



Little Crow

Solar Park

Little Crow Solar Park, Scunthorpe

STATEMENT OF COMMON GROUND WITH NLC (AGREED)

DEADLINE 6

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**LITTLE CROW SOLAR PARK
LAND TO THE EAST OF STEEL WORKS,
SCUNTHORPE**

**STATEMENT OF COMMON GROUND
(SOCG)**

31 AUGUST 2021

BETWEEN:

- I. LITTLE CROW SOLAR PARK; AND**
- II. NORTH LINCOLNSHIRE COUNCIL**

ON BEHALF OF INRG SOLAR (LITTLE CROW) LTD

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1. INTRODUCTION

- 1.1 This Statement of Common Ground has been prepared as part of the application process for a Development Consent Order for the Little Crow Solar Park [“the Development”]. This document has been prepared jointly between Pegasus Group, on behalf of the applicant, and North Lincolnshire Council.

INRG Solar (Little Crow) Ltd

- 1.2 Founded in 2009, INRG Solar Ltd has established itself as one of the largest developers of solar parks in the UK. As an independent developer, INRG Solar have experience of a variety of energy projects including solar, batteries and peaking plants. INRG Solar have a proven track record in delivering projects and have developed and sold numerous ground mounted solar schemes ranging between 5MW to 50MW.

North Lincolnshire Council

- 1.3 North Lincolnshire Council is the governing body of the unitary authority of North Lincolnshire. Situated on the northern border of Lincolnshire, just below the Humber Estuary, North Lincolnshire covers an area of approximately 85,000 hectares. It provides a range of functions to local residents and business. These include its functions as the local planning authority, minerals and waste authority, Highways Authority, Lead Local Flood Authority, business development, education, learning & culture, leisure, trading standards, licensing, governance and partnerships, adult social care and children's services.

Purpose of Document

- 1.4 The document has been structured to reflect the matters and topic relevant between the Applicant and North Lincolnshire Council. This document is intended to summarise clearly the agreements reached between the parties on matters relevant to the examination of the Application and assist the Examining Authority. The matters set out in this statement of common ground are dealt with on a ‘thematic’ basis and builds upon the matters set out by the Council in their local Impact Report. The SoCG is supported by two tables:

- **Table 1** considers the Local Impact Report and sets out North Lincolnshire's position, the applicant response and status (whether matters are agreed or not agreed)
- **Table 2** considers the draft DCO requirement and sets out North Lincolnshire's position, the applicants response and status of the requirement (whether agreed or not agreed).

2. DEVELOPMENT OVERVIEW

- 2.1 The Applicant has applied for an order granting development consent for the construction, operation, maintenance and decommissioning of Little Crow Solar Park, a ground mounted solar park with an intended design capacity over 50MWp (megawatts peak) with associated development. The application was made on 4 December 2020 and was accepted for examination on 23 December 2020.
- 2.2 An operational lifespan of 35 years would be sought linked to the first export date from the development. The development will progress in accordance with a phasing plan. A single substation compound will serve the development, and this will be required for the duration of the development and retained thereafter. The substation compound would be located near the northern boundary of the application site and to the east of the existing double row of 132kV overhead electricity pylons which traverse the site.
- 2.3 The proposal comprises seven land use zones or works zones, these are: -
- Work No. 1: Arrays of Ground Mounted Solar Panels
 - Work No. 2A: Battery Energy Storage System
 - Work No. 2B: Battery Energy Storage System (alternative location)
 - Work No. 3: Formation of Ecological Corridors
 - Work No. 4: Substation Building and Compound
 - Work No. 5: Upgrade to Main Access Track
 - Work No. 6: Perimeter Development Buffer
 - Work No. 7: Temporary Construction and Decommissioning Compound
- 2.4 These work zones are presented on the drawing "Works Plan" (Document Ref 2.8 LC DRW). The general arrangement for the overall layout is presented on drawing "Works Detail – Whole Site Plan" (Document Ref 2.10 LC DRW).

3. NORTH LINCOLNSHIRE COUNCIL'S REPRESENTATIONS

3.1 Table 1 considers the Local Impact Report and sets out North Lincolnshire's position, the applicant response and status (whether matters are agreed or not agreed).

Table 1: NORTH LINCOLNSHIRE COUNCILS' POSITION, APPLICANTS' RESPONSE AND STATUS

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
POLICY FRAMEWORK	<p>2.1 NATIONAL POLICY STATEMENTS</p> <p>2.2.2 Section 105 of The Planning Act 2008 applies where there is no specific NPS in relation to the development proposed and directs that in these instances that, in determining the application, the Secretary of State must have regard to:</p> <p>(a) any local impact report submitted before the deadline specified in a notice under Section 60(2);</p> <p>(b) any matters prescribed in relation to development of the description to which the application relates; and</p> <p>(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.</p>	<p>Overall, NLC agree with our position on national policy. Applicant agrees that section 105 of the Planning Act is engaged with regards to the Little Crow Solar Park project and that the SoS must have regard to</p> <p>(a) any local impact report submitted before the deadline specified in a notice under Section 60(2);</p> <p>(b) any matters prescribed in relation to development of the description to which the application relates; and</p> <p>(c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.</p>	In agreement.
	<p>There is no NPS for solar energy or battery storage projects and the only relevant NPS's are more general in nature, including the Overarching National Policy Statement for Energy (EN-1), the National Policy Statement on Renewable Energy (EN-3), and the National Policy Statement for Electricity Networks (EN-5). Furthermore, even NPS EN-3 does not provide any guidance on solar energy or battery storage installations; whilst EN-5 principally relates to new overhead electricity lines and associated infrastructure, which are not proposed here.</p> <p>2.2.3 NPS EN-1 sets out the Government's energy policy, and explains the need for new energy infrastructure and instructs the Planning Inspectorate on how to assess the impacts of energy infrastructure development in general. It sets out the urgency for new energy infrastructure and provides that the Secretary of State should start with a presumption in favour of granting a Development Consent Order (DCO) for energy Nationally Significant Infrastructure Projects unless any more specific and relevant policies set out within the NPS's clearly indicate that consent should be refused.</p>	<p>The Applicant is in agreement with this statement.</p> <p>2.2.3 The Applicant agrees with NLC's comments and notes there are aspects of NPS EN-1 that are pertinent to the consideration of the development.</p>	<p>In agreement</p> <p>In agreement</p>

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>2.2.4 As an overarching NPS, EN-1 is a very general document, which delegates most specific advice to 5 technology specific NPS's (not including solar or battery storage). However EN-1 does set the stage for the promotion of low carbon energy production and a reduction in greenhouse gas emissions. To that extent EN-1 does have relevance and is supportive of the principle behind this application.</p> <p>2.2.5 EN-1 identifies the need for the Infrastructure Planning Commission (IPC) to have regard to habitats and to consider whether the project may have a significant effect on a European site, consider alternatives, seek good design and minimise flood risk by not consenting development in flood zones 2 or 3 unless the sequential and exception test is applied. It also refers to the potential impact on tourism and rights of way.</p> <p>2.2.6 EN-1 also directs that, in considering proposals, and particularly when weighing up adverse impacts and benefits, the Secretary of State should take in to account the proposals:</p> <ul style="list-style-type: none"> • potential benefits, including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and • potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. 	<p>2.2.4 The Applicant agrees with NLC's comment in this regard and makes reference to the Secretary of State decision for the Cleve Hill Solar farm, whereby on the matter of need the SoS stated "<i>The Secretary of State agrees with the ExA that the Development, which would comprise the construction, operation, maintenance and decommissioning of a solar photovoltaic array with either an electrical storage facility or an extension to the solar photovoltaic array, together with connection infrastructure and other Associated Development (with the solar photovoltaic array and the energy storage facility each having a generating capacity of greater than 50MW) is consistent with government policy and will contribute to the delivery of low-carbon and renewable energy, ensuring a secure, diverse and affordable energy supply in line with legal commitments to "net zero" and the need to address climate change</i>".^{1,2}</p> <p>2.2.5 The Applicant agrees with NLC's comments.</p> <p>2.2.6 The Applicant agrees with NLC's comments.</p>	<p>In agreement</p>
	<p>2.2.7 NPS EN-3 contains policies relating to specific renewable energy technologies and is designed to be read alongside NPS EN-1. This NPS does not provide any guidance with regards to solar or battery storage infrastructure as it was published prior to the emergence of large-scale ground mounted solar projects. EN-3 therefore has little relevance to the determination of this application.</p> <p>2.2.8 National Policy Statement for Electricity Networks Infrastructure (NPS EN-5) outline the principles on which the</p>	<p>2.2.7 North Lincolnshire Council's position on EN-3 accords with the Applicant's position, please refer to paragraph 4.33 of the Planning Statement (Document Reference 9.1A LC OTH, PINS Reference REP5-018).</p> <p>2.2.8 The Applicant agrees with NLC's comments.</p>	<p>In agreement</p>

¹ Paragraph 4.6 Secretary of State's Decision Letter for The Cleve Hill Solar Park DCO

² A copy of the SoS decision for Cleve Hill is provided at Appendix 6 of Applicant's Response to ExQ1 (Document Reference 9.24 LC OTH, PINS Ref REP2-022).

