments for their 'scoping out' fall and **The Council believe that the transfer of sediment to surface water resources and the transfer of chemicals to surface water resources during operation should be scoped in for assessment.**

The chemical pollution resulting in damage argument for scoping out requires further scrutiny given the materials forming the panels and panel degradation over life. The Applicant's proposed panels may be capable of retaining structural integrity, even towards end of life. The table also only deals with fixed panels and racking even though in the SR there is consideration of both fixed panels and single axle trackers, the latter requiring greater maintenance. At end of life, panels are considered hazardous waste. So how safe are they close to end of life? It may be that the applicant is able to allay all fears here but **the Council feel that an evidence based risk assessment of the potential for chemical pollution from damaged/end of life fixed and single axis tracker panels should be scoped in.**

**6.Glint and Glare**

The Council agrees this matter should be ‘scoped in’ and appropriate assessments included as part of the ES. No robust analysis of the intended glint and glare methodology is intended here. That can wait for the final report. Glint and glare assessors often rely on a circa 1.5m AGL receptor height assumption.

**However, for the purposes of scoping in, the Council believe that the assessment should vary the receptor height when analysing the effects on transport.** This should be for all major roads frequently used by HGVs. A comprehensive traffic survey by the Applicant will also hopefully identify roads in the study area commonly used by agricultural vehicles, especially during harvest. This height variance may have always been intended but it is not clear.

Adopting the cumulative effects details outlined in Section3 above, the proposed elevated carriageways for the A46 at Newark should fall into the category of 'reasonably foreseeable' projects which might be affected by the development's glint and glare, depending on what panel type is deployed. Figure 5.2 (Zone of theoretical visibility South east area) demonstrates little impact likely on the current road. However, with the prospect of flyovers in the future, an assessment is needed to identify any future impact.

On a similar theme, the receptor height must be varied when assessing the potential effects on some users of the A1 (especially HGVs) and the East Coast mainline. This must include but not be restricted to the stretch of the A1 at North Muskham where there is little existing mitigation. For the East Coast mainline, this must include but not be restricted to any stretch of line approaching track side signals. Furthermore, the actual height of the track and the A1 must be used as baselines, as opposed to the rough height taken from online mapping. This is particularly important for the rail track which in many places is raised above surrounding ground levels. This exercise may not be possible just using a desk based assessment.

The Applicant was intending a 200m gap between sample receptor points. It is possible that the Applicant intended more thorough and less distanced sampling when it is stated there will be *a sequential assessment as receptors move along these routes* (the A1 and the mainline). If that is the case the gap argument here is a moot point. However, it is ambiguous. So for the sake of certainty, **the Council believe that sample points covering the A1 northbound carriageway and the East Coast mainline should be significantly closer then 200m apart and their data should be scoped in. It is also believes that the the glint and glare assessment should include proposed future height changes in the A46 carriageways.**

Included (for some reason) in the glint and glare section in paragraph 604 is:- *"Risks associated with electrical infrastructure such as from lightning strikes are removed or reduced through inbuilt control systems and are therefore proposed to be scoped out of the assessment."*

Considerable international research has been published on the subject of lightning damage to PV modules and associated electrical infrastructure. The South African Institute of Electrical Engineers has reported that more than 32% of damages to solar panels are caused by lightning, placing atmospheric discharges as the first cause of deterioration. As previously stated, the Applicant has stated that the chosen PV modules will retain their structural integrity if damaged. There are methods of reducing the likelihood of lightning damage, some more expensive than others. It is accepted that there are also ways to protect other parts of the development grid from collateral damage. But **the Council believe that these lightning damage protection methods should be scoped into the technical specifications of the ES.** The reason is that damaged PV modules can pose an environmental risk.

## **7**.**Noise and Vibration**

The Council agrees these matters should be 'scoped in' and appropriate assessments included as part of the ES. In general the Council agree with the SR methodology to address noise and vibration, though that is not to say that it agrees with its full contents. At paragraph 378, the Applicant correctly refers to Design Manual for Roads and Bridges (DMRB) Volume 11. This is the La 111

revision 2 version and the Applicant adopts the suggested construction noise study area sizes for the purposes of the SR.

Table 9.7 later attempts to scope out assessment of vibration caused by construction traffic. The justification relies on a quote from DMRB:-

*".. that normal use of the buildings such as closing doors, walking on suspended wooden floors and operating domestic appliances can generate similar levels of vibration to those of road traffic."*

This is a quote not from the above current version but from an old withdrawn version. The above guidance is not in the current version. But if credence is still going to be given to that version, what was not quoted from that old version from the same section ( section 6.2) is the following:-
*"Occupants of hospitals, educational establishments and laboratories or workshops where high precision tasks are performed may well be affected to a greater extent than residents of domestic dwellings."*

Hospitals can be excluded here clearly. But the outdated guidance, taken as a whole, revises the criteria for assessment. There also remains the possibility that on any of the proposed CTMP routes, there may be designated heritage assets, not usually exposed to heavy passing traffic ( either because of weight restrictions or the general location) and whose ability to cope with sustained HGV vibration is less than a standard dwelling.
And so..

**the Council would wish to replace the scoping out with-
that an assessment as to potential vibration effects from construction traffic should be made and scoped in for any of the following if they are situated on any final CTMP suggested route:-**

- **any designated heritage asset**
- **any educational premises**
- **laboratories**
- **workshops or other premises where high precision tasks are performed.**

**8.Socio-Economics, Tourism and Recreation**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. Paragraph 461 attempts to summarise the likely environmental effects of the development. It includes the phrase:-

*"Creation of long-term employment opportunities once the Development is operational including, consideration of any existing employment uses on-site (principally related to agricultural land use);"*

It is hoped the meaning of the second part of this sentence means that this includes a quantifying of the long term lost employment opportunities in agricultural and leisure businesses and their related supply chains, due to the change of land use. If it does not **the Council would wish this to be scoped in, and to also include the impact of the loss of organised sport (shooting/hunting/walking) which forms part of the culture and heritage of the area, and the associated loss of income.**

It would then follow that methodology in Table 10.3 should be amended in the *people in employment or seeking employment* section with the method used now to include the word 'net'.

