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13 December 2021

Dear Sirs,

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

**Application by Gate Burton Energy Park Ltd (the Applicant) for an Order granting Development Consent for the Gate Burton Energy Park (the Proposed Development)**

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

I refer to your letter and enclosures dated 15<sup>th</sup> November 2021 regarding the above development.

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

This project is cross border with the main element of the proposed solar farm being within West Lindsey District Council and the cabling element being within Bassetlaw District Council. The scoping report refers to the fact that the exact detailing of the cabling is not yet known, although it does give some parameters in respect of cabling above or below ground. It is also understood that the exact location of the proposed cabling is not yet known nor is whether an off site sub station / control building will be required.

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

**The Scheme**

As aforementioned details of the proposed cabling / associated structure and their locations are not yet known. This is fundamental when assessing the impact of the development. This will require further clarification and detailed site location plan/s will be required for the purposes of the EIA.

The same applies for the majority of this chapter in that at this point in time specific details are not yet known and the scheme is therefore based upon different options which in

turn makes it difficult to scope the project to any detail.

I am unable to find details in respect to the description of the site, albeit this can be deduced from elements of the report. It is considered that a section on the description of the site is essential in order to set the scene for the EIA. This should take a holistic approach to the development including physical and built characteristics in order to build up a picture as to how the development sits in its surroundings.

### **Alternatives Considered**

This section is thin with little detail contained in respect of any alternative sites. The report gives an indication as to what an alternative analysis is likely to contain. It is considered that given that this site has already been chosen that the alternative analysis would have already been completed.

### **Consultation**

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

Consultation with the Parish Councils will also need to be a key aspect of the proposal; however this will be more important once the exact routes and detail in respect of the cabling is known so the relevant parishes can be consulted.

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

The general approach of the scoping opinion is considered to be acceptable and in line with the requirements. However there are parts of the scoping report whereby the cabling has been separated from the main solar infrastructure; this is not considered to be acceptable. The proposed development should be assessed comprehensively and its impact assessed comprehensively. The impact should not be scoped out because it relates to one element of the scheme. The cabling is a crucial part of the scheme and should be assessed in as much detail as the main solar farm; the topics scoped in and out of the scoping opinion should be the same for both elements of the scheme.

The issue of cumulative impact will need to be carefully considered as there are other NSIP projects in this locality for similar developments along with planning applications for the same. Whilst renewable energy is supported the ES must ensure that these cumulative impacts are assessed within both Bassetlaw and West Lindsey. The approach in this regard is supported and will be key to the ES.

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

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

It should be noted that the report takes an inconsistent approach to referencing the emerging Bassetlaw Local Plan . Some sections reference it and relevant policies and others don't eg climate change does (6.3.2), but cultural heritage and others don't. The emerging local plan should be referenced for all sections given the timescales envisaged for this proposal.

The scoping report should reference the Environment Act as opposed to the Environment Bill and it is considered that reference should be made to the Government's Zero Carbon Strategy.

1.2.10: The Sturton Ward Neighbourhood Plan (Review), adopted 11 November 2021, is absent from the list of relevant development plan documents

2.1.48 Biodiversity and Landscaping: References to directly-relevant neighbourhood plans are missing, specifically Sturton Ward Neighbourhood Plan (Review) Policies 2a and 2b, and Rampton & Woodbeck Neighbourhood Plan Policy 10.

## **Proposed Topics**

### **Climate Change**

The Council comments as follows in respect of climate change:

The methodology for climate and biodiversity related assessments are sound. The outlined method uses best practice cradle to grave style LCA boundaries and data collection that will give the most accurate comparisons for the EIA.

#### **6.3 Planning Policy Context and Guidance**

For the avoidance of doubt, relevant Neighbourhood Plan Policies, as integral parts of the Development Plan, should be stated explicitly. Their current mention in paragraph 6.3.3 implies that they have not been afforded due consideration. These are as follows:

- Sturton Ward Neighbourhood Plan (Review): Policy 4 (Reducing the risk of flooding)

### **Cultural Heritage**

#### **7.3 Planning Policy Context and Guidance**

As per the comments for Section 6 of the report, the following Neighbourhood Plan policies / supporting studies are of relevance to this theme, and should be referenced explicitly:

- Rampton & Woodbeck Neighbourhood Plan: Policy 6 (Heritage Assets in Rampton and Woodbeck)
- Rampton & Woodbeck Neighbourhood Plan: Character Assessment
- Sturton Ward Neighbourhood Plan (Review): Policy 6 (Protecting the historical environment)
- Sturton Ward Neighbourhood Plan (Review): Design Code
- Treswell & Cottam Neighbourhood Plan: Policy 2 (Design Principles)
- Treswell & Cottam Neighbourhood Plan: Character Assessment

### **Conservation**

Please see the attached response from the Council's Conservation Officer in summary the following advice is offered:

The majority of the development proposed to take place would be within Lincolnshire rather than Bassetlaw. However, the development proposed outside of Bassetlaw may impact on the setting of a range of heritage assets within. This would depend upon the scale, design and materials of the proposed additions and their proximity to the River Trent. Without full details of proposals, Conservation cannot give an informed view as to the impact the development would have on the setting of heritage assets within Bassetlaw. However, in general terms, the low-lying nature of the land means that any taller structures are likely to have some impact on setting. The degree of this impact would depend on the scale and nature of the structures. That impact would also have to be weighed against the public benefits of the scheme, which Conservation acknowledges are considerable.

The submitted plans indicate a range of options for a series of grid connection corridor options within Bassetlaw. It is indicated that both underground and overhead grid connection corridor options are being considered. It is stated that 'if the cable is underground, this is likely to be installed using an open trench method requiring a 30m to 40m working width, with trench widths approximately 2m wide and up to 2m deep. Where other specific techniques are required such as micro-tunnelling, boring, or horizontal directional drilling (HDD) this will be investigated'.

Both underground and overhead grid connection corridor options would likely have some level of impact upon the significance and setting of a range of heritage assets, depending on location, scale, design and materials. Some of the many heritage assets that may be affected by the proposed development include several listed buildings, several scheduled ancient monuments, war memorials, several non-designated heritage assets, an unregistered park & garden and several other heritage assets. Without full details, Conservation cannot give an informed view as to the exact implications for heritage assets in the area affected. However, in general, there are two main concerns:

- Excavations are likely to be harmful to sites of archaeological significance. In particular, the route taken close to or through the Segelocum Roman town Scheduled Ancient Monument needs to be carefully considered, so as to avoid or minimise any harm to that important asset. Our Archaeologist at Lincolnshire County Council, and the Ancient Monument inspectors at Historic England, should be consulted in this.
- New overhead lines and associated pylons would have some impact on the setting of a range of heritage assets in the area, especially having in mind the low-lying and flat topography of this part of the District.

In both the above cases, the impact on all heritage assets affected needs to be clearly identified; The mitigation strategies should be clearly explained; Discounted alternative and less harmful routes need to be shown; and the public benefits of the project need to be clearly set out, including any benefits to local residents and businesses.

Conservation has identified the range of heritage assets in the area, and has indicated the likely concerns based on the information submitted. However, without full details of exact proposals, it is not possible to give a more informed view than that given in the attached response.

### Archaeology

Please see enclosed response from the Council's Archaeological Consultation. In summary the following comments are made:

The Scoping Report suggests that the connection cable routing may not fall within the DCO application, depending on the methodology employed, however I suggest that the approach to cultural heritage should follow the same level of investigation and provide the same baseline evidence to support whichever application process is followed.

Three wide, interlinked corridors are proposed, one of which will form the final route. All three traverse a landscape of rich archaeological potential containing known designated and non-designated assets spanning all periods. Of particular note are numerous assets associated with pre-historic and Roman date located along the known Roman road (Margary 28a) running between Lincoln and Doncaster and the Roman settlement at Littleborough (*Segelocvm*) on the west bank of the River Trent crossing (a scheduled monument).

There is also a very high potential for as yet unknown heritage assets dating to all periods.

The current route corridors have been positioned to try to avoid, as far as possible, the majority of known designated and undesignated assets recorded on the Nottinghamshire HER, however there will still be impact to known assets particularly on the western proposed route which crosses areas of intensive pre-historic and Roman settlement and agricultural activity.

To assess the likely impact of the development and significance of all archaeological remains and heritage assets, Chapter 7 of the scoping report proposes presenting desk-based sources, undertaking a walkover survey, followed by field investigation comprising geophysical survey and further intrusive evaluation.

It will be particularly important to provide sufficient information on the character, significance, date and extent of all archaeological remains that will be impacted by the proposed development. This includes known and as yet unknown assets and will be required to inform the appropriate level of mitigation work necessary on the chosen cable route. The nature and scope of the mitigation work will need to be agreed prior to submission of the DCO application.

