Dean Moor
Solar Farm

Environmental Statement: Chapter 2 – EIA Methodology

on behalf of **FVS Dean Moor Limited**

March 2025
Prepared by: Stantec UK Ltd
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DEAN MOOR SOLAR FARM

ENVIRONMENTAL STATEMENT

CHAPTER 2 – ENVIRONMENTAL IMPACT ASSESSMENT METHODOLOGY

PLANNING INSPECTORATE REFERENCE EN010155

PREPARED ON BEHALF OF FVS DEAN MOOR LIMITED

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, Regulation 5(2)(a)

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2 Environmental Statement (ES) Chapter 2: Environmental Impact Assessment Methodology

2.1.1 This chapter is supported by the following appendices **[REF: 6.3]**:

- Appendix 2.1: EIA Scoping Report;
- Appendix 2.2: EIA Scoping Opinion;
- Appendix 2.3: Water Framework Directive ('WFD') Assessment;
- Appendix 2.4: Flood Risk Assessment ('FRA') and Outline Drainage Strategy ('ODS');
- Appendix 2.5: Transport Statement ('TS');
- Appendix 2.6: Noise and Vibration Impact Assessment ('NIA');
- Appendix 2.7: PEIR Chapter 10 – Socio-Economics;
- Appendix 2.8: Agricultural Land Classification ('ALC') Report; and
- Appendix 2.9: Stakeholder Meeting Minutes.

2.1.2 This chapter is supported by the following figures (full figures are provided separately) **[REF: 6.2]**:

- Figure 2.1: Cumulative Schemes within 10km of Order Limits; and
- Figure 2.2: Existing Utilities within the Site.

2.2 Introduction

2.2.1 This chapter sets out the methodology undertaken for the assessments as part of the EIA. It states the assumptions applicable to all disciplines and summarises the EIA scoping process undertaken and the consultation process, including comments received on the PEIR. Bespoke methodologies, limitations and assumptions are contained in the technical chapters, where required.

2.2.2 This ES has been prepared in accordance with the latest regulations and advice on good practice, comprising:

a. The EIA Regulations;

b. The following Planning Inspectorate's advice pages: The Planning Inspectorate's *Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental*

Statements[1] (June 2020*); Advice Note Nine: Rochdale Envelope*[2] (July 2018); *Advice on Habitats Regulations Assessments*[3] (September 2024); *Advice on Cumulative Effects Assessment*[4] (September 2024); *Advice on The Water Framework Directive*[5] (September 2024); Nationally Significant Infrastructure Projects: *Technical Advice Page for Scoping Solar Development*[6]; and

c. Institute of Environmental Management and Assessment's ('IEMA') Delivering Proportionate EIA[7] (2017).

2.3 EIA Methodology

2.3.1 This section sets out the methodology used in the EIA, states the assumptions applicable to all disciplines, and summarises the EIA scoping process the public consultation process undertaken. Bespoke methodologies, limitations, and assumptions are contained in the technical chapters of the ES where required (Chapters 6 – 10) **[REF: 6.1]**.

2.3.2 The significance of an environmental effect is determined by the interaction of magnitude and sensitivity, whereby the effects can be positive (beneficial) or negative (adverse). Generic criteria to be used in carrying out this process are detailed below. Some technical chapters may use discipline-specific criteria with their own terms for magnitude, sensitivity, and significance and, where used, this is explained in the relevant chapter(s).

2.3.3 An environmental effect can be categorised as either permanent or temporary. The duration of temporary effects comprises:

a. Short-term (a period of up to 1 year);
b. Medium-term (a period of between 1 year and up to 5 years); and
c. Long-term (a period of more than 5 years).

[1] HM Government (2020). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects - Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements

[2] HM Government (2018). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects - Advice Note Nine: Rochdale Envelope

[3] HM Government (2024). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments

[4] HM Government (2024). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment

[5] HM Government (2014). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive

[6] HM Government (2024). Planning Inspectorate Guidance Nationally Significant Infrastructure Projects: Technical Advice Page for Scoping Solar Development

[7] IEMA (2017). Delivering Proportionate EIA.

2.3.4 The approach to assessing effects as temporary and permanent is set out in the 'Assessment Scenarios' section below.

Assessment Scenarios

Construction

2.3.5 The construction phase is anticipated to be approximately 18 months. In EIA terms, this would involve the most intensive timing of construction activities. Therefore, for the purposes of the EIA, a construction phase of approximately 18 months has been assumed for the construction phase assessments.

2.3.6 However, it is considered that the construction phase could take longer than the 18-months assessed (as a worst-case) in the ES, for example, in the event waterlogging of the Site over an extended period restricts construction progress. This is discussed further in Chapter 5 – Construction and Decommissioning Methodology and Phasing **[REF: 6.1]**, the ALC Report (Appendix 2.8) and the Outline Soil Management Plan ('OSMP') (Appendix 5.3) **[REF: 6.3]**.

Operation

2.3.7 The operational lifespan of the Proposed Development is proposed to be up to 40 years for the purposes of the assessments in the ES. Operational effects will be assessed over this 40-year period. The 40-year operational phase will be triggered, either after substantial completion of construction works, or when the Commercial Operation Date ('COD') begins, which is when the Proposed Development begins exporting electricity to the grid, whichever is soonest.

2.3.8 Individual panels may be replaced or repaired on an ad-hoc basis throughout the Proposed Development's operational life. It is also understood that solar panels degrade in their efficiency over time. Where groups of panels may be replaced, this is likely to take place from approximately 25 years onwards, although it could take place sooner

depending on economic and technological factors which are not known at this time.

2.3.9 It is assumed within this ES that it is unlikely that all panels would be replaced in one operation, due to the variable lifetime of the individual panels. Furthermore, it is assumed that adverse environmental effects that could arise from a wholescale replacement of all panels would not be worse than effects experienced during the construction phase of the Proposed Development. Therefore, the replacement of solar panels during the operational phase is not assessed as a scenario within technical chapters of this ES. Further information on standard and non-standard operation & maintenance activities is available from the Outline Operational Management Plan ('OOMP') (Appendix 3.1) **[REF: 6.3].**

2.3.10 As outlined in paragraph 2.3.7, the operational lifespan of the Proposed Development is proposed to be up to 40 years. Therefore, the land use of the Site will return to its baseline use through the management plans which will be secured by DCO Requirements. However, some technical chapters may have assessed operational effects as permanent. Where this is the case, it is explained in the relevant chapter.

Decommissioning

2.3.11 The decommissioning phase has been assessed in the ES to last 12 months. This is considered a reasonable worst-case (most intensive) scenario), by virtue of environmental considerations such as (but not limited to) traffic, soil management, surface water management, and noise.

2.3.12 However, it is reasonable that the decommissioning phase could last for longer than the 12 months assessed within the ES, in the event Site conditions (e.g., waterlogging) restrict progress. A longer decommissioning phase will not reflect an increase in the works to be undertaken but would reduce the intensity of activities on-Site, therefore reducing the likelihood of negative environmental outcomes on considerations such as soil resources and traffic. The assessment of the

potential environmental effects of decommissioning would consider the same factors (i.e. construction traffic, workers on-Site) as the construction phase.

Prediction of Impact Magnitude

2.3.13 The methodology for determining the scale or magnitude of impact is set out in Table 2.1.

Table 2.1: Methodology for Assessing Magnitude

Magnitude of Impact	Criteria for Assessing Impact
High	Total loss or major/substantial alteration to key elements/features of the baseline (pre-development) conditions such that the post-development character/composition/attributes will be fundamentally changed.
Medium	Loss or alteration to one or more key elements/features of the baseline conditions such that post-development character/composition/attributes of the baseline will be materially changed.
Low	A minor shift away from baseline conditions. Change arising from the loss/alteration will be discernible/detectable but not material. The underlying character/composition/attributes of the baseline condition will be similar to the pre-development circumstances/situation.
Very Low	Very little change from baseline conditions. Change barely distinguishable, approximating to a 'no change' situation.

