



**Application by INGR Solar (Little Crow) Limited for Little Crow Solar Park**  
**The Examining Authority's written questions and requests for information (ExQ2)**  
**Published on Friday 11 June 2021**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information – ExQ2. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe B to the Rule 6 letter of 23 March 2021. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q2.3.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [littlecrowsolarpark@planninginspectorate.gov.uk](mailto:littlecrowsolarpark@planninginspectorate.gov.uk) and include 'Little Crow Solar Park' in the subject line of your email.

**Responses are due by Deadline 4: 7 July 2021.**

**Abbreviations used:**

<b>PA2008</b>	The Planning Act 2008	<b>LIR</b>	Local Impact Report
<b>BNG</b>	Biodiversity net gain	<b>LPA</b>	Local planning authority
<b>DCO</b>	Development Consent Order	<b>MW</b>	Megawatt
<b>dDCO</b>	Draft Development Consent Order	<b>MWp</b>	Megawatt peak
<b>EIA Regulations</b>	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>EM</b>	Explanatory Memorandum	<b>PM<sub>10</sub></b>	Particulate Matter – 10 microns or less
<b>ES</b>	Environmental Statement	<b>SoCG</b>	Statement of Common Ground
<b>ExA</b>	Examining Authority	<b>SoS</b>	Secretary of State
		<b>Wp</b>	Watt peak

**The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010101/EN010101-000374-Little%20Crow%20Solar%20Park%20-%20Examination%20Library.pdf>

It will be updated as the examination progresses.

**Citation of Questions**

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ2 2.1.1 – refers to question 1 in this table.

