

**Byers Gill Solar
EN010139**

6.4.4.3 Environmental Statement Appendix 4.3 EIA Scoping Opinion Response Matrix

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1. EIA Scoping Opinion Response Matrix

1.1.1 The table below provides a summary of the comments raised by the Planning Inspectorate (PINS) and relevant statutory consultees within the EIA Scoping Opinion (ES Appendix 4.2) (Document Reference 6.4.4.2). The purpose of the table is to demonstrate how RWE (the Applicant) has addressed the points raised within the EIA Scoping Opinion as the baseline surveys, design and environmental assessments are progressed. The table provides as clarification of where the information has been provided within the Environmental Statement (ES) and other documents which are submitted in support of the Development Consent Order (DCO) application.

Table 1-1 EIA Scoping Opinion Response Matrix

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Planning Inspectorate	2.1.1 Parameters for on-site support equipment and battery energy storage	The Scoping Report identifies that there will be approximately 44 inverter containers and 53 hybrid containers approximately the size of a shipping container, however, it does not explain the anticipated height of these structures i.e. whether they can/will be stacked or what the footprint would be; as is done for the substation. The ES should set out the maximum parameters of the proposed on-site support equipment and identify where these will be located. This should also be established for the battery energy storage systems.	ES Chapter 2 The Proposed Development (Document Reference 6.2.2) confirms the maximum parameters for inverters, transformers and Battery Energy Storage Systems (BESS) as the following: <i>“it is anticipated that there would be an approximate combination of up to 53 hybrid containers (which include an inverter and BESS) and up to 44 inverter only containers located across the Proposed Development, placed on a concrete pad foundation, and measuring approximately 3m in height, 2.5m in width and 12m in length.”</i>
Planning Inspectorate	2.1.2 Number and location of construction compounds and access tracks	Whilst this is currently unknown, the ES should quantify and locate the construction compounds. The Applicant should make effort to locate the compounds where existing access to the construction site can be secured reducing the need for new accesses and the resultant impacts.	ES Figure 2.21 (Document Reference 6.3.2.21) presents the proposed access routes to the Proposed Development and location of temporary construction compounds.

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Planning Inspectorate	2.1.3 Cable depth	The ES should define the maximum depth and width of cable corridors and final easements and use this to inform a worst-case scenario in aspect assessments where relevant.	ES Chapter 2 The Proposed Development (Document Reference 6.2.2) confirms the maximum dimension of the cable trench would be 1600mm depth x 2000mm wide. The width of cable corridors is defined by the Order Limits. This is depicted on ES Figure 1.1 Location Plan (Document Reference 6.3.1.1).
Planning Inspectorate	2.1.4 Construction timeframe	Whilst the Scoping Report states that construction will last 12 months, an anticipated timeframe for each relevant stage of construction (enabling works, construction and commissioning) has not been provided. The ES should provide an anticipated timeframe for each stage of the construction period as this will usefully correspond to the characteristics of the likely impacts and effects.	ES Chapter 2 The Proposed Development (Document Reference 6.2.2) details the anticipated timeframes for the construction stages.
Planning Inspectorate	2.2.1 Transboundary	The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the	Noted. An assessment of transboundary effects has not been included within the ES.

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		<p>application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-andadvice/advice-notes/</p>	
Planning Inspectorate	3.1.1 Temperature change	Temperature changes are not anticipated to be exacerbated by the Proposed Development; the Inspectorate is content to scope this matter out on this basis.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.1.2 Impacts to and from sea level rise	Since the Proposed Development is not identified as being located in an area with potential to be impacted by or to exacerbate impacts from sea level rise therefore, the Inspectorate agrees that this matter can be scoped out.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.1.3 Precipitation change	The Inspectorate is content to scope this matter out on the basis that precipitation changes are not anticipated to be exacerbated by the Proposed Development; it is noted and agreed that impacts to the Proposed Development from increased frequency and duration of precipitation events is scoped in.	The impacts of increased precipitation have been assessed as part of ES Chapter 5 Climate Change (Document Reference 6.2.5) and ES Appendix 5.2 Climate Change Resilience (CCR) Assessment (Document Reference 6.4.5.2), and taken into account within the flood risk assessment reported in ES Appendix 10.1 Flood Risk Assessment (FRA) and Drainage Strategy (Document Reference 6.4.10.1).
Planning Inspectorate	3.1.4 Wind	Wind impacts from climate change are not anticipated to be exacerbated by the Proposed Development; the Inspectorate is content to scope this matter out on this basis. It is noted and agreed that impacts to the Proposed Development from an increase in strong wind events is scoped in.	As this matter has been agreed to be scoped out, this has not been included within the assessment. The impacts of wind have been assessed as part of ES Chapter 5

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			Climate Change (Document Reference 6.2.5) and ES Appendix 5.2 CCR Assessment (Document Reference 6.4.5.2).
Planning Inspectorate	3.1.5 Resilience to impacts from climate change during construction and decommissioning	The Inspectorate agrees that this can be scoped out of the assessment on the basis that impacts from flooding will be assessed in the Flood Risk Chapter and that mitigation measures to manage potential extreme weather events, including use of weather alert systems and appropriate storage of materials, will be implemented.	As this matter has been agreed to be scoped out, this has not been included within the assessment. The impacts of extreme weather events have been assessed as part of ES Chapter 5 Climate Change (Document Reference 6.2.5) and ES Appendix 5.2 CCR Assessment (Document Reference 6.4.5.2).
Planning Inspectorate	3.1.6 Future scenario 2040 – 2059	Scoping Report paragraph 5.5.7 states that the future climate change scenario is 2040 to 2059 as this best represents the future baseline, however, on the premise that construction is likely to start at the earliest in 2023 and therefore complete in 2024, the lifetime of the development will exceed 2059. The Inspectorate considers that the future climate change scenario should either be fully justified or changed to reflect the extent of the Proposed Development's lifetime.	Agreed, the UKCP18 modelling data dates have been extended to 2070 to capture the entire lifecycle of the Proposed Development. For further details, see ES Chapter 5 Climate Change (Document Reference 6.2.5) and ES Appendix 5.2 CCR Assessment (Document Reference 6.4.5.2).
Planning Inspectorate	3.2.1 Construction, operation and decommissioning – Direct impacts on national and non-statutory designated sites	Scoping Report paragraph 6.6.5 states that impacts on designated sites are unlikely as no land is required directly from designated sites and indirect effects such as pollution will be mitigated through best practice measures secured through the Construction Environmental Management Plan (CEMP). Table 6.4 only scopes out potential impacts to national and non-statutory designated sites. The Inspectorate agrees these	An assessment of indirect effects to internationally designated sites including the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site from the Proposed Development is included within ES Appendix 6.5 Habitats

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		<p>matters can be scoped out. For clarity, indirect effects to internationally designated sites should be scoped into the ES as there is potential for the Proposed Development to impact land functionally linked to the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site (paragraph 6.5.3).</p>	<p>Regulations Assessment No Significant Effects Report (Document Reference 6.4.6.5).</p>
<p>Planning Inspectorate</p>	<p>3.2.2 Operation and decommissioning –Permanent loss of habitat Operation – temporary loss of habitat</p>	<p>The Inspectorate agrees that this matter can be scoped out on the basis that impacts during construction take account of any continued habitat loss through the operation and decommissioning phases.</p>	<p>Habitat loss is considered in ES Chapter 6 Biodiversity (Document Reference 6.2.6) taking into account construction, operation and decommissioning.</p>
<p>Planning Inspectorate</p>	<p>3.2.3 Construction, operation and decommissioning – Loss of habitat and incidental harm and mortality of great crested newts (GCNs)</p>	<p>The Applicant intends to offset the effects of the Proposed Development on Great Crested Newts (GCN) by obtaining a licence through the Natural England 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 information on the Proposed Development's impact on GCN and the appropriate compensation required.</p>	<p>The Order Limits do not overlap with any red risk zone. Therefore, the approach adopted to mitigate any potential impact on GCN will be through the process of a DLL application for GCN. For further details, see ES Chapter 6 Biodiversity (Document Reference 6.2.6) and Other Consents and Licenses (Document Reference 7.3) which sets out that a provisional GCN certificate has been issued by Natural England. .</p>

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Planning Inspectorate	3.2.4 Construction, operation and decommissioning – Loss of habitat incidental harm and mortality of reptiles	Scoping Report paragraph 6.6.1 identifies potential impacts to reptiles however, impacts are then stated to be unlikely in paragraph 6.6.9 due to the majority of habitat on site being sub-optimal for reptiles; this is supported by a Preliminary Ecological Appraisal. Table 6.4 identified that reptiles identified on site will be relocated before a destructive search with the final landscape design enhancing habitat and connectivity for reptiles across the Proposed Development site. On this basis, the Inspectorate agrees to scope this matter out.	An assessment of the impacts to reptiles from the Proposed Development is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Planning Inspectorate	3.2.5 Construction, operation and decommissioning – loss of trees supporting roosting bats	Scoping Report paragraph 6.6.11 confirms that trees identified with potential for roosting bats will be retained. Provided this is secured through the DCO, the Inspectorate agrees to scope this matter out.	In total seven trees with suitable potential roosting features (PRF) will be removed by the Proposed Development. An assessment of the impacts to trees with PRF from the Proposed Development is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Planning Inspectorate	3.2.6 Construction, operation and decommissioning – loss of bat foraging habitat	Bat foraging habitat is proposed to be retained aside from small sections of hedgerows that will be temporarily removed (and subsequently reinstated) to accommodate cable routes during construction. The ES should identify the locations and extent of hedgerow removal and the timeframes for reinstatement. No baseline information has been provided in relation to bats and surveys are identified to be ongoing in Table 6.2. Without understanding how bats use the site, the Inspectorate cannot agree to scope this matter out. The ES should establish the baseline and assess significant effects where they are likely to occur.	Habitat suitable for foraging, commuting and roosting bats such as field margins, woodland, scrub and the majority of hedgerows and associated trees will be retained, with a buffer of 8 m from Panel Areas to boundary features. Lost hedgerows will be replanted, gappy ones stocked up and management relaxed on others to provide enhanced commuting and foraging habitat for bats. For further details, see ES Chapter 6 Biodiversity (Document Reference 6.2.6). Bat foraging baseline data is provided within ES Appendix 6.4 Static

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			<p>Detector Bat Survey Report (Document Reference 6.4.6.4). The location and extent of hedgerow removal, and details of reinstatement, are provided in ES Appendix 7.7 Arboricultural Impact Assessment (AIA) (Document Reference 6.4.7.7).</p>
<p>Planning Inspectorate</p>	<p>3.2.7 Construction, operation and decommissioning – disturbance to badger setts</p>	<p>Scoping Report paragraph 6.6.12 states that badger setts identified from surveys (Table 6.2) would be retained and a standoff distance implemented to a likely minimum of 30m to avoid/minimise disturbance. Fences will also include mammal gates to allow for movement. The Scoping Report does not discuss how the presence of the solar farm would impact badger use of the site during operation. The ES should describe and secure mitigation measures through the DCO and use evidence to explain how badgers might use the site during operation. Any assumptions and limitations should be described.</p>	<p>An assessment of the impacts to badgers from the Proposed Development is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).</p> <p>Baseline data relating to badgers is provided within ES Appendix 6.1 Preliminary Ecological Appraisal (PEA) (Document Reference 6.4.6.1). Mitigation measures for badgers will be secured through the Outline Landscape and Ecology Management Plan (LEMP) (Document Reference 6.4.2.14) as a requirement of the DCO.</p>
<p>Planning Inspectorate</p>	<p>3.2.8 Construction, operation and decommissioning – fragmentation of habitat due to security fencing</p>	<p>The security fencing, at all stages of the Proposed Development, will incorporate mammal gates to reduce/avoid fragmentation. Provided this is secured through the DCO, the Inspectorate agrees this matter can be scoped out.</p>	<p>Security fencing used around the Panel Areas will allow small animals to pass through. This will be secured through the Outline LEMP (Document Reference 6.4.2.14) and as a requirement of the DCO and is included as a design parameter in the Design Approach Document (Document Reference 7.2).</p>

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Planning Inspectorate	3.2.9 Disturbance and displacement of reptiles, GCNs and hares	The Scoping Report identifies the potential for reptiles, GCNs and hares on site in paragraph 6.6.1 however, disturbance is not listed as a potential impact on these species. The ES should assess disturbance during construction on hares, GCNs and reptiles where significant effects are likely to occur.	An assessment of impacts to reptiles, GCN and hares is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Planning Inspectorate	3.2.10 Receptors – water dependent habitats and species	Whilst main and ordinary watercourses are discussed in Scoping Report section 6.5 hydrology, water dependent habitats (such as ditches) and species (such as fish) are not. The ES should include sufficient baseline ecological survey data to evaluate the potential impacts on water dependent habitats and species and assess significant effects where they are likely to occur.	Design of the Proposed Development has avoided direct impact on watercourses with a standoff distance of at least 10m from watercourse features. Pollution prevention control measures outlined in the Outline CEMP (Document Reference 6.4.2.6) and ES Appendix 2.9 Outline Pollution and Spillage Response Plan (Document Reference 6.4.2.9) will reduce potential for adverse effects. Ecological survey data for water dependent habitats and species is presented within ES Appendix 6.1 PEA (Document Reference 6.4.6.1).
Planning Inspectorate	3.2.11 Increase in floral and insect species-richness	Scoping Report paragraph 6.6.13 identifies an increase in floral and insect species diversity as an impact during operation but this is not scoped into the assessment in Table 6.4. The ES should provide specific detail regarding the anticipated change in species richness and diversity in order to understand any potential significant effects. The ES should assess significant effects where they are likely to occur.	An assessment of the increase in floral and insect species diversity as an impact during operation from the Proposed Development is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Planning Inspectorate	3.2.12	The Inspectorate notes that Table 6.2 identifies that some surveys are incomplete and are ongoing. Therefore, the	Complete baseline survey data is provided in ES Appendices 6.1 to 6.4

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	Other identified species from ongoing surveys	Inspectorate does not consider that the potential impacts of the Proposed Development listed in paragraph 6.6.1 are in full as receptors are identified but possibility remains for further receptors to be identified e.g. hazel dormouse, veteran trees etc. The ES should report the full survey findings and list all receptors identified as potentially present on site and assess significant effects where they are likely to occur.	(Document References 6.4.6.1 to 6.4.6.4) and within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Planning Inspectorate	3.2.13 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 normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.	Badger sett locations are contained within a confidential appendix within ES Appendix 6.1 Preliminary Ecological Appraisal Report (Document Reference 6.4.6.1) with its distribution to be limited to relevant project staff, relevant councils. Natural England and the Badger Trust.
Planning Inspectorate	3.3.1 Effects on national landscape designations	The Inspectorate is content to scope this matter out on the basis that there are no national landscape designations within 5km of the Proposed Development.	As this matter has been agreed to be scoped out, the assessment does not consider effects on nationally designated landscapes.
Planning Inspectorate	3.3.2 Effects on local landscape designations beyond 2km	The Scoping Report states that this matter has been scoped out as effects on local landscape designations beyond 2km are expected to be negligible as visibility is expected to be limited. However, the Zone of Theoretical Visibility (ZTV) illustrated in Figures 7.3 to 7.8 shows that the solar panels would be visible beyond 2km and therefore have potential to impact local landscape designations. The ES should identify, locate and assess impacts to local landscape designations within the ZTV where significant effects are likely to occur.	Subsequent discussion at a meeting with Darlington Borough Council indicated that this request was based on a misunderstanding of the ZTV study – thinking that where visibility was shown it meant wide areas of the Proposed Development would be visible and not screened by intervening vegetation. It was

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Planning Inspectorate	3.3.4 Effects on local landscape character areas beyond 2km	The Applicant intends to scope this matter out as effects on local landscape character areas beyond 2km are expected to be negligible given visibility is expected to be limited. However, the ZTV shows that the Proposed Development would be visible beyond 2km. The ES should assess impacts to local landscape character areas within the ZTV where significant effects are likely to occur.	explained that the ZTV studies reflect theoretical visibility of at least one small part of the Proposed Development, which may be screened by vegetation not modelled (such as hedgerows and individual of small groups or lines of trees). With this understood it was agreed that a 5km study area would be used for the PEIR, with a view to reducing to 2km for the EIA stage should the PEIR establish that effects beyond 2km would not be significant. Following further consultation with Darlington Borough Council, a 3km detailed study area is used within ES Chapter 7 Landscape and Visual (Document Reference 6.2.9) to retain the viewpoints requested beyond 2km within the assessment scope. ZTV studies (ES Figures 7.1 and 7.2, Document Reference 6.3.7.1 and 6.3.7.2) are presented to 5km to show the wider context of the assessment.
Planning Inspectorate	3.3.5 Effects on views and visual amenity beyond 2km	The Scoping Report states that effects on visual receptors beyond 2km are expected to be negligible given expected visibility. However, the Zone of Theoretical Visibility (ZTV) illustrated in Figures 7.3 to 7.8 show that the panels will be visible beyond 2km. The ES should assess potential effects on views and visual amenity within the ZTV where significant effects are likely to occur.	
Planning Inspectorate	3.3.3 Effects on national landscape character areas	The Applicant proposes to scope out effects on National Character Areas (NCAs) due to scale of the Proposed Development in comparison to the broad nature of NCAs. However, NCAs are not identified in the Scoping Report landscape and visual baseline or as sensitive receptors. The ES	As indicated by the Natural England scoping response and best practice as set out at paragraph 5.14 of Guidelines for Landscape and Visual Impact Assessment 3 (GLVIA3), local character studies provide the most appropriate scale for detailed

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		should identify, locate and assess impacts to National Character Areas where significant effects are likely to occur.	assessment, with the National Character Areas (NCA) providing additional context to the baseline, and this is the primary approach taken within this assessment. PINS suggested further clarification with Natural England and a response was received on 11 February 2023 indicating that effects on the NCA should be considered where significant effects on local character was identified. This assessment follows that suggested approach.
Planning Inspectorate	3.3.6 Viewpoints	The ES should explain the process used to determine appropriate viewpoints through the consultation process and should take into account topography, long-distance views, views from Public Rights of Way and the setting of heritage receptors.	Consultation regarding viewpoint selection is described within ES Appendix 7.4 Viewpoint Analysis (Document Reference 6.4.7.4). The ZTV studies used to inform viewpoint selection model the influence of topography on visibility. Viewpoints are included for a range of distances (up to 5km) and visual receptors (including PRow users). The setting of heritage receptors is not a matter for LVIA and is considered in ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8). ES Chapter 8 sets out how viewpoints have informed the heritage assessment.
Planning Inspectorate	3.3.7	The Scoping Report states that the ZTV has been calculated using a set height of 4.35m as this is the maximum height used	Most of the elements (fencing, inverters and CCTV poles) would not

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
	ZTV / Study Area	for tracking solar PV modules. However, the Proposed Development involves associated infrastructure, including CCTV poles, security fencing, substation, inverters, and Battery Energy Storage Systems (BESS), which may exceed the maximum height used to calculate the ZTV. Consequently, the ZTV may not be representative of the full extent of visibility. The ES should clearly evidence and justify the final extent of the ZTV used and ensure that any assessment of significance is based on the worst-case scenario. Effort should also be made to agree appropriate ZTVs with relevant consultation bodies.	be taller than the panels, which are now reduced in proposed height to a maximum of 3.5m. The substation and transmitter mast would be taller, however given an increased 3km study area has been used (compared to the 2km proposed at Scoping), a further increase is not required to consider these elements. ES Figure 7.8 (Document Reference 6.3.7.8) shows the theoretical visibility of the substation, which would be limited beyond 3km from the site to occasional glimpses from roads and rights of way, where not screened by hedgerows.
Planning Inspectorate	3.4.1 Direct impacts to known and unknown archaeological remains during operation	Potential indirect impacts to archaeology remaining in situ during the operation include impacts from alteration of drainage patterns as a result of the existence of the Proposed Development. This could cause increase decomposition of archaeological remains therefore the Inspectorate does not agree to scope this matter out.	ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8) assesses potential indirect impact to archaeology during operation, including from alteration of drainage patterns.
Planning Inspectorate	3.4.2 Direct impacts to known and unknown archaeological remains during decommissioning	The Applicant proposes to scope out the direct impact of decommissioning the Proposed Development on known and unknown archaeological remains as impacts are only likely to occur during construction. Given there is potential for ground disturbance during decommissioning and effects 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.	The decommissioning process is not expected to require any additional land take, nor is it expected to require any new intrusive excavation. There is therefore no potential for any additional ground disturbance, nor additional impacts on any buried archaeological remains, either known or unknown, other than those already