2.3.14 The sensitivity of a receptor is based on the relative importance of the receptor using the scale set out in Table 2.2.

Table 2.2: Methodology for Assessing Sensitivity

Sensitivity	Examples of Receptor
High	The receptor/resource has little ability to absorb change without fundamentally altering its present character or is of international or national importance.
Medium	The receptor/resource has moderate capacity to absorb change without significantly altering its present character or is of high importance.
Low	The receptor/resource is tolerant of change without detriment to its character, is of low or local importance.
Very Low	The receptor/resource is tolerant of change without detriment to its character or does not make a significant contribution to local character or distinctiveness and is not designated.

Assessment of Effect Significance

2.3.15 After the magnitude of the impact and the sensitivity of the receptor/resource have been determined, the effect significance will be classified using the matrix in Table 2.3. This illustrates the interaction between impact magnitude and receptor sensitivity.

Table 2.3: Effect Significance Matrix

Magnitude	Sensitivity			
	High	**Medium**	**Low**	**Very Low**
High	Major Adverse / Beneficial	Major Adverse / Beneficial	Moderate Adverse / Beneficial	Minor Adverse / Beneficial
Medium	Major Adverse / Beneficial	Moderate Adverse / Beneficial	Minor Adverse / Beneficial	Negligible
Low	Moderate Adverse / Beneficial	Minor Adverse / Beneficial	Negligible	Negligible
Very Low	Minor Adverse / Beneficial	Negligible	Negligible	Negligible

Effect Definitions

2.3.16 Table 2.4 below provides generic definitions of the terminology used to categorise effects.

Table 2.4: Significance of Effect Definitions

Effect	Description
Major	An effect that is likely to be an important consideration at a national to regional level because it will contribute to achieving national/regional objectives or is likely to result in exceedance of statutory objectives or breaches of legislation.
Moderate	An effect that is likely to be an important consideration at a regional level.
Minor	An effect that is likely to be an important consideration at a local level.
Negligible	An effect that is likely to have a negligible or neutral influence, irrespective of other effects.

Significance

2.3.17 Significance of effect is clearly identified in the ES. Generally, major and moderate effects (adverse or beneficial) are considered to be significant, whilst minor and negligible effects are considered to be not significant.

2.3.18 However, professional judgment is also be applied and may alter the significance of an effect where necessary, considering the professional's understanding of the balance between the magnitude of an impact and the sensitivity of the receptor/resource and whether the effect is permanent or temporary, its frequency, whether it is reversible, and likelihood of occurrence.

2.3.19 Furthermore, some topic disciplines may have a methodology and significance criteria that differs from what has been outlined above. If this is the case, this methodology is outlined in the respective chapter.

2.4 Technical Assessments

2.4.1 Each ES chapter follows the headings set out below to ensure the ES is transparent, consistent, and accessible.

- Introduction;
- Planning Policy Context;
- Assessment Methodology;
- Baseline Conditions;
- Likely Significant Effects;
- Mitigation Measures;
- Residual Effects;
- Cumulative Effects; and
- Summary.

2.4.2 Each chapter sub-heading is explained in further detail in Table 2.5.

Table 2.5: Technical Chapter Format and Content

Sub-Heading	Context
Introduction	This section introduces the assessment discipline and the purpose for which it is being undertaken.
Planning Policy Context	This section includes a summary of national, regional, and local policies of relevance to the environmental discipline and assessment. Where applicable, relevant legislation is also be summarised.
Assessment Methodology	This section provides an explanation of methods used in undertaking the technical study with reference to published standards, guidelines, and best practice. The application of significance criteria is discussed. It also outlines any difficulties encountered in compiling the required information.
Baseline Conditions	This section includes a description of the environment as it is currently (at the time of writing the ES or at another appropriate point in time, as specified) and as it is expected to change if the Proposed Development were not to proceed (i.e. 'do-nothing' scenario). The method(s) used to obtain baseline information is clearly identified. Baseline data has been collected in such a way that the importance of the subject area to be affected can be placed in its context and surroundings so that the effects of the proposed changes can be predicted.
Likely Significant Effects	This section identifies the likely significant effects on the environment resulting from the construction, operational, and decommissioning phases of the Proposed Development. This section also identifies primary (embedded) modifications to the location or design of the Proposed Development made during the pre-application phase that are an inherent part of the Proposed Development with no further actions required, such as ensuring that a key habitat or archaeological feature will be unaffected by the Proposed Development layout and operation. The first assessment of magnitude, sensitivity, and significance of effect takes all embedded mitigation measures into account as an integral part of the Proposed Development.
Mitigation Measures	Adverse effects are considered for mitigation and specific mitigation measures put forward, where practicable. Mitigation measures considered may be: • Secondary: actions that require further activity to achieve a particular outcome, secured for example through development consent requirements or section 106 obligations, such as lighting limits that will be subject to the submission of a detailed lighting layout for approval; or • Tertiary (Additional): actions that would occur regardless of the EIA, including those undertaken to meet other existing legislative requirements, or actions that are standard practice to manage commonly occurring environmental effects. The extent of mitigation measures and how these will be effective is discussed. Where the effectiveness is uncertain or depends upon assumptions about operating procedures, data is provided to justify the assumptions, and monitoring programmes are proposed to enable subsequent adjustment of mitigation measures as necessary.

Sub-Heading	Context
Residual Effects	The residual effects, i.e., the effects of the Proposed Development assuming implementation of proposed secondary and tertiary additional mitigation. The residual effects represent the overall likely significant effect of the Proposed Development on the environment having taken account of practicable/available mitigation measures.
Cumulative Effects	The inter-project cumulative effects of the Proposed Development combined with identified committed developments will be assessed.
Summary	A summary of the assessment and conclusions is provided at the end of each technical chapter.

2.5 Mitigation Measures

2.5.1 A Commitments Register (Appendix 11.1) **[REF: 6.3]** summarising the measures proposed to reduce, avoid, or offset the potential adverse effects of the Proposed Development is appended to the ES. The register sets out the mechanisms that are to be used to secure the required mitigation.

2.6 Cumulative Effects

2.6.1 A summary of the likely significant cumulative effects of the Proposed Development is set out in each technical chapter (6-10). A summary of the significant cumulative effects is given in ES Chapter 11 – Cumulative Effects and Residual Effects Summary **[REF: 6.1]**.

Intra-Project Effects

2.6.2 There is no published methodology for determining the significance of intra-project effects. Combining effects of one environmental discipline with another must be qualitative and is therefore based on judgement. The identification of the significance of the intra-project effects is provided in Chapter 11 – Cumulative Effects and Residual Effects Summary.

Inter-Project Effects

2.6.3 Inter-project effects are considered under the 'Cumulative Effects' sub-heading in each topic chapter. A summary of the identified significant inter-project cumulative effects of the Proposed Development across all topics

is provided in ES Chapter 11 – Cumulative Effects and Residual Effects Summary.