**ExQ2: 11 June 2021**

**Responses due by Deadline 4: 7 July 2021**

ExQ2	Question to:	Question:
<b>1. General and Cross-topic Questions, including general matters relating to the Environmental Statement</b>		
2.1.1	The Applicant	<p>At Deadlines 2 and 3 the Applicant submitted the following revised documents as revisions to the originally submitted application documents:</p> <ul style="list-style-type: none"> <li>• REP3-007 – Outline Construction Environmental Management Plan (original version APP-077)</li> <li>• REP3-009 – Outline Decommissioning Strategy (original version APP-078)</li> <li>• REP3-011 – Outline Landscape and Ecological Management Plan (original version APP-097)</li> <li>• REP2-012 – Air Quality and Carbon Assessment (original version APP-081)</li> <li>• REP2-014 – Noise Impact Assessment (original version APP-085)</li> </ul> <p>The Deadline 2 Application Index [REP3-002] records that the above listed documents have replaced their originally submitted versions. The front/cover pages for the originally submitted versions of these documents explicitly refer to them being Environmental Statement (ES) Technical Appendices and thus forming part of the ES. For the avoidance of doubt, most particularly in relation to the discharge of the Requirements in any made DCO, should the above listed revised documents include an explicit reference to them forming part of the ES, as had previously been the case?</p>
2.1.2	The Applicant	<p>With respect to provisions of s115 of the PA2008 and the guidance on associated development, most particularly paragraph 5(iii) of the 'Guidance on associated development applications for major infrastructure projects' (Department for Communities and Local Government April 2013) (the Guidance), please clarify whether the availability of the proposed battery electricity storage system would serve to '<i>...cross-subsidise the cost of the principal development?</i>' In this regard the ExA notes that the Explanatory Memorandum (the EM) [REP3-004], most particularly at paragraph 4.16, in referring to the associated development that it is intended would form part of the Proposed Development draws attention to the first (direct relationship), second (being subordinate) and fourth (proportionate in nature) of the 'Associated development principles' listed in paragraph 5 of the Guidance, while making no reference to the third of the principles (source of additional revenue).</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
2.1.3	The Applicant	<p>With respect to the area of the Order Limits that would be occupied by solar arrays under the candidate design for the Proposed Development, in response to ISH1 agenda question 3a) the coverage is expected to be around 924,346 square metres (sqm) [page 3 of REP1-008]. The ExA notes that in Appendix 2 of REP1-011 (Technical Guide) the generating simulation for the candidate 420 watt peak (Wp) modules (panels) utilise a 'Module area' of '793,584 m<sup>2</sup>'.</p> <p>a) Is the Module area relied upon for the simulation of the 420 Wp candidate panels and reported in REP1-011 correct? If the incorrect Module area has been used, then please submit a corrected version of Appendix 2 in REP1-011.</p> <p>b) For the purposes of Appendices 2 and 3 of REP1-011 please clarify whether the references to 'm<sup>2</sup>' are to square metre or metre squared, given that other application and Examination documents refer to square metres(s) (sqm).</p>
2.1.4	The Applicant	<p>Please provide non-technical explanations/definitions for the following terms/abbreviations used in Appendices 2 and 3 of the Technical Guide [REP1-011]:</p> <p>a) Shed b) 'Ground cov. Ratio' c) 'Pnom ratio' d) Performance ratio e) 'GlobHor'/Horizontal global irradiation f) 'DiffHor'/Horizontal diffuse irradiation g) 'T_Amb' h) 'GlobInc'/Global incident in coll. Plane i) 'GlobEff'/Effective Global, corr. For IAM shading</p>
2.1.5	The Applicant	<p>For the Work Numbers shown on the submitted Works Plan [APP-013] please provide the following information:</p> <p>a) The gross land area that each of the Work Numbers would occupy within the Order Limits in square metres and hectares;</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		<p>b) The percentage of the Order Limits that Work Numbers 1 to 7 inclusive would each occupy;</p> <p>c) The worked calculations for the responses to parts a) and b) of this question; and</p> <p>d) For the parts of the Proposed Development notated as 'PV Module Table' and shown on drawing 'Works Details – Whole Site Plan' [APP-015] please confirm the land area, in square metres and hectares, that has been shown on this drawing as being occupied by PV module tables. In responding to this part of this question a worked calculation should be provided.</p>
2.1.6	The Applicant	<p>Following on from the predicted hourly and monthly power generating outputs shown in Figures 6 and 7 in section 6 of the Technical Guide [REP1-011], for the Proposed Development please provide hourly and monthly predictions in an appropriate generating unit for electricity for:</p> <p>a) The generation of electricity by the proposed solar array; and</p> <p>b) The export of electricity to the grid from the Proposed Development, ie directly from the solar array or via the solar array in combination with the battery storage system or the battery storage system alone.</p>
2.1.7	The Applicant	<p>Please provide in graphic form the predicted instances in a calendar year when the Proposed Development would be expected to be exporting electricity to grid at the export limit level of 99.9 MW.</p>
2.1.8	The Applicant	<p>Having regard to what is stated in section 8 of the Technical Guide [REP1-011] could there be instances when the generating capacity was exceeding the grid export limit of 99.9 MW and the battery storage system was fully charged? If so, please provide a prediction for the frequency of such events occurring, supported by worked calculations.</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
2.1.9	The Applicant	The ExA is mindful of the Applicant's reply to first written question 1.1.5 (availability of a connection to the electrical grid) [REP2-022]. However, if a connection to the electrical grid was not so readily available as part of the Proposed Development and a linear cable connection would be required, as part of the Applicant's site selection process would the Order Limits have emerged as a potential location for the Proposed Development, given that at paragraph 4.23.2 of Chapter 4 of the ES [APP-061] it is stated ' <i>One of the biggest constraints which has to be considered when developing renewable led energy scheme is securing a viable point of connection to the electricity network</i> '.
2.1.10	The Applicant	Please comment on what, if any, relationship the Applicant has with INRG Solar (Conesby) Limited, the applicant for the proposed Conesby solar farm/park [REP1-014]. Does the Applicant know whether there is an intention to implement the Conesby planning permission?
2.1.11	Northern Powergrid Limited	Please advise whether grid connections have been sought and/or agreed for the operation of the following proposed solar farms:  a) Sweeting Thorns, Holme, Scunthorpe, subject to North Lincolnshire Council planning application reference PA/2015/0114 and granted planning permission on appeal on 5 December 2016 [REP1-021].  b) 40 Megawatts at Conesby House Farm, Normandy Road, Scunthorpe DN15 8QZ, subject to North Lincolnshire Council planning application reference PA/2018/2140 and granted planning permission on 22 February 2019 [REP1-014].
<b>2. Agriculture and Soils</b>		
2.2.1	North Lincolnshire Council	The Council in paragraph 6.5 of its Local Impact Report (LIR) [REP2-026] has referred to grazing not taking place at operational local solar farms. Please:  a) advise how many operational solar farms are being referred to in paragraph 6.5 of the LIR;