**The Council believe that the ES should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the operation of the development and a comparison of this to the economic benefits/gains identified. This should be an individual assessment and also a cumulative one, encompassing all other proposed schemes within or in proximity to the order limits.**

To fully satisfy these requirements, it will of course necessitate an assessment covering the operational phase and not just construction and decommissioning. Great care should be taken when making these assessments if they are to include shepherds and others associated with caring for sheep. It is noted that this project is yet another PV farm proposal which suggests possible dual use – PV panels and sheep grazing. It is noted however that DEFRA's latest figures ( *"Livestock populations in England at 1st June 2023"*) shows yet another reduction in the number of sheep nationally. During the last six years, the number of sheep nationally has declined in all but one year (2022). **The Council believe that the sheep argument for dual use here should be backed with scoped in evidence of significant local demand for extra grazing land.**

The Council feel that the Inspectorate must satisfy themselves that this can be secured as part of any proposal to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic.

Paragraph 462. Is unclear on this-
*Both direct and indirect effects will be assessed for both the construction and operation phases of the Development. The operation phase will consider tourism only.*
**So for clarity's sake, the Council would wish scoped in assessments of effects for construction, operation and decommissioning including effects on tourism for all three phases.**

**9.Land Use**
The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES.

The development will require the removal of a significant amount of topsoil to facilitate the construction of access roads and tracks and the then likely replacement with sand and aggregate. It is accepted (though not clear) that this might be addressed by paragraph 507 -
*"It will consider the method and activities of the construction phase and the impacts and effects that this would have on soil qualities."*

As this development will be temporary and the stated intention is to return the land back as much as is possible to its original state, **the Council believe that details should be scoped in of how and where the removed topsoil is to be stored and the long term effect of such storage on its quality.** It is accepted that full details could be included in any site waste management plan.

## **10**.**Waste**

Paragraph 621 states:-

*"The production of waste during the operational phase of the Development will be minimal and is proposed to be entirely scoped out of the EIA."*
Given that the site will have to include large areas of grassland (for the sheep), the operational phase will require a grass management strategy for the 40 years of operation. It would seem essential that mowing will be required. Biogas largely consists of methane (CH4), produced during the natural decomposition of organic material in an airtight environment. Ordinary lawn clippings yield one of the highest volumes of biogas per ton. Methane is a potent greenhouse gas—about 28 times more powerful than carbon dioxide at warming the Earth, on a 100-year timescale, and more than 80 times more powerful over 20 years.

If the cuttings from this site grass mowing during spring and summer were not transported off site but left to rot in piles, this would lead to anaerobic digestion, producing methane. Aerobic digestion, as happens when plant matter is incorporated into soil, leads to carbon capture. Without a submitted waste management plan as part of the ES covering this point, it is impossible to evaluate the costs and benefits of the planned grassland.

**Therefore, the Council believe that the management of 'waste' grass cuttings on-site during the operational phase should be scoped in.**

**11.Human Health**
Paragraph 12.1 refers to a Human Health Impact Assessment (HHIA). **The Council would wish to see scoped in the impact of the decrease in value of residential properties and the impact that may have on the mental health of residents.**

**12.Other Assessments.**

The Council agree with the Applicant and believe the following should also be scoped in for assessment:

Ecology, Ornithology and Biodiversity
Cultural Heritage and Archaeology
Climate Change

The Council submits the above for consideration.

Norwell Parish Council
6th December 2023

This matter is being dealt with by:
**Stephen Pointer**
Reference:
**T** 0115 993 9388
**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
GreatNorthRoadSolarProject@planninginspectorate.gov.uk

7th December 2023

Dear Sir

**GREAT NORTH ROAD SOLAR PROJECT**
**SCOPING CONSULTATION AND NOTIFICATION**

I am writing to respond to your letter of 9 November concerning the above. Nottinghamshire County Council is responding to the Scoping Report as follows:

Ecology

The County Council is generally satisfied with the proposed scope of survey and assessment as set out in the Scoping Report (specifically Chapter 6, Ecology, Ornithology and Biodiversity). However, I have the following observations:

For some reason, the Scoping Report hasn't detailed the Local Wildlife Sites occurring within 2km of the order limits, but it does note in section 6.3.1 that 31 such sites occur and that these will be presented in the PEIR and ES. The County Council would like to underline the importance of Local Wildlife Sites, which are of county-level importance for wildlife, and which are a key receptor when considering the potential impacts of this scheme.

The Council notes that survey work will take place across three seasons – 2022, 2023 and 2024. It is important that surveys are up to date, and the applicant should have regard to CIEEM's Advice Note on the lifespan of ecological repots and surveys (CIEEM, April 2019). Any deviations from what is set out in this Advice Note will need to be justified.

Regarding bats and potential impacts on this group, the applicant's attention should be drawn 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

Section 7 of the document is noted. The promoters appear to follow all the relevant guidance and expectations. Notwithstanding the information contained in the submitted document, the County Council advises that wording such as 'the development must not increase the risk of flooding to the surrounding area' should be contained in the assessment.

Heritage and Archaeology

The scoping opinion identifies that NSDC archaeological advisors and conservation officers (historic buildings) having been consulted. We would request that Heritage and Archaeological Officers at the County Council should also be involved in the scope of proposed archaeological trenching etc as work has already been undertaken in respect of other Solar Projects in the Trent Valley within Lincolnshire Archaeology which ought to be mirrored.