2.6.4 Inter-project effects are defined in paragraph 5(e) of Schedule 4 to the EIA Regulations as:

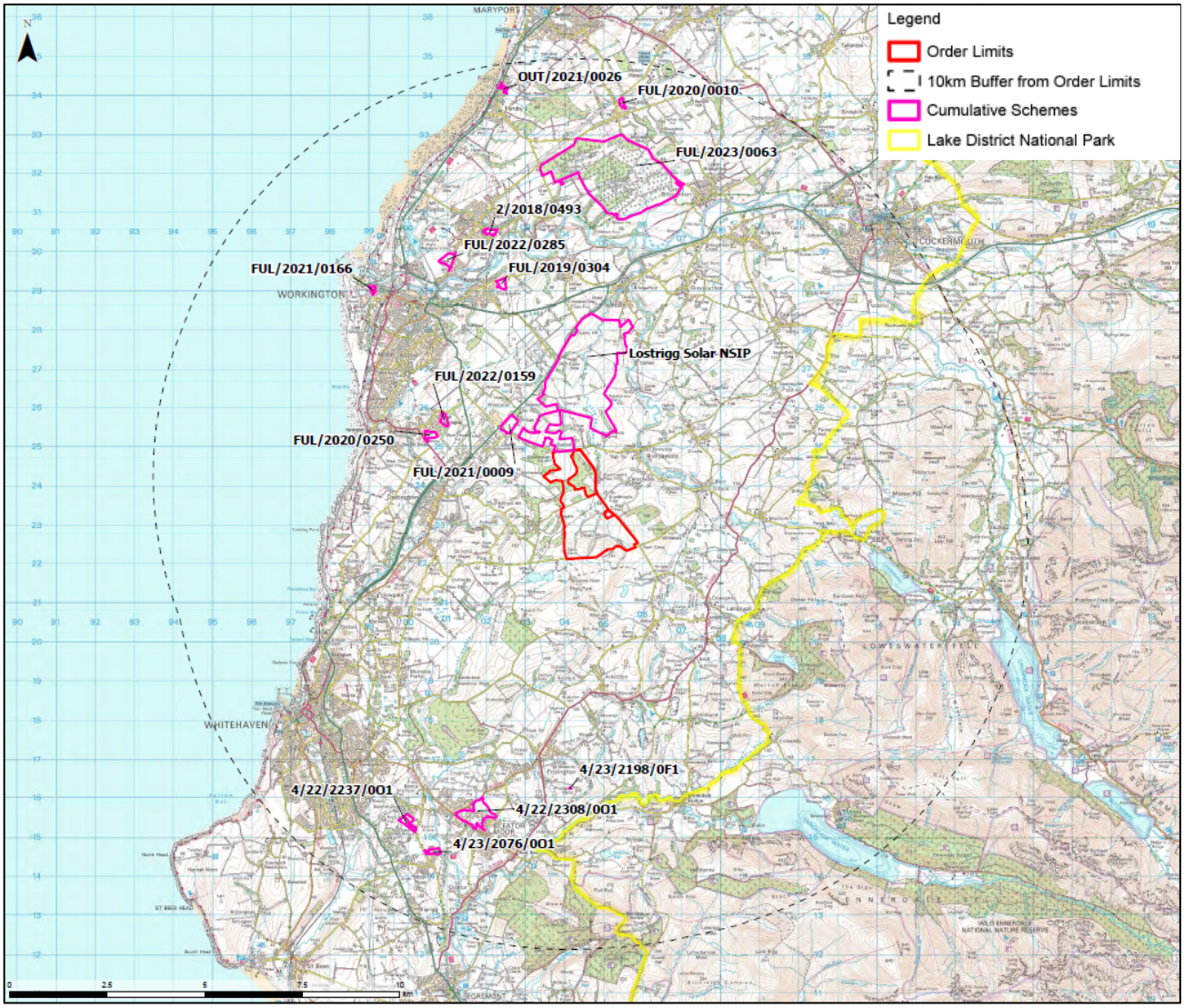
'The cumulation of effects with other existing and/ or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources.'

2.6.5 The best practice approach to cumulative schemes requires inclusion of proportionate information relating to projects that are not yet consented, dependent on the level of certainty of them coming forward. In this regard, the Planning Inspectorate's *Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects* is relevant to this ES.

Cumulative Schemes

2.6.6 Table 2.6 below details the projects that have been identified for the assessment of likely significant cumulative effects on the environment for the purposes of this ES. The projects are listed by ascending distance from the Site. The location of these projects is shown on Figure 2.1: Cumulative Schemes within 10km of Order Limits.

Figure 2.1: Cumulative Schemes within 10km of Order Limits



2.6.7 The information contained within Table 2.6 is based upon information available on the Council's planning website[8] as of February 2025. Five additional schemes have been added to the cumulative assessment following publication of the PEIR in March 2024. The Applicant has sought to re-confirm this list with the Council. However, at the time of writing formal agreement has not yet been received.

2.6.8 It is acknowledged that in proximity to the Site there is the 'West Cumbria Pipeline' project. Further details on an existing and/or approved planning application were unavailable. However, the section of the pipeline within

[8] Cumberland Council (2025). Built Environment Public Register. Available at: https://cumberlandcouncil.my.site.com/pr3/s/register-view?c__r=Arcus_BE_Public_Register Accessed February 2025

the vicinity of the Proposed Development has been completed, and it is assumed that the remainder of this project will be completed by the time construction of the Proposed Development begins.

2.6.9 Lostrigg Solar DCO ('Lostrigg Solar') is an unconsented solar NSIP adjacent to the Site, which is anticipated to be submitted in July 2025 according to the project information on the Planning Inspectorate website[9]. Whilst this is not yet an approved scheme, due to its proximity to the Proposed Development it has been considered within the cumulative effects assessment as it is reasonably foreseeable that this scheme could, if consented, result in cumulative effects with the Proposed Development.

Table 2.6: Cumulative Schemes

Project Ref	Description	Status	Approximate Distance and Direction from the Site
Planning Inspectorate			
EN0110004 *Lostrigg Solar*	A proposed solar farm with over 50MW capacity, Solar PV modules, and associated mounting structures, inverters, transformers, switch gear, and control equipment, a substation, point of connection, energy storage equipment, and underground on and off-road cabling.	Pre-application stage (Scoping Report submitted June 2024)	Adjacent to the north.
Cumberland Council			
FUL/2021/0009 *Land at Lillyhall North, Branthwaite Road, Winscales, Workington*	Hybrid application - Full planning permission is sought for the construction of a new roundabout, site access and spine road and the extension to existing pedestrian/cycle path. Outline permission for the erection of a variety of industrial, storage, research and development and industrial process use buildings (Use classes B2, B8, E(g)ii E(g)iii) Approximately 10.6ha employment area - 33,779sqm	Approved (17/02/2021)	1.3km west

[9] Planning Inspectorate. Lostrigg Solar Project information Available at: https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN0110004 Accessed September 2024

Project Ref	Description	Status	Approximate Distance and Direction from the Site
	floorspace for industrial, storage, research & development, and industrial process use classes.		
FUL/2022/0159 *Proposed Residential Development, Woodville Way, High Harrington*	Detailed application - Proposed residential development and associated infrastructure for 79 dwellings.	Pending	2.8km west
FUL/2020/0250 *Land East Of Main Road, High Harrington, Workington, Cumbria,*	Outline application for residential development with matters of estate layout, scale, appearance and landscaping reserved.	Approved (21/01/2022) Under Construction	3km west
FUL/2019/0304 *Land at Stainburn Hall Farm, Stainburn, Workington*	Detailed Application - Full planning for the erection of 81 dwellings and associated infrastructure.	Approved (23/12/2020) Under Construction	4.5km north
FUL/2022/0285 *Land at Yearl Rise, north east of Calva Farm, Seaton Road, Seaton*	Detailed Application - Residential development for up to 180 new dwellings and associated landscaping and infrastructure.	Approved (09/10/2024)	5.2km northwest
2/2018/0493 *Land east of Causeway Road, Seaton, Workington*	Outline application for residential development comprising up to 100 dwellings with details of access and associated works.	Approved (28/05/2021)	5.8km north
FUL/2021/0166 *Land off Curwen Road, Workington*	Detailed application - 107-unit extra care development and associated infrastructure and parking.	Approved (07/02/2022)	6.5km northwest
FUL/2023/0063 *Land at Derwent Forest, Broughton Moor, Great Broughton*	Application for 71 residential units including access, New Visitor centre, and car parking	Pending	7.3km north
FUL/2020/0010 *Land to the east of Heatherfields,*	Residential development of 66 dwellings and associated infrastructure.	Approved (08/04/2021)	8.8km north