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			<p>reported as occurring during the construction phase.</p> <p>Foundation design in sensitive areas has been updated to avoid ground penetration and this approach would be applied in other areas during detailed design, where required and as set out in the Archaeological Management Strategy at ES Appendix 8.5 (Document Reference 6.4.8.5).</p> <p>For further information, see ES Chapter 8 Cultural Heritage (Document Reference 6.2.8).</p>
Planning Inspectorate	<p>3.4.3</p> <p>Direct impacts to designated heritage assets</p>	<p>The Inspectorate agrees that direct physical effects on designated heritage assets can be scoped out as there are no designated heritage assets within the site boundary.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment</p>
Planning Inspectorate	<p>3.4.4</p> <p>Direct impacts to any heritage assets beyond the development footprint</p>	<p>The Inspectorate agrees that the Proposed Development is unlikely to directly impact heritage assets beyond the development footprint and is content for this matter to be scoped out.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment</p>
Planning Inspectorate	<p>3.4.5</p> <p>Indirect impacts to designated and non-designated heritage assets within the Site Area during construction and decommissioning</p>	<p>The Scoping Report states that indirect impacts to designated and non-designated heritage assets within the Site Area are considered operational and occur due to a change of setting as a result of the finished built form of the Proposed Development. The Inspectorate notes that the use of temporary construction compounds within the Site Area has the potential to indirectly impact the setting of designated and non-designated heritage assets during construction and decommissioning of the Proposed Development. However, given the anticipated short duration of the construction and decommissioning stages, significant effects are considered</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment</p>

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		unlikely and the Inspectorate is content to scope this matter out.	
Planning Inspectorate	3.4.6 Indirect impacts on designated and non-designated heritage assets within the 2km study area during construction and decommissioning	The Inspectorate considers that due to anticipated short duration of the construction and decommissioning stages, significant indirect effects to designated and non-designated heritage assets within the 2km study area are unlikely and the Inspectorate is content to scope this matter out.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.4.7 Indirect impacts on highly designated heritage assets within the 5km study area during construction and decommissioning	The Inspectorate agrees that due to the anticipated short duration of the construction and decommissioning stages, significant indirect effects to highly designated heritage assets within the 5km study area are unlikely and the Inspectorate is content to scope this matter out.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.4.8 Impacts on the Grade II* listed Wynyard Hall, the Grade II* registered Wynyard Park, the Grade II* listed Lion Bridge to East of Wynyard Hall, the Grade II* listed Wellington Obelisk to South East of Wynyard Hall	The Scoping Report states that impacts on these designated assets have been scoped out on the basis that they are all contained within the Grade II* registered Wynyard Park which is not considered to be within the setting of the Site Area. The Inspectorate agrees that the Proposed Development is unlikely to result in significant effects on these assets and is content to scope these assets out.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.4.9 Impacts on the Grade II listed Hodgson Chest Tomb, 5m South of South Porch of Church of St Andrew, the Grade II listed 3, The Green, the Grade II listed Oakles Farmhouse, the Grade II listed	The Scoping Report states that these assets are located within the built-up environment of Aycliffe and are in close proximity to the A1(M) and have been scoped out of the assessment as the Proposed Development would cause no further alteration to the setting of the assets. On this basis, the Inspectorate considers that significant effects are unlikely and agrees to scope these assets out.	As this matter has been agreed to be scoped out, this has not been included within the assessment

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	14, High Street, Lamp Post 7 Metres East of Number 7, The Green, the Grade II listed Church of St Andrew, the Grade II listed Headstone to John Gibson, 7 Metres South of South of South Port of Church of St Andrew and the Grade II listed Aycliffe War Memorial		
Planning Inspectorate	3.4.10 Impacts on the Grade II* listed Heighington Hall and the Grade I listed Church of St Michael	The Inspectorate considers that as these designated assets are visually separated from the Site by a large number of buildings and vegetation and are not considered to share a relationship to the Site Area, significant effects are unlikely and the Inspectorate is content to scope this matter out.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.4.11 Impacts on the Grade II* listed Goods Shed East South East of North Road Station, the Grade I listed Butler House and the Rectory, the Grade I listed Church of St Andrew, the North Road Railway Station (Now Railway Museum) and the Grade I listed Skerne Bridge	The Scoping Report proposes to scope out these assets on the basis that the significance to their setting is derived from their relationship with other assets within the urban environment and not from the Site Area. The Inspectorate is content that significant effects on these designated assets are unlikely and agrees to scope out this matter.	As this matter has been agreed to be scoped out, this has not been included within the assessment
Planning Inspectorate	3.4.12 Impacts on the Grade II* listed Church of St Mary and the Grade II* listed Manor House	The Applicant considers that these assets are defined by the immediate rural setting and have no relationship to the Site Area, which is located in the distant landscape. Therefore, the Applicant intends to scope this matter out. Based on the information provided, the Inspectorate is content that	As this matter has been agreed to be scoped out, this has not been included within the assessment

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		significant effects are not likely to occur and agrees to scope these assets out.	
Planning Inspectorate	<p>3.4.13</p> <p>Impacts on the Grade II* listed Gloucester House, the Grade II* listed 108, High Street , the Grade I listed Church of St Cuthbert, the Grade II* listed St Cuthbert's Vicarage, the Grade II* listed Church of St Peter, the Grade II* listed 48, Bridge Road, the Grade II* listed 74 and 76, Church Road, the Grade II* listed Town Hall, the Grade II* listed Market Cross, the Grade I listed Stockton Parish Church, the Grade II* listed War Memorial, the Grade I listed Parish Church of St Mary the Virgin, the Grade II* listed The Manor House, the Grade II* listed Columbia House, the Grade II* listed 32, Dovecot Street, the Grade II* listed Church of St Michael and All Angels, the Grade II* listed Church of the Holy Trinity, the Grade II* listed 80, Church Road, the Grade II* listed 9, Finkle Street, the Grade II* listed Friends Meeting House and</p>	<p>The Applicant proposes to scope out these assets on the basis that they are located within the urban and sub-urban environment of Stockton-on-Tees and share no relationship to the Site. The Inspectorate agrees that the Proposed Development is unlikely to result in significant effects on these assets and is content to scope these assets out.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment</p>

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	the Grade II* Registered Ropner Park		
Planning Inspectorate	3.4.14 Archaeological fieldwork	The Applicant should ensure that the information used to inform the assessment is robust and allows for suitable characterisation of the archaeological baseline. The Applicant should make effort to agree the methodology for any intrusive investigations required with relevant consultation bodies.	The agreed methodology and information used to inform the archaeological baseline is outlined and evidenced in the ES Appendices 8.1 Historic Environment Desk Based Assessment (HEDBA) (Document Reference 6.4.8.1) and 8.2 Historic Environment Settings Assessment (Document Reference 6.4.8.2).
Planning Inspectorate	3.4.15 Cable Plough	Paragraph 2.3.23 of the Scoping Report states that on-site cabling would be installed using a cable plough where possible. However, the potential effects of using the cable plough on buried archaeological remains is not considered in the Scoping Report. The ES should assess the potential effects of using a cable plough on buried archaeology and describe how below ground archaeology will be recorded and preserved.	Noted, the potential for direct impacts from a cable ploughing on potential buried archaeological remains has been included as part of the assessment as set out within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).
Planning Inspectorate	3.5.1 Socio-economic effects related to the local population, excluding employment and supply chain effects	The Applicant proposes to scope out this matter on the basis that socio-economic effects relating to the local population, such as visual amenity and other amenity impacts, will be considered by other assessment chapters and mitigated through management plans. The Inspectorate is content with this approach and agrees to scope out this matter. The ES should ensure that socio-economic effect of amenity impacts is clearly addressed in the relevant chapters.	Specific potential impacts on the local population are considered in topic specific chapters of the ES i.e., Chapter 7 Landscape and Visual (Document Reference 6.2.7), Chapter 11 Noise and Vibration (Document Reference 6.2.11) and Chapter 12 Traffic and Transport (Document Reference 6.2.12).
Planning Inspectorate	3.5.2 Impacts on minerals	The Scoping Report states that the part of the site area is located within Darlington Borough Council's Mineral Safeguarding Zones for limestone. However, consideration of	As identified in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9), part of Panel Areas

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		<p>impacts on minerals has been scoped out of the ES on the basis that the mineral assets would not be permanently sterilised and could be extracted once the Proposed Development has been decommissioned. The Applicant should confirm that there are no plans to extract this limestone during the lifetime of the Proposed Development. Provided this has been confirmed the Inspectorate is content to scope this matter out. However, should plans to extract limestone from the area exist the ES should provide an assessment of the potential impacts of the Proposed Development on mineral assets.</p>	<p>C and D have the potential to affect a safeguarded limestone mineral resource. Construction of the Proposed Development would temporarily sterilise the mineral resource, although the resource would remain in situ for the duration of the Proposed Development and could be extracted following decommissioning. The magnitude of impact on the limestone mineral resource is therefore considered to be low, which when combined with a medium sensitivity would lead to a minor adverse effect which is not significant.</p> <p>The Applicant has engaged with Darlington Borough Council who have confirmed that they are not aware of any plans to extract the limestone resource during the Proposed Development and that there are no current or extant permissions to extract the resource within the Order Limits. They also agreed that given the temporary nature of the Proposed Development, this would not sterilise the resource which could still be extracted in the future.</p>

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Planning Inspectorate	3.5.3 Impact to soil resources during operation	The Inspectorate is content to scope this matter out as impacts to soil resources would be limited to the construction and decommissioning phases of the Proposed Development.	Noted. It has been assessed that impacts will take place during construction, and these have been reported ES Chapter 9 Land Use and Socio-economics (Document Reference 6.2.9). Additionally, ES Appendix 2.12 Outline Soil Resources Management Plan (Document Reference 6.4.2.12) has been prepared and submitted with the Application.
Planning Inspectorate	3.5.4 Impact on agricultural land during operation	The Inspectorate agrees that effects on agricultural land during the operation phase of the Proposed Development can be scoped out on the basis that significant effects on agricultural land are likely to be restricted to the construction and decommissioning phases.	As this matter has been agreed to be scoped out, this has not been included within the assessment.
Planning Inspectorate	3.5.5 Wider impact on farm holdings	The Scoping Report proposes to scope out this matter on the basis that landowners that form part of the Proposed Development have signed up to a voluntary agreement and have considered the potential effects on the viability of farm holdings. The Inspectorate is content to scope out this matter, subject to providing evidence of such agreements.	The wider impacts on farm holdings have been scoped out on the basis that landowners that form part of the Proposed Development have signed up to a voluntary agreement and have considered the potential effects on the viability of farm holdings. There is however the potential that some of the land required for the installation of the underground cables may not have signed a voluntary agreement in time for the submission of the draft DCO. ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9) therefore assesses the temporary effects from installing

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			the underground cables on those farm holdings.
Planning Inspectorate	3.5.6 Census data	New census data was published on 28 June 2022. This should be used to inform baseline data and the ES assessment	Baseline data presented in ES Chapter 9 Land Use and Socio-economics (Document Reference 6.2.9) utilises the data published as part of the 2021 census outputs.
Planning Inspectorate	3.5.7 Continued agricultural uses	Paragraph 9.6.7 of the Scoping Report states that the Applicant is exploring the potential for continued agricultural use of the site within the solar PV module areas. The ES should set out the type of agricultural use being considered and assess potential effects on land use and socio-economics, where significant effects are likely.	The potential for continued agriculture on the site is assessed within ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). This is ultimately a land owner decision and final proposals would be developed in further detail should consent be granted.
Planning Inspectorate	3.7.1 Air Quality – construction dust and exhaust emissions (e.g. from plant machinery)	A construction dust assessment will be provided with the ES and appropriate mitigation measures in line with best practice Institute of Air Quality Management guidance will be secured through a CEMP. An example of such measures are provided in Scoping Report paragraph 11.2.19. The Inspectorate agrees that this matter can be scoped out.	A construction dust assessment is provided as ES Appendix 2.4 (Document Reference 6.4.2.4) in line with the latest practice Institute of Air Quality Management (IAQM) Guidance.
Planning Inspectorate	3.7.2 Air Quality – road emissions from all phases	Background air pollutant levels as presented in Scoping Report Table 11.1, are below annual mean objective levels. The nearest Air Quality Management Area (AQMA) is located 20km away. Scoping Report paragraphs 11.1.13 to 11.11.15 and Table 11.11.14 anticipate the number and type of traffic movements during construction both alone and cumulatively. These are below the EPUK/IAQM planning guidance threshold criteria (paragraph 11.2.21). Mitigation measures are proposed to	Mitigation measures to manage traffic movements are included in ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) and ES Appendix 2.8 Outline Construction Traffic Management Plan (CTMP) (Document Reference 6.4.2.8). An assessment of traffic movements is provided within ES Chapter 12 Traffic

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		<p>manage traffic movements in paragraphs 11.2.24 and will be secured via the CEMP.</p> <p>Paragraph 11.11.28 identifies that based on previous solar farm developments, the number of operational traffic movements are likely to be negligible and made up of light vehicles (not HGVs) however, the number is not quantified.</p> <p>On the basis that the ES can confirm that the number of traffic movements remains below the EPUK/IAQM planning guidance threshold criteria alone or cumulatively during construction, operation and decommissioning, the Inspectorate agrees to scope this matter out.</p>	and Transport (Document Reference 6.2.12).
Planning Inspectorate	<p>3.7.3</p> <p>Arboriculture – tree removal and reduction in canopy cover – all phases</p>	<p>Scoping Report Table 11.3 and paragraph 11.3.16 states that any tree/hedge removal will be minimal and where they are required to be removed this will be assessed in an arboricultural impact assessment which will be submitted with the DCO. Scoping Report paragraph 11.3.3 states that impacts to trees will be assessed in the biodiversity and landscape and visual Chapters of the ES therefore, the Inspectorate agrees that a separate Chapter for arboriculture can be scoped out.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment</p> <p>An Arboricultural Impact Assessment is however appended to Chapter 7 of the ES, as Appendix 7.7 (Document Reference 6.4.7.7).</p>
Planning Inspectorate	<p>3.7.4</p> <p>Arboriculture – tree damage and impacts to ancient and veteran trees – all phases</p>	<p>Scoping Report Table 11.3 identifies that construction will be largely away from trees, woodlands and hedges and that best practice measures, including buffer zones, will be utilised to avoid/reduce impacts. Mitigation measures for all phases are described in paragraphs 11.3.20 to 11.3.25 and 11.3.31 to 11.3.35. Scoping Report paragraph 11.3.3 states that impacts to trees will be assessed in the biodiversity and landscape and visual Chapters of the ES therefore, the Inspectorate agrees that a separate Chapter for arboriculture can be scoped out.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment.</p> <p>Buffer zones and Route Protection Areas have been defined and formed a defined parameter of the Proposed Development as described in the Design Approach Document (Document Reference 7.2).</p>
Planning Inspectorate	<p>3.7.5</p>	<p>The Inspectorate considers that this matter may be scoped out on the basis that no cables will exceed 132kV.</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment. The</p>

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	Electric, Magnetic, and Electromagnetic Fields (EMF) during all phases		Proposed Development does not include any cables over 132kV.
Planning Inspectorate	3.7.6 Glint and Glare during all phases	A detailed glint and glare assessment is proposed to be submitted with the application to identify any required mitigation (as set out in Scoping Report paragraphs 11.5.17 to 11.5.22) to avoid/reduce any potential effects. Effects on landscape and visual receptors will be included in the relevant Chapter in the ES. The Inspectorate is content with this approach and agrees that a separate glint and glare assessment can be scoped out.	A Solar Photovoltaic Glint and Glare Study is provided as ES Appendix 2.2 (Document Reference 6.4.2.2).
Planning Inspectorate	3.7.7 Ground Conditions – contaminated land – all phases	The Inspectorate agrees that this matter can be scoped out on the basis that a preliminary risk assessment (desk-based) identifies a low risk of contamination at the Proposed Development site. This should be submitted with the application. Additionally, potential contamination to the ground from the Proposed Development is proposed to be mitigated through best practice measures as identified in Scoping Report paragraphs 11.6.29 to 11.6.37 during construction and operation. These measures should be secured through the DCO.	A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1). This . identifies that contamination potential is very low to low at the Proposed Development site. Best practice measure to mitigate potential contamination are included in ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6).
Planning Inspectorate	3.7.8 Ground Conditions – mineral resources and geology – all phases	Please see commentary in box 3.5.2 of this Scoping Opinion regarding the assessment of effects on mineral resources.	As identified in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9), part of Panel Areas C and D have the potential to affect a safeguarded limestone mineral resource. Construction of the Proposed Development would temporarily sterilise the mineral resource, although the resource would remain in situ for the duration

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			<p>of the Proposed Development and could be extracted following decommissioning. The magnitude of impact on the limestone mineral resource is therefore considered to be low, which when combined with a medium sensitivity would lead to a minor adverse effect which is not significant.</p> <p>The Applicant has engaged with Darlington Borough Council who have confirmed that they are not aware of any plans to extract the limestone resource during the Proposed Development and that there are no current or extant permissions to extract the resource within the Order Limits. They also agreed that given the temporary nature of the Proposed Development, this would not sterilise the resource which could still be extracted in the future.</p>
Planning Inspectorate	3.7.9 Human Health – all phases	<p>The Scoping Report proposes to assess impacts to Human Health in other relevant Chapters including Landscape and Visual and Land Use and Socio-Economics and within relevant mitigation plans including the PRow management plan, Landscape Environmental Management Plan (LEMP) and the outline CEMP. Impacts from air quality, traffic and transport, climate change, EMF and noise and vibration are not proposed to be assessed as these are proposed to be scoped out of the ES. Please see boxes 3.7.1, 3.7.2, 3.7.4, 3.7.11, 3.7.12 of this Scoping Opinion. Whilst impacts to human health are not</p>	<p>As this matter has been agreed to be scoped out, this has not been included within the assessment.</p> <p>Impacts from potential fire/explosion in relation to the BESS has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).</p>