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	<p>Secretary of State will apply to the consideration of applications for new electricity transmission lines as well as associated infrastructure, such as substations. Considerations to be taken into account include biodiversity and geological conservation, landscape and visual, noise and vibration and the impacts of electric and magnetic fields</p>		
	<p>2.3 NATIONAL PLANNING POLICY FRAMEWORK</p> <p>2.3.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are to be applied. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies for NSIP's and that NSIP applications should be determined in accordance with the decision making framework set out in the Planning Act 2008 and relevant NPS's, as well as other matters that are considered both important and relevant. Paragraph 5 clarifies that matters considered both important and relevant to NSIP's may include the NPPF.</p> <p>2.3.2 Paragraph 7 of the NPPF recognises the purpose of the planning system as contributing to the achievement of sustainable development. Paragraph 8 goes on to identify three dimensions of sustainable development: economic, social and environmental. Paragraph 9 goes on to stress that these three roles are mutually dependent and should not be undertaken in isolation. The NPPF also introduces a presumption in favour of sustainable development.</p> <p>2.3.3 The following sections of the NPPF are considered to be relevant to the consideration of this application:</p> <ul style="list-style-type: none"> • Promoting healthy and safe communities; • Promoting sustainable transport; • Achieving well-designed places; • Meeting the challenge of climate change, flooding and coastal change; • Conserving and enhancing the natural environment; and • Conserving and enhancing the historic environment. 	<p>2.3.1 The Applicant agrees with NLC's comments.</p> <p>2.3.2 The Applicant agrees with NLC's comments.</p> <p>2.3.3 Additional sections which the Applicant considers relevant to the application are</p> <ul style="list-style-type: none"> • Section 2 – Achieving Sustainable Development • Section 6 - Building a Strong, Competitive Economy • Section 11 - Making Effective Use of Land 	<p>In agreement</p>

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	<p>2.3.4 The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance (PPG). The sections of the PPG most relevant to the consideration of this application are:</p> <ul style="list-style-type: none"> • Air Quality; • Climate Change; • Design; • Environmental Impact Assessment; • Flood Risk and Coastal Change; • Historic Environment; • Land affected by contamination; • Natural Environment; • Noise; • Renewable and low carbon energy; and • Travel plans, Transport Assessments and Statements. 	<p>2.3.4 The Applicant agrees with NLC's comments.</p>	<p>In agreement</p>
	<p>2.4 DEVELOPMENT PLAN</p> <p>2.4.1 The current Development Plan for North Lincolnshire comprises the saved policies of the North Lincolnshire Local Plan (2003); the North Lincolnshire Core Strategy (2011); and the North Lincolnshire Housing and Employment Land Allocations Development Plan Document (2016). There are no adopted neighbourhood plans relating to the application site.</p> <p>2.4.2 NLC is in the process of producing a new Local Plan,</p>	<p>2.4.1 The Applicant agrees with NLC's comments.</p> <p>2.4.2 The Applicant agrees with NLC's</p>	

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	<p>which will supersede the policies contained within the current Local Plan, Core Strategy and HELA DPD. However the new local plan is still subject to consultation and examination and is not currently given any weight in decision making.</p> <p>2.4.3 The Development Plan policies relevant to the consideration of this application are set out below.</p> <p>2.4.4 North Lincolnshire Local Plan (2003):</p> <ul style="list-style-type: none"> • DS1 – General Requirements; • DS7 – Contaminated Land; • DS12 – Light Pollution; • DS13 – Groundwater Protection and Land Drainage; • DS14 – Foul Sewage and Surface Water Drainage; • DS21 – Renewable Energy; • HE9 – Archaeological Excavation; • IG9 – Ironstone Extraction; • LC4 – Development Affecting Sites of Nature Conservation Importance; • LC5 – Species Protection; • LC7 – Landscape Protection; • LC12 – Protection of Trees, Woodland and Hedgerows; • RD2 – Development in the Open Countryside; • RD7 – Agriculture, Forestry and Farm Diversification; • R5 – Recreational Paths Network; • T1 – Location of Development; 	<p>comments.</p> <p>2.4.3 The Applicant agrees that the Development Plan is material to the consideration of the application. The Applicant considers that the listed local plan policies broadly accord with the National Planning Policy Framework, the exception is the prescriptive element of Policy RD2 which limits the types of development permissible in the countryside, this is out of date (as acknowledged by the Planning Inspector for the Ravensthorpe Lodge (Sweeting Thorns) appeal decision (PINS Ref REP1-021).</p>	<p>NLC agrees that the prescriptive element of RD2 limiting development in the countryside to specific land uses is out of date in the context of more recent national policy contained in the NPPF. The remainder of policy RD2 is considered to still be relevant.</p>

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	<ul style="list-style-type: none"> • T2 – Access to Development; and • T18 – Traffic Management. <p>2.4.5 North Lincolnshire Core Strategy (2011):</p> <ul style="list-style-type: none"> • CS1 – Spatial Strategy for North Lincolnshire; • CS2 – Delivering More Sustainable Development; • CS5 – Delivering Quality Design in North Lincolnshire; • CS6 – Historic Environment; • CS16 – North Lincolnshire's Landscape, Greenspace and Waterscape; • CS17 – Biodiversity; • CS18 – Sustainable Resource Use and Climate Change; <p>2.4.6 North Lincolnshire Housing and Employment Land Allocations Development Plan Document:</p> <p>2.4.7 The site is not allocated for development as part of the HELA DPD.</p>	<p>2.4.7 The Applicant agrees with NLC's comments.</p>	
	<p>2.5 PLANNING POLICY OVERVIEW</p> <p>2.5.1 The whole site lies in the open countryside and is greenfield land. Policies CS3 of the Core Strategy and Policies RD2 and RD7 apply. Whilst a brownfield site would be preferred it is considered that by the very nature of solar farms open countryside sites can be suitable and still allow agricultural uses such as grazing to take place during the operational period of the farms. Due to the size of the Order Limits there is no known previously developed site that could accommodate the Proposed Development and which is available for development.</p>	<p>The Council's position accords with the Applicant's assessment in that the development is located outside any defined settlement boundary (Policy CS3) and located in open countryside. Policy CS2 is therefore engaged and states that only development which is essential to the functioning of the countryside will be allowed to take place. Notably it states sustainable development includes increasing the use of renewable energy in construction and operation – please refer to paragraph 4.51 of the Planning Statement (Document Reference 9.1A LC OTH, PINS Reference REP5-017. The</p>	<p>In agreement</p>

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		Applicant notes that following decommissioning, the land would be returned to Estate use - please refer to Applicant's response at item 3i of the of the Applicant's Post ISH1 submission (Document Reference 9.17 LC OTH, PINS Reference REP1-008).	
	2.5.2 The eastern half of the site is safeguarded land under Policy IG9 (Ironstone Extraction) of the Local Plan. The aim of this policy is to safeguard remaining ironstone deposits in the area from development that would sterilise them. As the proposed use of the land would be for a temporary period of 35 years and would be returned to agricultural use after this time it is considered that the iron ore reserves would still be protected for future use if required. It is considered therefore that the use does not conflict with this policy.	The Applicant agrees that the proposed development does not conflict with this policy and would also refer to the submitted Review of Potentially Extractable Minerals (Document Reference 7.7 LC TA3.5, PINS Reference APP-076) which deems that the ironstone present within the Order limits which area is owned by Brocklesby Estate is not viable for extraction due to the low-grade nature of the deposits in relation to typical steel plant requirements; and, the surplus of current global iron ore reserves available at suitable higher grades which are currently more economical to import.	In agreement
	<p>2.5.3 Policy DS21 (Renewable Energy) supports proposals for renewable energy provided that any detrimental effect is outweighed by environmental benefits. Policy CS18 (Sustainable Resource Use and Climate Change) also confirms that NLC will actively promote development that utilises natural resources as efficiently and sustainably as possible, in particular it supports renewable sources of energy in appropriate locations. Therefore there is support for renewable energy through the Development Plan in principle.</p> <p>2.5.4 In addition to the Local Plan and Core Strategy policies listed above NLC also has an adopted supplementary Landscape Character Assessment & Guidelines, which was adopted on 13 September 1999. The application site falls within the Wooded Scarp Slope – Manton, Raventhorpe and Santon local landscape type to the east of Scunthorpe and forms part of the larger Lincoln Edge Scarp Slope regional landscape character area. The key characteristics of this landscape are identified as follows:</p> <p>i) Sinuous scarp slope overlain by cover sands and designated as an area of high landscape value (the associated Local Plan policy was not saved);</p>	<p>The Applicant notes that the Development Plan provides in principle support for renewable energy development in appropriate locations.</p> <p>2.5.4 The Applicant agrees with NLC's comments.</p>	In agreement