Project Ref	Description	Status	Approximate Distance and Direction from the Site
Broughton Moor, Maryport		Under Construction	
OUT/2021/0026 *Land east of Station Road, Flimby, Maryport*	Outline application for erection of up to 59no. dwellings and associated infrastructure works including access.	Approved (27/09/2024)	9.3km north
Copeland Borough Council			
4/23/2198/0F1 *The Parks, Park Street, Frizington, Arlecdon and Frizington Parish*	Detailed application - Erection of 2 no.SD6 micro wind turbines (17.8m maximum tip height).	Pending	6.4km southwest
4/22/2308/0O1 *Leconfield Industrial Estate, Cleator Moor*	Outline application for the redevelopment of an existing industrial estate, a new industrial extension on land to the north, an additional extension for hotel (c1) & student accommodation (sui generis) to the east comprising up to 44,350 square metres of new floorspace, proposed uses also include research & development, light industrial, general industrial, storage & distribution (class e(g), b2, b8 uses) with ancillary food/drink (class e(b)), education & new community facilities (class f1(a & e)) along with car parking, other infrastructure & full details of the accesses.	Pending	7km south
4/23/2076/0O1 *Land off Dalzell Street, Moor Row, Egremont*	Outline application for residential development for up to 65 dwellings with details of proposed access & all other matters reserved.	Approved (19/07/2024)	8.5km southwest
4/22/2237/0O1 *Land at Summergrove Park, Whitehaven*	Outline planning application including access for up to 30 no. Self-build dwellings.	Approved (24/03/2023)	8.5km southwest

2.7 Summary and Residual Effects

2.7.1 The residual effects of the Proposed Development are summarised in a table in ES Chapter 11 – Cumulative Effects and Residual Effects Summary, setting out the overall beneficial and adverse likely significant effects of the Proposed Development.

2.7.2 Chapter 11 also includes an assessment of intra-project cumulative effects (also known as interactive effects), which has been based on professional judgement drawing on the completed technical assessments.

2.8 Stakeholder Engagement

2.8.1 A range of consultation and engagement has taken place with various statutory consultees such as the Local Lead Flood Authority ('LLFA'), the Environment Agency ('EA'), the Council's Environmental Health Officer ('EHO'), and the Planning Officer (Minerals and Waste Planning Policy), in the process of defining the ES scope.

2.8.2 The term 'Regulatory Authorities' is used across the ES documents to refer to stakeholders which may require consents, permits, and/or prior notification. These include but may not be limited to the Lead Local Flood Authority (LLFA), Environment Agency (EA), Local Highways Authority ('LHA'), Local Planning Authority ('LPA'), Mining Remediation Authority ('MRA'), Electricity North West Limited ('ENW'), and Natural England ('NE')) and other relevant departments within the Council (such as the EHO, Tree Officer, archaeological advisor, etc). When discussing specific requirements (e.g. Ordinary Watercourse Consent ('OWC')), the specific stakeholder's name will be used (e.g. LLFA).

2.8.3 Further information on consultation that has taken place is available from Table 2.7 below and in various technical chapters (6-10) and appendices. Further, a Consultation Report has been submitted with the DCO **[REF: 5.1]**.

2.8.4 Stakeholder engagement will continue after submission of the DCO application.

2.9 Scoping Exercise

Overview

2.9.1 A scoping exercise was undertaken and informed by desk-based research, Site surveys and professional judgement. The below sub-sections provide details and reasoning for the topics scoped in and out of the ES.

Topics Scoped Out

2.9.2 As set out in the Scoping Report submitted to the Planning Inspectorate in August 2023, and the Planning Inspectorate's Scoping Opinion adopted in September 2023 (refer to Appendices 2.1 and 2.2), the following topics have been scoped out of the ES (and standalone technical chapters are therefore not included in this ES).

2.9.3 Topics have either been scoped out by the Planning Inspectorate through their Scoping Opinion (Appendix 2.2) or by additional information being provided during the PEIR stage to justify the scoping out of these topics. Further information is also provided in this ES to further justify the scoping out of some topics listed below:

- Agricultural Land (scoped out as a standalone chapter);
- Soils (scoped out as a standalone chapter);
- Water Resources and Flood Risk (scoped out as a standalone chapter);
- Air Quality;
- Traffic and Access;
- Noise and Vibration;
- Major Accidents and Disasters (scoped out as a standalone chapter);
- Electric Magnetic and Electromagnetic Fields;
- Telecommunications, television reception, and utilities;
- Wind Microclimate;
- Daylight, Sunlight and Overshadowing;
- Waste;
- Minerals;
- Lighting (scoped out as a standalone chapter); and

- Glint & Glare (scoped out as a standalone chapter).

2.9.4 In addition to the above, socio-economics has subsequently been scoped out of the ES. A socio-economics chapter was included at the PEIR stage as Chapter 10, and no significant effects were identified that related directly to socio-economics. The only significant effects that were identified related to landscape and visual amenity and climate change and are therefore covered in their respective ES chapters (technical chapters 7 and 9). The socio-economics chapter submitted with the PEIR is included in Appendix 2.7.

Human Health and a Health Impact Assessment

2.9.5 Whilst there is the potential for the Proposed Development to result in human health impacts during its construction, operation, and decommissioning phases, appropriate measures have been embedded into the design of the Proposed Development and into the various management plans that will be secured via the DCO, which will seek to avoid and/or reduce potential significant effects relating to human health. Further, within the Council's guidance, there is no set requirement to conduct a Health Impact Assessment ('HIA') for solar development, nor a methodology to do so.

2.9.6 Potential effects linked to human health arising from the Proposed Development, and how they have been considered through specialist assessment, are outlined below.

2.9.7 The Proposed Development is considered to be climate resilient and effects on future site users from climate change (i.e., extreme hot and cold weather, intense rainfall, high winds, and storm events) are covered in ES Chapter 9 and conclude that there are no significant effects on future site users.

2.9.8 Human health effects relating to ground conditions (in regard to exposure to potential contamination through ground disturbance) are considered within ES Chapter 10 and concluded no significant effects due to the limited ground disturbance required, and application of appropriate

mitigation measures as detailed within the Outline Construction Environmental Management Plan ('OCEMP') **[REF: 6.3]**. Control of ground gas emissions will be dealt with via specific risk assessments and gas monitoring during the construction phase, with ground works and detailed design informed further by ground investigations. The design of the Proposed Development will seek to avoid siting structures in areas where hazards relating to coal mining including mine entries and the former opencast pit highwall are present, as identified in the Coal Mining Hazard Assessment ('CMHA') (Appendix 10.2, Figure 3.1). Ground investigation will be undertaken to locate and delineate, as far as is reasonably practicable, the extent of these hazards, with the results of the investigation used to inform the design.