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		b) comment on why grazing is understood not to be taking place at the operational solar farms referred to in paragraph 6.5 of the LIR; and  c) comment on whether the Council considers sufficient grass could be grown under the proposed solar arrays to enable sheep to be grazed either on a commercial or non-commercial basis.
2.2.2	The Applicant	Please provide examples of operational solar parks/farms in the United Kingdom where sheep are being grazed. In responding to this question for each solar park/farm example please give details of the: location; land area; generating capacity; and size of the grazing sheep flock.
2.2.3	The Applicant	Please clarify when the grass seeding for the parts of the Order Limits intended to be occupied by the proposed solar arrays would be undertaken, given: <ul style="list-style-type: none"><li>• paragraph 2.1.3 of the outline Landscape and Ecological Environment Management Plan (LEMP) [REP3-011] states that '<i>Following installation of the solar array, the grassland within and beneath the array will be seeded</i>';</li><li>• in the LEMP's first management prescription it is stated '<i>On the completion of construction, a grassland seed mix will be sown ... In areas where a machine is unable to access, such as far underneath panels ...</i>'; and</li><li>• the Applicant's answer to the ExA's first written question (FWQ) 1.2.1 [REP2-022] states '<i>A permanent green cover, established prior to construction, will continue to grow ...</i>'.</li></ul>
2.2.4	The Applicant	With respect to the grazing of the land beneath the proposed solar arrays, paragraph 4.5.2 of the ES [APP-061] states the ' <i>Land between and beneath the arrays will be used for biodiversity enhancements and seasonal sheep grazing</i> ', while the sixth management prescription (management of grassland beneath solar panels) in the LEMP

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ExQ2	Question to:	Question:
		<p>[REP3-011] states <i>'The proposed solar PV development has been divided into fields targeted for conservation grazing, and those which may be grazed for agricultural grazing ...'</i>. At paragraph 6.5 of the Applicant's comments on the LIR [REP3-014] it is stated <i>'The Applicant would repeat those reassurances contained within the ES Chapter and confirms that grazing is anticipated to be the key habitat management tool for the scheme'</i>.</p> <p>Please advise:</p> <ul style="list-style-type: none"><li>a) Whether the land beneath below the proposed solar arrays would or would not be grazed by sheep;</li><li>b) Who would be grazing any sheep within the Order Limits, given the Applicant's comment <i>'The Applicant understands that the Estate currently undertakes grazing across circa 800ha, utilising 1000-2000 sheep typically for grazing off winter grass and cover crops on arable land, prior to spring cropping. Grazing the land using sheep would therefore not be a new activity to the estate'</i> [paragraph 6.5 of REP3-014], while at paragraph 7.10.6 of the ES [APP-064] it is stated <i>'It is therefore the intention of the landowner to manage all habitat within the site using the sheep specifically acquired for the array. An appropriately experienced stockperson will be appointed to manage the flock and ensure that grazing adheres to the approach detailed within the LEMP'</i>. Please explain what constitutes the 'estate' and whether that is one and the same as the landowner and what the relationship with the Applicant/Undertaker would be, given the EM [REP3-004] explains at paragraph 4.7 that the Applicant has an 'option' over the land comprising the Order Limits.</li><li>c) How sheep grazing would be secured through any made DCO. In this regard while Requirement 10(2)(c) of the dDCO [REP3-003] states that the required Landscape and Ecological Management Plan (LEMP) must include 'details of ongoing management include seasonal grazing regime ...' the wording of the dDCO would not compel there to be the grazing of sheep in association with the operation of the Proposed Development.</li></ul>