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	<p>ii) West facing slopes are extensively wooded with small areas of arable farmland, pasture, scrub and rough grass;</p> <p>iii) Where vegetation is limited, views towards Scunthorpe are extensive, otherwise the landscape is well enclosed and of intimate scale;</p> <p>iv) Significant areas have been left to nature, resulting in mainly deciduous woodland with birch, pine, larch, oak, gorse and rhododendron;</p> <p>v) Ecologically important area, with three sites of Nature Conservation Interest.</p>		
Landscape and Visual	<p>4. LANDSCAPE AND VISUAL IMPACT</p> <p>4.1 The Council has assessed the submitted information concerning the assessment of the landscape and visual impacts and the potential cumulative impact of this proposed development. This is included in ES Chapter 6 (APP- 063). The approach to the assessment of landscape and visual impacts, as well as the study area in respect of visual effects (5km) has been discussed with and agreed by North Lincolnshire Council and the Council is satisfied that the submitted assessment can be relied upon as a reasoned explanation of the potential impacts of the proposed development.</p> <p>4.2 The proposed Solar Park will affect a significant area of land and will represent a significant change in the landscape, particularly for users of Footpath 214. For other receptors, the development will largely be screened by existing vegetation, including the Broughton Woods Complex.</p> <p>4.3 Significant landscape enhancements are proposed, as set out in the outline Landscape and Ecological Management Plan (APP-097). This incorporates advice given by North Lincolnshire Council and will be secured by the draft text of requirement 10. Assuming the proposed approach to mitigation and enhancement is followed through the requirements of the Order, then the Council considers the overall effect to be neutral or minor positive.</p> <p>4.4 It should be noted that for the hedgerows and wildflowers along the Public Right of Way to be of lasting benefit, they will require ongoing management. The council's responsibilities in this respect are limited to way-clearance and maintenance of the route only. The landowner or solar farm operator will therefore need to make provision for ongoing management of the hedgerows and</p>	<p>4.1 to 4.3 The Applicant is pleased to note that the Council's comment accords with the Applicant's assessment included in ES Chapter 6 (Document Reference 6.6B LC ES CH6, PINS Reference REP5-008).</p> <p>4.4 With reference to maintenance of the margins on either side of the track and PROW and the associated hedgerows, these are covered in the Outline Landscape and Ecological Management Plan (Document Ref. 7.28D LC TA7.8) under Management Prescriptions PR9: Management of Arable Plant Areas, (to encourage the existing seed bank to germinate</p>	<p>In agreement</p> <p>In agreement</p>

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	<p>wildflowers for the 35-year lifetime of the project.</p> <p>4.4 In conclusion the Council is of the opinion that it is unlikely that there will be any significant adverse or positive impacts arising from the proposal in respect of landscape character and visual amenity.</p>	<p>grow and re-seed) and PR11: Hedgerow Management, (Rotational management including preventing material projecting into the footpath/track). This will be secured by the LEMP to be submitted, approved and implemented pursuant to requirement 10 of the dDCO (Document Reference 3.1F LC DCO)</p>	
Traffic and Transport	<p>5. TRAFFIC AND TRANSPORT</p> <p>5.1 The Council has assessed the submitted information concerning the assessment of potential traffic and transport effects of the proposed development. This is set out in ES Chapter 9 (APP-066) and includes a Transport Statement and Outline Construction Traffic Management Plan.</p> <p>5.2 The applicant has undertaken pre-application discussions with the local highway authority and the relevant advice issued has been incorporated into the submitted information. The council are satisfied that the Transport Statement demonstrates that the proposed development will not have an adverse impact on the highway network.</p> <p>5.3 The majority of the movements generated by the proposed development will be during the construction phase and therefore the impact will be of a temporary nature. Whilst there will be an increase in traffic during this phase, it will not be excessive and can be accommodated on the existing highway network. The designated route to the site has been identified and agreed with the council and avoids any settlements, thereby minimising disruption to residents. An Outline Construction Phase Traffic Management Plan has been produced, which sets out how the effect of construction traffic on the highway network will be minimised.</p> <p>5.4 Given the nature of the work and the fact that workers may not be local, it is anticipated that car will be the main mode of travel for the majority of staff. The council expect to see sufficient on-site parking provided for workers and would not want to see ad-hoc parking on the adjacent highway network. Whilst walking and cycling may be an option for a small number of workers, the</p>	<p>5.1 It is acknowledged that the Council has reviewed and accepted the findings of ES Chapter 9, Transport and Access, and the associated appendices, namely Appendix 9.1 – Transport Statement (Document 7.35A, PINS Reference AS-003) and Appendix 9.2 – Outline Construction Traffic Management Plan (Document Reference 7.36, PINS Reference APP-105).</p> <p>5.2 This is acknowledged and agreed. The Applicant has also a Statement of Common Ground with Highways England, who operate and maintain the Strategic Road Network, with all matters agreed (Document Reference 9.7A LC OTH, PINS Reference PDA-018).</p> <p>5.4 The Outline Construction Traffic Management Plan ("Outline CTMP") (Document Reference 7.36 ES TA 9.2, PINS Reference: APP-105) explains that the site compound will contain 50 parking spaces (paragraph 4.2). This also confirms at</p>	<p>In agreement</p> <p>In agreement</p> <p>In agreement</p>

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	<p>lack of safe facilities, coupled with the volume and type of traffic on the adjacent highway network, should be considered if promoting this as a feasible means of travel.</p> <p>5.5 It is anticipated that the operational phase will only generate a small number of movements, which will have a negligible impact on the highway network.</p> <p>5.6 It is not anticipated that the proposed development will exacerbate an existing, or create a new accident problem and therefore the council has no road safety concerns relating to the proposal.</p> <p>5.7 The submitted Outline Construction Phase Traffic Management Plan has been reviewed and is considered to be acceptable.</p>	<p>paragraph 5.12 that the majority of non-local workforce will stay in local accommodation and will be transported to the Site by minibus. This will minimise the impact on the strategic and local highway network. Notwithstanding this, point ii of paragraph 6.3 of the Outline CTMP confirms that signage will be erected to inform contractors and visitors that parking is not permitted on the B1207 or access track. In addition, point iv of paragraph 6.3 confirms that a compound area for contractors will be set up on-site including appropriate parking spaces. Contractors and visitors will be advised that parking facilities will be provided on-site in advance of visiting the site and that they should not park on-street. These measures are secured through requirement 9 of the dDCO (Document Reference 3.1F LC DCO) which requires the submission, approval and implementation of a Construction Traffic Management Plan which must accord with the Outline CTMP.</p> <p>5.5 The Applicant agrees with NLC's comments.</p> <p>5.6 The Applicant agrees with NLC's comments.</p> <p>5.7 The Applicant is pleased to note that the Outline CTMP is acceptable to the Council.</p>	<p>In agreement</p>
Biodiversity and Ecology	<p>6. BIODIVERSITY AND ECOLOGY</p> <p>6.1 The Council has assessed the submitted information concerning the assessment of potential ecological effects of the proposed development. This is set out in ES Chapter 7 (APP-064).</p> <p>6.2 North Lincolnshire Council has commented in detail at the pre-application stage, on the Scoping Report and the PEIR. Most of the comments made previously appear to have been considered by the applicant and incorporated into the project design, mitigation proposals and the draft requirements in the Development Consent Order.</p> <p>6.3 NLC has considered the application in accordance with</p>	<p>6.1 to 6.3 The Applicant welcomes NLC's observations set out in the LIR, in particular noting that the contents of the ES chapter (Document Reference 6.7A LC ES CH7, PINS Reference REP5-010) and Outline LEMP (Document Reference 7.28C LC TA7.8, PINS Ref REO4-010)) are satisfactory. Further information on some specific points are given below.</p>	<p>In agreement</p>