2.9.9 During the construction phase, measures will be included within the OCEMP to manage construction activities and control noise, vibration, dust generation and other nuisance and potentially contaminative sources, such as the spillage of chemicals and oils, that could have detrimental human health effects. Construction activities on-Site will be temporary and transient in nature, as works move across the Site working on the different elements of the Proposed Development. For example, piling of the solar PV structures will only occur in each location across the Site for a short period of time. Construction traffic within the Site and on the Local Road Network ('LRN') will be managed via the Construction Traffic Management Plan ('CTMP') that will be secured via the DCO, and largely in accordance with the Outline CTMP ('OCTMP') provided at Appendix 5.2 **[REF: 6.3]**.

2.9.10 Construction traffic routing will avoid nearby small villages such as Gilgarran and HGVs will not use the LRN during periods of morning and evening rush hours. This plan stipulates vehicle routing, parking locations, and other traffic related matters to alleviate the surrounding area from traffic and transport related effects during this period.

2.9.11 A Site-specific FRA has been prepared and is appended at Appendix 2.4. The assessment concluded that any future users of the Site will be at a low risk of flooding, and the Proposed Development will not increase flood

risk elsewhere. Furthermore, Sustainable Urban Drainage Systems ('SuDS') will be implemented to remove pollutants from runoff where infiltration is not viable to prevent pollutants reaching off-Site receptors.

2.9.12 Glint and glare from solar reflections can cause nuisance to surrounding human receptors. An assessment has been made (see ES Appendix 7.9) and concluded that screening in the form of existing vegetation and buildings and intervening terrain in addition to targeted proposed planting results in no significant impacts in terms of solar reflections impacting residential amenity, road safety, and aviation activity.

2.9.13 The Landscaping Strategy Plan (Figure 7.6.1-7.6.5), to be secured via a DCO Requirement, will include additional planting to act as visual screening and to enhance the existing vegetation on Site. The landscaping strategy will be implemented and managed in line with the Outline Landscape and Ecological Management Plan ('OLEMP') (Appendix 7.7), the final version of which will be secured by a DCO Requirement, to ensure the success and monitoring of the strategy. Further to the landscaping, appropriate offsets embedded into the design have been included surrounding sensitive human receptors, such as residential homes in proximity to the Site, to further reduce potential impacts during construction, operation, and decommissioning from distancing the Proposed Development from these receptors.

2.9.14 A standalone noise and vibration chapter is scoped out of the ES due to the absence of potentially significant noise and vibration related effects. The construction of the Proposed Development will result in some levels of noise and vibration emissions. However, these will be appropriately mitigated through best practicable means and industry-standard construction methods. This will result in there being no significant adverse effects from noise and vibration on human receptors during the construction phase. Further information on these mitigation methods is set out in Chapter 5 and the OCEMP (Appendix 5.1). There are not considered to be any vibration causing activities during operation. Whilst there will be low levels of noise generated on-Site during operation from

periodic maintenance visits and panel replacement (if required), and the on-Site substations. The levels of noise generated in combination with a considered design and appropriate mitigation such as planting will result in no significant noise impacts during operation.

2.9.15 Once the Proposed Development's operational phase is complete, the infrastructure will be decommissioned and removed from the Site, in accordance with a Decommissioning Management Plan ('DMP') suite, which will be substantially in accordance with the Framework Decommissioning Management Plan ('FDMP') (Appendix 5.4).

2.9.16 In summary, it is considered that any potential effects relating to human health will be controlled via embedded and additional mitigation and do not pose a significant risk to human health. As such, a separate human health chapter or a HIA has not been included within the ES.

2.9.17 Table 2.7 below sets out the justification for scoping out standalone chapters in response to the Planning Inspectorate's Scoping Opinion.

Table 2.7: Summary of Standalone Chapters Scoped Out of the ES

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
Agricultural Land and Soils	*'The Scoping Report includes information on the agricultural land quality and Appendix 4.1 provides an Agricultural Land and Soils Scoping Analysis which explains why significant effects on agricultural land and soil are unlikely. The Inspectorate notes the conclusion of Appendix 4.1 recommends the provision of a Soil Management Plan secured by a DCO requirement to ensure that, as far as possible, soils are not damaged during construction.* *The Inspectorate is content that the site does not contain Best and Most Versatile (BMV) agricultural land …and agrees that an assessment of agricultural land can be scoped out of the ES.* *However, given the absence of specific ALC or soil data for the site (other than Area C), and the route*	An ALC Report (Appendix 2.8) and OSMP (Appendix 5.3) provides an assessment of the potential impact to soils from construction and decommissioning is covered in Chapter 10 – Ground Conditions **[REF: 6.1]**.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	of the underground cabling, the Inspectorate does not agree to scope out impacts on soil resources from further assessment. The ES should consider the potential impact to soils from construction and decommissioning as well as setting out how any potential adverse impacts on soils can be avoided or minimised. The Inspectorate recommends that a Soil Management Plan is provided with the application and appropriately secured via the DCO. The Applicant's attention is drawn to Natural England's response (Appendix 2 of this Opinion) in this regard.'	
Water quality impacts on water resources from siltation of runoff and pollution events	*'The Inspectorate does not consider enough evidence regarding the final design and control measures has been provided to scope impacts to water quality out during construction or decommissioning. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters from the assessment.* *Accordingly, the ES should include an assessment of these matters or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect. Any potentially impacted permitted or private water supplies should be identified and included in the assessment where significant effects are likely to occur.'*	Additional information regarding final design and control measures to mitigate the impact on water quality during the construction and decommissioning phase is provided within an OCEMP (Appendix 5.1) and FDMP (Appendix 5.4) **[REF: 6.3]**. A WFD Assessment (Appendix 2.3) and an FRA (Appendix 2.4) is provided. The FRA outlines that during operation appropriate pollution control measures will be included in the surface water drainage system to minimise the risk of contamination or pollution entering the receiving systems from surface water runoff from the Proposed Development. Further, as identified in the FRA, a meeting with the LLFA was held on 5th June 2024 to discuss the hydrological conditions at the Site and to confirm agreement in principle to the proposed approach to surface water drainage.
Water quality impacts on designated sites	*'The Inspectorate does not consider enough evidence regarding control measures and impact pathways has been provided to justify scoping this matter out. The ES should include an assessment of these matters where there is potential for likely*	Effects to biodiversity receptors through a reduction in water quality is assessed in ES Chapter 8 – Biodiversity **[REF: 6.1]**. The OCEMP (Appendix 5.1) also outlines measures to prevent pollution into the Thief Gill which is hydrologically connected to the