The statement in para 3.1.6 concerning impacts on heritage assets beyond the study area, is considered premature since there is no LVIA ZTV with heritage receptors at this point to justify a statement of this nature. This does not follow the government guidance provided in EN 2 and EN 3.

The Great North Solar Park covers a significant area of central Notts, north of Newark, an area which is regionally significant for its density of cropmarks. These were recorded in the 1980's as part of the then English Heritage funded National Mapping Programme (NMP). We have this on our Historic Environment Record, but it is HE copyright. The promoters should obtain the data from HE, because without it they will inevitably underestimate the archaeological potential of the sands and gravels of the Trent Floodplain. The amount of visible archaeology decreases to the west of the area as the various areas proposed for solar arrays move up onto the Mercia mudstones, but successive recent archaeological evaluations in the area have revealed similar densities of archaeology, some highly significant. "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 work to be undertaken will likely involve Lidar survey. For a scheme of such a scale it might be worth commissioning new, high accuracy Lidar.

2.5.1.1. No mention is made of archaeological investigation or mitigation in regard to the presumed impacts of the installation of the solar arrays. This is clearly incorrect.

The same point can be made for sections 2.5.1.4, 5, and 6.

Section 8.2 makes it clear that the County Council has not been consulted on the development so far. This oversight needs to be rectified so that both the archaeological advisor to N&SDC and the Nottinghamshire Archaeologist are fully involved in developing an appropriate approach to the archaeological investigations and mitigation.

At section 8.4.5 it is proposed to scope out archaeological issues under consideration of decommissioning the scheme. This needs to be scoped in. There are almost certainly going to be areas where archaeological sites will need to be preserved in situ, potentially

under array solutions that avoid ground disturbance. Decommissioning has the potential to be as destructive to archaeological remains as the original construction phase will be.

The summarised description of the archaeological potential of the proposal makes it clear that there is considerable potential for earlier prehistoric remains (including the internationally significant Late Upper Palaeolithic site to the South of the scheme at Farndon on geology similar to much of scheme). Standard evaluation techniques of geophysical investigation and limited trial trenching will almost certainly fail to find such sites, except serendipitously, and consideration should therefore be given to undertaking programmes of fieldwalking. Metal detecting might also help to locate sites associated with prehistoric, early Mediaeval and Civil War activity. Both techniques are worth using in this landscape. It might be worth the archaeological consultants considering the advice given in Knight and Spence 2013, see p. 41.

Highways and Rights of Way

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. Chapter 12 of the report 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 scale and magnitude will have significant impact on the existing transportation network during the project's construction phase. Therefore, the HA will require a detailed Transport Assessment (TA) /supporting studies to assess the additional traffic & transportation demands. These should be prepared in accordance with current Planning Practice Policy, Nottinghamshire County Council's Design Guide and other industry accepted guidance on Transport Assessments (TA). 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 planning obligations.

The TA should include the following information: -

1. Baseline appraisal data, key analysis parameters and assessment methodology should be agreed with the HA before the full TA work is undertaken.
2. The TA should clearly define the proposed schemes in relation to the different LPA administrative boundaries i.e., Bassetlaw, Lincolnshire, and Newark & Sherwood.
3. The number, size and frequency of the vehicles that will be associated with the construction and completed – operational phases of the proposal.
4. The proposed routing of the construction vehicles from the principal highway network, including vehicle tracking where necessary to show that the highway network can adequately accommodate construction vehicles access, egress and turning.
5. Details of the proposed temporary/permanent access(s) into 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.

6. Details of the proposed parking / unloading / manoeuvring areas within the site during both the construction and operational phases by use of a comprehensive Construction Management Plan. (CMP)
7. Most 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.
8. The reports should include detailed long-term management strategies to mitigate any negative transport impacts of the development and/to promote sustainable development.
9. The TA should include a chapter that deals with cable routing corridors and utility diversion/installation for National Grid connections.
10. Some sensitive rural roads will require condition dilapidation surveys prior to and after heavy construction work has been undertaken.

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.

Rights of Way

The scoping opinion states that PROW outside of the adopted highway during the construction phase will be assessed as part of the Socioeconomics, tourism, recreational and land use chapter of the Environmental Statement

The County Council would like to make the point that all PROW are highways (whether they sit on the adopted network or run over private land) and should be considered as highways in the Transport Assessment. The Council does not agree this should be outside the scope of the TA, especially as there are so many PROWs (121 nos.) crossing and adjacent to the area. Please refer to the following guidance:

Public Rights of Way (RoW) are public highways and can be referred to as the minor highways network and are subject to the same legislation and regulations as the major highway network (roads and carriageways)

RoW can be temporarily closed to allow for construction/decommissioning as part of an application under a Temporary Traffic Regulation Order (TTRO), managed by the highway authority (Nottiinghamshire County Council)

RoW can be permanently diverted (or extinguished) if the development cannot avoid them, under a Public Path Order (PPO). These require public consultation and should be discussed with the highway authority (NCC) at an early stage to avoid delaying the development. The orders should be made and confirmed prior to works starting on site

I hope these responses are helpful.

Yours sincerely

[redacted]

| | |
|---|---|
| **From:** | Sandra Arnold |
| **To:** | Great North Road Solar |
| **Subject:** | Your Ref: EN010162 |
| **Date:** | 22 November 2023 11:10:24 |
| **Attachments:** | image001.jpg<br>image002.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.