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		<p>scoped out of the climate change Chapter, the Inspectorate considers this is already embedded in the assessment methodology.</p> <p>Provided impacts on Human Health are addressed in the proposed Chapters, the Inspectorate agrees that a separate Chapter on Human Health is not required and can be scoped out. Impacts from potential fire/explosion in relation to battery storage should be assessed in the relevant Chapters where significant effects are likely to occur.</p>	<p>ES Appendix 2.13 Outline Battery Fire Safety Management Plan (oBFSMP) (Document Reference 6.4.2.13) has been submitted with the DCO application to identify structures and processes to manage and control any safety risks during construction, operation and decommissioning of the Proposed Development. Wider potential health effects are considered within relevant topic chapters of the ES (e.g. Noise and Vibration).</p>
<p>Planning Inspectorate</p>	<p>3.7.10 Hydrology – effects to water quality from siltation of runoff and pollution events – all phases And Hydrology – effects to water quality impacts to designated sites – all phases</p>	<p>The Scoping Report proposes to scope out effects on water quality from siltation of runoff and pollution events for all phases on the basis that earthworks would be ‘minimal’, any spoil would be managed in line with appropriate guidance and mitigation would be secured through the CEMP to avoid pollution events and to reduce scour (such as soil bungs, grass strip filters and silt traps). The Scoping Report anticipates that due to the nature of operation, the site would not provide a pathway for significant effects during operation.</p> <p>The Inspectorate notes that impacts from herbicide and pesticide mobilisation have not been discussed in the Scoping Report and that horizontal directional drilling may be required but a breakout plan is not proposed. Additionally, there is no evidence to support or secure that earthworks/excavations will be ‘minimal’ and not lead to adverse effects.</p> <p>The Inspectorate does not consider enough evidence regarding the final design and control measures has been provided to scope this matter out during construction or decommissioning. The ES should identify relevant pathways of effect, the likely</p>	<p>Impacts from herbicides and pesticides and construction on water quality is included within ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10). Water quality effects from construction (including earthworks/excavations) is also included.</p> <p>An Outline Pollution and Spillage Response Plan has been provided at Appendix 2.9 of the ES (Document Reference 6.4.2.9) which secures measures to avoid pollution events.</p> <p>The draft ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10) and associated appendices have been shared with the Environment Agency prior to DCO application and as reflected in the</p>

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		mitigation required to mitigate such effects and any monitoring required; this should include a drilling fluid breakout plan which should also be submitted with the Application.	Potential Main Issues for Examination (PMIE) (Document Reference 7.6) the EA have no principal areas of concern at this time.
Planning Inspectorate	3.7.11 Hydrology – effects from surface water runoff from soil compaction, pluvial and fluvial flooding impacts – all phases And Hydrology – effects from flooding to designated sites – all phases	Effects from pluvial and fluvial flooding and surface water runoff from soil compaction are proposed to be scoped out on the basis that the site is predominantly located in flood zone 1 (Figure 11.2) and that SuDS will be employed to ensure flood risk is not increased on site. Additionally, any sensitive infrastructure will be located outside of flood zones 2 and 3 and where solar panels are located in these areas, electrical equipment will be located above the design flood levels. A Construction Traffic Management Plan (CTMP) is proposed to ensure that vehicle movements are minimised and restricted to access tracks and roads to reduce distribution and concentration of soil compaction. Impacts from groundwater flooding have not been considered in the Scoping Report. Sensitive receptors are also located within the red line boundary (principal aquifer and source protection zone) and Scoping Report paragraph 11.6.15 identifies that groundwater levels are ‘high’ across the Proposed Development site. Additionally, the Inspectorate considers that compaction can occur across the site as each panel will require machinery access for construction. The Inspectorate does not consider that sufficient evidence has been provided to scope this matter out. The ES should assess significant effects to/from flooding where they are likely to occur.	An assessment of flood risk is included within ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10), and is supported by ES Appendix 10.1 FRA and Drainage Strategy (Document Reference 6.4.10.1). The FRA and Drainage Strategy considers groundwater flooding with reference to available groundwater level data across the site relative to the Proposed Development.
Planning Inspectorate	3.7.12	Scoping Report Table 11.10 sets out a screening exercise that has been undertaken in line with the IEMA primer: ‘Major Accidents and Disasters in EIA: A Primer’ (2020). Scoping	An assessment of flood risk is included within ES Chapter 10 Hydrology and Flood Risk (Document

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	Major Accidents and Disasters -flooding – all phases	<p>Report paragraphs 11.8.32 to 11.8.39 set out mitigation to avoid impacts to/from flooding including use of SuDS during construction and operation and locating infrastructure out of the flood zone and above maximum flood heights accounting for climate change projections. Data from the Environment Agency will be used to inform hydrological modelling.</p> <p>The Inspectorate agrees this matter can be scoped out on the basis that an assessment of effects from flooding is included in the Hydrology Chapter of the ES and a submitted FRA (please refer to box 3.7.11 of this Scoping Opinion).</p>	Reference 6.2.10), and is supported by ES Appendix 10.1 FRA and Drainage Strategy (Document Reference 6.4.10.1).
Planning Inspectorate	3.7.13 Major Accidents and Disasters - fire – all phases	<p>Impacts from fire are identified as those from battery storage, lightning strike and general construction. These impacts are proposed to be mitigated through implementation of the COMAH regulations and ensuring design of the Proposed Development is in accordance with the relevant Fire regulations and guidance from the Health and Safety Executive. An outline Battery Safety Management Plan (oBSMP) will also be submitted with the DCO as well as mitigation measures set out in Table 11.10 which will be secured through the DCO.</p> <p>The Inspectorate considers that the risk of battery fire/explosion should be addressed in the ES, including details of how measures to minimise impacts on the environment in the event of such an occurrence are secured.</p>	<p>Impacts from potential fire/explosion in relation to the BESS has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).</p> <p>ES Appendix 2.13 oBFSMP (Document Reference 6.4.2.13) has been submitted with the DCO application to identify structures and processes to manage and control any safety risks during construction, operation and decommissioning of the Proposed Development.</p>
Planning Inspectorate	3.7.14 Major Accidents and Disasters -severe weather – all phases	Severe weather is anticipated to lead to either fire or flooding events therefore, please see boxes 3.7.12 and 3.7.13 of this Scoping Opinion.	Noted.
Planning Inspectorate	3.7.15 Major Accidents and Disasters -transport accidents – all phases	The Inspectorate agrees that based on the anticipated traffic movements (Scoping Report paragraph 11.11.28) significant effects are not likely to occur during operation. However, the ES should confirm the anticipated number of movements and	An assessment of traffic movements is provided within ES Chapter 12 Traffic and Transport (Document Reference 6.2.10).

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		<p>demonstrate that these do not exceed relevant thresholds for further assessment (e.g. as set out in the Guideline for the Environmental Assessment of Road Traffic (the Institute of Environment Management and Assessment 1993) (GEART) guidance).</p>	
<p>Planning Inspectorate</p>	<p>3.7.16 Major Accidents and Disasters -system failures and impacts on utilities – all phases</p>	<p>Mitigation measures proposed include review of utility plans to avoid any utilities and subsequent impacts during construction and decommissioning.</p> <p>The Inspectorate does not agree to scope this matter out as multiple assets have been identified by National Grid and the Health and Safety Executive (please see Appendix 2 for their responses). The ES should explain any mitigation to avoid/reduce impacts to utility assets and assess significant effects where they are likely to occur. Consultation should be undertaken with the relevant utility companies to inform design/mitigation measures.</p>	<p>Impacts to utilities from the Proposed Development has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).</p> <p>Consultation has been undertaken with the relevant Statutory Undertakers and a summary of this engagement is provided in the Statutory Undertakers Position Statement (Document Reference 7.7). The draft DCO (Document Reference 3.1) also includes protective provisions where necessary.</p>
<p>Planning Inspectorate</p>	<p>3.7.17 Major Accidents and Disasters -pollution incidents – all phases</p>	<p>Impacts from pollution to water are proposed to be mitigated through measures set out in Scoping Report section 11.8. This includes SuDs, such as vegetation planting, swales, access track drainage, silt traps, soil bunds and others. Storage and refuelling areas will also be bunded to avoid/reduce pollution impacts and due to the nature of the Proposed Development, during operation, pollution events are unlikely. A preliminary risk assessment has been undertaken for ground conditions which does not identify any made ground.</p> <p>The Inspectorate agrees this matter can be scoped out on the basis that all the appropriate mitigation measures described are included in the ES and secured through the DCO.</p>	<p>A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1).</p> <p>Pollution control measures are included in ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) and through an Outline Pollution and Spillage Response Plan at Appendix 2.9 of the ES (Document Reference 6.4.2.9).</p>

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Planning Inspectorate	3.7.18 Major Accidents and Disasters -unexploded ordnance (UXO) – all phases	A desk-based study concluded that UXO risk is low based on the ground conditions and history of the site. The Inspectorate agrees to scope this out providing the evidence supporting this is submitted with the ES.	A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1) which provides a UXO report with low risk identified.
Planning Inspectorate	3.7.19 Noise and Vibration – from traffic – all phases	The anticipated number of traffic movements during construction is set out in Scoping Report paragraph 11.10.13. Paragraph 11.10.24 states that movements during operation will be minimal. Construction traffic is proposed to be managed through a CTMP. The ES should clarify the number of anticipated movements during construction and operation and explain why the number and vehicle type of construction traffic movements would not have potential to lead to significant effects in line with relevant guidance.	Mitigation measures to manage traffic movements are included in ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) and ES Appendix 2.8 Outline CTMP (Document reference 6.4.2.6). An assessment of traffic movements is provided within ES Chapter 12 Traffic and Transport (Document Reference 6.2.12).
Planning Inspectorate	3.7.20 Noise and Vibration – from activities – all phases	The Scoping Report proposes to scope out effects from noise and vibration from activities for all phases on the basis that construction and decommissioning would be controlled through the CEMP and the Decommissioning Environmental Management Plan (DEMP) by adherence to best practice measures, specifically BS5228:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites – Part 1: Noise and Section 8 of British Standard 5228:2009+A1:2014 'Part 2: Vibration'. Effects during operation are not anticipated due to the nature of the infrastructure and where it has potential for impact e.g. battery storage would be located towards the centre of the array sites, away from receptors. The Inspectorate notes that some receptors identified in Scoping Report paragraph 11.10.8 are located within close	ES Chapter 11 Noise and Vibration (Document Reference 6.2.11) provides an assessment of impacts to receptors from construction, operation and decommissioning phases of the Proposed Development.

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		<p>proximity of the Proposed Development (10m). The Scoping Report does not anticipate the duration of and degree of impact from activities during construction and decommissioning relative to the baseline environment. The Inspectorate also considers there remains potential impacts during operation from battery cooling fans and tracker panels as the locations in relation to receptors have not been secured.</p> <p>The Inspectorate considers that the Scoping Report lacks clarity regarding the specific measures to be adopted to control noise impacts and does not consider that sufficient evidence has been provided to demonstrate that significant noise and vibration effects will not arise. The ES should provide data to characterise the baseline noise environment and demonstrate that construction activities (e.g. piling) and operational plant (e.g. battery cooling infrastructure) will not give rise to significant effects.</p>	
Planning Inspectorate	3.7.21 Traffic and Transport – all operational impacts	Scoping Report paragraph 11.11.28 states that operational traffic will be minimal and therefore impacts in terms of severance, driver and pedestrian delay, pedestrian and cycling amenity and accidents and safety will be minimal. The ES should confirm the number of movements and demonstrate that these do not exceed relevant thresholds for further assessment (e.g. as set out in GEART).	<p>An assessment of the likely increase in traffic is presented within ES Chapter 12 Traffic and Transport (Document Reference 6.2.12).</p> <p>In addition, further detail is provided within ES Appendix 2.8 Outline Construction Traffic Management Plan (Document Reference 6.4.2.8) and ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1).</p>
Planning Inspectorate	3.7.22 Traffic and Transport – severance –construction/ decommissioning	The total number of trips along the potential access routes is set out in Scoping Report Table 11.14 which has derived from other solar farm proposals; the total would be 72 trips per day during construction assuming a worst-case scenario. Whilst this has been considered against the baseline of the major roads, the baseline for the rural roads to be used to access the site are unknown as are the proposed access locations, and it is assumed that the change would be ,10% in line with GEART	<p>Baseline data and HGV composition are presented within ES Figure 12.3</p>

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		<p>guidance. This also doesn't take into consideration the change in the type of traffic.</p> <p>The Inspectorate does not agree to scope out consideration of severance during construction/decommissioning. The ES should provide baseline data for the affected road network and characterise the construction traffic change in terms of number, types and routing of movements in line with relevant guidance, including that for construction workers, and assess significant effects where they are likely to occur.</p>	Network Diagram (Document Reference 6.3.12.3).
Planning Inspectorate	<p>3.7.23</p> <p>Traffic and Transport – driver and pedestrian/cyclist delay amenity and accidents and safety – construction/decommissioning</p>	<p>The Scoping Report states that due to the rural nature of the road network, and that the increase in construction traffic is expected to be within the daily variation of traffic flows, minimal impacts are anticipated. However, this is not evidenced through provision of baseline data compared with the anticipated construction traffic movements and the capacity of the road network. Additionally, there is potential for weight and width restrictions on rural roads which is not discussed in the Scoping Report. The Inspectorate does not agree to scope out driver and pedestrian/cyclist delay and amenity and accidents and safety during construction/decommissioning. The ES should provide baseline data for the affected road network and characterise the construction traffic change in terms of number, types and routing of movements in line with relevant guidance and assess significant effects where they are likely to occur.</p>	
Planning Inspectorate	<p>3.7.24</p> <p>Waste</p>	<p>The Inspectorate agrees that a standalone chapter on waste is not required within the ES. However, the ES should still contain a description of the potential waste streams from all phases of the Proposed Development, including estimated volumes and an assessment of the likely significant effects. In addition, the ES should describe any measures implemented to</p>	<p>For information on likely waste arisings, see ES Appendix 2.3 Likely Waste Arisings (Document Reference 6.4.2.3).</p> <p>ES Appendices 2.6 Outline CEMP (Document Reference 6.4.2.6), Outline DEMP (Document Reference</p>

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		<p>minimise waste and state whether the waste hierarchy will be utilised.</p> <p>The CEMP, DEMP and Site Waste Management Plan (SWMP) should include as much detail as possible on on-site waste management, recycling opportunities, and off-site disposal. If off-site disposal is required, an assessment of likely significant effects including intracumulative effects should be included within the ES.</p>	<p>6.4.2.7) and Outline SWMP (Document Reference 6.4.2.11) provides details around waste management, recycling opportunities, and off-site disposal.</p>
Canal & River Trust	N/A	<p>Having reviewed the location of the proposed project and the Scoping Report, and taking account of the location of works relative to our waterways network, we wish to advise that the Trust have no comment to make upon the proposal.</p>	Noted.
Cleveland Fire Brigade	N/A	<p>Cleveland Fire Brigade offers no representations regarding the development as proposed.</p> <p>However, Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2: 2019, Section B5, for buildings other than Dwellings.</p>	<p>The Applicant has prepared an Outline Battery Fire Safety Management Plan (oBFSMP) (Document Reference 6.4.2.13) in collaboration with County Durham and Darlington Fire & Rescue service.</p>
Cleveland Fire Brigade	N/A	<p>It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2.</p>	Noted. There are no changes to the highway network and therefore access for emergency vehicles is unchanged.
Darlington Borough Council	N/A	<p>Climate Change</p> <p>Overall, the scope of the assessment with regard to climate change is considered to be acceptable, however additional comments are set out as follows:</p>	Noted.
Darlington Borough Council	N/A	<p>Climate Change</p> <p>5.7.8 - It's true the Paris agreements signed us up to a 1.5°C pathway, but we are not going to meet that. Currently, we are</p>	Noted – The Paris Agreement signs the UK to achieve emissions related to a 1.5°C pathway. The UK's response to meeting its commitments

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		on track for at least 3°C (possibly even 4°C), which are likely to significantly change the impacts we see.	under the Paris Agreement resulted in the Climate Change Act 2008 (2050 Target Amendment) Order 2019. Renewable energy such a solar PV are considered to be one way that the UK achieves its Paris Agreement obligations.
Darlington Borough Council	N/A	Climate Change 5.7.22- We are already experiencing climate change – they would need to make sure their processes are able to deal with any unforeseen weather events, even if that’s just adding in contingency timing.	Noted – Extreme weather is one of the scenarios that is considered within the ES Appendix 5.2: CCR assessment (Document Reference 6.4.5.2). Applicable embedded mitigation for construction of the Proposed Development can be found within the CCR assessment and ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6).
Darlington Borough Council	N/A	Biodiversity Overall the scope of the works and methodology applies it satisfactory. The range of surveys appear proportionate given the nature of the habitats on site and appropriate survey work has been undertaken or proposed. The methodologies applied are in line with national guidance and the information provided on potential impacts and mitigation/compensation is sound and provides a suitable starting point to inform more detailed design work.	Noted.
Darlington Borough Council	N/A	Landscape and Visual Paragraph 7.3.3 – Based on the Zone of theoretical visibility shown in figures 7.2-7.8 the 2km study area proposed is considered to be insufficient. As paragraph 7.3.1 states “best	These locations were subsequently discussed with Darlington Borough Council within the context of including a wider study area. It was agreed that viewpoints from Sadberge

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		<p>practice guidance (GLVIA 3) indicates that “the study area should include the site itself and the full extent of the wider landscape around it which the proposed development may influence in a significant manner.” For solar farms, a study area radius of 1-5km is typical (based on other applications), depending on the likely extent of visibility. The Zone of Theoretical Visibility maps demonstrate that up to 4, 5 or 6 of the proposed sites may be visible from visual receptors outside of the 2km zone including particularly Sadberge, Whinney Hill and Darlington Back Lane areas. It is acknowledged as stated that trees and hedgerows may reduce this in some locations but given the raised topography in these areas, and particularly the Sadberge area sitting raised above the wider valley the proposed sites, form part of the wider landscape which they may influence in a significant manner particularly cumulatively with the recently granted permissions (22/00727/FUL) on land to the south of Gately Moor Reservoir, Bishopton and (21/00958/FUL) at Lime Lane, Brafferton. A 5km zone will be more appropriate to incorporate the various areas identified.</p>	<p>and Darlington Back Lane and West Newbiggin would be included (viewpoints 31 and 32). In relation to Whinney Hill it was agreed that as the ZTV studies indicate little to no visibility from the settlement, any viewpoint would need to be located on the road to the north, which is the same receptor group as represented by viewpoint 29 and that therefore an additional viewpoint was not necessary. Taking account of the need to represent views from a range of directions within the study area, a potential viewpoint to the west of the A1 near Coatham Mundeville was also discussed and is included as viewpoint 33.</p> <p>Gately Moor (22/00727/FUL) and Whinfield (21/00958/FUL) are considered as part of the future baseline and included in the assessment of effects within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7).</p>
Darlington Borough Council	N/A	<p>Landscape and Visual</p> <p>Paragraph 7.5.2 states there are no local landscape designations within the 2km study area. Hall Garth parkland identified in Policy ENV3 of the Darlington Local Plan (2016 – 2036) and illustrated on the policies map is within this area and should therefore be considered.</p>	<p>These receptors are considered within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7).</p>

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		https://microsites.darlington.gov.uk/media/2399/local-plan-adopted-feb22v2.pdf	
Darlington Borough Council	N/A	Landscape and Visual Paragraph 7.6.3 – The effects of the proposed fencing and CCTV columns should also be acknowledged as they will have an influence on character and views.	This assessment considers the effects of all elements of the Proposed Development.
Darlington Borough Council	N/A	Landscape and Visual Table 7.1 – There does seem to be a lack of viewpoints identified from visual receptors to the south of the proposed site considering the Zone of Theoretical Visibility suggests that there are number of locations where 4, 5 or even all 6 of the proposed sites may be visible. Possible locations would include Whinney Hill, Darlington Back Lane, West Newbiggin and Sadberge	These locations were subsequently discussed with Darlington Borough Council within the context of including a wider study area. It was agreed that viewpoints from Sadberge and Darlington Back Lane and West Newbiggin would be included (viewpoints 31 and 32). In relation to Whinney Hill it was agreed that as the ZTV studies indicate little to no visibility from the settlement, any viewpoint would need to be located on the road to the north, which is the same receptor group as represented by viewpoint 29 and that therefore an additional viewpoint was not necessary. Taking account of the need to represent views from a range of directions within the study area, a potential viewpoint to the west of the A1 near Coatham Mundeville was also discussed and is included as viewpoint 33.