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	significant effects to occur or demonstrate the absence of likely significant effects with agreement from the relevant consultation bodies. The Applicant's attention is drawn to the comments from NE on this point (see Appendix 2 of this Opinion).'	River Derwent and Bassenthwaite Lake Special Area of Conservation ('SAC'). Operational pollution control measures identified in the FRA (Appendix 2.4) will also reduce the likelihood of pollution pathways to designated sites. A shadow Habitat Regulations Assessment ('sHRA') is at Appendix 8.7 **[REF: 6.3]**.
Flood risk and surface water runoff from soil compaction	*'The Applicant proposes to scope out increases in pluvial and fluvial flood risk for all phases. However, a Flood Risk Assessment (FRA)would be submitted with the application. Given the nature of the site and the development, and subject to ensuring no increase in flood risk and agreeing design and mitigation measures with the Environment Agency and the Lead Local Flood Authority, the Inspectorate is content to scope these matters out of the ES.'*	An FRA is provided at Appendix 2.4. The FRA concludes that the Site is located outside the fluvial floodplain and is not considered to be at risk when peak river flows incorporating climate change impacts are considered. The majority of the Site has a 'Very Low' risk of surface water flooding, with some localised areas of up to 'High' risk denoting the presence of ordinary watercourses and/or localised depressions. The remaining sources of flood risk are considered to be a low risk. In conclusion, the proposed infrastructure, and any future users of the Site, will be at a low risk of flooding and the Proposed Development will not increase flood risk elsewhere. The OSMP (Appendix 5.3) also provides mitigation for avoiding or minimising soil compaction during the construction of the Proposed Development.
Air Quality – Dust Emissions	*'The Inspectorate does not consider that sufficient information has been provided at this stage regarding dust suppression techniques and the location of potential dust sensitive environmental receptors to support the scoping out of dust emissions during construction and decommissioning from further assessment. A qualitative assessment of dust impacts based on relevant guidance (e.g. the*	ABC has investigated air quality within its administrative boundary as part of its responsibilities under the Local Air Quality Management ('LAQM') regime. To date, no Air Quality Management Areas ('AQMA') have been declared. Due to there being limited sensitive receptors in close proximity to the Site, such as residential dwellings, a Construction Dust Risk Assessment has not been undertaken.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	Institute of Air Quality Management (IAQM)) should be provided to demonstrate that mitigation measures proposed are appropriate for the scale of effects. *The Inspectorate agrees that once operational, the Proposed Development is unlikely to result in significant air quality effects as the components of the Proposed Development do not produce dust emissions.'*	Mitigation measures to reduce the effect of construction dust are included in section 8 of the OCEMP (Appendix 5.1). It is therefore considered that construction dust is adequately considered in this ES. This approach was agreed with the Council's EHO in a meeting held in November 2023, see Appendix 2.9.
Air Quality – Vehicle Emissions	*'Provided that the ES description of development includes sufficient detail to demonstrate that construction and operational traffic movements will not exceed the IAQM criteria and given the temporary nature of the movements, vehicle emissions may be scoped out of further assessment.'*	Air quality in relation to vehicle emissions is scoped out of the ES for all phases of the Proposed Development on the basis that the number of anticipated movements during construction (20 HGV Average Annual Daily Traffic ('AADT')) and operation (1-2 AADT vehicle movements) (as set out in the Transport Statement ('TS') Appendix 2.5) are below the threshold criteria requiring an assessment of significant effects in the 'Land Use Planning and Development Control: Planning for Air Quality' guidance[10]. An OCTMP (Appendix 5.2) includes measures to ensure impacts on receptors are minimised.
Traffic and Access	*'The Inspectorate notes that a Transport Statement and oCTMP including a framework Construction Workers Travel Plan (CWTP) would be submitted with the application. Appendix 4.2 of the Scoping Report provides evidence of an agreement with National Highways and Cumberland Council to scope out a specific aspect chapter for traffic and access on the provision that the above supporting documentation would be submitted with the application.* *Considering the baseline information, proposed mitigation measures and subject to the provision of a Transport Statement and oCTMP including a framework*	A description of the anticipated trip generation, routeing, and any necessary mitigation measures and how such measures will be secured through the DCO, or other legal mechanism is included within the TS (Appendix 2.5) and the OCTMP (Appendix 5.2).

[10] Institute of Air Quality Management. Land-Use Planning & Development Control Planning for Air Quality. January 2017.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	CWTP, the Inspectorate agrees to scope out a specific aspect chapter for traffic and access. The ES should include a description of the anticipated trip generation, routeing and any necessary mitigation measures relevant to impacts from traffic and access and explain how such measures would be secured through the DCO or other legal mechanism. Evidence of any agreements with relevant consultation bodies should be evidenced within the ES.'	
Traffic Noise and Vibration	*'The Inspectorate agrees that on the basis of the information provided, the increase traffic movements associated with the Proposed Development at all phases are unlikely to result in significant effects relating to noise and vibration and therefore this matter can be scoped out.'*	Scoped out.
Construction Noise and Vibration	*'The Inspectorate agrees that on the basis of the information provided, vibration associated with the construction of the Proposed Development is unlikely to result in significant effects and therefore agrees that this matter can be scoped out from further assessment.* *However, the Inspectorate is not content that the Scoping Report has provided the information required to justify that noise associated with the construction of the Proposed Development infrastructure in the solar array area is unlikely to give rise to significant effects. Whilst appropriate working methods and construction hours may reduce impacts, the Inspectorate would expect to see further information provided on construction techniques, locations, routes, machinery and duration to rule out the likelihood for significant effects to occur.'*	Construction vibration is scoped out of this ES. In relation to construction noise, further information on construction techniques, locations, routes, machinery, and duration is provided in ES Chapter 5 - Construction and Decommissioning Methodology and Phasing, as well as the OCEMP (Appendix 5.1), and the OCTMP (Appendix 5.2) which rules out the likelihood of significant effects occurring.
Operational Noise and Vibration	*'Based on the nature and characteristics of the Proposed Development and given that the*	As set out in Chapter 3 Site and Proposed Development Description, the Works Plans **[REF:**

