



Scoping Opinion

Opinion Requested by:
Ben Murphy
Third Revolution Projects
Build Studios,
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REQUEST FOR A SCOPING OPINION UNDER REGULATION 15 – EIA Regulations 2017

Particulars of request

Applicant:	Pathfinder Clean Energy Limited
Agent:	Third Revolution Projects
Site:	Land East of Guanockgate Road (Treading Field, Treading Drain, Tydd St. Giles)
LPA Ref:	H19-0329-24
Appeal Ref:	6001285
Scoping Requested:	18 th February 2026

Dear Mr Murphy,

I write further to your letter dated 18th February 2026 in which, on behalf of Pathfinder Clean Energy Limited, you requested a formal Scoping Opinion pursuant to Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations") in relation to the proposed development described as:

"The installation of 49.9MW ground mounted solar photovoltaic panels with associated battery storage, substation and ancillary plant and infrastructure, and erection of security fencing and pole mounted CCTV cameras."

The request relates to land at Treading Field, Treading Drain, Tydd St. Giles, lying within the administrative areas of both South Holland District Council and Fenland District Council.

This opinion has been prepared having regard to the requirements of Regulation 15 of the EIA Regulations. In particular, regard has been had to the information submitted with the request, the specific characteristics of the development, the specific characteristics of development of this type, and the environmental features likely to be significantly affected.

The Council has also had regard to the information required for inclusion within an Environmental Statement as set out within Regulation 18(3) and Schedule 4 of the EIA Regulations, together with the Planning Practice Guidance on Environmental Impact Assessment. This guidance makes clear that a scoping opinion should be proportionate, tailored to the particular characteristics of the development, and focused on the main or significant environmental effects likely to arise.

The Council has further taken account of the consultation responses received from the relevant consultation bodies.

For the avoidance of doubt, the Council notes that this proposal now constitutes EIA development following the Secretary of State's screening direction dated 27th January 2026, issued pursuant to Regulation 14 of the EIA Regulations in the context of the current appeal proceedings.

The Secretary of State concluded that the proposal is Schedule 2 development, falling within paragraph 3(a), and is likely to have significant effects on the environment by reason of the potential ***cumulative effects*** arising from the combined ***loss of best and most versatile agricultural land*** and ***landscape and visual effects***, having regard to the scale of the proposal and cumulative schemes in the wider area.

The Council has attached substantial weight to that direction in formulating this opinion.

Part I – Site and Proposed Development

The site extends to approximately 140.5 hectares of low-lying agricultural land and lies partly within South Holland District and partly within Fenland District. The land is in arable production (predominantly classified as Best and Most Versatile Agricultural Land) and is situated within an open fenland landscape, characterised by expansive flat topography, drainage channels, sparse vegetation and long-range views.

The proposal comprises a substantial ground-mounted solar photovoltaic development with associated battery storage, substation infrastructure, access tracks, compounds, fencing, CCTV, ancillary equipment and associated works, for a temporary operational period stated to be up to 40 years.

Part II – Legislative and Policy Context

The Environmental Statement must contain the information specified in Regulation 18(3) of the EIA Regulations, together with such of the information referred to in

Schedule 4 as is reasonably required to assess the likely significant effects of the development on the environment. The appellant has provided a scoping request and accompanying documents.

It is important to emphasise that the purpose of scoping is not to require an exhaustive assessment of every conceivable topic, but to identify the principal matters likely to give rise to significant environmental effects so that the Environmental Statement is proportionate and properly focused.

In that regard, the Council has had particular regard to the Secretary of State's screening direction, which expressly identifies the likely significant effects as arising from:

- ***cumulative landscape and visual effects; and***
- ***cumulative loss of best and most versatile agricultural land***

The Council considers that this provides the clearest and most direct basis for determining the appropriate scope of the Environmental Statement in this case.

Part III – Consultation

In accordance with Regulation 15(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the Council has consulted the relevant consultation bodies prior to adopting this Scoping Opinion.

For the avoidance of doubt, the Council confirms that all consultation bodies, as defined under Regulation 2 of the EIA Regulations (being those bodies which the local planning authority is required to consult, or would be required to consult if a planning application for the development were before it), were consulted in full. Not all consultees provided a substantive response.

Responses were received from, amongst others:

- Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority);
- Natural England;
- Anglian Water;
- Archaeological advisors;
- Internal Drainage Board;
- Internal planning policy officers;
- Neighbouring Authorities

The Council has had regard to all consultation responses received. Where no response was received, this has been treated as indicating that no additional matters were raised in respect of likely significant environmental effects.

The Council notes that no consultee has identified likely significant environmental effects beyond those matters already identified within the Secretary of State's screening direction, namely landscape and visual effects and the use of best and most versatile agricultural land.

Part IV – Main Observations on Scope

The Council agrees that the Environmental Statement should be proportionate and focused.