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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		d) Please identify any impediments that there might be to the grazing of sheep in association with the operation of the Proposed Development.
<b>3. Air Quality</b>		
2.3.1	The Applicant	Further to the Applicant's response to the ExA's FWQ 1.3.2 [REP2-022], in terms of the use of the main access for the Proposed Development please comment on what level of vehicular generation you consider would be required to cause any adverse air quality effect for the owners and occupiers of Heron Lodge/Fennswood?
2.3.2	North Lincolnshire Council	The Applicant's Air Quality and Carbon Assessment [REP2-012] refers to the Order Limits being in an Air Quality Management Area (AQMA) that has been declared by the Council because of exceedances of the air quality objective for PM <sub>10</sub> . Please provide a copy of the AQMA, including a map showing its extent, and any annual monitoring results for the AQMA since its declaration that are in the public domain.
<b>4. Amenity and Recreation</b>		
The ExA has no questions relating to this issue at this time.		
<b>5. Biodiversity, Ecology and the Natural Environment</b>		
2.5.1	The Applicant	Please provide a copy of 'Document Ref. 2.42 LC DRW for locations' referred to in the 'Habitats Regulations Statement No Significant Effects Report' [PDA-015], also listed in the Deadline 3 version of the application Index [REP3-002]. That document appearing not to have been submitted by the Applicant as either part of the originally submitted application or as a Procedural Deadline A submission.
2.5.2	Natural England	The Applicant in its response to ExA's first written question 1.5.9 [page 17 in REP2-022] has submitted that the site for the Proposed Development '... is highly unlikely to represent important functionally-linked land ...' for the Humber Estuary Special Protection Area (SPA), including effects for Lapwing which are identified in the citation for the SPA as

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		<p>being an 'Assemblage qualification' species. With Lapwing having been found by the Applicant to be present within the Order Limits, please:</p> <p>a) Advise whether Natural England agrees or disagrees with the Applicant's view that the Proposed Development would be unlikely to have a significant effect on the interest features of the SPA either alone or in-combination with other plans and/or projects?</p> <p>b) Advise on how species identified as being subject to an assemblage qualification for the SPA should be considered for the purposes of undertaking a Habitat Regulations Assessment under the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended).</p>
<b>6. Draft Development Consent Order (DCO)</b>		
2.6.1	The Applicant	With respect to the interpretation for 'commence/commencement/commenced' and 'site preparation works' included in Article 2 of the dDCO [REP3-003], please explain what diversion and laying of services are expected to be required as part of the Proposed Development.
2.6.2	The Applicant	With respect to Article 12 (removal of human remains) of the dDCO [REP3-003], is it necessary to introduce the phrase 'the specified land' and then define it as the Order limits in subparagraph 1, given that any made DCO would only authorise the implementation of the Proposed Development within the extent of the Order Limits?
2.6.3	The Applicant	Article 17 and Schedule 5 of the dDCO [REP3-003] relate to the availability of an arbitration mechanism within any made Order. The ExA observes that the dDCO appears only to refer to arbitration within the context of the protective provisions for electricity, gas, water and sewerage undertakers contained in Schedule 6 of the dDCO. Please:

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		<p>a) Advise whether there are any matters other than the statutory undertakers' protective provisions that would come within the scope of the proposed arbitration mechanism.</p> <p>b) In the event it is envisaged that the arbitration mechanism would only concern the protective provisions concerning statutory undertakers' apparatus and equipment etc, should Schedules 5 and 6 be amalgamated and become a two part Schedule, with the arbitration rules being contained in what would be the second part of any such amalgamated schedule?</p> <p>c) Comment on whether or not Article 17 should expressly refer to the Articles and/or Schedules within any made Order to which the proposed arbitration mechanism would relate.</p>
2.6.4	The Applicant	<p>Should the references to gross electrical output in Part 1 of Schedule 1 (Authorised Development) of the dDCO [REP3-003] be '<i>... 50 megawatts peak ...</i>' or 50 megawatts? In this regard the ExA notes that in Part 1 of Schedule 1 of the Cleve Hill Solar Park Order 2020 [Appended to REP1-008] the reference is to megawatts rather than megawatts peak. In this regard the ExA observes from the explanation of megawatts peak provided during Issue Specific Hearing 1 and in REP1-011 that references to peak relate to the installed panels performance relative to standard test conditions and that the generating station capacity threshold referred to in s15(2)(c) PA2008 is stated simply as '<i>... more than 50 megawatts</i>'.</p>
2.6.5	The Applicant	<p>With respect to the generating capacity for the Proposed Development, the ExA is mindful of the Applicant's preference for this to be stated as over 50 megawatts in Schedule 1 of any made DCO, as opposed to a maximum capacity greater than 50 megawatts, as expressed by the Applicant in writing in AS-004 and during ISH1 [REP1-008]. In this regard the ExA is mindful of how the Secretary of State (SoS) has approached this matter in the made DCOs for the Cleve Hill solar park and the Hornsea Three offshore wind farm [appended to REP1-008]. Notwithstanding the foregoing should the ExA be minded to recommend to the SoS that any made Order should state a maximum generating</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		capacity, what would be an appropriate maximum generating capacity for the ExA to recommend to the SoS?
2.6.6	The Applicant and North Lincolnshire Council	<p>With respect to Requirement 4 in Part 1 of Schedule 2 of the dDCO [REP3-003]:</p> <p>a) In subparagraph (1) is there a need to refer to the potential for there to be multiple schemes, if so, should all references to scheme in this subparagraph appear as 'scheme(s)'?</p> <p>b) In subparagraph (2)(a) do either 'landowner' and/or 'substation operator' need to be defined and be included in the interpretation within either Article 2 or Requirement 1?;</p> <p>c) In subparagraph (2)(a) in the interests of clarity, should the bracketing of 'with the exception of ... by the substation operator' be deleted and replaced with a comma after 'authorised development' in the first line?</p> <p>d) In subparagraph (3) is there a need for '... and within the period set out in ...' to be included given that under subparagraph (1) there would be a requirement for the decommissioning and restoration scheme to accord with the outline decommissioning strategy, which in its Deadline 3 version [REP3-009] refers to an anticipated period of 11 months for those works to be completed? In the interests of clarity should the existing wording be substituted with 'The decommissioning of the authorised development and the restoration of the land affected by the authorised development must be undertaken in accordance with the approved decommissioning and site restoration scheme' (or schemes depending on the answer to part a) of this question?</p>
2.6.7	The Applicant	With respect to Requirement 7 (battery safety management) REP3-003]:

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		<p>a) In subparagraph (1), should the reference to 'Article 3(4)(a)' be to 'Article 3(4)', given there are no sub-paragraphs within this part of Article 3?</p> <p>b) Under subparagraph (3) what is the justification for the local planning authority needing to consult with the Health and Safety Executive and the Humberside Fire Rescue Service before determining any approval for a battery safety management plan, with the Applicant's Consultation Report [APP-050] recording that the Health and Safety Executive had no comments to make with respect to electrical safety? Have either of the Health and Safety Executive and the Humberside Fire Rescue Service been consulted in relation to the content of the draft battery safety management plan [APP-083]?</p>
2.6.8	The Applicant and North Lincolnshire Council	With respect to Requirement 8(2)(h) (protocol in the event of unexpected contamination) [REP3-003] should the consultation referred to include North Lincolnshire Council as well as the Environment Agency?
2.6.9	The Applicant	With respect to Requirement 10(2)(d) (Landscape and Ecological Management Plan (LEMP)) of the dDCO [REP3-003], the provisions of the outline LEMP [REP3-011] and the comments made by North Lincolnshire Council at paragraph 6.7 in its LIR [REP2-026], please comment on what is meant precisely by 'long-term landscape management'.
2.6.10	The Applicant	<p>a) With respect to subparagraph 1 of Requirement 11 (construction hours) in the dDCO [REP3-003] and the response made in REP3-013 to the North Lincolnshire Council's reply [REP2-027] to the ExA's first written question 1.6.7b, please explain of why the tailpiece text would be needed given the provisions of subparagraphs 2 and 3 insofar as they relate to emergency (unforeseen) works.</p> <p>b) With respect subparagraph 1(a) of Requirement 11 and the comments made by the Council in paragraph 8.5 of its LIR [REP2-026] with respect to a starting time of 07:00 hour between Monday and Friday, please explain what works would be expected to be undertaken between 07:00 and 08:00 hours.</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
2.6.11	The Applicant and North Lincolnshire Council	<p>In relation to Requirement 13 (archaeology) of the dDCO [REP3-003], further to the submission of the Council's LIR [REP2-026] and the Applicant's comments in response to the LIR, it appears that the Applicant is placing significant reliance upon the submission of and the subsequent approval of a 'written scheme of investigation' (WSI). For the avoidance of doubt and to ensure that the various archaeological commitments* that the Applicant has made would be included in the WSI submitted for approval, should an outline WSI be submitted as an Examination document, which could then be referred to in Requirement 13 of the dDCO, similar to the approach that would be followed for compliance with the outline CEMP and the outline LEMP referred to in Requirements 8 and 10 of the dDCO?</p> <p>(*Such as: works affecting any as yet unidentified lime kilns; works other than hedge pruning on Ermine Street; identifying the locations where archaeological investigation would be appropriate; and responding to the discovery of human remains [stated in either Chapter 8 of the ES [APP-065] or REP3-014)</p>
2.6.12	The Applicant and North Lincolnshire Council	<p>With respect to Requirement 14(2) (protected species) [REP3-003], is there a need for a reference to there being pre-consultation with the local planning authority about the content of the mitigation scheme, given that the local planning authority would be the determining authority for submissions made under Requirement 14 and none of the other requirements in the dDCO involving the approval of details include a pre-consultation mechanism with the local planning authority?</p>
2.6.13	The Applicant	<p>With respect to Requirement 15(1) (operational noise) of the dDCO [REP3-003], should 'No phase of the authorised development may commence until ...' be replaced with 'The authorised development must not be commenced until ...' to be more consistent with the wording of other requirements in the dDCO?</p>
2.6.14	The Applicant	<p>With respect to Part 2 of Schedule 2 of dDCO (Procedure for the discharge of Requirements) [REP3-003], in the interests of clarity:</p>