Kind Regards

**Sandra Arnold**
Principal Planning Officer
Development Management
Regeneration & Environment
Rotherham Metropolitan Borough Council

**Tel: 01709 823872**
**Internal from old: 3872**
**Internal from new: 23872**

**Email:** [redacted]
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| | |
|---|---|
| **From:** | Phil Jordan |
| **To:** | Great North Road Solar |
| **Subject:** | Scoping consultation for the Great North Road Solar Park |
| **Date:** | 30 November 2023 14:04:05 |
| **Attachments:** | image001.png |

Dear Sir/ Madam,

Thank you for your consultation letter dated 9 November in respect of the above.

South Kesteven District Council has no comments to make in respect of the above EIA scoping consultation.


**Phil Jordan MRTPI**
**Development Management & Enforcement Manager**

South Kesteven District Council
Council Offices
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Grantham NG31 6TT
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✉ [redacted]
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South Muskham & Little Carlton Parish Council
c/o The Clerk
[redacted]
Email: clerk@smlcpc.org

**To: The Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Consultee South Muskham & Little Carlton Parish Council ('the Council')**

## 1. Introduction

It is proposed by Elements Green Trent Ltd ('the Applicant') to construct and operate Great North Road Solar Park (GNR) ("the Development"), a proposed solar photovoltaic (PV) electricity generating facility. This is contained within the boundaries of Newark & Sherwood District Council, north of Newark in the county of Nottinghamshire.

When built, the Development would have an anticipated solar electricity generation capacity of approximately 1,120 megawatts (MW) Direct Current (DC) to be connected into the existing National Grid Staythorpe Substation.

Members of South Muskham & Little Carlton Parish Council have considered the document circulated by the Planning Inspectorate and the following represent their views of what should be scoped into the eventual Environmental Impact Assessment (EIA) and subject to examination. We are grateful to the Planning Inspectorate for being included as a consultee.

## 2. Site Description

It is not intended to provide a detailed description of the site. It is sufficient to say that the Development extends over a vast expanse of farmland currently used for food production involving land contained within 18 parishes.

It should be considered relevant that, in addition to currently operational solar farms in the Newark and Sherwood District, there are a number of planning applications for Battery Energy Storage Systems (BESS) and PV solar farms currently undergoing the various stages of the planning process. These sites are co-located in the same general areas of this proposed development.

**The Council would wish to see scoped in a detailed report on how the applicant would secure decommissioning of the site and is of the opinion that a financial bond should be part of that scoping in exercise.**

**3. Cumulative Assessments**

This is addressed in Section 4.1.6 of the Scoping Report (SR) and as far as paragraphs 131- 141, **the Council would wish these to be scoped in.**

Paragraph 138 seeks to set distance limits to other proposed developments that should be included in the cumulative assessment. Paragraph 138 lists four criteria for inclusion in cumulative assessment. Concerning the second criterion, the majority of proposed solar farms with a maximum theoretical output not exceeding 50MW alternating current (AC) would not require an Environmental Impact Assessment (EIA). Further, the majority of BESS developments escape the need for an EIA, as they do not generate electricity and would mostly fall to Schedule 3. It is possible that such developments as the last two could be classed as '*major*' and therefore be captured. But 'major' is subjective.

The PINS Advice Note 17 is noted by Council, and the findings in the High Court judgement Pearce v Secretary of State for Business, Energy, and Industrial Strategy [2021] EWHC 326 (Admin). The parameter of projects being 'reasonably foreseeable' should be the assessment criterion. Therefore, **The Council would wish that all approved and undetermined applications for PV farms and BESS within 10km of the Order Limits be included in cumulative assessments. It would be sensible to attach a minimum capacity size to projects to be included. It is hoped that expert guidance could advise on this, but one suggestion might be that for ground mounted PV farms, a maximum output of 3MW AC and for a BESS maximum storage of 20MW could be starting points for inclusion.** In general though, the Council accept the Assessment methodology at 14.2 of the SR.

**4.1 Landscape and Visual Impact Assessment (LVIA) -RVAA**

The inclusion of a Residential Visual Amenity Assessment (RVAA) within the LVIA is welcomed by Council and this should be scoped in.

The Applicant has suggested that the following PV solar farm components will be included:

- fixed or single axis tracker panels with a suggested height of approximately 4m.
- Deer fencing with a height of up to 2.5m. Deer fencing has a lesser visual impact than security fencing. Within the industry there is a gradual move away from deer fencing to security fencing given a spate of thefts from solar farms.
- CCTV and lighting poles with no height given. It is considered that CCTV poles could be around 2.5m–3m with lighting poles higher.

At point 5.8 of the SR the statement is made that solar developments are of limited height. Council considers that the 4m height limit is not low and the effect of long lengths of 10 foot fencing add to the reduction in visual amenity, in an area that currently has vistas across swathes of open countryside.

The Guidelines for Landscape and Visual Impact Assessment (3rd edition) -Landscape Institute/ Institute of Environmental Management and Assessment (2013) [GLVIA3] stipulates that a key matter for any LVIA would be to scope and address the main receptors, i.e., those persons who can view the development and the changes to the landscape it brings about and are affected by the changes. (S3)

The Residential Visual Amenity Assessment Guide (TGN 02/19 Landscape Institute 2019) is quoted by the applicant. That guide defines Residential Visual Amenity as:
*The overall quality, experience and nature of views and outlook available to occupants of residential properties, including views from gardens and domestic curtilage. It represents the visual component of Residential Amenity.*

The applicant states that 50m from the solar array boundary is typically used as standard when deciding the distance for the study area, but goes on to extend to 100m for the purposes of the SR. Despite lengthy research it has not been possible to yet find another solar farm LVIA which used 50m or even 100m.

As examples, four nearby solar farm LVIA s have been checked and the distances used are below:

- Weston 1km
  Kelham Solar Farm 500m (panels are only 2m high)
- Foxholes Solar Farm nr Norwell – Assessed properties over a 1km away
- Knapthorpe Assessed isolated properties over 2km away.