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC														
	<p>Natural England's standing advice for protected species.</p> <p>"The land with the Order Limits consists of 17 predominantly arable fields bordered by a network of hedgerows and extensive woodland plantations. The land gradually slopes to the western edge of the site. Grassland, scrub and ruderal habitat are also present in discrete areas around the site." (ES para 7.4.2).</p> <p>With these habitats, the standing advice guides us to consider the following protected species or groups:</p> <table border="1" data-bbox="495 699 1240 1062"> <thead> <tr> <th>Habitat, building or land</th> <th>Species to look for</th> </tr> </thead> <tbody> <tr> <td>Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)</td> <td>Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants</td> </tr> <tr> <td>Ponds or slow-flowing water bodies (like ditches) on the site, or within 500m and linked by semi-</td> <td>Breeding birds, fish, great crested newts, water voles,</td> </tr> </tbody> </table> <table border="1" data-bbox="495 1102 1240 1591"> <thead> <tr> <th>Habitat, building or land</th> <th>Species to look for</th> </tr> </thead> <tbody> <tr> <td>natural habitat such as parks or heaths</td> <td>invertebrates and crayfish</td> </tr> <tr> <td>Rough grassland and previously developed land (brownfield sites), on or next to the site</td> <td>Breeding bird, reptiles, invertebrate and protected plants</td> </tr> <tr> <td>Woodland, scrub and hedgerow on, or next to the site</td> <td>Bats, breeding birds, badgers, dormice, invertebrates, great crested newts, smooth snakes (see reptiles) and protected plants</td> </tr> </tbody> </table> <p>Dormice, smooth snakes and white clawed crayfish do not occur in North Lincolnshire and do not need to be considered further.</p> <p>6.4 NLC consider the survey methods used and the survey effort deployed to be appropriate for the site in question. The site is largely comprised of arable land, but supports the following important features:</p>	Habitat, building or land	Species to look for	Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)	Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants	Ponds or slow-flowing water bodies (like ditches) on the site, or within 500m and linked by semi-	Breeding birds, fish, great crested newts, water voles,	Habitat, building or land	Species to look for	natural habitat such as parks or heaths	invertebrates and crayfish	Rough grassland and previously developed land (brownfield sites), on or next to the site	Breeding bird, reptiles, invertebrate and protected plants	Woodland, scrub and hedgerow on, or next to the site	Bats, breeding birds, badgers, dormice, invertebrates, great crested newts, smooth snakes (see reptiles) and protected plants	<p>6.4 With reference to the final sentence in the last bullet point of Paragraph 6.4, lapwing are widespread and ubiquitous in the</p>	<p>In agreement</p>
Habitat, building or land	Species to look for																
Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)	Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants																
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	<ul style="list-style-type: none"> • Arable margins, supporting the vulnerable plant henbane; • Semi-improved grassland with a variety of orchid species; • Mixed broadleaved woodland; • Hedgerows; • Ponds; • Badger setts; • Bats - five species foraging; • Priority species of farmland bird (breeding) - Skylark, Yellow wagtail, Lapwing, Reed Bunting, Bulfinch, Linnet, Song thrush and Dunnock; • An assemblage of wintering farmland birds. On one occasion, 107 lapwing were recorded - equivalent to over 1% of the Humber Estuary population for this species. There is no evidence to indicate whether or not this flock was linked to the Humber Estuary. <p>In addition, the site lies next to ancient woodland and near to the important open mosaic habitats of the steelworks, which support priority species of butterfly, including wall, small heath and grayling.</p> <p>6.5 Paragraph 7.5.2 of the Environmental Statement lists some ecological mitigation and enhancement measures that are broadly welcomed. However, it is worth noting that this section states that the grassland will be grazed by sheep. For other local solar farms where grazing has been proposed at the application stage, no grazing is actually taking place on the site once operational. Paragraph 7.10.6 of the Environmental Statement provides further reassurance that the large scale of the scheme means that sheep grazing can be deployed in a manner that is both ecologically desirable and economically viable.</p> <p>6.6 The mitigation and enhancement measures set out in Section 6 of the ES have been reviewed and are considered to be acceptable. In particular:</p> <ul style="list-style-type: none"> • Paragraphs 7.6.16-7.6.21 detail appropriate mitigation measures to protect woodland, and ancient woodland; • Paragraphs 7.6.36-7.6.37 detail appropriate mitigation measures to conserve arable plants; • Paragraphs 7.6.91-7.6.96 detail appropriate mitigation measures to conserve badgers; • Paragraphs 7.6.132-7.6.138 detail appropriate mitigation measures to conserve farmland birds; • Paragraphs 7.6.173-7.6.175 detail appropriate mitigation 	<p>UK, and during the winter months flocks can be found across lowland farmland (particularly in north and east England) as well as at wetlands and estuaries. As such ascertaining whether or not the flocks recorded within the Order Limits are linked to the overwintering Humber Estuary population is almost impossible. There remains a high level of uncertainty as to whether or not the flocks recorded casually using the land within the Order Limits also contribute to the Humber Estuary population (Applicant's view as to how the species identified as forming part of an assemblage qualification for the SPA is presented at Appendix 1 of the Applicant's ISH2 post hearing submission (Document Ref 9.32 LC OTH, PINS Ref REP4-017). The Applicant's approach assumes that these species did originate from the SPA and are reflected in the conclusions of the ES (Document Reference 6.7A LC ES CH7, PINS Reference REP5-010) and update No Significant Effects Report (Document Reference 7.29B LC TA7.9, PINS Reference REP5-015).</p> <p>6.5 The Applicant has a reasonable expectation that the site will be grazed by sheep. The primary purpose of grazing is to maintain the grass in and around the solar pv arrays. The grazing of sheep will be dependent upon a number of factors which, at this stage, are not within the Applicant's control and therefore a firm commitment for sheep grazing cannot be secured. At Deadline 4, the Outline LEMP was updated to set out an alternative means of habitat management if grazing was not undertaken. This amendment is retained in the latest iteration of the document.</p>	<p>NLC agrees that there is a realistic prospect of grazing to take place on the proposed solar farm due to the size of the site and the landowners experience of maintaining their land via grazing. It is agreed that the LEMP must provide an alternative means of habitat management to act as a contingency should sheep grazing not be possible.</p>

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	<p>and enhancement measures to conserve invertebrates, including priority species of butterfly. Where possible, the deployment of sandy and stony substrates would also benefit these species. In particular the grayling butterfly, in Lincolnshire/East Midlands terms, only exists on the eastern edge of Scunthorpe and could benefit greatly from such habitat.</p> <p>6.7 The submitted Landscape and Ecological Management Plan (LEMP) adequately addresses all of the above measures. The LEMP will need to be fully implemented for the lifetime of the project to ensure that the proposed mitigation and enhancement measures achieve the desired outcomes. This will be secured by the draft text of requirement 10. Assuming the above approach to mitigation and enhancement is followed through the requirements of the Order, then the Council considers the overall effect to be neutral or minor positive when compared to other solar farm schemes that have been put forward in the area.</p> <p>6.8 In order to make sure that biodiversity net gain is quantified and deliverable, the applicant is advised to make use of Defra's Biodiversity Metric Version 2.0.</p> <p>6.9 Requirement 14 sets out appropriate measures to secure surveys and mitigation measures for protected species for each phase of the development. Clause (4) of the requirement secures the implementation of the mitigations schemes.</p>	<p>6.7 The Applicant welcomes the Council's statement at paragraph 6.7 that the proposed development will deliver adequate mitigation and enhancement measures to achieve outcomes that will compare favourably to other schemes that NLC have assessed.</p> <p>6.8 With reference to Paragraph 6.8, the Biodiversity Net Gain (BNG) calculations utilising the advised DEFRA Metric 2.0 tool were provided to the Examining Authority as part of the Applicant's response to written questions (ExQ1) (see Appendix 7 of Document Reference 9.24 LC OTH, PINS Reference REP2-022, and also directly to NLC on 27th May 2021.</p>	<p>In agreement</p> <p>In agreement</p>
Cultural Heritage	<p>7. CULTURAL HERITAGE</p> <p>7.1 The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development on heritage assets. This is set out in ES Chapter 8 (APP-065). The approach to the assessment and methodology of cultural heritage impacts as set out in this chapter is appropriate and proportionate in relation to the proposed solar farm.</p>	<p>7.1 The Applicant notes that NLC has reviewed and accepted the assessment approached utilised.</p>	<p>In agreement</p>
	<p>7.2 NLC agrees with the assessment that there will be no adverse effects on (designated) heritage assets located beyond the Order Limits.</p>	<p>7.2 The Applicant is pleased to note that NLC is in agreement with the Applicant's assessment in that there are no adverse effects on (designated) heritage asset beyond the Order Limits.</p>	<p>In agreement</p>
	<p>7.3 The applicant has undertaken a suite of assessment and field evaluation works to inform the Environmental Statement. NLC's Historic Environment Record (HER) was consulted on the scope and methodology for each stage of</p>	<p>7.3 The Applicant is pleased to note that NLC recognise and accept that the works undertaken are adequate to characterise the archaeological resource.</p>	<p>In agreement</p>

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	<p>archaeological fieldwork, as well as given the opportunity to monitor archaeological site works and comment on draft reports of the results. It is considered that the submitted reports listed at paragraph 8.1.4 are adequate and provide sufficient information to characterise the archaeological heritage assets and assess their significance.</p>		
	<p>7.4 There are no designated heritage assets within the Order Limits. Those non- designated heritage assets identified within the Order Limits that may be affected include the following:</p> <ul style="list-style-type: none"> • Site of Gokewell Priory, a medieval nunnery of the Cistercian Order, and the ruins of the later Gokewell Priory Farm; • Ring ditch that may be interpreted as a ploughed down Bronze Age burial mound or barrow; • Cropmark of a ring ditch recorded on the HER (unproven during evaluation); • Middle to Late Iron Age ditch indicative of proximity to an area of settlement, potentially within the Priory site to the northeast; • Ermine Street, a major Roman Road connecting Lincoln to the Humber, on the edge of Order Limits at the site access; evidence of the Roman road construction is anticipated beneath and alongside the modern carriageway; • Undated curvilinear linear ditch likely to represent a large enclosure also containing internal features potentially of prehistoric date; • Post-medieval limestone quarrying and evidence of burning most probably for producing agricultural lime, located in Lime Kiln Close named on the 1842 Tithe Map. <p>In addition, the site may contain further heritage assets of archaeological interest as yet unidentified or unproven in the sampled evaluation area. Further details of the known archaeology within the site are provided in paragraphs 8.3.4 – 8.3.20 of ES chapter 8.</p>	<p>7.4 The Applicant is in agreement with NLC on the identified non-designated heritage assets (of archaeological interest) within the Order limits.</p> <p>The Applicant would point out that no firm evidence that a lime kiln survives in this location was found in the field evaluation. Lime Kilns of this date are comparatively common features in the landscape and usually regarded as of low heritage significance, therefore not requiring preservation in situ. However, should one be present and be impacted by any open grounds works (cable runs, foundations, etc.) then it would be subject to archaeological investigation and recording commensurate with the scale of impact and heritage significance. This is secured by requirement 13 of the dDCO (Document 3.1E LC DCO, PINS Reference REP5-003).</p> <p>The Applicant agrees with NLC that there remains a potential for further heritage assets of archaeological interest to be present within the Order Limits.</p>	<p>In agreement</p> <p>In agreement</p> <p>In agreement</p>
	<p>7.5 The site of Gokewell Priory is the key heritage asset within the Order Limits (paragraphs 8.3.39 - 42). The location of the nunnery buildings is not confirmed but is assumed to be on the site of the later farmhouse, now demolished. The site of the nunnery is relatively poorly understood; an earthwork survey undertaken in the 1970s and the recent field evaluation indicate the extent of the precinct and the evaluation did not identify any definitive outlying features. No evaluation was undertaken within the presumed precinct and the building layout of the priory remains unknown.</p>	<p>7.5 The Applicant is in agreement with NLC on the location and relative significance of Gokewell Priory and acknowledges that the full character of the site of the priory remains uncertain.</p>	<p>In agreement</p>