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	Applicant intends to submit a separate Noise and Vibration Impact Assessment with the DCO as an appendix to the ES, the Inspectorate agrees that operational noise and vibration may be scoped out of further assessment. However, the detailed description of the Proposed Development within the ES should demonstrate that the location of operational plant and equipment is unlikely to result in significant noise and vibration impacts on sensitive receptors.'	**2.3]** and the Parameter Plan (Figure 3.4) have been designed to ensure that equipment of the Proposed Development such as the Grid Connection Infrastructure are located in such a way that prevents significant noise and vibration impacts on sensitive receptors. The OOMP (Appendix 3.1) **[REF: 6.3]** also sets out Work No. 1 (solar PV infrastructure) will not be operational until further noise modelling demonstrates that noise levels will not exceed the Significant Observed Adverse Effect Level ('SOAEL') for this part of the Proposed Development. This is to be secured by a DCO Requirement and will be agreed with the Council. Where there is potential for significant observable adverse noise effects (where noise levels have the potential to be above the SOAEL), appropriate mitigation will be incorporated into the design such that significant adverse effects will be avoided, and adverse effects will be minimised. A Noise and Vibration Impact Assessment is provided at Appendix 2.6.
Major Accidents and Disasters (as a standalone chapter)	*'The Applicant proposes to scope out a standalone chapter for major accidents and disasters on the basis that the risks listed in paragraph 4.8.4 will be reported on in the relevant chapters of the ES or standalone technical assessments …. The Inspectorate has considered the characteristics of the Proposed Development and agrees with this approach.* *The Inspectorate notes however that an outline Battery Safety Management Plan would also be prepared in support of the DCO and appended to the ES. The Inspectorate considers that the risk of battery fire / explosion should be addressed in the ES, including where any measures designed to*	Major Accidents and Disasters is considered in other relevant technical chapters, as set out in Table 2.7. The Applicant does not consider that further information within the ES is required; following the implementation of the mitigation proposed, there will be no significant risk of major accidents and disasters. A Battery Energy Storage System ('BESS') is no longer included as part of the Proposed Development. Figure 2.2 - Existing Utility Infrastructure shows that there is a gas main adjacent to the northern boundary of the Site, but not within the Site itself.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	minimise impacts on the environment in the event of such an occurrence are secured. The ES should describe any battery storage in full where it is proposed. *The Applicants attention is drawn to Northern Gas Networks response to consultation (Appendix 2 of this Opinion) which highlights that the site could contain Major Accident Hazard Pipelines (MAHP).'*	
Electric Magnetic and Electromagnetic Fields	*'…. On the basis that the proposed cable and infrastructure does not exceed 132kV, the Inspectorate is content that an assessment of likely significant effects from EMF from cables up to and including 132kV can be scoped out of the ES. However, if the design of the Proposed Development changes and voltages of over 132kV are proposed, this matter must be assessed.'*	Scoped out.
Telecommunications, television reception, and utilities	*'The Inspectorate considers that insufficient evidence has been provided to scope this matter out. The ES should identify any receptors through consultation and a desk-based assessment and should any diversions of utility or telecommunications infrastructure be required, these should be located and described in the ES along with any required mitigation measures. Impacts, including those from potential diversions and alterations in design, should be described and assessed where significant effects are likely to occur.'*	The Applicant confirms that no utilities will require diversion or are anticipated to be affected. As set out within Chapter 3 - Site and Proposed Development Description, the design parameters have accounted for the required easements surrounding utilities present within the Site. Existing utility infrastructure shown on Figure 2.2. Significant effects are therefore not anticipated, and this topic remains scoped out of the ES.
Wind Microclimate	*'Having considered the nature and characteristics of the Proposed Development the Inspectorate is content that significant effects are unlikely and therefore this matter can be scoped out of further assessment.'*	Scoped out.
Daylight, Sunlight and Overshadowing	*'The Inspectorate … is content that the scale and massing of the Proposed Development would not cause changes to daylight or*	Scoped out.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	sunlight visibility, or cause overshadowing, and this aspect can be scoped out of further assessment.'	
Waste	*'Impacts and mitigation measures are proposed to be addressed through a CEMP, LEMP and DEMP. The Scoping Report states that the LEMP will establish waste management practices for the limited volumes of waste over the Proposed Developments lifetime and that the DEMP will make provision for effective waste management to be implemented during the decommissioning phase.* *The Inspectorate considers that the ES should include an assessment of waste impacts for the decommissioning phase. This should outline what measures, if any, are in place to ensure that components (e.g. from batteries and/or panels) are able to be diverted from the waste chain and disposed of safely given that some types of solar panels can contain hazardous materials. Waste should be managed in line with the waste hierarchy based on available technology at the time.'*	Construction waste is managed in the OCEMP (Appendix 5.1), and no significant effects are likely. The CEMP, to be secured by a DCO Requirement will also consider the impacts of construction waste and will include mitigation measures to be implemented during the construction phase which will follow the waste hierarchy. Consideration of waste is also managed in the OOMP (Appendix 3.1) and the FDMP (Appendix 5.4), which will be secured by a DCO Requirement. Waste will be managed in accordance with the waste hierarchy and industry best practice at the time.
Minerals	*'The Scoping Report identifies that the adopted Minerals and Waste Local Plan (MWLP) indicates that the site is located within a Minerals Safeguarding Area (MSA) for brick clay and a Minerals Consultation Area. …* *The Inspectorate considers that the ES should include an assessment of the potential impact of loss of access to mineral resources (including surface coal resource) during the lifetime of the Proposed Development where there is potential for likely significant effects to occur. The ES should demonstrate that the Minerals Planning Authority has been consulted in respect of the proposals and that the Proposed Development does not impact on*	The Site is identified as being in a Minerals Consultation Area ('MCA') because it falls within the MSA for one or more minerals resources. A meeting was held in November 2023 with the Planning Officer (Minerals and Waste Planning Policy) at Westmoreland and Furness Council (the relevant Minerals Planning Authority), and it was agreed to scope out minerals based on the information provided (see Appendix 2.9). Further information is available from ES Chapter 10 – Ground Conditions. Minerals is therefore scoped out of the ES.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	future ambitions for minerals extraction within the region.'	
Lighting (as a standalone chapter)	*'The ES should include a detailed description of the proposed lighting strategy and assess the potential for likely significant effects to occur on receptors in relation to lighting during the construction, operation, and decommissioning phases. This should include consideration of effects relating to intermittent lighting sources such as motion-activated lighting. The ES should also evidence any measures taken to minimise impacts on sensitive human and ecological receptors.* *The Applicants attention is drawn to ID 3.3.8 and 3.4.3.'*	During the construction phase, lighting is considered and mitigated appropriately in the OCEMP (Appendix 5.1). Lighting during decommissioning is considered in the FDMP (Appendix 5.4). Night-time working will be avoided where possible to prevent the construction or decommissioning site being lit at night-time, minimising impacts on sensitive human and ecological receptors. During operation, lighting will be minimal. Where access lighting on buildings would be provided, this would be cowled to minimise light spill, and operational only when motion sensor activated. Operational visits to the Site for maintenance purposes would be undertaken during daylight hours, unless in an emergency. This approach to operational lighting would avoid any effects during night-time. Lighting during operation is outlined in the OOMP (Appendix 3.1), which will be secured by a DCO Requirement. Therefore, lighting has been scoped out of the ES. Information on a detailed lighting strategy will be included in the CEMP, secured through a DCO Requirement.
Glint & Glare (as a standalone chapter)	*'The Inspectorate agrees to scope this matter out from further consideration; however, the description of the Proposed Development should explain how the panel design prevents the likelihood of glint and glare.* *The Inspectorate is content that a separate Glint and Glare Chapter can be scoped out on the basis that the proposed Glint and Glare Assessment will be appended to the ES and used to inform the Landscape and Visual Impact*	A Glint & Glare Assessment is provided at Appendix 7.9.

Topic	Planning Inspectorate EIA Scoping Opinion Comment	Applicant's Response
	Assessment (LVIA) aspect chapter.'	

Topics Scoped In

2.9.18 The scoping exercise has been informed by desk-based research, professional judgement, and other information available for the Site. The Proposed Development is anticipated to result in likely significant environmental effects on the topics set out in Table 2.8 below and therefore these topics have been scoped into the ES.

Table 2.8: Summary of Topics Scoped Into the ES

Topics	Potential Effects			Likely Significant Effects	Comments
	C	O	D		
Cultural Heritage	S	L	S	✓	Chapter 6 **[REF: 6.1]**
Landscape and Visual	S	L	S	✓	Chapter 7 **[REF: 6.1]**
Biodiversity	S /L	L	S	✓	Chapter 8 **[REF: 6.1]**
Climate Change	S	L	S	✓	Chapter 9 **[REF: 6.1]**
Ground Conditions	S	S	S	✓	Chapter 10 **[REF: 6.1]**
Water Quality	S	L	S	**X**	Separate topic chapter scoped out of the ES (topic considered in Chapter 8 – Biodiversity).
Soils	S	S	S	**X**	Separate topic chapter scoped out of the ES (topic considered in Appendix 2.8 - ALC Report, Appendix 5.3 - OSMP, and Chapter 10 - Ground Conditions).
Lighting	S	S	S	**X**	Separate topic chapter scoped out of the ES (topic considered in Appendix 3.1 – OOMP, Chapter 7 - Landscape and Visual, and Chapter 8 – Biodiversity).
Glint & Glare	S	L	S	**X**	Separate topic chapter scoped out of the ES (topic considered in Chapter 7 - Landscape and Visual and a Glint & Glare Assessment (Appendix 7.9)).

Topics	Potential Effects			Likely Significant Effects	Comments
	C	O	D		
Major Accidents and Disasters	S	S	S	**X**	Separate topic chapter scoped out of the ES (topic considered in Chapter 10 - Ground Conditions).

Key: C – Construction Phase / O – Operational Phase / D – Decommissioning Phase

✓ Likely Significant Effect / x No Likely Significant Effect

S – Short-Term Effect / M – Medium-Term Effect / L – Long-Term Effect

2.10 Statutory Consultation on the Preliminary Environmental Information Report

2.10.1 As advised in ES Chapter 1 – Introduction, during the Statutory Consultation period, local communities and other stakeholders were consulted in accordance with sections 42, 47, and 48 of the 2008 Act, and regulations 11 to 13 of the EIA Regulations.