The scope of information presented in the cultural heritage chapter will therefore be sufficient if the stated desk-based, geophysical and intrusive evaluation data is presented in the ES and an appropriate mitigation strategy has been agreed for submission with the DCO application.

The applicant should ensure that sufficient time is given to collect and process the required data so that their projected timetable for the DCO process can be adequately met. This includes factoring in land access and managing the work around crops, harvest and general agricultural activities.

## **Ecology and Biodiversity**

### **8.3: Planning Policy Context and Guidance**

The following Neighbourhood Plan policies are of relevance to this theme, and should be referenced explicitly:

- Rampton & Woodbeck Neighbourhood Plan Policy 10 (The protection of the Parish landscape).
- Sturton Ward Neighbourhood Plan (Review) Policies 2a (Protecting the landscape character, significant green gaps and key views) and 2b (Enhancing biodiversity)

The approach set out in this chapter seems acceptable in principle. The following points are given:

Regarding Section 8 with Biodiversity

Section 8.3.14 Other guidance

-A key guidance document 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' is missing from the list. This is the most recent Defra approved strategy for biodiversity in the UK.

-Section 8.6.3 & 8.6.7 Potential Mitigation and Enhancement

-Here lists measures from BNG (Biodiversity Net Gain) related to development, but lacks inclusion from the 'Biodiversity 2020' above for meaningful policy to enhance local biodiversity. The core 4 principles **must** be included in their enhancement criteria: Better, Bigger, More, Joined.

This is particularly important for the proposed site as the Burton wood located at the centre of their proposed site could be a key biological hub for the surrounding sites discussed; Stag Wood, Knaith Park and Thurlby wood to the north; and Littleborough Lagoods and Out Ings to the west/south west. Therefore, the development should be considered an opportunity to promote wildlife corridors between these locations as a central enhancement aim to local biodiversity

Nottinghamshire Wildlife Trust is generally satisfied with the approach taken.

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

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

## **Water Environment**

### **9.3: Planning Policy Context and Guidance**

The following Neighbourhood Plan policies are of relevance to this theme, and should be referenced explicitly:

- Sturton Ward Neighbourhood Plan (Review): Policy 4 (Reducing the risk of flooding),

Please see responses from Trent Valley Drainage Board.

Nottinghamshire Local Lead Flood Authority has confirmed that it is satisfied with the approach that has been taken at this stage

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

## **Landscape and Visual Amenity**

### **10.3: Planning Policy Context and Guidance**

As above, the following Neighbourhood Plan policies / supporting studies are of relevance to this theme, and should be referenced explicitly:

- Rampton & Woodbeck Neighbourhood Plan: Character Assessment
- Rampton & Woodbeck Neighbourhood Plan: Policy 10 (The Protection of the Parish Landscape)
- Sturton Ward Neighbourhood Plan (Review): Design Code
- Sturton Ward Neighbourhood Plan (Review): Policy 2a (Protecting the landscape character, significant green gaps and key views)
- Treswell & Cottam Neighbourhood Plan: Character Assessment
- Treswell & Cottam Neighbourhood Plan: Policy 2 (Design principles)

This is one of the key considerations for the District. However again it is not yet known the form of the proposed cabling and therefore it is difficult to assess the methodology for scoping purposes.

Once the details are known early discussions are recommended with both District's to set out how the landscape and visual assessment chapter will be developed and the proposed viewpoints should be agreed with the local authorities prior to commencement of the ES.

### **Noise and Vibration**

Given the fact that the details of the design and location of the proposed cabling is not yet known it is considered that ground vibration or noise should not be scoped out of the ES.

Advice from the Environmental Health Officer states:

*The noise sensitive receptors have been identified within West Lindsey District, but not for those receptors in the Bassetlaw District who may be within the cable corridors. I recognise that the location of the cable corridors have not yet been determined, but would request that the Environmental Impact Assessment identify the corridors, details whether the cabling will be above ground or below ground and identify the noise sensitive receptors so that the likely impact of any noise can be adequately assessed."*

### **Socio Economic and Land Use**

In terms of the proposed cabling area social economic receptors are proposed to be scoped into the ES which is welcomed. However the report goes on to say that these will be scoped out if the routes do not affect public right of ways. This is not considered to be acceptable. In any event the amount of cabling required for this proposed will impact on socio economic and land use of the area and should be scoped in regardless of whether it affects PROW or not (also see comments below from the public rights of way officer).