The above four applications were to the Local Planning Authority. Council considers, therefore, that there is merit in seeking corroboration from LVIAs submitted as part of an application for an NSIP solar farm. The following quotes are from LVIAs such as these:

Quote 1
*"The 1km Study Area: This is for the area extending as a radius for the Visual Assessment of the Residential Properties (the 'Residential Receptors') and for the Transport Receptors and is based on the visibility of the Scheme. This radius is considered appropriate for the residential receptors and transport receptors..."*
The source document for this quote is also helpful in that it suggests a 500m study area for residential properties for the cable route corridors.

Quote 2
*"The 0.5km Study Area for the Cable Route Corridor.....This radius is considered appropriate for the Cable Route Corridor, since this involves the construction phase only, which is short term and temporary."*

Quotes 1 and 2 are taken from LVIA for the West Burton Solar project. A separate NSIP solar farm project at Cottam (which is also being developed by Island Green Power UK Ltd) uses identical wording.

Different developers are behind the Mallard Pass solar farm NSIP application. Their LVIA considered dwellings situated over 700m away from the development there. The argument that the development site is of a dispersed nature is not grounds to devalue loss of visual amenity.

Invariably with other NSIP solar farms, impacted dwellings often do not have sight of the whole development either. But they are still assessed.

Therefore, the Council do not agree with the proposed scoping out of residential properties more than 100m away from the development. It does not agree with the assertion that the industry standard is 50m. **The Residential Visual Amenity Assessment should scope in all impacted residential premises within 1km of the solar arrays, infrastructure and the BESS and all residential premises within 500m of the outer edge of the cable corridors.**

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

**The Council would wish that a landscape study area of 5km from the solar arrays be scoped in** but would accept that fields at the extremities of the Order Limit which are only being used for underground cabling, need not be the start point for the 5km measuring point.

**5. Traffic and Access**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the Environmental Statement (ES).

Table 5.1 outlines the 'Proposed Viewpoint Locations'. **The Council believe that, in relation to South Muskham, the view from viewpoint 21 would be insufficient and irrelevant for any gainful purpose. It would wish the viewpoint to be moved further north along the B6325, relative to the last row of houses in the village on the east side of the road. It would also want scoping in viewpoints to be from the 1st floor of residential properties, not the ground floor. Additionally, viewpoint 23 needs to be from the rear of the residential properties to the north of Bathley Lane in Little Carlton, and scoped in from 1st floor level too. The Council would also want scoping in an additional viewpoint from the A1 bridge to the north of South Muskham, particularly in relation to glint and glare.**

Figures at 11.1 of the SR show the proposed construction key access routes. It is accepted that detailed scrutiny of any Construction Traffic Management Plan (CTMP) will occur at a later stage. Paragraph 548 states that the Traffic and Access Chapter will report the assessment of likely transport effects. It limits the Fear and Intimidation effects to pedestrians. When assessing the suitability of mainly narrow country lanes chosen as site access routes, **the Council believe that a Fear and Intimidation Assessment (comparable with the weighting system included in the 2023 IEMA Guidelines) should include cyclists and equestrian traffic and this should be scoped in.**

In Table 11.1 'Sensitive Receptors' no mention is made of South Muskham. **Council would wish that South Muskham be scoped in to this consideration.**

Within 11.2.1 reference is made to the Order Limits being bound by 'A' class roads. **The Council considers it imperative that the B6325 be scoped in to the assessments as it provides a key link between South Muskham to the A1 roundabout at North Muskham and included in Table 11.2. Baseline traffic flows on the B6235 should be scoped in. The Council wishes to emphasise that satellite navigation for both cars and HGVs is geared to send those wishing to travel from the A1 to the west bound A46 and vice versa in large numbers of vehicles, along this route and this needs to be scoped in.**

Paragraph 569 states that "*the operational phase is expected to only generate a very small number of vehicular trips."* While this may well be true for routine plant and land maintenance, there seems to be an underlying assumption that there will be no need for panel replacement during the lifetime of the project. This may be true, or may not. The SR states this will be assessed in the Traffic and Access ES Chapter. **The Council believe this chapter should assess, quantify and scope in the issue of panel replacement and the traffic plans to so accommodate.**

**6. Flooding and Hydrological**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. The SR rightly identifies The Beck as one of the relevant tributaries of the River Trent. During periods of substantial rainfall it is prone to flooding at various locations. The villages of Caunton, Cromwell, Norwell and Sutton-on-Trent have all experienced water enter residential properties this year. It is accepted that the Flood Risk Assessment (FRA) will attempt to demonstrate that field run off will not accelerate during the operational phase by using sustainable drainage systems (SuDS). **The Council would wish to see scoped in the level of anticipated water run-off from dry land, and the effect of having less ground to soak rainfall. Further, it would wish to see scoped in the proposed water retention work.**

The applicant seeks to scope out three potential assessments (Table 7.6)

- *Transfer of sediment to surface water resources*
- *Transfer of chemicals to surface water resources during operation*
- *Chemical pollution from damaged PV arrays/ leakage from PV arrays*

The justifications for scoping out are on-site vegetation cover and the physical separation between the arrays and surface water. In many places there is physical separation between the Beck and the arrays. However, at the Eakring site, it is minimal. At Kersall, given the topography, field run off feeds into a stream linking to the Beck. The array north west of Cromwell, at its western perimeter is contiguous to the Beck. The Moorhouse Beck runs straight through several planned arrays. For a large part of the year these sites have on-site vegetation. The quantity and nature of on-site stored chemicals also needs to be quantified and assessed in the ES.