2.10.2 The PEIR was prepared for the statutory consultation, which was accompanied by a NTS, and allowed the local community and other consultees to understand the likely environmental effects of the Proposed Development and inform their response to the consultation.

2.10.3 The responses received from the statutory consultation have been reviewed and have informed the design of the Proposed Development and scope of this ES. Where responses have been received from statutory consultees, the points raised which have not yet been agreed will be recorded via the 'Principal Areas of Disagreement Summary Statement' which will inform the Statements of Common Ground ('SOCG') that will be prepared before and during examination and has, or will be, shared with the relevant consultees (including Cumberland Council (including planners and statutory consultees such as the EHO and LLFA), Natural England, the Environment Agency, National Highways, Historic England, and Dean & Distington Parish Councils). The approach to public consultation, collecting, and analysing responses is reported in the Consultation Report **[REF: 5.1]**. The Applicant has kept a log of ongoing engagement and

meetings with statutory consultees and stakeholders. These meetings are referred to in the relevant technical chapters.

2.10.4 Items that pertain to specific technical assessments have been addressed in the corresponding technical chapters of this ES, and the key points are summarised in Table 2.9 below. Points raised in relation to the BESS, which was part of the Proposed Development at the statutory consultation period, have been included, although the BESS has since been removed.

Table 2.9: Statutory Consultation Responses

Topic	Consultee	Consultee Comment	Applicant's Response
Shadow Habitat Regulation Assessment	**Natural England**	Advised on the scope of the shadow Habitats Regulations Assessment (sHRA) and surveys needed to support this.	The sHRA (Appendix 8.7) has been prepared in accordance with this advice, which is discussed further in Chapter 8 – Biodiversity.
Soil management and restoration		Advised on the possible impacts of the Proposed Development on soil structure, biodiversity and recommended mitigation measures.	The ALC Report (Appendix 2.8) and OSMP (Appendix 5.3) addresses Natural England's comments on soil structure and includes the proposed mitigation measures.
Agricultural Land Classification	**Natural England**	Recommended a detailed ALC survey for the northern part of the Site which has not been previously surveyed. Highlight potential damage to the soil resulting in a downgrading of the ALC grade. Welcome the commitment to reinstate soils to baseline ALC grade. Recommend avoiding soil handling between October and March. Requests that the SMP includes an aftercare programme.	An ALC survey has been carried out for this area of the Site. The survey confirms no BMV land is present. The results are provided in the ALC Report (Appendix 2.8).
Flood Risk	**Environment Agency**	Require confirmation that Lostrigg Beck river does not pose a significant flood risk	The Applicant has met with the LLFA to discuss the

Topic	Consultee	Consultee Comment	Applicant's Response
		to the Site. The response highlights flood risk at the confluence of Lostrigg Beck and the ordinary watercourse, recommending that the Applicant meet with the LLFA to address this concern.	approach to assessing the flood risk of the Site. This is discussed further in the FRA (Appendix 2.4).
Drainage Strategy	**Natural England**	Recommend nature-based solutions to manage and improve drainage on-Site.	These comments are addressed in the FRA (Appendix 2.4).
CEMP	**Lead Local Flood Authority**	Raise several measures which should be included in the CEMP.	The OCEMP (Appendix 5.1) is an outline document which is intended to provide an overview of the measures which will be implemented in a CEMP, subject to a DCO Requirement. Where appropriate, the recommended measures have been incorporated into the OCEMP.
	Environment Agency	Request clarity over mitigation delivery mechanisms in the OCEMP, for example, further information about the oversight of the Principal Contractor.	
	Cumberland Council	Cumberland Council note that the CEMP will include a commitment to form a community liaison group.	
Congestion at Lillyhall Roundabout	**National Highways**	Request further information regarding the causation factors on recorded incidents on the SRN at Lillyhall Roundabout and expected staff and vehicle movements at this location.	The Applicant has since met with NH to address this point, which is reflected in the TS (Appendix 2.5).
Site accesses	**Local Highways Authority**	Encourage the Applicant to maximise the use of the Branthwaite Road access to avoid excessive trips on the public highway and recommend exploring the possibility of routing all construction traffic internally from this access.	The Applicant has since provided a written response to the LHA to address this point, which is reflected in the TS (Appendix 2.5).
Construction Traffic / Construction Worker Access	**National Highways**	Welcome a commitment to scheduling deliveries outside of peak periods, given congestion on the Lillyhall Roundabout, and request further information on average staff numbers,	The Applicant has since met with NH to discuss an approach to addressing the congestion at Lillyhall

Topic	Consultee	Consultee Comment	Applicant's Response
		staff minibus services, and internal parking arrangements. NH do not consider it feasible for workers to arrive on-Site by foot, given the lack of local footways.	roundabout. This is discussed further in the TS (Appendix 2.5) and OCTMP (Appendix 5.2).
	Local Highways Authority	Request that specific measures are considered in the CTMP and support the inclusion of a CWTP.	The OCTMP (Appendix 5.2) includes the recommended measures, or, where an alteration to the recommended is necessary, justification is provided.
Landscape and Visual Impact	**Lake District National Park Authority**	The LDNPA did not raise any concerns about the potential for significant visual impacts on the Lake District National Park ('LDNP').	The positive feedback from the LDNPA is referenced in Chapter 7 – Landscape and Visual.
Cultural Heritage	**Historic England**	Raise several points regarding the methodology and terminology used in Chapter 7 – Cultural Heritage.	These comments have been discussed with Historic England and are reflected in Chapter 6 – Cultural Heritage.
Coal Mine Entries and Mine Gas	**The Coal Authority**	Advise on the approach to addressing coal mining features within the Site, including 25 mine entries. Expect the layout of solar panels to avoid locating panels or structures over these features or within their zone of influence and request that the location of mine entries is identified through intrusive works or position review from source data, and potential areas of instability fenced off to protect public safety. Highlights the potential for mine gas.	Chapter 10 – Ground Conditions of the ES summarises the approach to establishing the location of the coal mine entries and measures taken to protect public safety, and the approach to mine gas. These measures are also discussed in the OCEMP (Appendix 5.1).

Topic	Consultee	Consultee Comment	Applicant's Response
	Cumberland Council	The Cumberland Council Environmental Health team recommend gas monitoring and consideration of any buildings which may affect ground gas conditions.	
Surveys	**Cumberland Council Ecologist**	Advised that further justification is needed on the surveys and more detail to justify scoping out impacts on species such as dormice.	Chapter 8 – Biodiversity provides further justification for the surveys which have been undertaken.
Biodiversity Net Gain	**Environment Agency**	Requested further clarification on how Biodiversity Net Gain ('BNG') will be delivered and suggests further habitat enhancements.	Chapter 8 – Biodiversity and the BNG Report (Appendix 8.8) provides further details of the proposed BNG and habitat enhancements.
County Wildlife Site	**Cumbria Wildlife Trust**	Recommends measures to ensure the Proposed Development does not have unacceptable impacts on the County Wildlife Site.	Discussions with the CWT are referred to in Chapter 8 – Biodiversity.
Battery Energy Storage System (BESS)	**Cumbria Fire and Rescue Service**	Pointed to relevant fire risk guidance.	The BESS has since been removed from the Proposed Development.
	Dean & Distington Parish Council	Dean and Distington Council raised BESS noise, fire risk, impact on ground conditions, and appearance.	
Health Impact Assessment (HIA)	**Cumberland Council**	Officers consider there could be benefits in providing a HIA.	A justification for scoping human health out of the ES and for not including a HIA is provided in section 2.9 of this chapter.