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Darlington Borough Council	N/A	<p>Landscape and Visual</p> <p>Table 7.3 – As explained above based on the GLVIA 3 best practice guidance, the zone of theoretical visibility outcomes and topography the effects on local landscape character and effects on views and visual amenity beyond 2km cannot be determined to be negligible at this stage and may be significant. Therefore they should not be scoped out or to be scoped out this should be extended to beyond 5km.</p>	<p>A 5km study area was used for the PEIR. See response to Planning Inspectorate comments 3.3.2, 3.3.4 and 3.3.5 above.</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>The proposed development could impact upon designated heritage assets and their settings in the area around the site both directly and indirectly. In line with the advice in the National Planning Policy Framework (NPPF), the Environmental Statement (ES) should contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.</p>	<p>The assessment of potential likely significant effects on the significance of designated heritage assets through a change in their setting has been included within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>It is positive to note that the scoping identifies the intention to consider the impacts on all heritage assets including those with the highest level of protection to non-designated heritage assets including direct and indirect impacts.</p>	<p>Noted.</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>It is noted that the extent of the Study Area allows for all heritage assets to be set within their wider context so that they can be properly assessed. It is important however that the assessment is designed to ensure that all impacts are properly</p>	<p>Collaboration with the LVIA team has been ongoing throughout the assessment process including with reference to viewpoints, wirelines and photomontages. These discussions have identified that the agreed LVIA viewpoints provide sufficient</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>understood. Section drawings and techniques such as photomontages and LVIA will be a useful part of demonstrating this. It is noted that view points and wider landscape characterisation and impacts are to be considered which will also assist in considering the wider implications on landscape setting of assets and is welcomed.</p>	<p>representative coverage to determine any potential likely significant effects across the wider landscape. No specific Cultural Heritage viewpoints are therefore proposed.</p>
Darlington Borough Council	N/A	<p>Cultural Heritage Designated and non-designated heritage assets There is general agreement with the conclusions of those assets expressly excluded from the study are unlikely to be affected by the proposals.</p>	Noted.
Darlington Borough Council	N/A	<p>Cultural Heritage Designated and non-designated heritage assets The levels of intended considered significance set out in table 8.2 are consistent with the groupings of the significant of heritage assets set out in paragraph 200 of the NPPF. Assessment of setting should not however be restricted to visual impact. The potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the study area should also be assessed.</p>	<p>An assessment of setting is included within ES Appendix 8.2 Historic Environment Settings (Document Reference 6.4.8.2) Assessment and ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p>
Darlington Borough Council	N/A	<p>Cultural Heritage Designated and non-designated heritage assets It is noted that the decommissioning works are not part of the scope however in accordance with the points raised above, the resulting impacts on land management, restoration and any associated works at the end of the scheme life and those impacts on heritage assets should also be considered.</p>	<p>Decommissioning effects of the Proposed Development are assessed within ES Chapter 8 Cultural Heritage (Document Reference 6.2.8).</p>

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Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits and can also lead to subsidence of buildings and monuments. It is acknowledged that archaeology comments will be provided separately.</p>	<p>Collaboration with the Hydrology team during the design process and through assessment has identified there will be no alteration in the drainage patterns from the proposed development. A specific technical summary from a Hydrological expert is set out in ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>It is also noted that the assessment states that the proposal will look for better understanding of the historic landscape and the proposals should look for opportunities to positively respond to and enhance heritage assets. Paragraph 206 of the NPPF states that new development within conservation areas and world heritage sites and within the setting of heritage assets should enhance or better reveal their significance and the proposal should therefore look for these opportunities.</p>	<p>Identification of opportunities for enhancement has been included within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p> <p>Designated and non-designated heritage assets</p> <p>The future heritage impact assessment should be carried out in accordance with established policy and guidance, including the NPPF. The PPG contains guidance on setting, amplified by the Historic England document Historic Environment Good Practice Advice in Planning Note 3 the Setting of Heritage Assets, which provides a thorough discussion of setting and methods for considering the impact of development on setting.</p>	<p>This has been included within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p>
Darlington Borough Council	N/A	<p>Cultural Heritage</p>	<p>The geophysical survey of the Order Limits is presented within ES</p>

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		<p>Archaeology</p> <p>The scoping report mentioned at 8.4.2 makes reference that there have been no discussions regarding the WSI for the Geophysical Survey since surveying within the area has not taken place. Discussions with Wessex Archaeology and Durham County Council Archaeology Department took place in September. There would be a general requirement for geophysics to be tested and confirmed by trial trenching which is not referred to in the scoping report and is considered to be a significant omission, given that this would be a requirement to help determine the significance of the most obvious archaeological sites.</p>	<p>Appendix 8.3 Gradiometer Survey Report (Document Reference 6.4.8.3) with a summary of the findings presented within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8).</p> <p>Following engagement, the general scope of the archaeological strategy to support the ES, which included the provision for a phased approach to evaluation trenching with the first phase in support of the ES and the second phase to follow post-determination, was agreed in writing with the County Archaeologist.</p> <p>The updated and latest version of this is included within ES Appendix 8.5: Archaeological Management Strategy (Document Reference 6.4.8.5)</p>
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Socio-economic and Land Use</p> <p>Table 9.4 – The Council would question the scoping out of agricultural land during the operational phase when it is scoped in for both the construction and decommissioning phases. The Council is of the view that the agricultural land may also in effect be lost during this phase as the ES states that it is not clear if it will be available for agricultural use during operation. This is also particularly relevant when there is the potential for BMV quality agricultural land which would not be available for the type of agriculture it is best used for and the growing of crops. Should it occur any agricultural use is likely to be restricted to occasional grazing. Therefore the loss of BMV</p>	<p>The Inspectorate confirmed at ID 3.5.3 and ID 3.5.4 of the Scoping Opinion that the impact to soil resources during operation and the impact on agricultural land during operation can be scoped out on the basis that impacts (e.g. taking land out of production) and potential for significant effects would occur during the construction phase of the Proposed Development.</p> <p>The assessment of the significance of the loss of BMV agricultural land is</p>

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		<p>quality agricultural land during the proposals operation could be significant and should be considered as part of the ES.</p>	<p>made on the worst case assumption that all land is taken out of agricultural production for the duration of the Proposed Development. Nevertheless, the Applicant is continuing to explore the potential for continued agricultural practices and these are included within ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9).</p>
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Public Rights of Way The Council is pleased to see that public rights of way (PROW) are to be considered as visual receptors. User experience on PROW involves not just the route of the path on the ground being walked but also views and amenity further afield. It is briefly referenced that the study will examine impacts on PROW outside of the development area which is strongly encourages as the development will affects views on footpaths additional to those covered by the development. It is similarly welcomed that PROW will be considered in the socio-economic and land-use assessment, and it is encouraging that a PROW management plan will be produced to consider mitigation measures.</p>	<p>An assessment of potential effects on the PROW network is included within ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). ES Appendix 2.15 Outline PROW Management Plan (Document Reference 6.4.2.15) includes the overall approach to managing interactions between the Proposed Development and PROW impacted by the Proposed Development.</p>
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Public Rights of Way The only mitigation measure for PROW that is specifically mentioned in this document is the diversion of PROW (7.6.2, 7.6.4, 11.11.24). Additional measures such as screening with hedges should be considered in detail, and details of margins to be left between PROW and solar panels will be required. Permanent diversions should not be heavily relied on and are likely to face heavy opposition, especially given the number of</p>	<p>ES Appendix 2.15 Outline PROW Management Plan (Document Reference 6.4.2.15) includes the overall approach to managing interactions between the Proposed Development and PROW impacted by the Proposed Development.</p>

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		<p>potential diversions that this development could call for. A diversion would be acceptable if, for example, there is a crossfield path currently running through a green field that will be swallowed up by solar panels on both sides. If the path was moved out of the field altogether and into an empty field, separated from view of the panels, this would be acceptable as it would retain the route in a green field, maintaining the countryside feel and user experience. However, a diversion that retains the path amongst solar panels or with panels on one side would still feel enclosed and the amenity would still be spoiled for those on the footpath, therefore the grounds for a diversion of “considering public enjoyment” will not have been met. Mitigation such as hedges and a wide margin between the footpath and panels should be implemented instead.</p>	
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Public Rights of Way</p> <p>As an aside and worth correcting - 2.2.33 – West of Bishopton is not under Stockton BC, it is in the Darlington BC area. Almost all of this development is, meaning about 16% of Darlington’s PROW (in terms of length), and an even larger proportion of Darlington’s rural routes, are being affected.</p>	<p>Noted.</p>
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Cumulative Effects</p> <p>The Council is generally in agreement with the scope and methodology set out.</p>	<p>Noted.</p>
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Topics Scoped Out</p> <p>Air Quality</p> <p>An Outline Environmental Management Plan will accompany the Development Consent Order application, which will include construction and decommissioning dust mitigation measures following the best practice measures set out in the ‘Institute of Air Quality Management (IAQM) Guidance on the</p>	<p>Noted. A construction dust assessment is provided as ES Appendix 2.4 (Document Reference 6.4.2.4) in line with the latest practice Institute of Air Quality Management (IAQM) Guidance.</p>

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		<p>Assessment of Dust from Demolition and Construction'. The scoping report concludes that traffic changes will not likely exceed the EPUK/IAQM Land-Use Planning and Development Control: Planning for Air Quality' criteria for a detailed air quality impact assessment. It is anticipated that that dust mitigation measures as well as travel planning and HGV management during the construction stage will be incorporated into a Construction Environmental Management Plan.</p> <p>It is agreed that air quality will not have any significant effects and the Council can agree to air quality being scoped out of the ES.</p>	
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Glint and Glare</p> <p>A separate Solar Photovoltaic Glint and Glare Assessment will accompany the Development Consent Order application, which will include detailed modelling of the solar PV modules to quantify potential effects on receptors including residential properties/landscape and, if required, details of any proposed mitigation such as changes to site configuration and perimeter screening. A Glint and Glare Receptor Screening Opinion (Appendix 11.1) and a Glint and Glare Receptor Scoping Assessment (Appendix 11.2) have been undertaken, which provide a desktop review of the Site Area and an overview of baseline conditions.</p> <p>On this basis it is also agreed that a Solar Photovoltaic Glint and Glare Assessment will sufficiently mitigate any significant effects and that glint and glare can be scoped out of the ES.</p>	<p>Noted. A Solar Photovoltaic Glint and Glare Study is provided as ES Appendix 2.2 (Document Reference 6.4.2.2).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Ground Conditions</p> <p>A preliminary risk assessment (Desk Top Study) will accompany the Development Consent Order application which</p>	<p>Noted. A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1).</p>

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		<p>will develop a conceptual model for the site following current guidance. The development is not sensitive to land contamination and the site is predominantly greenfield/agricultural land with a low potential for contamination. However a review of the historical mapping as part of the scoping process has identified some former historical land uses such as former brick and tile works, smithies located within the red line boundary and two historic landfills within 50m of the Site Area (Site F) known as Stillington Refuse Tip (EAHLD31673) Cobby Castle Land Bishopton (EAHLD06523). The Council holds information on a number of infilled clay/sand extraction pits and former landfills in the area of Site F and Elstob Pit (former brickworks) to the south of Carr House (Site C). I would advise that an environmental search is requested from the Council please see link below for further information: www.darlington.gov.uk/environmentalsearches</p> <p>Due to the low sensitivity of the proposed development and minimal risk from land contamination the Council would agree to ground conditions being scoped out of the ES.</p>	
<p>Darlington Borough Council</p>	<p>N/A</p>	<p>Topics Scoped Out</p> <p>Human Health</p> <p>Many of the key determinants of human health will not be applicable in this case, employment opportunities during the construction phase are identified and the impacts on open space and nature, community safety and climate change will be discussed in other Environmental Statement chapters and supporting assessments. The scoping report has identified that any likely air quality and noise impacts could be mitigated and will not be significant.</p> <p>It is therefore agreed that a separate Environmental Statement chapter on Human Health can be scoped out of the ES.</p>	<p>Noted.</p>

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Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Noise</p> <p>The proposed solar development is within a rural setting however some sites are in close proximity to villages such as Site D Great Stainton and local farms. However greater separation from the solar PV modules may be achieved by land marked on the layout drawings within the scoping report for mitigation or enhancement measures.</p>	<p>The Solar PV modules do not have an associated noise source, therefore their proximity to noise sensitive receptors is not relevant to noise.</p> <p>ES Figure 2.20 Landscape Concept Masterplan (Document Reference 6.3.2.20) details the proposed planting and landscaping for the Proposed Development. Proposed embedded design measures which will be secured via the Outline LEMP (Document Reference 6.4.2.14), including, excluding solar PV modules from areas close to homes to mitigate potential effects on residential visual amenity.</p> <p>The potential effects from noise and vibration have been considered in ES Chapter 11 Noise and Vibration. (Document Reference 6.2.11).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Noise</p> <p>The solar PV modules would be split across six solar PV module areas of varying sizes. The solar PV modules would be supported by approximate combination of 53 hybrid containers (inverter and battery energy storage systems (BESS) and converter boxes) and 44 inverter containers located across the Proposed Development. The BESS will also require associated heating, ventilation and cooling systems. In addition there will be an on-site substation to convert low voltages from electricity generation to high voltages, or vice versa, using power transformers. The substation would be located centrally</p>	<p>The substations and all other noise sources have been located as far as practicably possible away from noise sensitive receptors. For further information on the layout of the Proposed Development including other supporting solar infrastructure, see ES Figure 2.2 (Document Reference 6.3.2.2).</p> <p>The potential effects from noise and vibration have been considered in ES</p>

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		within the Site Area, with the location to be confirmed as part of the Environmental Statement.	Chapter 11 Noise and Vibration. (Document Reference 6.2.11).
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Noise</p> <p>There is the potential for the BESS and the solar farm supporting infrastructure, such as inverters, transformers, and the on-site substation, to generate some noise during operation. The scoping report refers to inverters being located towards the middle of the Site Area, within shipping container style storage, and located as far away as possible from neighbouring receptors.</p>	<p>All noise sources associated with the site have been located as far as practicably possible away from noise sensitive receptors For further information on the layout of the Proposed Development including other supporting solar infrastructure, see ES Figure 2.2 (Document Reference 6.3.2.2).</p> <p>The potential effects from noise and vibration have been considered in ES Chapter 11 Noise and Vibration. (Document Reference 6.2.11).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Noise</p> <p>Noise and disruption from construction works anticipated to last 12 months can also be minimised by following guidance in BS 5228:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites'. Noise control measures will be included within the Construction Environmental Management Plan. The exact location of temporary construction compounds has not yet been fully established. However, given the size and proposed layout of the Proposed Development it is envisaged that each solar PV module area would have its own discrete compound within the Site Area and that careful selections of locations away from sensitive receptors will reduce any impact.</p>	<p>The potential effects from noise and vibration have been considered in ES Chapter 11 Noise and Vibration. (Document Reference 6.2.11).</p> <p>This will managed within the final CEMP at the relevant stage of the project. For further information, see ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) and ES Figure 2.21 (Document Reference 6.3.2.21) for the locations of construction compounds and access routes.</p>

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Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Noise</p> <p>Whilst it is agreed that noise and vibration can be scoped out of the Environmental Impact Assessment depending on the location of the 53 hybrid containers (inverter and battery energy storage systems (BESS) and converter boxes), 44 inverter containers and temporary construction compounds a Noise Impact Assessment may be required if in close proximity and likely to have an impact on sensitive receptors.</p>	<p>This has been assessed within Es Chapter 11 Noise and Vibration. (Document Reference 6.2.11).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Highways</p> <p>Whilst the Council would largely agree with the methodology put forward, the traffic forecasting estimates an average of 72 daily HGV movements, and therefore concludes that the construction period (limited to 12 months) will not have a significant impact. This fails to recognise however that additional vehicle movements will be associated with the construction phase, mostly generated by onsite staff travelling to the development during the period of construction. It is agreed however that post construction the site will have very little impact, and that it is not considered unreasonable that additional traffic impact could be accommodated on the local highway network for a time limited period.</p>	<p>The increase in HGV vehicles on the SRN, at the construction phase, is not significant as the change is below the allowed 30% change as set out in the Institute of Environmental Assessment's Guidelines for the Environmental Assessment of Road Traffic.</p> <p>For further information on traffic movements, see ES Chapter 12 Traffic and Transport (Document Reference 6.2.12).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Highways</p> <p>Glint and glare assessment will be a key consideration to highway safety, and provided that preliminary assessment concludes that any impact on highway receptors can be mitigated to satisfy highway safety requirements, there would be no fundamental objection.</p>	<p>Noted. A Solar Photovoltaic Glint and Glare Study is provided as ES Appendix 2.2 (Document Reference 6.4.2.2).</p>

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Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Highways</p> <p>Subject to the submission of appropriate technical assessment to include details of site access(es) a Full Transport Assessment and CMP when the Development Consent Order application is submitted, it is agreed that Traffic and Transport, and Glint and Glare can be scoped out.</p>	<p>Noted. An assessment of potential traffic effects from the Proposed Developments is included within ES Chapter 12 Traffic and Transport (Document Reference 6.2.12), ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1) and ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8). A Solar Photovoltaic Glint and Glare Study is provided as ES Appendix 2.2 (Document Reference 6.4.2.2).</p>
Darlington Borough Council	N/A	<p>Topics Scoped Out</p> <p>Flooding and Drainage</p> <p>The LLFA are satisfied that a site-specific FRA and DS would suffice for the nature of the development. The proposed panels equate to a small increase in impermeable area as they will be raised above the existing greenfield. Any substations/ancillary buildings will be attenuated, and discharge restricted to greenfield rates.</p>	<p>Noted. An assessment is included within ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1).</p>
Durham County Council	N/A	<p>Landscape</p> <p>The majority of the proposed development, including the solar PV module areas, substation etc. are located within the administrative boundaries of Darlington Borough Council and Stockton-on-Tees Borough Council. However, the northern extent of the Site B - Hauxley Farm) lies directly adjacent to the boundary of County Durham with part of the cable route also crossing into the county.</p>	<p>Noted.</p>
Durham County Council	N/A	<p>Landscape</p>	<p>Noted. This receptor is considered within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7).</p>

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		An Area of Higher Landscape Value (AHLV) as identified in the County Durham Plan is located to the north of the proposed site.	
Durham County Council	N/A	Landscape The effects on the county are likely to be largely restricted to local roads including Lodge Lane (C34A), C92 and the C37 from where there would be glimpsed, fleeting or intermittent sequential views of the site. While these would be limited in places by roadside hedges, views would still be afforded over lower clipped hedges, through sporadic sparser sections, and through gaps and gateways and given the fragmented nature of the proposal with disaggregated parcels being used, the impact of the proposal will be felt over a wider area in which the proposal has the potential to be perceived as having a sprawling character.	It is not feasible for the Proposed Development to secure change (including to vegetation management) outside of the Order Limits. The LVIA within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) considers the effects which would arise without such measures.
Durham County Council	N/A	Landscape Some views might also be afforded from the PROW network on local high points e.g. around Foxton.	Viewpoint 30 has been included and assessed within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) to represent views from this location.
Durham County Council	N/A	Landscape The visibility of the development from Durham, and therefore its effects on the character of the local landscape, would be reduced over time by a combination of tailored management of existing trees and hedges and the planting of new trees, hedges and native shrubs, however given the undulating nature of the topography, mitigation in the wider landscape of intervening hedgerows outside the site boundary is likely to be required to help create visual enclosure.	It is not feasible for the Proposed Development to secure change (including to vegetation management) outside of the Order Limits. The LVIA within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) considers the effects which would arise without such measures.
Durham County Council	N/A	Landscape	These developments have been included within the cumulative