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	<p>7.6 Paragraph 8.3.40 of the ES refers to the heritage significance of the Priory as deriving from the evidential and historic values of the archaeological remains contributing towards our understanding of ecclesiastical land use during the early medieval and medieval periods. This is agreed and NLC's HER believes that Gokewell Priory is of particular significance for its research potential. Cistercian nunneries represent a very small percentage (less than 5%) of all the monastic houses founded by the end of the 12th century, their rarity contributing to their significance, and Lincolnshire nunneries are considered to be in the top category for research (pers comm Glyn Coppack).</p>	<p>7.6 The Applicant agrees that there remains some uncertainty about the full significance of the Priory.</p>	<p>In agreement</p>
	<p>7.7 Sheffield University Archaeology Department has approached the NLC's HER in recent years to express their interest in investigating Gokewell Priory as part of their ongoing research project on the monastic houses of northern Lincolnshire. The department remains keen (as of January 2020) to take up any opportunity to access the site for survey and evaluation. It is important that the potential for future research and archaeological investigation at Gokewell Priory should not be compromised during the 35-year lifetime and operation of the solar farm.</p>	<p>7.7 The Applicant acknowledges that further archaeological investigation of the priory could reveal important information about medieval monasticism, especially with regard to the poorly understood female houses. There is nothing to suggest that the presence of the solar park would prevent or restrict the opportunity to undertake archaeological investigation within the Priory and Priory precinct. Any investigation would need to be subject to agreement with the landowner. There is no direct correlation between the solar park proposal and the research investigation envisaged.</p>	<p>In agreement</p>
	<p>7.8 With regard to the setting of the Priory, it is agreed that the present agricultural setting makes a contribution of the significance (paragraph 8.3.42). The HER notes that the medieval strip fields around the nunnery were privately enclosed following the dissolution; the surrounding fields being enclosed by Parliamentary Act in the mid-19th century (Lincolnshire Historic Landscape Characterisation data). The ancient enclosure to the southwest of the Priory remains legible in the long gently curving field boundaries following the S-curvature of the former strips, compared to the straighter, square field pattern of the later enclosures, within the overlying modern field pattern.</p>	<p>Whilst there is no fundamental disagreement on this matter, the Applicant would highlight that the assessment concluded that the modern fieldscape is '....considered to make a moderate contribution to its illustrative historical value.' Please refer to paragraph 8.4.10 of Chapter 8 of the Environmental Statement (Document Reference 6.8 LC ES CH8, PINS Reference APP-065).</p>	<p>In agreement</p>

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	7.9 The assessment of significance of the other known non-designated heritage assets within the Order Limits (paragraphs 8.3.28 – 50) is agreed.	The agreement on this matter is acknowledged.	In agreement
	7.10 The potential impacts of the construction phase are itemised in paragraph 8.4.1. To this, the Council would add the removal of hedgerow alongside the B1207, Roman Ermine Street (Work No.5) that could, unless sensitive methods are specified, damage evidence of the Roman road construction including any roadside ditch. The Roman road construction (agger) and paved surface has been exposed at a number of locations to the north of the site and in places is slightly off-set from the modern carriageway. Otherwise, NLC welcomes the measures referred to in section 8.4 to avoid and mitigate damage to the identified heritage assets. Notwithstanding that the layout of the Priory is imperfectly understood, it is agreed that there should be no impact on any in situ remains associated with the medieval priory from the installation of modules as no modules are proposed within the archaeological exclusion zone around the site of the priory (para 8.4.2). In addition, there are to be no movements within the exclusion zone avoiding any damage or compaction to the remains (8.4.7) though it is noted that the existing access track runs through the exclusion zone and may require some upgrading including the provision of passing places.	<p>7.10 The Applicant confirms that the vegetation works referred to at Work No. 5 relate solely to cutting back of vegetation. No ground disturbance is anticipated to be necessary, however, the Applicant agrees that should this work require ground disturbance, that work should be subject to appropriate archaeological supervision, and if necessary investigation, recording and publication. This can be secured by its inclusion in the Written Scheme of Investigation, the provision for which is already included in requirement 13 of the dDCO (Document Reference 3.1E LC DCO, PINS Reference REP5-003).</p> <p>The Applicant is pleased to note that the benefits of the exclusion zone have been recognised.</p> <p>The Deadline 3 update to the Outline CEMP included more detail on how the upgrading and passing places will be achieved with no archaeological impacts (see paragraph 8, bullet 5). This amendment is retained in the latest iteration of the document (Document Reference 7.8D LC TA4.1).</p>	<p>In agreement</p> <p>In agreement</p> <p>In agreement</p>
	7.11 It will also be important to ensure that the archaeological exclusion zone is adequately referred to and described in the LEMP and that the proposed landscaping and maintenance of the zone does not involve or introduce over time any damaging proposals or techniques.	7.11 The Deadline 3 update to the Outline LEMP include details on the archaeological exclusion zone and what activities should not be allowed (see paragraphs 1.1.8 and additions to PR3 and PR5). This amendment is retained in the latest iteration of the document (Document Reference 7.28D LC TA7.8)	In agreement

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	<p>7.12 Paragraph 8.4.3 states that within the 'no-dig' zone designed to protect the ring ditch (potential Bronze Age barrow), concrete pads resting on the ground surface will be used instead of metal piles driven into the ground, and that cable trenches are repositioned to outside the zone. This will avoid any intrusion below the ground and secure in situ preservation of the archaeological remains. The location of the other (unproven) ring ditch will be avoided through the agreed repositioning of an internal access track although any associated archaeological remains would be affected by the construction impacts.</p>	<p>7.12 The Deadline 3 update to the Outline CEMP (Document Reference 7.8B LC TA4.1) allowed the document to be more specific on the construction approach to be followed and the reasons for the alternative approach (see paragraph 8.3). This amendment is retained in the latest iteration of the document (Document Reference 7.8D LC TA4.1).</p>	<p>In agreement</p>
	<p>7.13 Paragraph 8.4.4 identifies those areas of other known and potential archaeological features within the site that may be directly affected during construction. This includes areas within and around the Priory precinct not included in the exclusion zone such as around the pylon to the east. A programme of archaeological recording will be required in these areas to ensure any archaeological remains encountered are preserved by record (8.4.5).</p>	<p>7.13 Requirement 13 of the dDCO (Document Reference 3.1F LC DCO) secures a written scheme of archaeological investigation which must be approved by the local planning authority and then implemented as approved.</p>	<p>In agreement</p>
	<p>7.14 With regard to the effects of the De-commissioning phase, paragraph 8.4.12 describes that the piled panel mounts will be removed by vibrating the post and lifting it at the same time using a post removal tool attached to a small tracked excavator. Also that sensitive removal of the cabling should not cause any additional impacts to other archaeological remains. NLC's HER is of the opinion that the removal of the piled posts has the potential to do greater harm to any in situ buried archaeological remains than the insertion of piles during construction. This would result from the disruption of the soil layers in particular at the archaeological horizon a short depth below ground level as the pile is released from the ground. It is by no means certain that vibrating the post would ensure that piles can be cleanly lifted from the ground. To the best of our knowledge, the effects of de-commissioning multiple small piles on archaeological remains across a large landscape has not yet been demonstrated, nor has any archaeological research into the de-commissioning of solar farms been undertaken.</p>	<p>7.14 It is acknowledged that the potential impact that the removal of the posts will have on any archaeology present is unclear at this stage. However, the site has been subject to a comprehensive programme of evaluation investigation that has highlighted few locations of higher interest, but has generally suggested a low archaeological potential. Agreed mitigation though design will ensure the most sensitive locations are protected. Given the low potential and the small size of the posts it is considered that even if a slightly larger area is disturbed at removal that would still only be a marginal impact on any archaeology present. Requirement 4 of the dDCO (Document Reference 3.1F LC DCO) provides that as part of the decommissioning strategy a scheme of works must be approved by the local planning authority. This will allow the local planning authority to consider the approach for removing posts.</p>	<p>In agreement</p>
	<p>7.15 Further details of other decommissioning activities within archaeologically sensitive areas is provided in the Outline Decommissioning Strategy (ES Appendix 4.2), however in Table 8.4, Summary of Effects, Mitigation and Residual Effects, the Decommissioning section is stated to be Not Applicable.</p>	<p>7.15 The Applicant understands this comment to suggest that the Applicant's conclusions, as set out above, are sound and that with the agreed mitigation and further investigation the decommissioning would have, at worst, a minimal impact on buried</p>	<p>In agreement</p>