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		<p>a) Would it be easier if Part 2 was removed from Schedule 2 to become a schedule in its own right and potentially renamed 'Procedure for approvals, consents and appeal', with the paragraph numbering starting from 1 and cross references to other Articles and Schedules being included in any such schedule, as necessary, given that the discharge procedure would not be limited to the Requirements included in any made DCO?</p> <p>b) Or if Schedule 2 is to include two parts, should the interpretation for 'requirement' included in Article 2 be amended so as to refer to the requirements contained in Part 1 of Schedule 2?</p>
2.6.15	The Applicant and North Lincolnshire Council	<p>With respect to appeals being made against notices or consents issued under sections 60 and 61 of the Control of Pollution Act 1974 (CPA1974) (paragraph 22 in Part 2 of Schedule 2 of the dDCO [REP3-003]), the ExA notes the comments made by the Applicant and North Lincolnshire Council during ISH1 and in REP2-022, REP2-027 and REP3-013.</p> <p>Please comment on the justification for any consent that might be issued pursuant to section 61 of the CPA1974 being subject to the appeal mechanism proposed in the dDCO, given that the procedure for issuing any section 61 consent of itself would not be governed by any of the provisions included in any made DCO and would not be comparable with the discharging of the Requirements included in Part 1 of Schedule 2 of the dDCO.</p>
2.6.16	The Applicant	<p>Further to the response given to FWQ 1.6.11 a) [REP2-022], please explain why Natural England, the Humberside Fire and Rescue Service and the Health and Safety Executive should be considered as being discharging authorities for the purposes of Part 2 of Schedule 2 of the dDCO [REP3-003], given that in the dDCO those organisations would be consultees for the purposes of the discharge of Requirements 7 (battery safety management) and 14 (protected species) and do not appear to be responsible for issuing any approvals, consents or permissions referred to in the dDCO.</p>

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**Responses due by Deadline 4: 7 July 2021**