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		<p>Cumulative landscape and visual impacts from the proposed development together with other developments including the consented solar farms within 1-4km at Whitfield, Brafferton (DM/21/02816/FPA) and Cowley House Farm, Thorpe Larches (DM/20/01991/FPA) should be fully assessed in the ES, having regard to the combined effects of sequential, fleeting and intermittent views of both the proposed and consented development along the road network but also views where the proposed and consented are likely in to be seen in combination (e.g. PROW network around Foxton).</p>	<p>assessment in ES Chapter 13 Cumulative Effects (Document Reference 6.2.13).</p>
<p>Durham County Council</p>	<p>N/A</p>	<p>Landscape</p> <p>The assessment should be supported by appropriate visual representations including annotated photographs, photomontages and wirelines. Effort should be made to agree the viewpoints for visual representations, the assessment years and the detailed methodology for their production with relevant consultation bodies. Both winter and summer views should be included. The ES should clearly present any assumptions made with regards to the height that any mitigation planting will have reached by the assessment years for purposes of generating photomontages.</p>	<p>An email was sent in January 2023 to both the planning and landscape officers in relation to agreement of viewpoints, along with a request to reconsider the need for summer views given that project timing would mean that winter views (i.e. showing the maximum likely visibility) would be provided in the first instance. No response was received prior to the publication of the PEIR.</p>
<p>Durham County Council</p>	<p>N/A</p>	<p>Landscape</p> <p>The ES should explain how the visual receptors and viewpoints have been selected, with reference to ZTV mapping and fieldwork, and illustrate these on suitable figures. The Applicant should ensure appropriate viewpoints have been selected to capture views from within County Durham and any longdistance views of the proposed development. The ZTV should take into account the areas that are likely to be seen in conjunction with those solar farms already consented within County Durham. Effort should be made to agree the visual</p>	<p>After publication of the PEIR, a meeting with Durham CC was held on 24 August where Durham CC agreed that they were content with the viewpoint selection, the scope, approach and findings of the PEIR and that additional photography was not required.</p>

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		receptors, viewpoints and viewpoint heights with the councils Landscape Officer	
Durham County Council	N/A	Ecology Overall, officers are happy with the scope of the works and the methodology applied. The range of surveys appear appropriate given the nature of the habitats on site and appropriate survey work has been undertaken or is proposed. The methodologies applied are in line with national guidance. The information provided on potential impacts and mitigation/compensation is sound and provides a suitable starting point to inform more detailed design work.	Noted.
Durham County Council	N/A	Design and Conservation The proposed methodology relating to assessment of heritage assets is noted (p.96 onwards). The data sets identified at this stage include, Listed Buildings and Conservation Areas, as well as Registered Parks and Gardens, and Scheduled Monuments. A 2km radius search area is identified for all designated and non-designated heritage assets, and 5km for Grade I and II* listed assets. This is our standard search radius for all such energy developments. Note that within the 2km radius search area is located Aycliffe Conservation Area which is not identified within the desk based assessment within the document.	Noted, this has now been included within the scope of the assessment within ES Appendix 8.2 Historic Environment Settings Assessment (Document Reference 6.4.8.2).
Durham County Council	N/A	Archaeology From an archaeological point of view, as there is no footprint in County Durham there will be few issues. The only one that potentially springs to mind is setting of any designated heritage assets in County Durham.	Assets have been considered in line with the methodology set out in ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8), i.e. within 2 km and or 5 km depending on Heritage significance.
Durham County Council	N/A	Rights of Way Officer There are no Public Rights of Way, within Durham County Councils boundary, directly affected by this proposal. There	Noted. An assessment of potential effects on the PRow network is included within ES Chapter 9 Land

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		<p>are PRoWs within the Darlington Borough which may be impacted, and careful consideration should be given if diverting these paths in terms of the potential connectivity effects to paths within DCCs boundary. Having looked at the plans, officers cannot see of any cross boundary paths which run from Durham into Darlington and are affected but a strategic view should still be taken with regard to the paths which may connect between boundaries via a section of other Highway.</p>	<p>Use and Socioeconomics (Document Reference 6.2.9).</p>
<p>Durham County Council</p>	<p>N/A</p>	<p>Spatial Policy - Potential impacts in relation to Climate Change The scope of this assessment appears to capture the key impacts in relation to climate and the potential impact of climate change. It is noted the report identifies the need for a Greenhouse Gas Assessment and a Climate Change Resilience Assessment. The resilience assessment should include cross reference to the Flood Risk Assessment which should address climate change allowances both in relation to the resilience of the solar farm but also the potential impacts on flood risk elsewhere. Comments from specialist colleagues should be sought on the level of detail required in the Flood Risk Assessment.</p>	<p>Flood risk has been assessed within ES Appendix 10.1 FRA and Drainage Strategy (Document Reference 6.4.10.1) which will accompany the DCO application. This assessment considered the impact of climate change to flood risk, coastal change and water supply; the full assessment with assumptions and methodology can be found in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>
<p>Durham County Council</p>	<p>N/A</p>	<p>Spatial Policy - Potential effects on biodiversity The scope of this assessment appears to capture the requirement for an Ecological Impact Assessment and Habitats Regulation Assessment. The site is in proximity to Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Local Nature Reserves, a Ramsar Site and proposed Ramsar Site. In terms of designated sites within County Durham, the Railway Stell West SSSI is within the 10km buffer zone of the proposal. Comments from specialist colleagues should be sought on the level of detail required to fully</p>	<p>Noted. Effects to biodiversity from the Proposed Development has been assessed within ES Chapter Biodiversity (Document Reference 6.2.6). The Biodiversity Net Gain (BNG) assessment is presented in ES Appendix 6.6 Biodiversity Net Gain Report (Document Reference 6.4.6.6).</p>

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		<p>understand the impact on ecology and nature conservation. This should also take account of the government's requirement for environmental net gain in line with the Environment Bill.</p>	
Durham County Council	N/A	<p>Spatial Policy - Potential effects on biodiversity It should be noted the summary of relevant policies in table 6.1 omits County Durham Plan (CDP) Policy 41 Biodiversity and Geodiversity</p>	<p>The Policy Compliance Document (Document Reference 7.1.1) details how the assessment of biodiversity has been informed by and is in compliance with national and local planning policies. It provides specific reference to relevant sections of the ES which address requirements set out in policy (including Policy 41 Biodiversity and Geodiversity).</p>
Durham County Council	N/A	<p>Spatial Policy - Potential landscape and visual effects, including cumulative effects The scope of this assessment appears to capture the requirement for a landscape and visual impact assessment in relation to landscape and visual effects. It should be noted that the site is not only in a rural location, it also borders an area of higher landscape value within County Durham on its northern most boundary. Comments from specialist colleagues should be sought on the level of detail required to understand the impact both visually and on important landscape designations.</p>	<p>This has been assessed within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7). Consultation has been undertaken with Durham County Council to discuss and agree the assessment.</p>
Durham County Council	N/A	<p>Spatial Policy - Potential effects on Heritage The scope of this assessment appears to capture the requirement for a cultural heritage assessment, supported by an Archaeological Desk Based Assessment, Historic Environment Settings Assessment and geophysical survey. Within 2km of the Study Area there are five Scheduled Monuments, two Grade I listed buildings, one Grade II* Listed building, three conservation areas and 66 Grade II listed</p>	<p>This has been assessed within ES Chapter 8 Cultural Heritage and Archaeology (Document Reference 6.2.8). Consultation has been undertaken with Durham County Council to discuss and agree the assessment.</p>

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		buildings. Advice from specialist colleagues should be sought regarding whether additional information or assessment is required.	
Durham County Council	N/A	Land use and Socio-economics The scope of this assessment captures the requirement for an Agricultural Land Classification and soil resource survey. Given land within the site and surrounding area is focussed on agricultural activities this will be a key policy consideration.	A detailed soil and Agricultural Land Classification survey has been completed in accordance with the established ALC guidelines to demonstrate the quality of agricultural land required for the Proposed Development. The results of this survey have formed the baseline for the assessment of effects on soils and agricultural land, as set in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9) and ES Appendix 9.1 Agricultural Land Classification and Soil Resources (Document Reference 6.4.9.1).
Durham County Council	N/A	Land use and Socio-economics The Site Area is partially located within Darlington Borough Council's Mineral Safeguarding Areas for limestone. Cabling appears to bound a Mineral Safeguarding Area for Magnesian Limestone within County Durham. It is noted minerals have been scoped out on the basis the mineral resource would not be permanently sterilised by the proposed development. Darlington Borough Council may wish to comment in relation to minerals safeguarding designations within their area and whether there is a need for a Minerals Assessment.	Noted. An assessment of impacts on Minerals Safeguarding Zones is presented within ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). The Applicant has engaged with Darlington Borough Council who have confirmed that they have no plans to extract the limestone resource during the Proposed Development and that there are no current or extant permissions to extract the resource within the Order Limits. They also agreed that

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			given the temporary nature of the Proposed Development, this would not sterilise the resource which could still be extracted in the future.
Durham County Council	N/A	Land use and Socio-economics It is noted the Public Rights of Way Team have already responded in relation to this matter.	No response required.
Durham County Council	N/A	Spatial Policy - Topics Screened Out Whilst it has been proposed that the following topics should be screened out of the EIA, comments from relevant specialist colleagues should be sought to confirm that they are satisfied that environmental impacts are not deemed to be significant. These issues will still need to be addressed and appropriate assessments, if required, submitted as part of the planning application process. Those areas proposed to be screened out: <ul style="list-style-type: none"> • Air quality • Arboriculture • Electric, magnetic, and electromagnetic fields • Glint and glare • Ground conditions • Human health • Hydrology • Major accidents and disasters • Noise and vibration • Traffic and transport • Waste 	Noted.
Durham County Council	N/A	Spatial Policy - Recommendations The Environmental Statement should provide a description of the likely significant effects of the proposed development on	This has been set out within the suite of ES documentation (Document Reference 6.1 – 6.4).

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		<p>the environment as identified above and provide a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects identified. In accordance with section 18(3)d of the regulations a description of the reasonable alternatives studied by the developer, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment should be included as part of the Environmental Statement and it should provide an indication of the main reasons for the choice made, including a comparison of the environmental effects.</p>	
Durham County Council	N/A	<p>Spatial Policy - Recommendations</p> <p>Planning law requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. It should be noted that at this point in time an application would be determined using the County Durham Plan, saved Minerals Local Plan and Waste Local Plan and the emerging Minerals and Waste Policies and Allocations Development Plan Document. The Great Aycliffe Neighbourhood Area and Sedgfield Neighbourhood Area are located to the north of the site. Whilst the adopted neighbourhood plans for these neighbourhood areas do not apply to the site, given the proximity the forums would be considered stakeholders for future engagement.</p>	<p>The Policy Compliance Document (Document Reference 7.1.1) details how the assessments have been informed by and is in compliance with national and local planning policies. It provides specific reference to relevant sections of the ES which address requirements set out in policy.</p>
Durham County Council	N/A	<p>Drainage and Coastal Protection</p> <p>Reference should be made to the General Guidance from research sources relating to drainage considerations for the construction and maintenance of varying types of Solar / Wind Farms.</p>	<p>Relevant guidance has been used within ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>

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Durham County Council	N/A	Highways and Development Management Once operational, Solar Farms generate very little traffic on the local road network, with the main vehicular movements being associated with infrequent maintenance visits. On this basis, the principle of the solar farm use would not raise any concerns over road safety.	Noted.
Durham County Council	N/A	Highways and Development Management The main trips associated with the site would occur during the construction phase. Therefore, a Construction Management Plan would need to be provided to show how the impact of construction traffic would be mitigated against on the local road network. In addition, details of any proposed site access would be required for assessment to ensure it is safe and suitable.	ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8) and ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1) are submitted with the DCO application. In addition, the likely access routes are presented within ES Figure 2.21 (Document Reference 6.3.2.21).
Durham County Council	N/A	Air Quality The scoping out of Air Quality from the EIA is considered acceptable with reference to the evidence provided, and the fact that a separate document (the Outline EMP) will be produced and submitted as part of the DCO application, which will include a construction dust assessment and mitigation measures following Institute of Air Quality Management (IAQM) guidance (Holman et al (2014). IAQM Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, London. www.iaqm.co.uk/text/guidance/construction-dust-2014.pdf (Paragraph 11.2.18).	A construction dust assessment is provided as ES Appendix 2.4 (Document Reference 6.4.2.4) in line with the latest practice Institute of Air Quality Management (IAQM) Guidance.
Durham County Council	N/A	Air Quality In addition to the IAQM guidance, the Outline EMP should make reference to Durham Council's Construction/Demolition Management Plan Guidance (Durham County Council (undated), Construction/Demolition Management Plan	Relevant guidance will be included within the CEMP to be produced by the Principal Contractor (PC) for the Proposed Development prior to commencing construction.

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		Guidance. (Provided by the Council upon request)). The Outline EMP should be informed by consideration of nearby human health receptors and ecologically sensitive sites and the magnitude of construction activities as per the guidance.	ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) provides the likely structure of the CEMP and controls mitigation measures which may be included within the CEMP as a minimum to deliver the construction phase of the Proposed Development. The Outline CEMP has been informed by nearby human and ecology receptors.
Durham County Council	N/A	<p>Air Quality</p> <p>During the operational phase, it is stated that vehicle trips will be below EPUK screening thresholds. No mention is made of any on-site emissions sources such as back-up generators. It is assumed that should such plant be present, the hours of operation will be low such that no assessment is required.</p>	Noted and agreed.
Durham County Council	N/A	<p>Environmental Health (Contaminated Land)</p> <p>Officers are satisfied with the proposals regarding contaminated land detailed in section 11.6 of the EIA Scoping Report (2022). Officers have no immediate comments or concerns.</p>	Noted.
Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Noise/Dust/Light (Glare/Reflection)</p> <p>During the construction phase the development will be a noise generating development, as advised there are several NSRs within close proximity to the site boundary.</p> <p>During the operational phase the issues to consider would be the potential for noise from inverters/batteries used in connection with storing electricity and any potential for low frequency hum.</p>	An assessment of construction and operational effects from the Proposed Development is included within ES Chapter 11 Noise and Vibration (Document Reference 6.2.11). The Statement of Statutory Nuisance (Document Reference 7.4) considers noise in relation to potential for statutory nuisance.

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Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Dust</p> <p>The proposal would have the potential to generate dust during the development phase.</p>	<p>A construction dust assessment is provided as ES Appendix 2.4 (Document Reference 6.4.2.4) in line with the latest practice Institute of Air Quality Management (IAQM) Guidance. The Statement of Statutory Nuisance (Document Reference 7.4) considers dust in relation to potential for statutory nuisance.</p>
Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Light/(Glare/Reflection)</p> <p>External lighting may have an impact upon sensitive receptors.</p> <p>In relation to the solar panels themselves the effect of glare/reflection needs to be considered in relation to impacting upon sensitive receptors.</p> <p>Considering the above comments/concerns I would expect any application is supported by the following document/s:</p>	<p>There is no permanent lighting proposed as part of the Proposed Development, except for the localised emergency security lighting in proximity to the substation and energy storage systems. Such lighting would be triggered by movement only or manually turned on, and so would not be active for all hours of darkness. A Solar Photovoltaic Glint and Glare Study is provided as ES Appendix 2.2 (Document Reference 6.4.2.2). The Statement of Statutory Nuisance (Document Reference 7.4) considers light in relation to potential for statutory nuisance.</p>
Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Noise</p> <p>Officers would expect consideration to be given in relation to the potential for impact upon NSRs both from noise during construction/development works but also in relation to the potential for low frequency noise from the storage of electricity, this may involve the need for the provision of</p>	<p>An assessment of construction and operational effects from the Proposed Development is included within ES Chapter 11 Noise and Vibration (Document Reference 6.2.11).</p> <p>Working hours during the construction phase would be between</p>

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		<p>detailed noise assessments and detail on methods of mitigation, if required.</p> <p>Officers would expect detail to be provided on the proposed hours of operation during construction and would recommend the following:</p> <p>Construction activities, including the use of plant, equipment and deliveries, which are likely to give rise to disturbance to local residents should take place before 0800 hours and continue after 1800 hours Monday to Friday, or commence before 0800 hours and continue after 1300 hours on Saturday. No works should be carried out on a Sunday or Bank Holiday.</p>	<p>08.00-18.00 Monday to Friday, 08.00-14.00 Saturday with no activities on Sunday or Bank/Public Holidays. Compliance with these working hours is secured via requirement of the draft DCO (Document Reference 3.1).</p> <p>Where on-site works are to be conducted outside the core working hours, they will comply with the limits and controls detailed in the CEMP, and any other restrictions agreed with the relevant planning authorities. The Statement of Statutory Nuisance (Document Reference 7.4) considers noise in relation to potential for statutory nuisance.</p>
Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Dust</p> <p>Officers would expect detail to be provided in relation to a suitable dust management plan.</p>	<p>A construction dust assessment is provided as ES Appendix 2.4 (Document Reference 6.4.2.4) in line with the latest practice Institute of Air Quality Management (IAQM) Guidance.</p>
Durham County Council	N/A	<p>Nuisance Action Team</p> <p>Light (Glare/Reflection)</p> <p>Officers would expect detail of any external lighting, which may have an impact on nearby sensitive receptors, sufficient to demonstrate adherence to the ILP guidance notes for the reduction of intrusive light.</p>	<p>There is no permanent lighting proposed as part of the Proposed Development, except for the localised emergency security lighting in proximity to the substation and energy storage systems. Such lighting would be triggered by movement only or manually turned on, and so would not be active for all hours of</p>

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		Detail on how sensitive receptors will be protected, where necessary, from glare/reflection from the panels should also be provided.	darkness. The Statement of Statutory Nuisance (Document Reference 7.4) considers light in relation to potential for statutory nuisance.
Environment Agency	N/A	<p>Flood risk</p> <p>Whilst the majority of the development is in Flood Zone 1, two of the proposed sites would be at risk of flooding. These are Site D: Great Stainton where the south-east of site lies in Flood Zones 2 and 3 and Site F: North of Bishopton where the northwest of the site lies in Flood Zones 2 and 3. There are also some other areas in relation to the cable route options that cross and lie with Flood Zone 2 and 3. Therefore, the development raises some environmental issues regarding flood risk. The developer may need to undertake further work to show how these issues can be satisfactorily addressed to ensure no adverse environmental impacts.</p>	Noted. See ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1) for assessment of fluvial flood risk.
Environment Agency	N/A	<p>Sources of flooding</p> <p>The main source of potential flooding in the area is from the Little Stainton Beck and the Stillington Beck, which are tributaries of the Billingham Beck. There could be other local sources of flooding such as groundwater and surface water.</p> <p>We have published a suite of interactive maps that indicate where possible flooding from different sources could occur at Check the long term flood risk for an area in England - GOV.UK (www.gov.uk). Our maps are not suitable for a detailed Flood Risk Assessment (FRA), but they can indicate where further assessment may be needed.</p>	Noted. See ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1) for assessment of surface water and groundwater.
Environment Agency	N/A	<p>FRA Advice</p> <p>The FRA must assess flood risk from all sources of flooding and recommend the mitigation measures that will be implemented to ensure a safe development in a 1 in 100 year (fluvial) flood</p>	Noted. See ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1) for assessment of flood risk

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		event, taking account of climate change. It must also demonstrate that flood risk will not be increased elsewhere.	relative to the Proposed Development.
Environment Agency	N/A	<p>FRA Advice</p> <p>From our knowledge of specific flooding issues in this area we can advise that the FRA should consider the following, in particular:</p> <ul style="list-style-type: none"> • Clearly state the lifetime of the development • Ensuring that mitigation measures are adequate at the sites of increased flood risk for the lifetime of the development • Ensuring that access and egress of onsite workers is considered, and detailing a flood plan for emergency planning • Consider flood risk offsite 	This information is included within ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1).
Environment Agency	N/A	<p>FRA Advice</p> <p>We would define the proposed development as ‘Essential Infrastructure’. Development in Flood Zone 3 should pass the Exception Test as detailed in Section 5.7.12 of the National Policy Statement (NPS) for Energy. Section 5.7.24 of the NPS for Energy states that essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b (functional floodplain) that has passed the Exception Test should:</p> <ul style="list-style-type: none"> • not result in a net loss of floodplain storage; • not impede water flows and not increase flood risk elsewhere. 	See section on Exception Test in ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1).
Environment Agency	N/A	<p>FRA Advice</p> <p>Under our latest climate change guidelines, we would expect the FRA to consider the impact of climate change on flood levels for the lifetime of the development under the higher central allowances. For information on our new climate change</p>	Noted.