For these reasons, it is contested that the arguments for their 'scoping out' fall and **The Council believe that the transfer of sediment to surface water resources and the transfer of chemicals to surface water resources during operation should be scoped in for assessment.**

The chemical pollution resulting in damage argument for scoping out requires further scrutiny given the materials forming the panels and panel degradation over life. The Applicant's proposed panels may be capable of retaining structural integrity, even towards end of life. The table also only deals with fixed panels and racking even though in the SR there is consideration of both fixed panels and single axle trackers , the latter requiring greater maintenance. At end of life, panels are considered hazardous waste. So Council would ask how safe are they close to end of life? It may be that the applicant is able to allay all fears here but **The Council feel that an evidence based risk assessment of the potential for chemical pollution from damaged/end of life fixed and single axis tracker panels should be scoped in.**

**7. Glint and Glare**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. No robust analysis of the intended glint and glare methodology is intended here. That can wait for the final report. Glint and glare assessors often rely on a circa 1.5m AGL receptor height assumption. **However, for the purposes of scoping in, The Council believe that the assessment should vary the receptor height when analysing the effects on transport.**

This should be for all major roads frequently used by HGVs. A comprehensive traffic survey by the Applicant will also hopefully identify roads in the study area commonly used by agricultural

vehicles, especially during harvest. This height variance may have always been intended but it is not clear.

Adopting the cumulative effects details outlined in Section 3 above, the proposed elevated carriageways for the A46 at Newark should fall into the category of 'reasonably foreseeable' projects which might be affected by the development's glint and glare, depending on what panel type is deployed. Figure 5.2 (Zone of theoretical visibility South east area) demonstrates little impact likely on the current road. However, with the prospect of flyovers in the future, an assessment is needed to identify any future impact.

On a similar theme, the receptor height must be varied when assessing the potential effects on some users of the A1 (especially HGVs) and the East Coast mainline. This must include, but not be restricted to, the stretch of the A1 at North Muskham where there is little existing mitigation. For the East Coast mainline, this must include, but not be restricted to, any stretch of line approaching track side signals. Furthermore, the actual height of the track and the A1 must be used as baselines, as opposed to the rough height taken from online mapping. This is particularly important for the rail track which in many places is raised above surrounding ground levels. This exercise may not be possible just using a desk-based assessment.

The Applicant was intending a 200m gap between sample receptor points. It is possible that the Applicant intended more thorough and less distanced sampling when it is stated there will be *a sequential assessment as receptors move along these routes* (the A1 and the mainline). If that is the case the gap argument here is a moot point. However, it is ambiguous. So for the sake of certainty, **The Council believe that sample points covering the A1 northbound carriageway and the East Coast mainline should be significantly closer then 200m apart and their data should be scoped in. It also believes that the glint and glare assessment should include proposed future height changes in the A46 carriageways.**

Included in the glint and glare section in paragraph 604 is:
*"Risks associated with electrical infrastructure such as from lightning strikes are removed or reduced through inbuilt control systems and are therefore proposed to be scoped out of the assessment."*

Considerable international research has been published on the subject of lightning damage to PV modules and associated electrical infrastructure. The South African Institute of Electrical Engineers has reported that more than 32% of damages to solar panels are caused by lightning, placing atmospheric discharges as the first cause of deterioration. As previously stated, the Applicant has stated that the chosen PV modules will retain their structural integrity if damaged. There are methods of reducing the likelihood of lightning damage, some more expensive than others. It is accepted that there are also ways to protect other parts of the development grid from collateral damage. But**, the Council believe that these lightning damage protection methods should be scoped into the technical specifications of the ES.** The reason is that damaged PV modules can pose an environmental risk.

**8. Noise and Vibration**

The Council agrees these matters should be 'scoped in' and appropriate assessments included as part of the ES. In general, the Council agree with the SR methodology to address noise and vibration, though that is not to say that it fully agrees with its contents. At paragraph 378, the Applicant correctly refers to Design Manual for Roads and Bridges (DMRB) Volume 11. This is the La 111 revision 2 version and the Applicant adopts the suggested construction noise study area sizes for the purposes of the SR.

Table 9.7 later attempts to scope out assessment of vibration caused by construction traffic. The justification relies on a quote from DMRB:

*".. that normal use of the buildings such as closing doors, walking on suspended wooden floors and operating domestic appliances can generate similar levels of vibration to those of road traffic."*

This is a quote not from the above current version but from an old withdrawn version. The above guidance is not in the current version. But if that version is still going to be considered, what was not quoted from that old version from the same section (section 6.2) is the following:
*"Occupants of hospitals, educational establishments and laboratories or workshops where high precision tasks are performed may well be affected to a greater extent than residents of domestic dwellings."*

Hospitals can be excluded here clearly. But the outdated guidance, taken as a whole, revises the criteria for assessment. There also remains the possibility that on any of the proposed CTMP routes, there may be designated heritage assets, not usually exposed to heavy passing traffic (either because of weight restrictions or the general location) and whose ability to cope with sustained HGV vibration is less than a standard dwelling.