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	The HER would accept that within the archaeological exclusion zone around the Priory and the 'no-dig' zone around the putative Bronze Age barrow, the effects of the decommissioning should be minimal.	archaeology.	
	7.16 The assessment of the likely significant effects of the construction and operation phases is agreed, as is the evaluation of the identified effects that would result in complete or partial loss of heritage significance of the known and potential archaeological remains within the site without appropriate mitigation (8.4.15 – 17).	7.16 The Applicant agrees with NLC's comments.	In agreement
	7.17 The proposed mitigation measures are set out in detail in section 8.5 and are as agreed with the NLC's HER at the pre-application stage.	7.17 The Applicant is pleased to note that NLC agrees with the mitigation measures set out.	In agreement
	7.18 These include the Gokewell Priory Archaeological Exclusion Zone the extent of which is shown on the Works plans referred to in paragraph 8.5.7. The exclusion zone will be fenced in prior to development commencing (Work No.3) and is to ensure the Proposed Development does not lead to any harm to the remains associated with the Priory within its boundary. Ecological and biodiversity works are detailed to take place within the archaeological exclusion zone; however it is noted there is no mention of the archaeological exclusion zone in the Outline LEMP (ES Appendix 7.8) or on the accompanying LEMP plan (Appendix A).	7.18 The Outline LEMP and Outline CEMP have been updated following these comments and are now agreed.	In agreement
	7.19 The Outline LEMP indicates that these works will include the creation of a hibernaculum which may cause localised archaeological impacts and should be monitored by the archaeologist, and ground rotavation prior to hedgerow planting which should be avoided in the exclusion zone. Control of scrub within the exclusion zone should be undertaken avoiding ground disturbance or burning on site. Other management prescriptions to avoid archaeological damage may be appropriate dependent on the details.	7.19 The Outline LEMP has been updated following these comments and is now agreed.	
	7.20 Additional works within the exclusion zone may be necessary in relation to the access track such as the creation of passing places; it is not anticipated that widening or other upgrading will be necessary. Other works are noted to take place in close proximity to the exclusion zone including the excavation of a cable trench traversing the south-east corner of the zone although this now appears to be outside the zone; the excavation of the cable trench into the pylon on the east side of the Priory precinct; and a swale alongside the western boundary of the	7.20 The Deadline 3 update to the Outline CEMP (Document Reference 7.8B LC TA4.1) clarified how these works will be undertaken without compromising the archaeological interest (see section 8). The amendment is retained in the latest iteration of the document (Document Reference 7.8D LC TA4.1).	In agreement

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	exclusion zone. These works will be subject to a programme of archaeological recording the nature and scope of which will be dependent on the extent and impact of the groundworks following detailed design	The Written Scheme of Investigation will include for archaeological supervision, and where appropriate investigation, recording and publication for all intrusive works in proximity of the Gokewell Priory exclusion zone. This is secured by requirement 13 of the dDCO (Document Reference 3.1F LC DCO, PINS Reference REP2-003). The CEMP will ensure that there is no 'accidental' damage is important and appropriate fencing and signage will be agreed with NLC.	In agreement
	7.21 Paragraph 8.5.6 states that the mitigation proposals will be included in the CEMP, however, there is no reference to these in the Outline CEMP (ES Appendix 4.1) including to the archaeological exclusion zone or how this area is to be respected during construction.	7.21 It was agreed that the archaeologically sensitive areas should be more clearly set out in the Outline CEMP (Document Reference 7.8B LC TA4.1) and Outline LEMP (Document Reference 7.28B LC TA7.8) and these documents were updated to show how these area are to be treated and were included with the Applicant's Deadline 3 submissions. The amendment is retained in the latest iteration of the document	In agreement
	7.22 Omission of the archaeological exclusion zone and other mitigation measures from these documents (Outline CEMP and LEMP) may to lead to inappropriate misuse of the area and inadvertent damage to archaeological remains. For example, it is not clear how access into and through the exclusion zone for the authorised works, and any unauthorised use of the area, will be controlled. The HER has recommended that there should be clear 'No unauthorised entry' notices attached to the fence at the access points and along the track which should also be fenced off from the rest of the exclusion zone for the duration of the construction	7.22 As explained above, the Outline CEMP (Document Reference 7.8B LC TA4.1) and Outline LEMP (Document Reference 7.28B LC TA7.8) were updated accordingly and were included with the Applicant's Deadline 3 submissions. The amendment is retained in the latest iteration of the document.	In agreement
	7.23 Other avoidance measures will include a 'no-dig' zone around the ring ditch of the putative Bronze Age round barrow. Within this zone the solar panels are to be mounted on concrete pads resting on the ground surface rather than a piled frame inserted c.1 – 2m deep, and cable trenches will be positioned outside this zone. An access track has been relocated to avoid the other (unproven) ring ditch.	7.23 This approach to the mitigation for the ring ditch is acknowledged and agreed and this has been added to the Outline CEMP submitted at Deadline 3 (paragraph 8.3) and is secured through requirement 8 of the dDCO (Document Reference 3.1B LC DCO, PINS Reference REP2-003).	In agreement
	7.24 The programme of archaeological recording will also be undertaken during all groundworks within the area of the undated ditched enclosure and internal features believed to be of prehistoric date, and the area surrounding the Iron Age Ditch adjacent to the archaeological exclusion zone.	7.24 As above, the Written Scheme of Investigation (secured by requirement 13 of the dDCO) will set out locations where archaeological supervision, and is appropriate investigation, recording and publication, will be carried out and these areas will be included.	In agreement

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>7.25 Potential enhancement activities to disseminate and promote the archaeology of the site are included at paragraph 8.5.14 which the HER welcomes. It is also proposed to erect an interpretation board in the vicinity of the Gokewell Priory site adjacent to the Public Right of Way which will allow for the archaeology of the solar farm to be appreciated by a wider public. As an ecology and biodiversity interpretation board is also proposed within the LEMP (shown on Appendix A) to be located nearby along the footpath, it is important that a consistent house style is used for both producing both boards.</p>	<p>7.25 The Applicant is content to agree to the provision of an appropriate interpretation board will be erected and that its content/design will be agreed with NLC and it is agreed that co-ordination with the ecology and biodiversity board would be appropriate. Please see the Applicant's response to paragraph 7.28 below.</p>	<p>In agreement</p>
	<p>7.26 It would be beneficial to all parties if the applicant produced a stand-alone Archaeological Mitigation Strategy as an Appendix to the ES comparable to the Outline LEMP, CEMP and Decommissioning Strategy. This would ensure that all written information for the archaeological exclusion zone and mitigation strategy is to be found in one place appropriately cross-referenced to the other management documents. For example, the only reference to fencing of the exclusion zone in Chapter 8 is in relation to the Decommissioning effect (paragraph 8.4.13); on the Archaeological Exclusion Zone Whole Area Plan (Document Ref 2.22) the fence surrounds the solar panels which coincides with the exclusion zone for much of its perimeter but to the west excludes a larger area, and no fencing is shown alongside the existing access track through the exclusion area. Chapter 4, paragraph 4.5.4 refers to the archaeological exclusion zone delineated with a 1.8m high fence, and at paragraph 4.7.5, Work No 3, includes fencing archaeological exclusion zone.</p>	<p>The Applicant has prepared a 'standalone document and is submitted at Deadline 6 [Document Reference 9.42 LC OTH). . At the request of NLC, the Outline CEMP and Outline LEMP have been updated at Deadline 6 to make reference to the Archaeological Management Plan.</p> <p>The fencing for Gokewell Priory exclusion zone has been clarified in the updated Outline CEMP (Document Reference 7.8B LC TA4.1).</p> <p>As explained above, the updated Outline CEMP, Outline LEMP and Outline Decommissioning Strategy provide the necessary detail and are all already secured by DCO requirements.</p>	<p>In agreement –</p>
	<p>7.27 It is important that this information is provided in a detailed Archaeological Mitigation Strategy in order that the DCO requirements can be understood and discharged in a timely fashion without the need for the discharging authority (the LPA) to request further information, for which there are very tight timescales proposed. Clause 1 of Requirement 13 relates to the establishment of the exclusion zone, but unless it is clear what is being proposed for this area, securing implementation may turn out to be problematic.</p> <p>7.28 NLC recommends that the following amendments are made</p>	<p>7.27 The Applicant has prepared a 'standalone document and is submitted at Deadline 6 (Document Reference 9.42 LC OTH).</p>	<p>In agreement</p>