ExQ2	Question to:	Question:																		
2.6.17	The Applicant	<p>With respect to the revisions that have been made to the Explanatory Memorandum (EM) at Deadlines 1, 2 and 3 [REP1-005, REP2-005 and REP3-004] please undertake a review for consistency as it appears that changes made to REP1-005 and intended for retention in REP2-005 were not carried forward into REP2-005, with reversion to the text contained in the originally submitted version of the EM [APP-046] reappearing. Some possible inconsistencies between REP1-005 and REP2-005 are listed below:</p> <table border="1" data-bbox="770 520 1865 1445"> <thead> <tr> <th data-bbox="770 520 994 576"></th> <th data-bbox="994 520 1453 576">D1 version of EM</th> <th data-bbox="1453 520 1865 576">D2 version of EM</th> </tr> </thead> <tbody> <tr> <td data-bbox="770 576 994 632">Glossary</td> <td data-bbox="994 576 1453 632">MWp</td> <td data-bbox="1453 576 1865 632">MWP</td> </tr> <tr> <td data-bbox="770 632 994 687">Glossary</td> <td data-bbox="994 632 1453 687">50 MWp</td> <td data-bbox="1453 632 1865 687">50 Megawatts</td> </tr> <tr> <td data-bbox="770 687 994 775">Paragraphs 2.3 and 2.10</td> <td data-bbox="994 687 1453 775">50MWp</td> <td data-bbox="1453 687 1865 775">50MWP</td> </tr> <tr> <td data-bbox="770 775 994 903">Paragraph 2.11(vi)</td> <td data-bbox="994 775 1453 903">'... gantry with voltage and current transformers, security ...'</td> <td data-bbox="1453 775 1865 903">'... gantry, security ...'</td> </tr> <tr> <td data-bbox="770 903 994 1445">Paragraph 2.11(viii)</td> <td data-bbox="994 903 1453 1445"><b>Work No. 6 (a)-(i):</b> creation of perimeter development buffer, comprising security fencing, boundary treatment, and other means of enclosure, bunds, embankments and swales, temporary diversion of public footpath during construction and decommissioning ... maintenance corridor and planting and ecological works incorporating the biodiversity objectives and</td> <td data-bbox="1453 903 1865 1445"><b>Work No. 6 (a)-(i):</b> creation of perimeter development buffer, comprising security fencing, boundary treatment, and other means of enclosure, bunds, embankments and swales, temporary diversion of public footpath, ancient woodland buffer, public footpath buffer, pond buffer, hedge buffer, swale buffer and</td> </tr> </tbody> </table>		D1 version of EM	D2 version of EM	Glossary	MWp	MWP	Glossary	50 MWp	50 Megawatts	Paragraphs 2.3 and 2.10	50MWp	50MWP	Paragraph 2.11(vi)	'... gantry with voltage and current transformers, security ...'	'... gantry, security ...'	Paragraph 2.11(viii)	<b>Work No. 6 (a)-(i):</b> creation of perimeter development buffer, comprising security fencing, boundary treatment, and other means of enclosure, bunds, embankments and swales, temporary diversion of public footpath during construction and decommissioning ... maintenance corridor and planting and ecological works incorporating the biodiversity objectives and	<b>Work No. 6 (a)-(i):</b> creation of perimeter development buffer, comprising security fencing, boundary treatment, and other means of enclosure, bunds, embankments and swales, temporary diversion of public footpath, ancient woodland buffer, public footpath buffer, pond buffer, hedge buffer, swale buffer and
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**ExQ2: 11 June 2021****Responses due by Deadline 4: 7 July 2021**

<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		management prescriptions set out in the LEMP.' mitigation planting and maintenance corridor.'
<b>7. Historic Environment</b>		
The ExA has no questions relating to this issue at this time.		
<b>8. Landscape and Visual Effects</b>		
The ExA has no questions relating to this issue at this time.		
<b>9. Noise</b>		
2.9.1	The Applicant	Please advise whether British Standard BS 4142:2014 (Methods for rating and assessing industrial and commercial sound) referred to in the Noise Impact Assessment [REP2-014] is the most up to date version of this British Standard? If BS 4142:2014 has been revised, then please explain what implications that might have for the assessment of noise that has been undertaken and submit a revised Noise Impact Assessment as necessary.
2.9.2	The Applicant	Further to the Applicant's response to ExA's FWQ 1.9.2 [REP2-022], in terms of the use of the main access for the Proposed Development please comment on what level of vehicular generation you consider would be required to cause an adverse noise effect for the owners and occupiers of Heron Lodge/Fennswood?
<b>10. Transportation and Traffic</b>		
The ExA has no questions relating to this issue at this time.		
<b>11. Water and Flooding</b>		
2.11.1	The Applicant	Based on the information presented in the Flood Risk Assessment and Drainage Strategy [APP-072] it is unclear if climate change allowances have been considered in the assessment. Please explain how the Flood Risk Assessment and Drainage Strategy has considered climate change allowances?
2.11.2	The Applicant	Within the Flood Risk Assessment and Drainage Strategy [APP-072] it is not clearly explained what volume of surface water run-off might arise and how the proposed swales

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<b>ExQ2</b>	<b>Question to:</b>	<b>Question:</b>
		have been designed to accommodate that run-off. Please explain how the design of proposed swales would be appropriate for the purposes of managing the surface water run-off arising from the Proposed Development?