### **Transport and Access**

Please see the response from NCC Highways in summary this reads as follows:

The Environmental Impact Assessment Scoping Report confirms that the Application will be supported by a Transport Assessment (TA). As the site is in Lincolnshire, the expected traffic impact on the Nottinghamshire highway network would appear to be confined to traffic associated with the GCC. Local roads in Nottinghamshire are otherwise protected from construction traffic by the intervening River Trent. The nearest Nottinghamshire road crossing is the A57 Dunham Bridge to the south which is likely to be suitable for construction

traffic. Nottinghamshire County Council as local highway authority for the Nottinghamshire road network would therefore wish to see the traffic impact of construction traffic associated with the GCC to be covered in a discrete chapter within the TA to prepared in accordance with Planning Practice Guidance. Environmental impacts, to be dealt with in accordance with the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic (1993), should form a separate section within the chapter to avoid confusion.

It is noted that the Construction Traffic Management Plan will include a chapter on construction worker travel patterns and measures to encourage travel by alternative modes to single occupancy vehicle. This should include the construction of the GCC. During operation, the impact of the development on the Nottinghamshire highway network is likely to be negligible. A full Travel Plan is not considered necessary.

The Scoping Report suggests that the route of the GCC is expected to cross Littleborough Road, Thornhill Lane, Northfield Road, Coates Road, Broad Lane, Headstead Bank and Town Street. However, there is no plan of the proposed corridor at this stage or an indication of vehicle numbers specifically associated with the construction of the GCC. It is also suggested that a new access is expected to be constructed in the vicinity of the existing power station access to provide construction vehicle access to the GCC works in that area. These will require covering in detail within the TA to ensure that the effected roads are capable of accommodating construction traffic, and that essential access can be maintained during the works. It should also be clarified as to why it is necessary to construct a new access when the power station access could presumably serve the same purpose.

In terms of public rights of way Nottinghamshire County Council's public rights of way officer comments as follows:

The Rights of Way Team welcome the provisions set out in the Environmental Impact Assessment Scoping Report for the protection and enhancement of the network of Public Rights of Way within the proposed development site. This response focuses on the area affected by the Grid Connection Corridor Options and the associated buffer zone as the proposed solar facility is situated in Lincolnshire and does not impact directly on the PROW of Nottinghamshire. For the same reason, I have not considered the Glint and Glare connotations with regards the PROW network.

The EIA Scoping Report references approximately 11km of PROW in Nottinghamshire to be potentially impacted by the Grid Connection Corridor Options. The Report outlines two proposals for cable connections between the solar site and the site of Cottam Power Station. In the case of an array of overhead power lines the visual impact to the PROW network should take into account at least a further 1km buffer zone. This would increase the PROW affected to a potential 40-50Km of footpaths, bridleways, restricted byways and byways open to all traffic. For this reason we would request trenching the cables as the preferred methodology for the protection of the green infrastructure network within the wider landscape. The report states (12.6.17) that the impacts are limited to the construction and decommissioning phases, with nil during the operation phase. However, an overhead power cable network would have permanent visual impacts to the PROW and we request that full consideration during all phases is afforded during the assessment of the impact of the Scheme on the baseline socioeconomic conditions.

It is noted that temporary closures will be necessary during the construction phase and it is requested that these closures, wherever practicable, are employed sensitively to optimise the connectivity of the wider PROW network. The Rights of Way team would welcome discussions regarding the enhancement and improvements to the Public Rights of Way network.

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.

### **Human Health and Wellbeing**

Human Health is given its own topic in the main body of the scoping report; however in table 17-2 this is put into the Environmental Topics Chapter and is proposed to be scoped out. This is not agreed and the District consider that human health and well being should be scoped into the ES as it needs to be assessed holistically with other impacts such as air quality, noise and vibration etc.

### **Environmental Topics including:**

Air quality  
Glint and glare  
Ground conditions  
Major accidents/disasters  
Telecommunications, television reception, utilities  
Waste

The approach taken to these elements of the ES are considered to be acceptable.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Thorough', is written over a light blue horizontal line.

Development Team Manager

Enc

Archaeological Advice  
The Coal Authority Response  
Bassetlaw Conservation Manager Response  
Trent Valley Drainage Board response and map  
Nottinghamshire County Council Highway Officer's response  
Bassetlaw Climate Change Officer Response  
Bassetlaw Environmental Health Response  
Nottinghamshire County Council Local Lead Flood Authority Response  
Nottinghamshire Wildlife Response  
Nottinghamshire County Council Public Rights of Way Officer Response  
Nottinghamshire County Council Response