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>to Requirement 13 to provide clarity of the mitigation requirements as set out in Chapter 8 of the ES:</p> <ul style="list-style-type: none"> • Clause 2 should be worded as follows ' Not to permit digging or use of piled mounting frames in the archaeological "no-dig" zone within which concrete pads will be utilised identified on the Works Details...', to accord with paragraphs 8.4.3 and 8.5.10 of the ES as the terms 'digging' and 'no-dig' do not adequately encapsulate the proposed mitigation in this zone; • Clause 4 of Requirement 13 Archaeology should read ' The scheme approved under sub-paragraph (3).....': • Clause 4 should refer to 'any areas where a programme of archaeological investigation and recording is required' rather than 'any areas where a watching brief is required'; in accordance with paragraphs 8.4.5 and 8.5.9 of the ES as the nature and scope of the recording will be dependent on the extent and impact of groundworks. The extent and impact of groundworks may vary according to final details to be submitted for each phase of the development. See also clauses 5 and 6 'Any archaeological works or watching brief...'; • It is also recommended that a further clause is added to Requirement 13 that would secure the preparation and installation of an interpretative board for Gokewell Priory and the archaeology of the solar farm, for example Condition 26 attached to permission PA/2014/0892 for the Raventhorpe Solar Farm, as follows: <p>Within two months of the completion of the development two interpretative boards shall be displayed in accordance with a scheme submitted to and approved in writing by the local planning authority which shall show the materials, position, size, content, means of fixing and maintenance schedule. The approved boards shall be displayed in accordance with the approved details in perpetuity in relation to Gokewell Priory and for the life of the development in relation to the solar farm hereby approved.</p>	<p>7.28 Requirement 13 has been discussed and amended following these comments and that the Requirement 13 in the DCO submitted at Deadline 6 is now agreed (Document Reference 3.1F LC DCO).</p>	
	<p>7.29 Part 6 Article 12 (Removal of Human Remains) disapplies section 25 of the Burial Act 1857 and replaces it with an alternative procedure for managing the removal of any human remains disturbed during the course of carrying out the Authorised Development. The explanatory memorandum (paragraphs 5.23 – 26) accompanying the Draft DCO explains that this has been included as the Applicant has not been able to rule out the presence of human remains within the Order Limits given the archaeological history of the area. And that it is required by the Undertaker to ensure that archaeological remains are recovered</p>	<p>The Applicant acknowledges this concern and should human remains be found as part of the construction process they will be treated in accordance with normal archaeological standard and guidelines. This will be set out in the Written Scheme of Investigation secured by Requirement 13 of the dDCO.</p>	<p>In agreement</p>

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	<p>appropriately without causing unacceptable delay to the implementation of this nationally significant infrastructure project. It is important that any such human remains are archaeologically recorded, assessed and analysed as appropriate according to the professional standards and guidelines for the excavation of human bones.</p>		
Noise and Vibration	<p>8. NOISE AND VIBRATION</p> <p>8.1 The Council has reviewed the submitted Noise Impact Assessment (APP- 085), which also provides comments on vibration.</p> <p>8.2 The operation of solar panels is not likely to be noisy, so the potential noise impacts of the development are likely to be limited to construction activity including construction traffic movements (in an area of very low background noise levels), and to the operational noise arising from plant and equipment and the battery storage elements of the development as well as noise related to the decommissioning phase of the project. However, these will be sited some distance from the nearest sensitive properties and it would be possible to control construction and decommissioning working hours.</p> <p>8.3 Exact details of the proposed plant installation are not currently known; however a preliminary assessment has been undertaken in order to establish the likelihood of mitigation being required to avoid an unacceptable noise impact. It is understood the Battery and Substation Compounds could be operational at any time, whereas the Inverter/Transformers around the site will be operational during daylight hours only. Preliminary noise modelling indicates that mitigation may be required for a small number of plant units closest to the receptors, but this should be confirmed once more specific details are known.</p> <p>8.4 It is suggested that an additional Requirement is included within the dDCO to secure details of the proposed plant to be used on site, specific noise modelling for that plant and appropriate noise mitigation measures if necessary. Some suggested wording is provided:</p> <p>No plant shall be installed on site until their details have been submitted to and approved in writing by the local planning authority. The details shall include an assessment of likely impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plant shall be installed and maintained in accordance with the details approved by the local planning authority.</p>	<p>8.2 The Applicant agrees with NLC's comments.</p> <p>8.3 The Applicant agrees with NLC's comments</p> <p>8.4 The requirement has been amended following these comments and discussions and it is now agreed</p>	<p>In agreement</p>

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>8.5 Construction and decommissioning noise will be a temporary feature of the project and will include conventional means of transportation, essentially road vehicles. Provided hours of construction are limited to reasonable hours the effect of noise should only affect certain properties for short periods and construction noise should not be a major factor in the assessment of the project. It is noted in the draft document that construction hours are proposed as follows 07:00 – 18:00 Monday to Friday and 08:00 – 13:30 Saturday. The Environmental Protection Team recommend that construction hours for developments within the district are normally restricted to 08:00 – 18:00 Monday to Friday and 08:00 – 13:00 Saturday.</p>	<p>8.5 The Applicant notes the recommended construction hours, however the Applicant believes that the construction hours proposed in the dDCO are reasonable and appropriate given the location of the site and the fact that this means construction traffic can be on site at the start of the day before local traffic builds up for the start of school or work. The additional 30 minutes on Saturday is considered minimal and highly unlikely to pose any adverse impact within the surrounding area. There are no particular planned works proposed within the period 07:00 – 08:00. Examples of the types of works which might ordinarily be carried out were discussed at ISH2 and include start-of-day operations, health and safety inductions and checking machinery³.</p> <p>The Applicant is also aware that the construction hours for Conesby Solar Farm (PA/2018/2140) are 7am - 7pm Monday – Friday and 7am - 1pm on Saturday. See Condition 12 of Decision Notice submitted to PINS by NLC (Document Reference REP1-014).</p> <p>Finally, the Applicant would also note that the construction timeline is based on the working hours proposed in the DCO requirement. Any amendment to those would inevitably have an impact on the overall construction timeline.</p>	<p>In agreement</p>
	<p>8.6 NLC has no concerns in respect of the impact of vibration from the proposed development. The main source of construction activity will be the pushing of supports for fence posts and solar panel supports. Although a large number of posts and panels require pushing, the amount of vibration anticipated for each element is small.</p>	<p>The Applicant notes that the council has no concerns with regards to impact of vibration.</p>	<p>In agreement</p>

³ Applicant's response to ExQ2, question 2.6.10 (Document Reference 9.33 LC OTH, PINS Ref REP4-018)

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
Air Quality	<p>9. AIR QUALITY</p> <p>9.1 The likely sources of emissions from the proposed development are from additional construction traffic and construction dust with consideration to the sites location within the Scunthorpe Town Air Quality Management Area (AQMA). With this in mind, a construction phase impact assessment was undertaken together with a carbon offset assessment. In relation to construction phase traffic movements, this was scoped out of requiring a detailed assessment on the basis of their low and negligible impact, the Council would agree with this view. No mitigation was identified as being necessary to address the impacts of the development on air quality.</p> <p>9.2 The proposed CEMP will nonetheless mitigate the impacts of the development on local air quality by embedding good practice measures within the construction of the development and securing dust management and pollution control measures. The CEMP will be secured via Requirement 8 of the draft DCO (APP-045).</p>	<p>9.1 The Applicant notes that North Lincolnshire Council are in agreement that construction traffic would have a low and negligible impact with regards to air quality.</p>	<p>In agreement</p>
	<p>10. LAND CONTAMINATION</p> <p>10.1 The proposed development site has been subject to both a Phase 1 desktop study and Phase 2 site investigation to assess the sites suitability in relation to land contamination. The conclusions of the assessments are that: 'any new water pipes require protection against chemical attack. Carbon dioxide could pose a risk to groundworkers if any confined space working is undertaken. No protective measures are considered necessary for inground plant. No contaminants were proven in excess of acceptance criteria adopted or human health protection. No evidence of significant leachable contamination has been found. A watching brief should be kept at all times while groundworks are occurring for any signs of unforeseen contamination.'</p> <p>10.2 The Council agree with these conclusions and would expect that, if during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt</p>	<p>10.1 The Applicant welcomes the Council's agreement with the conclusions of the desk studies and intrusive investigation. With regard to actions required if unexpected ground contamination were to be encountered during development, a protocol for dealing with such occurrence is provided in the Outline CEMP (Document Reference. 7.8D LC TA 4.1). This requires regular inspections of formations, protection of excavated material, further investigation, and if necessary remedial measures. Details are then to be submitted to the LPA and EA for agreement prior to finalising construction. This aspect is also dealt with in the agreed SoCG (Doc Ref. 9.6A LC OTH EA SOCG), since under Schedule 2, Part 1 Requirement 8 (2) (h) of the DCO, the EA are a specified consultee to the discharge of this</p>	<p>In agreement.</p>