It is not necessary, nor appropriate, for the Environmental Statement to duplicate or re-present all technical matters previously considered through the planning application process. A substantial body of technical work has already been undertaken and reviewed through both the application and appeal stages.

Rather, the Environmental Statement should focus on those matters which are likely to give rise to significant environmental effects in EIA terms.

In this case, those effects arise primarily in relation to:

- **Landscape and Visual Effects;**
- **Agricultural Land and Soils (Best and Most Versatile land); and**
- **Cumulative Effects relating to those matters**

Part V – Topics to be Scoped In

Landscape and Visual Impact Assessment

The Council notes that the applicant's scoping request proposes to scope Landscape and Visual Impact Assessment into the Environmental Statement, supported by a detailed methodology including Zone of Theoretical Visibility mapping, viewpoint analysis, photomontages and cumulative assessment.

The Council agrees with this approach.

The scale of the development, extending across approximately 140.5 hectares, together with the characteristics of the receiving environment, namely the open and expansive fenland landscape, give rise to clear potential for significant effects on landscape character and visual amenity. The Council further agrees with the applicant's acknowledgement that cumulative effects are a key consideration, particularly in light of nearby operational, consented and proposed solar developments.

In this regard, the Council concurs with the applicant's identification of cumulative effects as a central component of the assessment. However, the Council emphasises that the cumulative assessment must be robust and must extend beyond a purely descriptive exercise. It should clearly assess the combined and interactive effects arising from this

proposal alongside other relevant schemes, including Treading Bank Solar Farm F/YR25/0758/F and Meridian Solar Farm, together with any other schemes where sufficient information is available.

The Environmental Statement should therefore present a comprehensive and proportionate Landscape and Visual Impact Assessment. In particular, the Council expects the assessment to be undertaken in accordance with recognised best practice, including the principles set out in the Guidelines for Landscape and Visual Impact Assessment Third Edition. This includes a clear distinction between landscape and visual effects, transparent and evidence-based methodology, appropriate identification of receptor sensitivity, and a reasoned assessment of magnitude and significance of effects.

The assessment should include sufficient visual material, mapping and analysis, including appropriately selected viewpoints and cumulative viewpoints where relevant, to allow a clear and informed understanding of both individual and cumulative effects.

Agricultural Land and Soils / Best and Most Versatile Agricultural Land

The Council notes that the applicant's scoping request proposes to scope in agricultural land and soils, including Best and Most Versatile (BMV) land, and sets out a methodology including assessment of land quality, soil management and cumulative land use effects.

The Council agrees that this topic must be scoped into the Environmental Statement and considers it to be a principal matter.

The Secretary of State's screening direction expressly identifies the cumulative loss of BMV agricultural land as a key reason why the development is likely to give rise to significant environmental effects. The Council attaches substantial weight to that conclusion.

The Council notes the applicant's position that the site comprises predominantly Grade 3a land with a proportion of Grade 2 land, and therefore falls entirely within the definition of BMV land. The Environmental Statement must therefore clearly and transparently set out the extent and distribution of such land, together with the implications of the proposed development for its use over the operational lifetime of the scheme.

The Council further notes that the applicant's scoping request proposes to consider cumulative effects on agricultural land. The Council agrees with this approach and emphasises that the assessment should extend beyond a simple quantification exercise. It should provide a clear and reasoned understanding of how the proposal, in combination with other schemes, would contribute to the concentration of solar development on higher quality agricultural land within the locality. The direction of the Planning Inspectorate notes *"The proposed development is a solar development covering 140.5ha and the Inspectorate notes cumulative schemes, including Meridian Solar Farm, would be located across a total of 1,196ha in the surrounding area."* The ES should also

therefore consider, in detail, the broad implications for taking this land out of arable production.

In addition, the Council expects the assessment to be informed by relevant national guidance relating to soils and the natural environment, including the Natural Environment planning guidance. This guidance emphasises the importance of soil as a finite and irreplaceable resource, the need to safeguard best and most versatile agricultural land, and the requirement to manage soils sustainably throughout the lifecycle of development.

In this context, the Environmental Statement should address not only agricultural land classification, but also the handling, management and protection of soils. This should include consideration of soil stripping and storage during construction, soil condition and management during the operational phase, **and the potential for restoration of soil function and productivity following decommissioning**. The Council considers that these matters are integral to understanding the likely significant environmental effects associated with the use of agricultural land in this case.

Furthermore, and reflecting matters raised through the planning history and appeal process, the Council considers it appropriate for the Environmental Statement to address, in a proportionate manner, the relationship between the extent of land take, the design and layout of the scheme, and the stated export capacity. This is relevant to understanding whether the use of such a substantial area of best and most versatile land gives rise to environmental effects beyond those inherent in the principle of development.

Cumulative Effects

The Council notes that the applicant proposes a cumulative assessment focused on landscape and agricultural land, and agrees with that approach.