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		requirements, please see: https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances	
Environment Agency	N/A	FRA Advice For general information about Flood Risk Assessments please refer to Flood risk assessments if you're applying for planning permission - GOV.UK (www.gov.uk).	Noted.
Environment Agency	N/A	FRA Advice Further specific information regarding flood risk may be available from local sources, such as Strategic Flood Risk Assessments (SFRA) produced by the relevant local planning authority and normally accessible on their website.	Noted.
Environment Agency	N/A	Flood Risk Consents and Permits The Billingham Beck is a designated 'main river' and under the Environmental Permitting Regulations certain works within 8m of a non-tidal main river require a Flood Risk Activity Permit from the Environment Agency. You can find more information on permit requirements using the following link: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits . If a permit is required, it must be obtained prior to beginning the works.	An 8m buffer zone has been designed around the perimeter of watercourses within the Order Limits for pollution and erosion control. Infrastructure has been offset 2m from the fencing such that it is approximately 10m away from the watercourse. For more information, see ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).
Environment Agency	N/A	Flood Risk Consents and Permits For minor ordinary watercourses, there should be a minimum easement (normally 3 metres minimum) as advised by the relevant Lead Local Flood Authority or Internal Drainage Board. They may also need to be consulted if any alterations to the watercourse are proposed.	
Environment Agency	N/A	Flood information the EA holds Sometimes we have information on historical flooding, and modelled flood levels on rivers where modelling has been	Noted.

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		<p>carried out, and also information on our assets that may reduce the risk of flooding in the area.</p> <p>We have no detailed flood modelling or information relating to any of our assets affecting this site.</p> <p>For further details about our products/service and to request information, please contact our local Customer & Engagement team on northeastnewcastle@environment-agency.gov.uk</p> <p>You may also wish to contact the Lead Local Flood Authority or Northumbrian Water for more information regarding potential flooding and drainage issues.</p>	
Environment Agency	N/A	<p>Environmental Permitting (England and Wales) Regulations (EPR)</p> <p>The Environment Agency welcomes the installation of all forms of renewable energy sources, and the additional benefit of the Battery Energy Storage System (BESS), is to be encouraged and supported. Currently there are no plans to add batteries to the Environmental Permitting (England and Wales) Regulations (EPR). The applicant is therefore not required to obtain an EPR Permit.</p>	Noted.
Environment Agency	N/A	<p>Producer Responsibility Regulations</p> <p>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:</p>	Noted. For information on likely waste arisings from the Proposed Development, see ES Appendix 2.3 Likely Waste Arisings (Document Reference 6.4.2.3).

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		<ul style="list-style-type: none"> • 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). 	
Environment Agency	N/A	<p>Waste duty of care</p> <p>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.</p>	Noted
Environment Agency	N/A	<p>Waste duty of care</p> <p>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.</p>	Noted
Environment Agency	N/A	<p>Waste duty of care</p> <p>Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport”</p>	Noted
Environment Agency	N/A	CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)	Reuse of excavated material within the site, will be undertaken in

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		<p>The handling of wastes arisings is detailed within section 11.12 of the scoping report. If any excavation works are to be undertaken on any of the proposed sites or during the cable placement, then these works have the potential to generate waste materials. If excavated materials are to be reused within the development then this should be undertaken in accordance with the CL:AIRE definition of waste code of practice (DoW CoP).</p> <p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP) guidance can be found via the following link: http://www.claire.co.uk/projects-and-initiatives/dow-cop/28-framework-andguidance/111-dow-cop-main-document</p>	<p>accordance with the CL:AIRE Definition of Waste: Development Industry Code of Practice, as set out within ES Appendix 2.3 Assessment of Likely Waste Arisings (Document Reference 6.4.2.3).</p>
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>The DoW CoP sets out the lines of evidence that are needed to demonstrate that the excavated materials are not or have ceased to be waste. These are based on four factors:</p> <ul style="list-style-type: none"> • Protection of human health and the environment (acceptable risk assessment of pollution) • Suitability for use without further treatment (no further processing and/or treatment, as demonstrated by a specification and a site specific risk assessment including chemical, geotechnical properties and biological aspects); • Certainty of Use (outlined in the Remediation Strategy and Material Management Plan); and • Quantity of Material (outlined in the Remediation Strategy and Material Management Plan). <p>To demonstrate the factors, a Materials Management Plan (MMP) needs to be produced to ensure all factors are considered and the correct determination is made. A Verification Plan needs to be set out in the MMP and must</p>	<p>ES Appendix 2.10 Outline Materials Management Plan (MMP) has been produced which sets out the likely structure of the detailed MMP and explains how excavated materials that will be generated in the course of constructing the Proposed Development will be re-used in a manner that is compatible with the Waste Framework Directive and associated regulations.</p> <p>A Verification Plan will be included within the MMP to identify how the placement of materials would be recorded and the quantity of materials to be used.</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>identify the recording method of materials being placed, as well as the quantity of materials to be used. It should also contain a statement on how the use of the materials relate to the remediation or design objectives.</p> <p>In general, any material that has to be treated in order to render it suitable for its intended use is considered to be a waste and waste controls apply.</p>	
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>To demonstrate this to the Environment Agency’s satisfaction, the processes and requirements detailed in the DoW CoP need to be followed in full. The requirements include:</p> <ul style="list-style-type: none"> • desktop study of the site • conceptual modelling of the site(s) concerned • site investigation details (if appropriate); and • any details of contamination (if relevant) <p>Regardless of whether the site is contaminated or not, the following documents should be produced:</p> <ul style="list-style-type: none"> • Risk Assessments • Options Appraisal Report • Remediation Strategy (Contaminated soils) or Design Statement (Clean naturally occurring soils) • Materials Management Plan • Verification Report once the work is completed. 	Response as per above.
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>The decision to use the DoW CoP is the responsibility of the holder of the materials. The project manager should collate all relevant documents; permissions, site reports, MMP etc. and consult with an independent Qualified Person (QP) to confirm</p>	Response as per above.

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>that the site meets the requirements and tests for use of the DoW CoP. The QP must review the documentation and let the developer know that a Verification Report will be required before signing a Declaration. If the site meets the tests that materials are suitable for re-use, certain to be re-used, are not excessive in volume and pose no risk to the environment or harm to human health, then the QP can make a formal Declaration to CL:AIRE.</p>	
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>The formal Declaration must be submitted to CL:AIRE and the Environment Agency by a QP before any excavation activities or transfer of materials occurs. In these circumstances the QP is meeting the requirements of the Regulator to ensure appropriate environmental and human health protection is in place for the development to go ahead.</p>	Response as per above.
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>Materials not used in accordance with the DoW CoP process in full may be deemed waste and will require a relevant permit for deposit. Materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defense against joint liability.</p>	Noted.
Environment Agency	N/A	<p>CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP)</p> <p>For clarification, it is important to note that DoW CoP declarations cannot be made retrospectively. In addition to this, if you wish to re-use material under the 'site of origin scenario' and this material has previously been imported to that site as waste without authorisation for example a</p>	Noted.

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>historical illegal deposit then it does not originate at that site. It is not site derived material and you cannot use DoW CoP site of origin scenario for this activity, you will require an appropriate waste authorisation such as an environmental permit.</p>	
Environment Agency	N/A	<p>Landfill sites</p> <p>The report identifies two historic landfill sites located within close proximity of site F (North of Bishopton). The landfill sites both operated prior to the implementation of the Control of Pollution Act (COPA) in 1974. COPA introduced the first requirements for monitoring and management of disposal sites. As pre-COPA sites, we have access to very little reliable information concerning them.</p>	<p>A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1) which provides an assessment of the landfill sites.</p>
Environment Agency	N/A	<p>Landfill sites</p> <p>Landfill gas consists of methane and carbon dioxide. It is produced as the waste in the landfill site degrades. Methane can present a risk of fire and explosion. Carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short-term health risks as well as odour nuisance.</p>	<p>The historical landfill sites have been identified within 250m of the Order Limits. However, they are both located over 100m from any proposed solar PV modules and over 3km from the proposed substation. Therefore, the migration and accumulation of landfill gases within the built environment is considered unlikely. For further information, see ES Appendix 2.1 Phase 1 Geoenvironmental and Geotechnical Desk Study (Document Reference 6.4.2.1).</p>
Environment Agency	N/A	<p>Landfill sites</p> <p>The risks associated with landfill gas will depend on the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures.</p>	
Environment Agency	N/A	<p>Landfill sites</p> <p>Development on top of, or within 50 metres of, any permitted landfill site that accepted hazardous or non-hazardous waste should be considered very carefully, as even with appropriate</p>	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>building control measures in place, landfill gas can accumulate in confined spaces in gardens (e.g. sheds, small extensions) and can gain access to service pipes and drains where it can accumulate or migrate away from the site.</p>	
Environment Agency	N/A	<p>Landfill sites</p> <p>The following publications provide further advice on the risks from landfill gas and ways of managing these:</p> <ul style="list-style-type: none"> • Waste Management Paper No 27 • Environment Agency LFTGN03 'Guidance on the Management of Landfill Gas' • Building Research Establishment guidance – BR 414 'Protective Measures for Housing on Gas-contaminated Land' 2001 • Building Research Establishment guidance – BR 212 'Construction of new buildings on gas-contaminated land' 1991 • CIRIA Guidance – C665 'Assessing risks posed by hazardous ground gases to buildings' 2007 	
Environment Agency	N/A	<p>Groundwater</p> <p>The risk to groundwater, in terms of pollution and increasing flood risk has been discussed in the following sections of the scoping report; climate change, hydrology, ground conditions and major incidents. However, there is insufficient justification to support the applicant's decision to scope all of these sections from the Environmental Statement (ES) except for the climate change section.</p>	<p>The risk of groundwater flooding using available groundwater level data has been assessed in ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1).</p>
Environment Agency	N/A	<p>Groundwater</p> <p>We recommend the proposed development sites are assessed against location/ proximity to public water supply abstractions. Source Protection Zones (SPZs) provide the public water supply protection from all chemical pollutants. Thus, if any</p>	<p>Abstraction and groundwater resources are assessed within ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>discharge to groundwater will not be attenuated before being abstracted, then mitigation will be required.</p> <p>We welcome the statements relating to the FRA, Surface water management and site drainage plans and Construction Environmental Management Plan (CEMP), which will be submitted as part of the Development Consent Order application, in that they will include risk of flooding from groundwater sources and pollution prevention measures. However, we would require either the FRA, water management/drainage plans and CEMP or the ES to consider the potential increase in groundwater flood risk from infiltration (from SuDS).</p>	<p>Groundwater flood risk and the additional risk presented by the proposed drainage strategy are considered in ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1).</p>
Environment Agency	N/A	<p>Groundwater</p> <p>The scoping report has noted that groundwater is shallow. Thus, it will be very reactive to infiltration and surface discharge. Infiltration SuDS may not be suitable and thus it would be worth considering lined retention/attenuation basins to protect or improve baseflow in the surface water courses. Some of the water courses suffer from low flows and at these times water quality deteriorates due to lack of dilution for the current discharges. New development should consider where this situation could be improved to gain additional environmental/cost benefits.</p>	<p>The drainage strategy outlined in ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1) does not propose formal infiltration SuDS.</p> <p>The drainage design doesn't include attenuation basins and therefore this opportunity isn't available.</p>
Environment Agency	N/A	<p>Groundwater</p> <p>To help with the FRA in terms of groundwater, it would be useful to assess the mapped permeable superficial deposits (BGS) which could have perched shallow groundwater that would respond to rainfall infiltration and additional proposed point sources of infiltration (SuDS). These gravel/shallow groundwater systems underlie sites within the development.</p>	<p>Superficial geology has been assessed in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Environment Agency	N/A	<p>Groundwater</p> <p>The western parts of Site A (Bafferton), whilst in a Source Protection Zone (SPZ) 3, have the thinnest superficial deposits, in the range of 9-15m thick. We would consider this to be a medium risk of surface water/groundwater interaction with the underlying aquifer which supports Anglian Water's potable water supply at Great Stainton. This site lies to the eastern side of a 'window' in the superficial deposits and the risk would be dependent on groundwater levels – such as, if low, the risk would be a pollution risk to the aquifer and if high, the risk would be flood risk to or from the site.</p>	<p>The interaction between the groundwater table and proposed subsurface infrastructure has been included in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>
Environment Agency	N/A	<p>Groundwater</p> <p>Site D lies close to the public water supply borehole and a known/ possible foot and mouth burial/pyre/disinfectant site (South Shields Farm).</p>	<p>This has been included in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>
Environment Agency	N/A	<p>Groundwater</p> <p>Whilst many of the sites lie on thick superficial deposits, they do overlie the principal aquifer (the Magnesian Limestone aquifer). Sites E and F lie in an area of thick superficial deposits in which there are buried glacial channel deposits which may either enhance connectivity/pathways to the underlying bedrock aquifer or enhance lateral pathways to surface waters. Again, the presence of these will increase the pollution and flood risk. For further information, refer to: Superficial geology and hydrogeological domains between Durham and Darlington. Phase 1, (Durham South) - NERC Open Research Archive: Superficial geology and hydrogeological domains between Durham and Darlington. Phase 2, (Durham North) - NERC Open Research Archive. This should be taken into consideration in the risk assessment for the proposed site.</p>	<p>The interaction between the groundwater table and proposed subsurface infrastructure has been included in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Environment Agency	N/A	<p>Groundwater</p> <p>In order to ensure well head protection of existing boreholes, we wish to make the applicant aware that the Environment Agency has a number of groundwater level and quality monitoring boreholes in and around the proposed site boundary. The applicant can request from us the level quality information that we hold, in order to support their Environment Statement and FRA.</p>	<p>This data has been requested and used to inform ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>
Environment Agency	N/A	<p>Groundwater</p> <p>It is noted that the below ground works associated with the PV modules and hybrid and inverter containers, switch gear and substation may only extend 1m below ground. It remains unclear as to the depth the cables will be laid. This should be detail within the DCO application.</p>	<p>As stated in ES Chapter 2 The Proposed Development (Document Reference 6.2.2): <i>“The maximum dimension of the cable trench would be 1600mm depth x 2000mm wide.”</i></p>
Environment Agency	N/A	<p>Groundwater</p> <p>It is also noted that gravel will be place below the containers. This design should be reviewed based on the above issues raised in terms of infiltration/flood risk from shallow groundwater sources and pollution risk to shallow and bedrock groundwater, for example, some/all containers may need to be lined. Even though the development may ultimately present a low risk, the applicant needs to show that they have fully assessed all the risks and reported their assessment/justification in the supporting documentation of their DCO application.</p>	<p>The interaction between the groundwater table and proposed subsurface infrastructure has been included in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>
Environment Agency	N/A	<p>Groundwater/surface water nitrate vulnerable zone</p> <p>The proposed sites lie within a groundwater/surface water nitrate vulnerable zone. Development should not mobilise nitrate pollution and cause deterioration in quality of controlled waters. Nitrate can arise from fertilisers, manure and domestic sewerage systems.</p>	<p>Effects on the Nitrate Vulnerable Zone (NVZ) has been included in ES Chapter 10 Hydrology and Flood Risk (Document Reference 6.2.10).</p>

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		Current and historical land use was predominantly agriculture (arable) thus the risks of mobilising herbicides and pesticides via proposed drainage schemes should also be considered.	
Environment Agency	N/A	<p>Land contamination: risk management and good practice</p> <p>We recommend that developers should:</p> <ul style="list-style-type: none"> • Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination • Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health • Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed • Refer to the contaminated land pages on gov.uk for more information 	A Phase 1 Geoenvironmental and Geotechnical Desk Study is provided as ES Appendix 2.1 (Document Reference 6.4.2.1)
Environment Agency	N/A	<p>Water dependent habitats and species</p> <p>The red line boundary of the development crosses Bishopton Beck (a Statutory Main River) and Letch Beck and Little Stainton (Ordinary watercourses), however there are smaller ditches etc which are within/or within close proximity to the development boundary. Water dependent habitats or species have not been scoped in, and there is a risk of impact due to the proposals.</p>	Design of the Proposed Development has avoided direct impact on watercourses with a standoff distance of at least 10m from watercourse features. Pollution prevention control measures outlined in the Outline CEMP (Document Reference 6.4.2.6) will reduce potential for adverse effects.
Environment Agency	N/A	<p>Water dependent habitats and species</p> <p>The Ecological Impact Assessment (EclA) should include all watercourses within 150m of the site boundary, and consider water dependent species (including fish), and habitats.</p>	Ecological survey data for water dependent habitats and species is presented within ES Appendix 6.1 PEA (Document Reference 6.4.6.1).

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Environment Agency	N/A	Water dependent habitats and species A Water Framework Directive (WFD) assessment should also be completed to ensure there is no deterioration of ecological status of watercourses due to the proposed works and should highlight opportunities for improvement.	See ES Appendix 10.2 Water Framework Directive Assessment (Document Reference 6.4.10.2).
Environment Agency	N/A	Water dependent habitats and species Biodiversity Net Gain (BNG) (including for riverine environments) assessments should be completed. At a minimum it should be demonstratable that the project will result in 'no net loss', however 10% gain in each aspect is preferable. Further advice on BNG can be sought from Natural England and the relevant local authorities.	The BNG assessment is presented in ES Appendix 6.6 Biodiversity Net Gain Report (Document Reference 6.4.6.6).
Environment Agency	N/A	Great Crested Newts (GCN) Great Crested Newts should also be scoped in. It's an offence to capture, kill or disturb the newts or their breeding sites without a special licence from Natural England.	An assessment of impacts to GCN from the Proposed Development is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Environment Agency	N/A	Geomorphology Site D The Little Stainton Beck forms the southern boundary of Site D but then cuts through the site northwards through a slight valley feature before running parallel to the road and then crossing under it. The Little Stainton Beck is an Ordinary Watercourse and Site D is at the top of its catchment, therefore the river flows will be far smaller than those for Site F. The route of the beck through the site is marked as a mitigation zone. It may be worthwhile considering making this	A buffer zone around Little Stainton Beck has been incorporated into the design to allow the watercourse to maintain natural course and allow space for geomorphic movements due to increase future flows. This is secured via the Design Approach Document (Document Reference 7.2) as a design parameter.

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		zone slightly larger to allow for climate change induced channel movement and slope instability.	
Environment Agency	N/A	<p>Geomorphology</p> <p>Site F</p> <p>The Billingham Beck forms the northern boundary of Site F, and the woodland on the eastern bank of the Bishopton Beck forms the western boundary of Site F.</p> <p>LiDAR and aerial images show riparian trees along the Billingham Beck. These are important for controlling erosion and meander migration and therefore, we recommend that these are protected.</p>	Noted. ES Appendix 7.7 Arboricultural Impact Assessment (Document Reference 6.4.7.7) presents the impacts to trees from the Proposed Development.
Environment Agency	N/A	<p>Construction surface water management plan</p> <p>A Construction Surface Water Management Plan should be produced and should include details of the following:</p> <ul style="list-style-type: none"> • Treatment and removal of suspended solids from surface water run-off during construction works. • Approach to ensure water mains are not damaged during construction works. • Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill. 	<p>Details of the considerations and actions regarding surface water management on site will be included within the CEMP produced prior to construction works, as initially presented within in ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6) in a clearly defined sub-section.</p> <p>A Construction Surface Water Management Plan will be produced prior to construction. This document would identify any risks to surface water and how they would be managed and monitored through construction. This is secured via the Outline CEMP.</p>
Environment Agency	N/A	<p>Water Framework Directive</p> <p>The applicant should consider the impact of the activity on the Water Framework Directive (WFD) status of the receiving</p>	See ES Appendix 10.2 Water Framework Directive Assessment (Document Reference 6.4.10.2).