Therefore, **the Council would wish to replace the scoping out with:**
**that an assessment as to potential vibration effects from construction traffic should be made and scoped in for any of the following if they are situated on any final CTMP suggested route:-**

- **any designated heritage asset**
- **any educational premises**
- **laboratories**
- **workshops or other premises where high precision tasks are performed.**

**9. Socio-Economics, Tourism and Recreation**

The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. Paragraph 461 attempts to summarise the likely environmental effects of the development. It includes the phrase:

*"Creation of long-term employment opportunities once the Development is operational including, consideration of any existing employment uses on-site (principally related to agricultural land use);"*

It is hoped the meaning of the second part of this sentence means that this includes a quantifying of the long term lost employment opportunities in agricultural and leisure businesses and their related supply chains, due to the change of land use. If it does not **the Council would wish this to be scoped in.**

It would then follow that methodology in Table 10.3 should be amended in the *people in employment or seeking employment* section with the method used now to include the word 'net'. **The Council believe that the ES should also include an assessment of the economic impact the loss of arable farmland and crop production would have during the operation of the development and a comparison of this to the economic benefits/gains identified. This should be an individual assessment and also a cumulative one, encompassing all other proposed schemes within or in proximity to the order limits.**

To fully satisfy these requirements, it will of course necessitate an assessment covering the operational phase and not just construction and decommissioning. Great care should be taken when making these assessments if they are to include shepherds and others associated with caring for sheep. It is noted that this project is yet another PV farm proposal which suggests possible dual use – PV panels and sheep grazing. It is noted however that DEFRA's latest figures (*"Livestock populations in England at 1st June 2023*") shows yet another reduction in the number of sheep nationally. During the last six years, the number of sheep nationally has declined in all but one year (2022). **The Council believe that the sheep argument for dual use here should be backed with scoped in evidence of significant local demand for extra grazing land.**
The Council feel that the Inspectorate must satisfy themselves that this can be secured as part of any proposal to ensure this proposed mitigation measure to off-set or compensate for the loss of arable land is realistic.

Paragraph 462. Is unclear on this-
*Both direct and indirect effects will be assessed for both the construction and operation phases of the Development. The operation phase will consider tourism only.*
**So for clarity's sake, the Council would wish scoped in assessments of effects for construction, operation and decommissioning including effects on tourism for all three phases.**

**10. Land Use**
The Council agrees this matter should be 'scoped in' and appropriate assessments included as part of the ES. **The Council considers that the land in question is of significant agricultural value, within Grades 2 and 3a.**

The development will require the removal of a significant amount of topsoil to facilitate the construction of access roads and tracks and the then likely replacement with sand and aggregate. It is accepted (though not clear) that this might be addressed by paragraph 507 -
*"It will consider the method and activities of the construction phase and the impacts and effects that this would have on soil qualities."*

As this development will be temporary and the stated intention is to return the land back as much as is possible to its original state, **the Council believe that details should be scoped in of how and where the removed topsoil is to be stored and the long term effect of such storage on its quality.** It is accepted that full details could be included in any site waste management plan.

**11**. **Waste**

Paragraph 621 states:

*"The production of waste during the operational phase of the Development will be minimal and is proposed to be entirely scoped out of the EIA."*
Given that the site will have to include large areas of grassland (for the sheep), the operational phase will require a grass management strategy for the 40 years of operation. It would seem essential that mowing will be required.
Biogas largely consists of methane (CH4), produced during the natural decomposition of organic material in an airtight environment. Ordinary lawn clippings yield one of the highest volumes of biogas per ton. Methane is a potent greenhouse gas—about 28 times more powerful than carbon dioxide at warming the Earth, on a 100-year timescale, and more than 80 times more powerful over 20 years.

If the cuttings from this site grass mowing during spring and summer were not transported off site but left to rot in piles, this would lead to anaerobic digestion, producing methane. Aerobic digestion, as happens when plant matter is incorporated into soil, leads to carbon capture. Without a submitted waste management plan as part of the ES covering this point, it is impossible to evaluate the costs and benefits of the planned grassland.

**Therefore, the Council believe that the management of 'waste' grass cuttings on-site during the operational phase should be scoped in.**

**12. Ecology, Ornithology and Biodiversity**
There are three areas that have not been considered by the applicant in this section, relative to South Muskham & Little Carlton. These are Smeatons Lakes, the South Muskham Fishery (A1 pits) and the lakes owned by Nottingham Piscatorial Society on Great North Road. **The Council considers these areas contribute significantly to ecology, ornithology and biodiversity in the locality, providing vital wildlife corridors, and should be scoped in.**

**12. Other Assessments.**

The Council agree with the Applicant and believe the following should also be scoped in for assessment:

Cultural Heritage and Archaeology
Human Health
Climate Change

The Council submits the above for consideration.

South Muskham & Little Carlton Parish Council
6th December 2023

Sutton on Trent Parish Council
c/o Clerk to the Council
[redacted]
Email: clerk@suttonontrent.org.uk

**To the Planning Inspectorate**

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

**Application by Elements Green Trent Ltd (the Applicant) for an Order granting Development Consent for the Great North Road Solar Park (the Proposed Development)**

**Scoping Opinion: Consultee Sutton on Trent Parish Council**

Sutton on Trent Parish Council would like to see the following areas included within the proposed Scoping Report;

1. Loss of productive Agricultural land and crop production. If appropriate, where grazing proposed, demonstrate a lack of grazing and subsequent need for additional grazing land within the local authority
2. Flooding, Drainage & hydrology with particular attention to the implications on surrounding villages, especially those lower lying to the proposed developments sites which are already impacted by flooding.

   This to include the effects of concentrated run off from solar panels, considering soil type and to also inc. how permeable the land is to high volume rain fall when the land is already saturated, as per recent floods events.

   At the appropriate point in the planning process flood modelling should be included to consider already overwhelmed capacities within surrounding villages, internal drainage systems and pumping stations. This to include a detailed review of water flow direction/capacities, not just within a few Kilometres of the site, but the full distance until water meets the River Trent or equivalent main stem river to clarify which

Parishes and villages will be impacted by the run off from the proposed development sites. This can then be fully considered in parallel with which of these localities already suffer from flooding. Within this the implication of where any proposed attenuation is breached. No additional capacity of water should be accepted given the flooding within the various Parishes.