The Council considers that the cumulative assessment should be clearly structured and proportionate, and should focus specifically on those topics where significant effects are likely to arise, namely:

- landscape and visual effects and
- agricultural land and soils.

The Council further agrees with the applicant's identification of relevant cumulative schemes, but emphasises that the assessment must include, as a minimum, Meridian Solar Farm and Treading Bank Solar Farm F/YR25/0758/F, given the proximity, scale and nature of that proposal as well as the impact on arable production.

The cumulative assessment should demonstrate, in a clear and evidence-based manner, the extent to which the combined effects of these developments may give rise to greater levels of impact than would arise from the appeal proposal alone.

Part VI – Topics to be Scoped Out

The Council has carefully considered the applicant's justification for scoping out a number of topics and, having regard to the information provided within the scoping request, the consultation responses received, the planning history and the Secretary of State's screening direction, agrees that these topics do not require detailed assessment within the Environmental Statement.

In each case, the Council notes that the applicant's scoping request is supported by existing technical work, much of which has already been submitted, reviewed and tested through the application and subject to the appeal process.

In relation to ***Ecology and Biodiversity***, the applicant has identified that extensive survey work has been undertaken, including protected species surveys and ecological impact assessment. The Council notes that no significant adverse effects were previously identified by consultees and that ecological matters were not identified within the Secretary of State's screening direction as likely to give rise to significant environmental effects. The Council therefore agrees that this topic may be scoped out of the Environmental Statement, whilst recognising that ecological matters will remain relevant to the overall planning determination.

In relation to ***Heritage and Archaeology***, the Council notes the applicant's submission of archaeological evaluation and heritage assessment work, together with the absence of objection from relevant consultees. The Council also notes that this topic was not identified within the screening direction. On that basis, the Council agrees that this matter does not require full EIA treatment.

In relation to ***Flood Risk and Drainage***, the Council acknowledges that the site lies within Flood Zone 3 and that this remains a material planning consideration. However, the Council notes that detailed assessment has already been undertaken through Flood Risk Assessment, drainage strategy and sequential and exception testing, and that no significant effects were identified. The Council therefore agrees that this matter can be addressed outside of the Environmental Statement.

Similarly, in relation to ***Highways and Transport, Air Quality, Noise and Vibration, Socio-Economic Effects and Climate Change***, the Council accepts the applicant's position that these matters are either unlikely to give rise to significant environmental effects or have already been appropriately assessed. None of these topics were identified within the Secretary of State's screening direction, and the Council is satisfied that they do not require dedicated ES chapters.

For clarity, the Council emphasises that the scoping out of these topics does not remove the requirement to provide appropriate mitigation of these topics, or further information where required. Rather, it reflects the Council's view that they do not give rise to likely significant environmental effects in EIA terms.

Part VII – Other Matters

The omission of topics from the Environmental Statement does not remove the requirement to provide supporting technical information as part of any future planning submissions.

Part VIII – Conclusion

Having had full regard to the applicant's scoping request, the consultation responses received, the characteristics of the proposed development and its receiving environment, together with the requirements of the EIA Regulations and relevant guidance, the Council has formed the view that the Environmental Statement should be carefully focused on those matters which are genuinely likely to give rise to significant environmental effects.

In reaching this conclusion, the Council has placed particular weight on the Secretary of State's screening direction, which clearly identifies the potential for significant cumulative effects arising from the combined impact of large-scale solar development on both landscape character and best and most versatile agricultural land. The Council considers that this provides a clear and proportionate framework for defining the scope of the Environmental Statement in this case.

The Council is satisfied that, in the particular circumstances of this proposal, the likely significant environmental effects arise principally in relation to landscape and visual impacts and the use of agricultural land and soils, including best and most versatile land, together with the cumulative effects associated with those matters. These topics should therefore form the central focus of the Environmental Statement.

Conversely, the Council is satisfied that the remaining environmental topics identified within the applicant's scoping request do not give rise to likely significant environmental effects in EIA terms. This conclusion reflects both the nature of the development and the substantial body of technical work already undertaken and reviewed through the application and the continuing appeal process. Those matters can be appropriately addressed through supporting documentation and the wider planning process, rather than through detailed assessment within the Environmental Statement.

Overall, the Council considers that the scope of the Environmental Statement should be proportionate, targeted and firmly aligned with the main issues identified through the screening process. This approach is consistent with the requirements of the EIA Regulations and the Planning Practice Guidance, and will ensure that the Environmental Statement provides a clear, focused and effective assessment of the likely significant environmental effects of the proposed development.

This opinion is provided without prejudice to the determination of the appeal or any future planning application. It should also be noted that, should further information become available or the proposal change materially, the scope of assessment may need to be revisited to ensure that all likely significant environmental effects are properly addressed.

Yours Sincerely,

M Niland

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26th March 2026