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>waterbody. The Water Environment (Water Framework Directive) Regulations 2017 and the Northumbria River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The applicant should consider incorporating the following mitigation measures, where possible, to enhance the Tyne Estuary waterbody:</p> <ul style="list-style-type: none"> • Activity to create new habitat where it did not exist before • Rehabilitation of degraded bankside habitats to improve their physical structure and the condition of the riparian zone. Bank rehabilitation includes bank reprofiling, the creation of aquatic ledges and removal of hard bank protection etc. • Retro-fitting existing structures to accommodate niche habitats, as opposed to more substantial structural modifications that would be likely to deliver greater hydromorphological change but may not be possible given the use • Structural modification or enhancement of hard structures to improve ecological value, where structure cannot be removed 	<p>ES Figure 2.20 Landscape Concept Masterplan (Document Reference 6.3.2.20) details the proposed planting and landscaping for the Proposed Development. Proposed embedded design measures which will be secured via the Outline LEMP (Document Reference 6.4.2.14).</p>
Environment Agency	N/A	<p>Sustainable drainage systems (SuDS)</p> <p>Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS manage surface water run-off by simulating natural drainage systems. Whereas traditional drainage approaches pipe water off-site as quickly as possible, SuDS retain water on or near to the site. As well as reducing flood risk, this promotes groundwater recharge, helps absorb diffuse pollutants, and improves water quality. Ponds, reedbeds and seasonally flooded grasslands can also be particularly attractive features within public open spaces.</p>	<p>As explained in ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy (Document Reference 6.4.10.1), the overarching principle of the drainage strategy for the Proposed Development is to provide SuDS at source, ensuring that surface water run-off is managed as per existing site conditions. Formal SuDS features including engineered pipe runs, manholes and storage features are not proposed due to the nature of the development and the perceived</p>

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			minimal impact on surface water runoff. The Proposed drainage scheme therefore comprises of grassland/wildflower mix under the solar PV panels; an apron of clean crushed stone for BESS and other supporting infrastructure; and permeable aggregate over geotextile membrane for access tracks, requiring no drainage.
Environment Agency	N/A	Sustainable drainage systems (SuDS) SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. As such, virtually any development should be able to include a scheme based around these principles. In doing so, they'll provide multiple benefits and will reduce costs and maintenance needs.	See response above.
Environment Agency	N/A	Sustainable drainage systems (SuDS) Approved Document Part H of the Building Regulations 2010 establishes a hierarchy for surface water disposal, and encourages a SuDS approach. The first option for surface water disposal should be the use of SuDS, which encourages infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate	See response above.

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		assessment carried out under Building Research Establishment (BRE) Digest 365.	
Gateshead Council	N/A	I have reviewed the report accompanying the request for a scoping pinion via your website and can confirm that Gateshead Council has no comments to make on the information to be provided in the Environmental Statement in this instance, given that the site/proposed development is a significant distance from the administrative boundary of Gateshead Council.	Noted.
Hartlepool Borough Council	N/A	I can confirm that Hartlepool Borough Council have no objections to the application.	Noted.
Health and Safety Executive	N/A	<p>HSE's land use planning advice</p> <p>Will the proposed development fall within any of HSE's consultation distances?</p> <p>According to HSE's records, the proposed Byers Gill Solar Farm project components as specified in the Environmental Impact Assessment Scoping Report, October 2022, (EN010139-000022), (Figure 1-1 – Site Location Plan) cross the Consultation Zones of a Major Accident Hazard (MAH) site with the following operator:</p> <ul style="list-style-type: none"> • HSE Ref #0456 operated by Northumbrian Water Authority, Gateley Moor Reservoir & Pumping Station, Stockton-on-Tees, TS21 1EX. (Note: Byers Gill Solar Farm Project's proposed cable routes are impacted by this MAH site) <p>The Applicant should make contact with the above operator, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.</p>	This has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).
Health and Safety Executive	N/A	HSE's land use planning advice	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>There are also several major accident hazard pipelines that the proposed development crosses, associated with the following operators:</p> <ul style="list-style-type: none"> • National Grid Gas PLC Pipelines- HSE Ref # 7855 (7 Feeder Bishop Auckland / Sutton Howgrave), HSE Ref # 7856 (13 Feeder Bishop Auckland / Yafforth) & HSE Ref # 7858 (6 Feeder Little Burdon / Billingham) • INEOS Manufacturing (Hull) Limited Pipeline- HSE Ref # 9669 (Teesside to Saltend Ethylene pipeline) <p>The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:</p> <p>i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.</p> <p>ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.</p> <p>iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.</p>	
Health and Safety Executive	N/A	<p>HSE's land use planning advice</p> <p>HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.</p>	Noted.
Health and Safety Executive	N/A	<p>Would Hazardous Substances Consent be needed?</p> <p>It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the</p>	Noted.

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.	
Health and Safety Executive	N/A	Consideration of risk assessments Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.	Noted.
Health and Safety Executive	N/A	Explosives sites HSE has no comment to make as there are no licensed explosives sites in the vicinity.	Noted.
Health and Safety Executive	N/A	Electrical Safety No comment from a planning perspective.	Noted.
Historic England	N/A	In terms of our area of interest, we do not at this time have any detailed comments to make on the Byers Gill Solar Farm EIA Scoping. However, we do have some general comments:	Noted.
Historic England	N/A	The archaeological component seems to be satisfactory subject to further consultations, there has obviously been a lot of	Noted.

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		conversations between the consultants, to agree a sequence of works to create the archaeological baseline.	
Historic England	N/A	We welcome the inclusion of heritage matters in the report and look forwards to ongoing discussions with the applicants in respect of both setting effects upon heritage assets and direct impacts upon archaeological remains.	Noted.
Historic England	N/A	More credence should be placed on long distance views of and across the sites. We appreciate that the red line area is purely notional at the moment, there will be changes and not the entirety of the area will be given over to solar panels. Information on how views change as the viewer moves through the landscape, taking a more dynamic approach rather than an approach to views based on fixed points.	How views change as the viewer moves through the landscape in relation to the impact on the setting of designated heritage assets is assessed in the Historic Environment Setting Assessment, provided in ES Appendix 8.2 (Document Reference 6.4.8.2).
Historic England	N/A	There is obviously going to be a lot of archaeology being done, and it would be useful if the consultant and the Principal Archaeologists at Durham County Council could agree a suite of overarching research questions for the project: What do we need to know about the development of this area, what are the big archaeological / heritage questions?	For details on consultation and assessment undertaken, see ES Chapter 8 Cultural Heritage and Archaeology.
Historic England	N/A	We note the iterative approach to investigations set out in the report and will look forwards to early sight of the results of cartographic, geophysical survey, lidar and aerial photographic analysis, geotechnical work, and the results of the applicant's detailed consultation with Local Authority Archaeological Curators and Historic Environment Records and Portable Antiquities Scheme Records.	Noted.
Historic England	N/A	It is highly likely that further investigations will be necessary in advance of determination. We advise that the approach to setting assessment should follow the structured approach set out in out GPA3 Setting of Heritage Assets, the distance of	The Historic Environment Setting Assessment has followed the approach set out in GPA3 and is

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		search should be adaptive to the significance and sensitivity of the assets which the scheme interacts and the materiality of the works proposed, in particular in the case of designed landscapes.	provided in ES Appendix 8.2 (Document Reference 6.4.8.2).
Historic England	N/A	Views across landscape zones such as those where multiple assets such as church spires articulate with a common topographic space may require particular consideration both in terms of fixed point and kinetic views. Where pipelines bisect features such as parish boundaries banks, important field systems or areas of well preserved ridge and furrow etc reinstatement should include the earthwork form rather than introducing a flattened strip.	Where ‘pipelines’ are mentioned in this comment, it is assumed that this is in reference to cable routes. This has been considered within ES Appendix 8.2 Historic Environment Setting Assessment in determining those assets which have the potential to experience a likely significant effect and reported in ES Chapter 8 Cultural Heritage and Archaeology.
Historic England	N/A	Given the landscape scale of this and associated projects the schemes should seek to address the impact of structures in this landscape to ensure that localised archaeological interventions contribute to a whole (in terms of public value) which is more than the sum of their parts.	This approach is noted and has been considered within the preparation of both an evaluative strategy and will form a key consideration of any future archaeological excavations. ES Appendix 8.5 Archaeological Management Strategy sets out the forward strategy which will be archaeologically driven with a view to answering key identified questions and ensuring the Proposed Development adds appropriately to the wider suite of understanding and knowledge of this area.
Historic England	N/A	We welcome the inclusion of heritage matters in the report and look forwards to ongoing discussions with the applicants in respect of both setting effects upon heritage assets and direct impacts upon archaeological remains and conservation areas.	Noted.

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National Grid Electricity Transmission PLC (NGET)	N/A	<p>NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation in or within close proximity to the scoping area. The overhead lines, substation and underground apparatus form an essential part of the electricity transmission network in England and Wales.</p> <p>Substation</p> <ul style="list-style-type: none"> • Norton 275kV Substation • Norton 400kV Substation • Associated overhead and underground apparatus including cables <p>Overhead Lines 4VC 400kV OHL</p> <p>Norton – Osbaldwick 1</p> <p>Norton – Osbaldwick 2</p> <p>I enclose a plan showing the location of NGET’s apparatus in the scoping area.</p> <p>NGET are also promoting the Scotland to England Green Link 1 (SEGL1) project within close proximity to the proposed scoping area and would like to be kept informed as the proposed development progresses.</p>	<p>Noted. This has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5). A summary of engagement with statutory undertakers with assets affected by the Proposed Development is provided in the Statutory Undertakers Position Statement (Document Reference 7.7).</p>
National Grid Electricity Transmission PLC (NGET)	N/A	<p>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</p>	
National Grid Electricity Transmission PLC (NGET)	N/A	<p>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)”.</p>	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
National Grid Electricity Transmission PLC (NGET)	N/A	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.	
National Grid Electricity Transmission PLC (NGET)	N/A	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.	
National Grid Electricity Transmission PLC (NGET)	N/A	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.	
National Grid Electricity Transmission PLC (NGET)	N/A	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.	Noted. Details of the landscaping and planting are presented within ES Figure 2.20 Landscape Concept Masterplan (Document Reference 6.3.2.20) and ES Appendix 2.14 Outline LEMP (Document Reference 6.4.2.14)
National Grid Electricity Transmission PLC (NGET)	N/A	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.	Noted.

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National Grid Electricity Transmission PLC (NGET)	N/A	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.	
National Grid Electricity Transmission PLC (NGET)	N/A	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.	
National Grid Electricity Transmission PLC (NGET)	N/A	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.	Noted. This has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).
National Grid Electricity Transmission PLC (NGET)	N/A	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.	Noted.
National Grid Electricity Transmission PLC (NGET)	N/A	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.	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
National Grid Electricity Transmission PLC (NGET)	N/A	<p>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</p>	
National Grid Gas PLC (NGG)	N/A	<p>NGG has three feeder mains located within the Order limits which may be impacted due to interactions with proposed development:</p> <ul style="list-style-type: none"> Feeder Main 7 Feeder Main 13 Feeder Main 6 <p>Please note that NGG has existing easements for this pipeline which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.</p> <p>You should also be aware of NGG's guidance for working in proximity to its assets, further guidance and links are available as follows.</p> <p>Please be aware of the specific guidance for developing solar farms near to gas transmission pipelines:</p> <p>https://www.nationalgrid.com/gas-transmission/document/82936/download</p> <p>UKOPA Good Practice Guide - Requirements for the Siting and Installation of Solar Photovoltaic (PV) Installations in the Vicinity of Buried Pipelines - UKOPA/GP/014 Edition 1</p> <p>Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGG's apparatus, NGG will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective</p>	<p>Noted. This has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5). A summary of engagement with statutory undertakers with assets affected by the Proposed Development is provided in the Statutory Undertakers Position Statement (Document Reference 7.7).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.	
National Grid Gas PLC (NGG)	N/A	<p>Key Considerations:</p> <ul style="list-style-type: none"> • NGG has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc. National Grid House Warwick Technology Park Gallows Hill, Warwick CV34 6DA National Grid Gas Plc Registered Office: 1-3 Strand, London WC2N 5EH Registered in England and Wales, No 02006000 • Please be aware that written permission is required before any works commence within the NGG easement strip. Furthermore, a Deed of Consent will be required prior to commencement of works within NGG's easement strip subject to approval by NGG's plant protection team. • The below guidance is not exhaustive and all works in the vicinity of NGG's asset shall be subject to review and approval from NGG's plant protection team in advance of commencement of works on site. 	
National Grid Gas PLC (NGG)	N/A	<p>General Notes on Pipeline Safety:</p> <ul style="list-style-type: none"> • You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGG's Dial Before You Dig Specification for Safe Working in the Vicinity of NGG Assets. There will be additional requirements dictated by NGG's plant protection team. • NGG will also need to ensure that its pipelines remain accessible during and after completion of the works. • Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a 	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>NGG representative. Ground cover above our pipelines should not be reduced or increased.</p> <ul style="list-style-type: none"> • If any excavations are planned within 3 metres of NGG High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGG representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline. • Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGG's Plant Protection team is essential: <ul style="list-style-type: none"> ▪ Demolition ▪ Blasting ▪ Piling and boring ▪ Deep mining ▪ Surface mineral extraction ▪ Landfilling ▪ Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.) ▪ Wind turbine installation ▪ Solar farm installation ▪ Tree planting schemes • Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations. • The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party 	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.</p> <ul style="list-style-type: none"> • The type of raft shall be agreed with NGG prior to installation. • No protective measures including the installation of concrete slab protection shall be installed over or near to the NGG pipeline without the prior permission of NGG • NGG will need to agree the material, the dimensions and method of installation of the proposed protective measure. • The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGG. • An NGG representative shall monitor any works within close proximity to the pipeline to comply with NGG specification T/SP/SSW22 	
National Grid Gas PLC (NGG)	N/A	<p>Cable Crossings:</p> <ul style="list-style-type: none"> • Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees. • Where a new cable is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres. • A new service should not be laid parallel within an easement strip • Clearance must be at least 600mm above or below the pipeline • An NGG representative shall approve and supervise any cable crossing of a pipeline. 	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<ul style="list-style-type: none"> • A Deed of Consent is required for any cable crossing the easement 	
National Grid Gas PLC (NGG)	N/A	Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGG apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGG 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.	
National Grid Gas PLC (NGG)	N/A	Adequate access to NGG pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.	
National Grid Gas PLC (NGG)	N/A	<p>Further Safety Guidance</p> <p>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 SSW22 https://www.nationalgrid.com/gas-transmission/document/82951/download</p> <p>Tree Planting Guidance https://www.nationalgrid.com/gas-transmission/document/82976/download</p> <p>Working Near NGG Assets www.nationalgrid.com/gas-transmission/land-and-assets/working-near-our-assets Excavating Safely https://www.nationalgrid.com/gas-transmission/document/82971/download</p> <p>Dial Before You Dig Guidance https://www.nationalgrid.com/gas-transmission/document/128751/download</p>	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
JSJV on behalf of National Highways	N/A	The SRN, specifically the A1(M), A19 and A66 should be included within the Study Area for assessments of the impact of the development proposals.	ES Chapter 12 Traffic and Transport (Document Reference 6.2.12) confirms that the study area used for this assessment includes the A1(M), A66.
JSJV on behalf of National Highways	N/A	JBM will have to pay due cognisance to how the cabling proposals will impact on the SRN, in terms of installation and maintenance.	Detail of the cabling process impact on Traffic and Transport can be found in ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8).
JSJV on behalf of National Highways	N/A	The EMP, CEMP and CTMP will be the key documents – alongside the TA – to assessing the impact of the development proposals at the SRN, and where required, to provide appropriate mitigation. Where possible, the aforementioned documentation should be based on a ‘first principles’ approach, drawing on the experience of JBM Solar and its appointed contractor, to ensure the development proposals are assessed robustly.	The listed documents are submitted with the DCO application: ES Appendix 2.6 Outline CEMP (Document Reference 6.4.2.6), ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8) and ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1).
JSJV on behalf of National Highways	N/A	JSJV request that any data from the construction of other solar farm developments which is used in calculating the projected construction traffic generation should be included in full within the TA for verification purposes.	Information on similar solar farms used to inform this assessment is detailed in full in ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1).
JSJV on behalf of National Highways	N/A	JSJV request that the trip generation estimates take into account the varied sizes of the different solar PV module areas within the assessment of the trip generating potential.	Noted. The trip generation takes into account the size of the panel areas and access to the highway network.
JSJV on behalf of National Highways	N/A	Given that the SRN should be included in the Study Area, it should be considered and assessed in terms of the impact on the base traffic conditions, which included road safety.	ES Chapter 12 Traffic and Transport (Document Reference 6.2.12) details desk based surveys undertaken to review accidents and safety on the SRN.

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
JSJV on behalf of National Highways	N/A	The operational and decommissioning impacts on traffic will have to be set out by JBM Solar within the relevant documentation.	This has been assessed within ES Chapter 12 Traffic and Transport (Document Reference 6.2.12).
JSJV on behalf of National Highways	N/A	The proposed impacts during the decommissioning phase are stated to be similar to the construction phase, and as such, should be assessed accordingly.	Decommissioning traffic impacts are assessed within ES Chapter 12 Traffic and Transport (Document Reference 6.2.12).
JSJV on behalf of National Highways	N/A	The TA and CTMP should be aligned, as there will be significant crossover between the two documents.	Noted – ES Chapter 12 Traffic and Transport (Document Reference 6.2.12) is supported by ES Appendix 2.8 Outline CTMPn (Document Reference 6.4.2.8) and ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1).
JSJV on behalf of National Highways	N/A	Collision data for the Study Area should include five years where COVID-19 restrictions were not in place. The study area for collision data should take into account the SRN, paying due cognisance to the comments made in this document regarding the Study Area.	ES Chapter 12 Traffic and Transport (Document Reference 6.2.12) details desk based surveys undertaken to review accidents and safety on the Strategic Road Network and Local Road Network between 2015 and 2019.
JSJV on behalf of National Highways	N/A	With regard to the TA, CTMP and Glint and Glare Assessment, due cognisance needs to be given to the parameters set out in this document.	Noted – ES Chapter 12 Traffic and Transport (Document Reference 6.2.12) is supported by ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8) and ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1).