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.</p>	<p>Requirement.</p> <p>10.2 The Deadline 2 update to the Outline CEMP introduced a provision dealing with unexpected contamination which segregates the material safely and requires further investigation to determine additional remedial measures which are submitted to the local planning authority or Environment Agency for agreement prior to finalising construction in that area. This amendment is retained in the latest iteration of the document (Document Reference 7.8D LC TA4.1).</p> <p>Requirement 8(h) was also amended as requested by the Environment Agency and noted in the Statement of Common Ground (Document Reference 9.6A LC OTH PINS REFERENCE REP2-019) to ensure that they are consulted in respect of any unexpected contamination.</p>	
Public Right of Way	<p>11. PUBLIC RIGHTS OF WAY</p> <p>11.1 Public Footpath 214 of course runs through the site (en-route between Broughton and Santon) and forms part of the Opencast Way. It is proposed, during construction of The Development, to temporarily divert F214 so that it runs around the perimeter of the site. This temporary diversion will be secured via Requirement 15 of the dDCO.</p> <p>11.2 The Council has no objection to the temporary diversion of FP214 and acknowledge that this will be necessary to facilitate the efficient delivery of the proposed development. However it should be noted that the temporary diversion would be nearly 3000 metres longer than the current footpath and that this may raise concern with users of the footpath.</p> <p>11.3 Extensive landscaping is proposed to mitigate the impact of the proposed solar farm upon the amenity of users of FP214 during operation. This primarily consists of new hedgerows along the route of the footpath. The Council agrees with this approach to mitigation; however it will be important that the proposed landscaping is well managed and maintained during operation of</p>	<p>11.1 The Applicant agrees with NLC's comments</p> <p>11.2 The Applicant notes that North Lincolnshire Council do not object to the temporary diversion of FP214.</p> <p>11,3 The Applicant agrees with NLC's comments.</p>	There are no areas of disagreement with regards to Public Rigs of Ways

Topic	North Lincolnshire Council Position (extract from Local Impact Report)	Applicant's Response	Agreement in Place Between Applicant and NLC
	<p>the development to ensure that it provides effective mitigation and also to ensure that the hedging does not encroach towards FP214 and result in a sense of claustrophobia for users.</p> <p>11.4 Requirement 10 of the dDCO secures the submission and implementation of a Landscape and Ecological Management Plan (LEMP), based upon the outline LEMP submitted as part of the application. The Council is content that this Requirement will secure the necessary landscape mitigation and its long-term management in order to acceptably mitigate the impact of the proposed development on the users of FP214.</p>	<p>11,4 The Applicant agrees with NLC's comments</p>	
Socio-economic impacts	<p>12. SOCIO-ECONOMIC IMPACT</p> <p>12.1 The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development in respect of socio-economics. This is set out in ES Chapter 11 (APP-068).</p> <p>12.2 North Lincolnshire Council are satisfied that the approach to the assessment of socio-economic impacts presented in Chapter 11 is robust. The methodology used to determine the impact of the project is clear and helpful, indicating levels that can be easily measured. The data and statistics are relevant and appropriate.</p> <p>12.3 NLC agree that it is realistic that there will be a moderate Economic benefit through the provision of temporary jobs during the Little Crow Solar Park construction phase. This will create opportunities for local businesses as part of the solar park construction, including landscaping contractors, installation of PV, earthwork, foundations, road infrastructure, transport and logistics, electrical works cabling and connections) landscaping, waste disposal, aggregates suppliers, security and monitoring during operation and other aspects of the construction process.</p> <p>12.4 North Lincolnshire Council recognises the low impact of around 233 temporary jobs, both direct onsite and indirect roles for our economy. This will have low impact on the rise of jobs created in North Lincolnshire but in turn will have a greater impact into the economy through work contracts and investment. The Gross Value Added (GVA) associated with 233 temporary jobs supported on-site and in the wider economy during the six-month construction phase is around £6.3million.</p> <p>12.5 The Clean Energy sector contributes £1.1bn to the Humber economy alone, accounting for 6.1% of total GVA. There are 140 Clean Energy businesses in the Humber, of which 30 are located in</p>	<p>12.2 The comments in the Local Impact Report are acknowledged and the Applicant is pleased that they accord with the socio-economic impact assessment presented in ES Chapter 11 (Document Reference 6.11A LC ES CH11, PINS Reference PDA-013) (section 11.4 onwards in the ES Chapter).</p>	<p>In agreement</p>

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	<p>North Lincolnshire, and the business base has grown by 150% since 2010. Over 2,000 people are employed in Clean Energy in the Humber and employment has grown 14% since 2010. Key sub-sectors include extraction of natural gas, electric power generation, transmission and distribution, and waste treatment and disposal.</p> <p>12.6 The energy sector has been identified as a key sector across the Humber and the Greater Lincolnshire regions. This sector is identified in the North Lincolnshire Economic Growth Plan as a dedicated growth sector for the Humber Energy cluster.</p> <p>12.7 North Lincolnshire Council are aware that as the renewable energy market continues to evolve we are witnessing small to medium sized enterprises offering lucrative technical jobs co-locating alongside large scale renewable assets to provide innovative, technical grid services. Grid services are a new market that will allow the National Grid to achieve it's net zero target, developer contributions and increase in business rates.</p>	<p>12.6 The Applicant welcomes the Council's reference to the Humber Energy Cluster and this has been previously acknowledged by the application at paragraph 5.18 of the Planning Statement (Document Reference 9.1A LC OTH, PINS Reference REP5-017).</p> <p>12.7 The Applicant welcomes the fact that North Lincolnshire Council recognise the economic benefits of the development and this aligns with the Applicant's position, please refer to paragraphs 5.22 to 2.29 of the Planning Statement (Document Reference 9.1A LC OTH, PINS Reference REP5-017).</p>	
Community Fund Contribution and S106 Agreement		<p>INRG Solar (Little Crow) Ltd have pledged a fund of £250,000.00 which North Lincolnshire Council have agreed to administer to improving community facilities within the civil parishes of Appleby and Broughton.</p> <p>In terms of mechanisms, a representative from each of the three parish councils will be involved in the governance of the fund. The developer contribution will be made upon completion of construction and connection to the grid</p>	In agreement

4. DRAFT DCO REQUIREMENTS

4.1 Table 2 considers the draft DCO requirement and sets out the council’s position, the applicants response and status of the requirement (whether the matter is agreed or not agreed).

Table 2: Draft DCO Requirements

Requirement	NLC position	Applicant response	Status of requirement	
			Agreed	/ not agreed
Requirement 1 – Interpretation	Happy with proposed Requirement – no comments to make	No response required.	In agreement	
Requirement 2 – Time Limits	Happy with proposed Requirement – no comments to make	No response required.	In agreement	
Requirement 3 – Expiry of development consent	Happy with proposed Requirement – no comments to make	No response required.	In agreement	
Requirement 4 – Decommissioning and site restoration	Happy with proposed Requirement – no comments to make	No response required.	In agreement	
Requirement 5 – Phases of Authorised Development	Happy with proposed Requirement – no comments to make	No response required.	In agreement	

Requirement 6 - Detailed Design Approval	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 7 - battery Safety Management	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 8 - Construction Environmental Management Plans	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 9 - Construction Traffic Management Plans	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 10 - landscape and Ecological Management plan	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 11 - Construction Hours	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 12 - Surface and Foul Water Drainage	Happy with proposed Requirement - no comments to make	No response required.	In agreement
Requirement 13 - Archaeology	Happy with proposed Requirement - no comments to make	No response required.	In agreement

Requirement 14 – Protected Species	Happy with proposed Requirement – no comments to make	No response required.	In agreement
Requirement 15 – Operational Noise	Happy with proposed Requirement – no comments to make	No response required.	In agreement
Requirement 16 – Temporary diversion to public footpath	Happy with proposed Requirement – no comments to make	No response required.	In agreement
Requirement 17 – Requirement for Written Approval	Happy with proposed Requirement – no comments to make	No response required.	In agreement
Requirement 18 – Amendments to Approved Details	Happy with proposed Requirement – no comments to make	No response required.	In agreement

5. DRAFT DCO ARTICLES

5.1 North Lincolnshire Council has no further comments on the draft DCO or the Articles contained therein.

6. MATTERS SUBJECT TO FURTHER NEGOTIATIONS


6.1 There are no known outstanding matters between applicant and North Lincolnshire Council.

7. MATTERS NOT AGREED

7.1 There are no known outstanding matters between applicant and North Lincolnshire Council.

8. AGREEMENT ON THIS STATEMENT OF COMMON GROUND

8.1 This Statement of Common Ground has been jointly prepared and agreed by:

FOR North Lincolnshire Council	
NAME:	Andrew Law
SIGNATURE:	
POSITION:	Development Management Specialist
DATE:	31/08/2021

FOR THE APPLICANT	
NAME	Gareth Roberts
SIGNATURE	GR
POSITION	Director
ON BEHALF OF Pegasus Group for INRG SOLAR (LITTLE CROW) LTD	
DATE	31/08/2021