Sutton on Trent once again flooded during the recent heavy rainfall and has a history of repeated flooding. Much of the land surrounding the village, outside of its Parish, and drainage networks of other villages/Parishes ultimately flows down in to Sutton on Trent. The internal drainage network of Sutton on Trent and the pumping station within Sutton on Trent (which has recently been upgraded) are already unable to cope with current high volume rainfall events. No additional capacity of water whatsoever can be accommodated.

3. Landscape & Visual Impact to cover an appropriate visual distance taking account of the land topography and significant distances of which the proposed development sites will be visible
4. Traffic & Access including vehicular, pedestrian, cyclists, horse riders and alike
5. Glint & Glare taking account of the land topography and significant distances of which the proposed development sites will be visible
6. Noise & Vibration, in particular for the construction process
7. Socio-Economic, Tourism and Recreation – What are the benefits
8. Ecology, Ornithology and Biodiversity
9. Cultural Heritage and Archaeology
10. Human Health
11. Waste
12. Climate Change

The Council submits the above for consideration.

Sutton-on-Trent Parish Council
6th December 2023

UK Health Security Agency

Environmental Hazards and Emergencies Department
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Your Ref: EN010162
Our Ref: CIRIS 64775

Mr Gary Chapman
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 Chapman

**Nationally Significant Infrastructure Project**
**Great North Road Solar Park; PINS Ref: EN010162**
**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. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*', setting out aspects to be addressed within the Environmental Statement[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.

Recommendation

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e. an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

## Human Health and Wellbeing - OHID

This section of OHID's scoping response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements.

[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

The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

**Methodology – Assessment of Significance**

The Scoping Report (para 13.2 / 603) confirms that a Human Health Impact Assessment (HHIA) will be included within the Miscellaneous Issues Chapter of the ES. We welcome the approach of considering scheme impacts and their interrelationships on residents and subsequent effects on health and wellbeing.

The scoping report does not outline how the assessment of significance will be established within the ES.

Recommendation
The assessment of significance should be established in accordance with Pyper, R et al., 2022[2], published by the Institute of Environmental Management and Assessment (IEMA). The IEMA guidance has been developed to be the national guidance for assessing significance in population and human health and so should be adopted and utilised for the purposes of the ES.

**Mental Health**

The scoping report does not define health, but it should accept the broad definition of health proposed by the World Health Organisation (WHO). OHID would expect specific reference to mental health. Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life.

This scheme given the scale and nature has the potential to impact on a large and dispersed population at risk, particularly for those which will reside within the cordon of solar arrays around their homes and communities. Levels of community anxiety and concern may well be elevated given the size of the scheme. This has impacts on the over-arching protective factors, which are:

[2] Pyper, R., Waples, H., Beard, C., Barratt, T., Hardy, K., Turton, P., Netherton, A., McDonald, J., Buroni, A., Bhatt, A., Phelan, E., Scott, I., Fisher, T., Christian, G., Ekermawi, R., Devine, K., McClenaghan, R., Fenech, B., Dunne, A., Hodgson, G., Purdy, J., Cave, B. (2022) IEMA Guide: Determining Significance for Human Health in Environmental Impact Assessment.

• Enhancing control
• Increasing resilience and community assets
• Facilitating participation and promoting inclusion.

The scoping report makes no specific reference to any assessment of mental health and wellbeing.

Recommendation
There should be parity between mental and physical health, and any assessment of health impact should include the appreciation of both. A systematic approach to the assessment of the effects on mental health, including suicide, is required.

When estimating community anxiety and stress in particular, a qualitative assessment may be most appropriate. Robust and meaningful consultation with the local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises. The Mental Well-being Impact Assessment Toolkit (MWIA) contains key principles that should be demonstrated in a project's community engagement and impact assessment. We would also encourage you to consult with the local authority's public health team who are likely to have Health Intelligence specialists who will have knowledge about the availability of local data.

The Mental Well-being Impact Assessment Toolkit (MWIA)[3], could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets.
Baseline indicators the assessment would benefit from including social cohesion/connectedness, satisfaction with local area and quality of life indicators owing to their established links to mental health and wellbeing.

In terms of sources, we would draw your attention to the following:

- PHE Fingertips – Mental Health and Wellbeing JSNA
    - Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data
- Office for National Statistics - Wellbeing Indicators
    - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

[3] Mental Wellbeing Impact Assessment Toolkit, (National MWIA Collaborative (England), 2011) - A toolkit with an evidence-based framework for improving well-being through projects.

**Socio-Economic Impacts - Accommodation Demands**

The scoping report does not identify the numbers of workers required during the construction phase or assess if they could foreseeably have an impact on the local availability of housing accommodation or demand on local services. This scheme appears to be significantly larger than normal solar farm developments.

Where the presence of the construction workforce may be significant, the assessment should recognise that a construction workforce will typically require short term rented accommodation for the non-home-based element of the workforce. This may be met by hotel, private rented, tourist accommodation and caravan provision.

Increased demand on the private rented sector, particularly that of short-term tenancies, can have a disproportionate effect for certain vulnerable communities, with the least capacity to respond to change. For example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit seeking the same lower-cost accommodation.

Recommendation
The ES should identify the methodology used to assess the nature and scale of the construction workforce. Where appropriate it should identify the split for home and non-home-based workers within the travel to work area for the scheme.

Demand for temporary accommodation by the construction and operational work force should be identified and an assessment made regarding the impact on local accommodation supply and affordability. The current assessment of vacancy within the private rented sector should not be reliant on national average rates, which may not mirror the situation within the study area. An assessment should recognise loss of availability through frictional loss (normal turnover of occupiers), those unsuitable for occupation or those outside of the price range of the non-home-based workers. An accurate assessment of spare capacity within the private rented sector is required.

Given the potential of other large developments the cumulative effect on accommodation provision should be considered.

Yours sincerely

On behalf of UK Health Security Agency

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*