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>1. General Principles</p> <p>1.1 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:</p> <p>1.1.1 A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases</p> <p>1.1.2 Appropriately scaled and referenced plans which clearly show the information and features associated with the development</p> <p>1.1.3 An assessment of alternatives and clear reasoning as to why the preferred option has been chosen</p> <p>1.1.4 A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided1 .</p> <p>1.1.5 Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development</p> <p>1.1.6 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</p> <p>1.1.7 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</p>	<p>Noted. These points have been included within the ES (Document Reference 6.1 – 6.4).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>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</p> <p>1.1.8 A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment</p> <p>1.1.9 An outline of the structure of the proposed ES</p> <p>1.2 Based on the information provided in the Byers Ghyll Solar EIA Scoping Report (Oct 2022), Natural England is confident that the general principles (stated above) are going to be addressed through the proposed ES.</p>	
Natural England	N/A	<p>2. Cumulative and in-combination effects</p> <p>2.1 The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.</p> <p>2.2 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):</p> <p>2.2.1 existing completed projects;</p> <p>2.2.2 approved but uncompleted projects;</p> <p>2.2.3 ongoing activities;</p> <p>2.2.4 plans or projects for which an application has been made and which are under consideration by the consenting authorities; and</p> <p>2.2.5 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</p>	<p>Agreed. See ES Chapter 13 Cumulative Effects (Document Reference 6.2.13) for information.</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.	
Natural England	N/A	3. Environmental data 3.1 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 .	Noted.
Natural England	N/A	3. Environmental data 3.2 Detailed information on the natural environment is available at www.magic.gov.uk .	
Natural England	N/A	3. Environmental data 3.3 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	N/A	3. Environmental data 3.4 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.	
Natural England	N/A	4. Biodiversity and Geodiversity 4.1 General principles 4.1.1 The National Planning Policy Framework (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further	Noted. These points have been assessed within ES Chapter 6 Biodiversity (Document Reference 6.2.6).

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>guidance is set out in Planning Practice Guidance on the natural environment.</p> <p>4.1.2 The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment. 4</p> <p>4.1.3 Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).</p>	
Natural England	N/A	<p>4. Biodiversity and Geodiversity</p> <p>4.2 International and European sites</p> <p>4.2.1 The development site may impact on the following European / internationally designated nature conservation site(s): Teesmouth and Cleveland Coast Special Protection Area and Ramsar site. In particular, the EIA Scoping Report states that the proposal has the potential to impact on land that is functionally linked to the aforementioned sites (see section 4.3 for further advice regarding Functionally Linked Land).</p> <p>4.2.2 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.</p> <p>4.2.3 Natural England has published a detailed Conservation Advice package for the Teesmouth and Cleveland Coast SPA/Ramsar, which includes (but is not restricted to)</p>	<p>An assessment of impacts to Teesmouth and Cleveland Coast SPA is included within ES Chapter 6 Biodiversity (Document Reference 6.2.9) and ES Appendix 6.5 Habitats Regulations Assessment No Significant Effects Report (Document Reference 6.4.6.5).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>information on the reasons for designation, the sites qualifying features, and its Conservation Objectives.</p> <p>4.2.4 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.</p>	
Natural England	N/A	<p>4.3 Functionally linked land</p> <p>4.3.1 SPAs are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA species populations, and proposals affecting them may therefore have the potential to affect the European site.</p> <p>4.3.2 Natural England considers that the proposed development may have the potential to impact on birds using functionally linked land associated with the Humber Estuary SPA/Ramsar. We advise that the potential for loss of functionally linked land and/ or construction/operational impacts on birds on functionally linked land, should be considered in assessing what, if any, potential impacts the proposal may have on European sites.</p> <p>4.3.3 We recommend completing a data search from the local Ecological 5 Data Centre and carrying out a desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SPA birds of the habitats present on the proposed site and adjacent fields. If the desk study identifies that the site or adjacent areas are used by bird features of the Humber Estuary designated sites, we recommend that passage/wintering bird surveys may</p>	<p>Given the avoidance of Panel Areas close to large expanses of open water and the large expanse of additional agricultural land available close to the SPA and Ramsar site, no loss of functionally linked land would occur, and no significant effects are envisaged. This potential impact has been considered through a HRA screening exercise. Full details for the HRA are present in ES Appendix 6.5 Habitats Regulations Assessment No Significant Effects Report (Document Reference 6.4.6.5).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>be required to assess the use of the site as functionally linked land to the estuary.</p> <p>5 Nationally designated sites</p> <p>5.1 Sites of Special Scientific Interest</p> <p>5.1.1 Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov .</p> <p>5.1.2 The development site is within or may impact on the following Site of Special Scientific Interest (SSSI):</p> <p>5.1.2.1 Briarcroft Pasture SSSI</p> <p>5.1.2.2 Newton Ketton Meadow SSSI</p> <p>5.1.2.3 Redcar Field SSSI</p> <p>5.1.2.4 Whitton Bridge Pasture SSSI</p> <p>5.1.3 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.</p>	<p>The assessment of direct and indirect effects of the Proposed Development on SSSIs is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6).</p>
Natural England	N/A	<p>6 Protected Species</p> <p>6.1 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.</p>	<p>This has been assessed within ES Chapter 6 Biodiversity (Document Reference 6.2.6) and ES Appendix 6.1 PEA (Document Reference 6.4.6.1).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>6 Protected Species</p> <p>6.2 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.</p>	<p>This has been considered within ES Chapter 6 Biodiversity (Document Reference 6.2.6) and ES Appendix 6.1 PEA (Document Reference 6.4.6.1).</p>
Natural England	N/A	<p>6 Protected Species</p> <p>6.3 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.</p>	<p>An ecologist will complete a pre-construction survey in advance of works to reconfirm the ecological baseline conditions to identify any new ecological risk. The walkover will be completed sufficiently in advance of the works to allow for the completion of any additional seasonal surveys (e.g., surveys in support of protected species licences). For further information, see ES Chapter 6 Biodiversity (Document Reference 6.2.6).</p>
Natural England	N/A	<p>6 Protected Species</p> <p>6.4 The EIA Scoping Report has identified the following Protected Species, which will need to be considered in the ES:</p> <p>6 6.4.1 great crested newts (<i>Triturus cristatus</i>);</p> <p>6.4.2 a number of red and amber listed birds of conservation concern (Stanbury et al 202191) such as curlew (<i>Numenius arquata</i>) and barn owl (<i>Tyto alba</i>);</p> <p>6.4.3 badgers (<i>Meles meles</i>);</p> <p>6.4.4 bat species; and</p>	<p>This has been assessed within ES Chapter 6 Biodiversity (Document Reference 6.2.6) and ES Appendix 6.1 PEA (Document Reference 6.4.6.1).</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		6.4.5 brown hare (<i>Lepus europeus</i>).	
Natural England	N/A	7 District Level Licensing for Great Crested Newts 7.1 Natural England are aware that the Applicants will apply to use the District Level Licensing scheme for great crested newts (GCN).	The Order Limits do not overlap with any red risk zone. Therefore, the approach adopted to mitigate any potential impact on GCN will be through the process of a DLL application for GCN. For further details, see ES Chapter 6 Biodiversity (Document Reference 6.2.6) and Other Consents and Licenses (Document Reference 7.3) which sets out that a provisional GCN certificate has been issued by Natural England. .
Natural England	N/A	7 District Level Licensing for Great Crested Newts 7.2 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.	
Natural England	N/A	7 District Level Licensing for Great Crested Newts 7.3 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).	
Natural England	N/A	7 District Level Licensing for Great Crested Newts 7.4 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.	

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Natural England	N/A	<p>7 District Level Licensing for Great Crested Newts</p> <p>7.5 The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.</p>	
Natural England	N/A	<p>7 District Level Licensing for Great Crested Newts</p> <p>7.6 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.</p>	
Natural England	N/A	<p>8 Priority Habitats and Species</p> <p>8.1 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.</p>	<p>Noted. Survey information is included within ES Chapter 6 Biodiversity (Document Reference 6.2.6) and ES Appendix 6.1 PEA (Document Reference 6.4.6.1).</p>
Natural England	N/A	<p>8 Priority Habitats and Species</p> <p>8.2 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.</p>	<p>Noted.</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>8 Priority Habitats and Species</p> <p>8.3 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.</p> <p>8.3.1 The Environmental Statement should include details of:</p> <p>8.3.2 Any historical data for the site affected by the proposal (e.g. from previous surveys)</p> <p>8.3.3 Additional surveys carried out as part of this proposal</p> <p>8.3.4 The habitats and species present</p> <p>8.3.5 The status of these habitats and species (e.g. whether priority species or habitat)</p> <p>8.3.6 The direct and indirect effects of the development upon those habitats and species</p> <p>8.3.7 Full details of any mitigation or compensation measures</p> <p>8.3.8 Opportunities for biodiversity net gain or other environmental enhancement</p>	<p>This has been assessed within ES Chapter 6 Biodiversity (Document Reference 6.2.6) and ES Appendix 6.1 PEA (Document Reference 6.4.6.1).</p>
Natural England	N/A	<p>9 Ancient and veteran trees</p> <p>9.1 The ES should assess the impacts of the proposal on any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.</p>	<p>An assessment of potential impacts to tree from the Proposed Development is included within ES Appendix 7.7 Arboricultural Impact Assessment (Document Reference 6.4.7.7).</p>
Natural England	N/A	<p>9 Ancient and veteran trees</p> <p>9.2 Ancient and veteran trees are an irreplaceable habitat of great importance for its wildlife, their history, and the contribution they 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</p>	<p>An assessment of potential impacts to tree from the Proposed Development is included within ES Appendix 7.7 Arboricultural Impact Assessment (Document Reference 6.4.7.7).</p>

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		compensation strategy exists. This protection is re-iterated at point 5.3.14 of the Overarching National Policy Statement for Energy (EN-1).	
Natural England	N/A	9 Ancient and veteran trees 9.3 The ancient tree inventory provides information on the location of ancient and veteran trees.	
Natural England	N/A	9 Ancient and veteran trees 9.4 Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.	
Natural England	N/A	10 Biodiversity net gain 10.1 Natural England understands that the Applicants aspire to deliver a greater than 10% net gain for biodiversity over the site. We welcome and strongly encourage this approach and look forward to reviewing detailed proposals as they come forward.	The Biodiversity Net Gain (BNG) assessment is presented in ES Appendix 6.6 Biodiversity Net Gain Report (Document Reference 6.4.6.6).
Natural England	N/A	10.2 Where there are opportunities for environmental enhancements to be located near nationally or locally designated sites, we recommend that they are designed to provide maximum benefit to those sites. For example, to provide buffers to 8 better protect, create resilience, or facilitate ecological corridors.	Habitat suitable for foraging, commuting and roosting bats such as field margins, woodland, scrub and the majority of hedgerows and associated trees will be retained, with a buffer of 8 m from Panel Areas to boundary features. For further information, see ES Chapter 6 Biodiversity (Document Reference 6.2.6).
Natural England	N/A	10.3 The ES should use an appropriate biodiversity metric, such as Biodiversity Metric 3.0, together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.	The Biodiversity Net Gain (BNG) assessment is presented in ES Appendix 6.6 Biodiversity Net Gain Report (Document Reference 6.4.6.6).

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>10.4 The metric should be used to:</p> <p>10.4.1 assess or audit the biodiversity unit value of land within the application area</p> <p>10.4.2 calculate the losses and gains in biodiversity unit value resulting from proposed development</p> <p>10.4.3 demonstrate that the required percentage biodiversity net gain will be achieved</p>	
Natural England	N/A	<p>10.5 Biodiversity Net Gain outcomes can be achieved on-site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies. These are prepared by local planning authorities.</p>	
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.1 The ES should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.</p>	See above in relation to PINS comment 3.3.3.
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.2 The ES should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.</p>	ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) provide an assessment of effects on local landscape character based on existing LCA documents prepared by the relevant local planning authorities.

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.3 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.</p>	<p>An LVIA prepared in accordance with relevant guidance including GLVIA3 is provided as ES Chapter 7 Landscape and Visual (Document Reference 6.2.7).</p>
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.4 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.</p>	<p>This approach is broadly in line with the Planning Inspectorate Advice Note 17 which is the basis for the CEA. This approach has therefore been implemented in ES Chapter 7 Landscape and Visual (Document Reference 6.2.7)</p>
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.5 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. 9</p>	<p>The approach to design is set out within the Design Approach Document (Document Reference 7.2). The nature of the development limits the degree to which local materials can be used. Locally appropriate species are used in planting and characteristic vegetation patterns are maintained and enhanced through the design as set out in ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) .</p>
Natural England	N/A	<p>11 Landscape and visual impacts</p> <p>11.6 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</p>	<p>The approach to design has sought to deliver high standards of design and green infrastructure.</p> <p>The consideration of alternatives and the evolution of the design has been</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.	informed by landscape as set out within ES Chapter 3 Alternatives and Design Iteration (Document Reference 6.2.3).
Natural England	N/A	11 Landscape and visual impacts 11.7 The National Infrastructure Commission has also produced Design Principles for National Infrastructure - NIC endorsed by Government in the National Infrastructure Strategy.	These have informed to design of the development as set out in the Design Approach Document (Document Reference 7.2).
Natural England	N/A	11 Landscape and visual impacts 11.8 Natural England notes that the National Policy Statement for Renewable Energy Infrastructure (EN-3) is currently undergoing a review. Nevertheless, the published draft includes a section on the impacts on landscape, visual and residential amenity, which may help inform the assessment.	This draft policy has informed the assessment as set out in ES Chapter 7 Landscape and Visual (Document Reference 6.2.7) and the Planning Statement, Appendix A Policy Compliance Document (Document Reference 7.1.1). Since Scoping, the revised NPS's have been designated and these now form the policy basis for the application.
Natural England	N/A	12 Connecting People with nature 12.1 The ES should consider potential impacts on access land, common land and public rights of way 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.	Visual impacts on recreational receptors are considered within ES Chapter 7 Landscape and Visual (Document Reference 6.2.7). The design includes measures to improve the local rights of Way network and connectivity as set out in ES Chapter 7 Landscape and Visual (Document Reference 6.2.7), ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9) and ES Appendix
Natural England	N/A	12 Connecting People with nature 12.2 Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature	

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>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. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate</p>	<p>2.15 Outline PRow Management Plan (Document Reference 6.4.2.15). Further information is also provided through the Design Approach Document (Document Reference 7.2).</p>
Natural England	N/A	<p>12 Connecting People with nature 12.3 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.</p>	
Natural England	N/A	<p>13 Soils and Agricultural Land Quality 13.1 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</p>	<p>The protection and sustainable management of soil resources is considered in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). In addition, ES Appendix 2.12 Outline Soil Resources Management Plan (Document Reference 6.4.2.12) has been prepared and submitted with the DCO application.</p> <p>Impacts on BMV agricultural land are also considered in ES Chapter 9 but the policy framework adopted is the NPS for energy and renewable energy infrastructure in NPS-EN1 and EN3, together with the draft revisions.</p>
Natural England	N/A	13 Soils and Agricultural Land Quality	The degree of disturbance to the different soil types and land grades

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>13.2 The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):</p> <p>13.3 The degree to which soils would be disturbed or damaged as part of the development</p> <p>13.4 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.</p> <p>13.5 Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space). Natural England notes that the EIA Scoping Report states that detailed ALC and soil surveys are being undertaken.</p> <p>13.6 The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.</p>	<p>has been assessed in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). The ES chapter has indicated how adverse impacts on BMV land are minimised through site design.</p> <p>An ALC and soil survey was required and was undertaken in accordance with the established guidelines, at an observation density of one auger observation per hectare and supported by soil pits. For more information, see ES Appendix 9.1 Agricultural Land Classification and Soil Resources (Document Reference 6.4.9.1).</p> <p>The soil survey has been used to inform soil handling methods in ES Appendix 2.12 Outline Soil Resources Management Plan (Document Reference 6.4.2.12).</p>
Natural England	N/A	<p>13 Soils and Agricultural Land Quality</p> <p>13.7 The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.</p>	<p>Details of how adverse impacts on soils can be minimised are set out in ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9). Additionally, ES Appendix 2.12 Outline Soil Resources Management Plan (Document Reference 6.4.2.12) has been prepared and submitted with the DCO application.</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Natural England	N/A	<p>13 Soils and Agricultural Land Quality</p> <p>13.8 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.</p>	<p>ES Chapter 9 Land use and Socioeconomics (Document Reference 6.2.9) and ES Appendix 2.12 Outline Soil Resource Management Plan (Document Reference 6.4.2.12) have taken account of the guidance in both documents.</p>
Network Rail	N/A	<p>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.</p>	<p>This has been considered within the Solar Photovoltaic Glint and Glare Study provided as ES Appendix 2.2 (Document Reference 6.4.2.2).</p>
Northumberland County Council	N/A	<p>I would confirm that Development Management have No Objection to the above consultation.</p>	<p>Noted.</p>
Redcar and Cleveland Borough Council	N/A	<p>I can confirm that this council has reviewed the relevant submitted documents and have no comments to make at this stage.</p>	<p>Noted.</p>
Redmarshall Parish Council	N/A	<p>I can confirm that Redmarshall Parish Council have no comments to make about the information that should be provided in the Environmental Statement for the Byers Gill Solar proposals.</p>	<p>Noted.</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
Stillington and Whitton Parish Council	N/A	I can confirm that Stillington and Whitton Parish Council have no comments to make about the information that should be provided in the Environmental Statement for the Byers Gill Solar proposals.	Noted.
Stockton-on-Tees Borough Council	N/A	I can confirm that SBC has no comments to make on the Scoping request as submitted.	Noted.
UK Health Security Agency	N/A	<p>Environmental Public Health</p> <p>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 '2 Advice on the content of Environmental Statements accompanying an application under the NSIP Regime', setting out aspects to be addressed within the Environmental Statement. 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.</p>	Noted.
UK Health Security Agency	N/A	<p>Environmental Public Health</p> <p>We note that the applicant has scoped out major accidents. In the event of a fire a mixture of substances would be released into the environment which could impact on health. Given the proximity of the development to residential properties it would be useful to give some consideration to what products of combustions could be released from the site infrastructure during a major fire and any other potential emissions from the battery storage units and how these accidents could affect people's health.</p>	Noted. An Assessment of major accidents and fires has been assessed within ES Appendix 2.5 Major Accidents and Disasters Assessment (Document Reference 6.4.2.5).

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>Recommendation</p> <p>We recommend that accidents and fires which could cause an uncontrolled release to the environment should be considered in the ES.</p>	
<p>UK Health Security Agency</p>	<p>N/A</p>	<p>Human Health and Wellbeing - OHID</p> <p>This section of OHIDs response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:</p> <ul style="list-style-type: none"> • Access • Traffic and Transport • Socioeconomic • Land Use <p>Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:</p>	<p>Noted.</p>
<p>UK Health Security Agency</p>	<p>N/A</p>	<p>Population and Human health assessment</p> <p>It is noted that population and human health will be considered within existing chapters and not form a separate chapter within the ES. Given the current knowledge of the scheme and potential impacts this appears to be a proportionate approach. This should be kept under review as more information becomes available and a separate population and human health chapter may be justified as the assessments develop.</p>	<p>Noted.</p>
<p>UK Health Security Agency</p>	<p>N/A</p>	<p>Population and Human health assessment</p> <p>Traffic and Transport is proposed to be scoped out on the basis that traffic flows will be below the 10% change in</p>	<p>Noted. An assessment of potential traffic effects from the Proposed Developments is included within ES</p>

Stakeholder	Scoping Opinion ID / Matter	Scoping Opinion Comment	Response
		<p>accordance with the IEMA GEART rules. The assessed traffic volumes during construction identifies a worst case scenario of 72 HGVs per day, but this does not include construction worker vehicular access. It should be noted that the existing construction vehicle routes via local villages such as Bishopton may include sensitive locations (Bishopton Redmarshall Primary School). The scoping report proposes a Construction Transport Management Plan (CTMP) will provide suitable mitigation.</p> <p>Recommendations</p> <p>Traffic volume data, routes and proposed mitigation must include construction worker transport requirements. The CTMP must include the identification of sensitive location and any specific proposed mitigation, such as avoiding school opening and closing hours.</p>	<p>Chapter 12 Traffic and Transport (Document Reference 6.2.12), ES Appendix 12.1 Transport Statement (Document Reference 6.4.12.1) and ES Appendix 2.8 Outline CTMP (Document Reference 6.4.2.8).</p>