



Application by Oaklands Farm Solar Limited for an Order Granting Development Consent for Oaklands Farm Solar Park
The Examining Authority's draft first written questions and requests for information
Issued on 18 June 2024

The following table sets out the Examining Authority's (ExA's) draft first set of written questions and requests for information (Draft ExQ1).

These Draft ExQ1 have been published to allow all parties an opportunity to start to prepare their responses to questions that are anticipated to be included in the final version of ExQ1 that will be published as soon as practicable after the Preliminary Meeting. Please do not respond to these Draft ExQ1.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Appendix E to the Rule 6 letter [\[PD-006\]](#). The questions have arisen from the ExA's consideration of the application documents and representations. The answers to them will help the ExA to consider the application against relevant legislation and policy.

References in these questions set out in square brackets (e.g. [\[APP-016\]](#)) are to documents catalogued in the [Examination Library](#).

The meanings of abbreviations are set out in the list of abbreviations and references [\[PD-007\]](#).

The final version of ExQ1 will replace the Draft ExQ1 and is expected to include additional questions and updates to a small proportion of the draft questions. Any changes to the draft questions will be highlighted in the final version of ExQ1. It is the final version of ExQ1 that you should respond to, please.



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Ref:	Question to:	Question:
1.	Draft Development Consent Order (dDCO) [AS-005] and other consents	
	Other questions on dDCO matters are included under later headings, for example in relation to the land rights powers requested by the Applicant and in relation to securing mitigation measures.	
	General points	
1.1	Applicant	<p>Referring to precedent, the Applicant [AS-017] explains the use of the wording "materially new or materially different environmental effects from those assessed in the environmental statement".</p> <p>a) Could this lead to an unintended consequence of materially different beneficial environmental effects not being permitted?</p> <p>b) Is the wording "any materially new or materially more adverse environmental effects compared to those identified in the environmental statement" preferable?</p>
1.2	Derbyshire County Council (DCC) South Derbyshire District Council (SDDC) Environment Agency (EA) Applicant	<p>Articles 11(7), 14(9), 16(6) confer deemed consent if the authority does not respond within 28 days (a "guillotine"). The Applicant [AS-017] considers that these provisions are necessary to ensure that delivery of the Proposed Development is not unnecessarily delayed.</p> <p>a) Do DCC, SDDC and the EA consider that the 28 days period is reasonable?</p> <p>b) Should provisions be added for any application for consent to contain a statement drawing the authority's attention to the guillotine?</p>
1.3	Applicant	<p>The Applicant [AS-017] has added Requirement 27(1)(c) to allow the effect of deemed consent provisions to be delayed when the parties agree that more than 28 days is required. However, Requirement 27(1) appears to be limited to requirements contained in Part 2 of Schedule 1.</p> <p>Are additional provisions needed to allow the deemed consent provisions in Articles 11(7), 14(9), and 16(6) to be delayed when the parties agree that more than 28 days is required?</p>
	Part 1 - Preliminary	
1.4	Applicant	<u>Article 2 - Interpretation</u>

Ref:	Question to:	Question:
		<p>The definition of site preparation works includes the “laying of services”.</p> <p>a) Could this be interpreted as including the laying of cables in Works 4, 4A-D, 5, and 7?</p> <p>b) Is it necessary to define “laying of services”?</p>
1.5	<p>DCC SDDC EA Natural England (NE)</p>	<p><u>Article 2 - Interpretation</u></p> <p>The defined “site preparation works” are pre-commencement activities that could be undertaken without the controls that only apply following commencement, including those in dDCO Requirements and in the Outline Construction Environmental Management Plan (Outline CEMP) [APP-090]. The Applicant [AS-017] is satisfied with the definition of site preparation works and considers that they would not be likely to have significant environmental effects.</p> <p>a) Do the parties have any comments on the activities included in “site preparation works”?</p> <p>b) Should any more mitigation be secured for “site preparation works”, for example in relation to noise, impacts on protected species, archaeological remains, or traffic?</p>
Part 2 - Principal Powers		
1.6	<p>Applicant SDDC</p>	<p><u>Article 3 - Development consent etc. granted by the Order</u></p> <p>The Applicant [AS-017] considers that the permitted limits of deviation are clarified by Article 3(2) which includes that "Each numbered work must be situated within the corresponding numbered area shown on the works plan and must not exceed the design parameters assessed in the environmental statement."</p> <p>Given the size of works areas, please could the Applicant comment on whether it is necessary for works to be located within the numbered areas such that there would not be any materially new or materially more adverse environmental effects compared to those identified in the environmental statement?</p>
Part 7 - Miscellaneous/General		
1.7	<p>Applicant</p>	<p><u>Article 35 - Certification of plans, etc.</u></p>

Ref:	Question to:	Question:
		<p>The Applicant [AS-017] proposes that a new Schedule 12 is added to the dDCO to provide the reference numbers for all documents listed in this Article. The Applicant suggests this Schedule is created and populated at the final deadline to ensure all documents are captured as reference numbers may change throughout Examination.</p> <ul style="list-style-type: none"> a) Noting the large number of individual documents, would it be preferable to identify them within a separate certified document? b) Could a draft of the Applicant’s suggested approach be provided well before the final deadline to give enough time for comments to be made on the format, content, and level of detail, and for the comments to be addressed?
	Schedule 2 - Requirements	
1.8	Applicant DCC SDDC EA	<p><u>Requirement 4 - Phases of authorised development and date of final commissioning</u></p> <ul style="list-style-type: none"> a) Should the scope of the written scheme setting out the phases of construction of the authorised development be expanded for clarity, for example by adding key activities and timescales? b) Should a written scheme be required for the site preparation works?
1.9	Applicant SDDC	<p><u>Requirement 5 - Detailed design approval</u></p> <p>The Applicant [AS-017] states that the requirements for the detailed design to accord with the principles and assessments set out in the Environmental Statement (ES) and with the outline design principles set out in the design statement would ensure consistency with the ES. Design parameters for, amongst other things, dimensions, materials, and colours of the structures and components are set out in various chapters of the ES, including in paragraphs 4.11-14 and Table 4.2 of the Project Description [APP-096], and Appendix B of the Design Statement [APP-182].</p> <ul style="list-style-type: none"> a) Please could the Applicant ensure that the design parameters relied on for the assessment are clearly identified and secured by the dDCO [AS-005]? b) Would it help SDDC, as discharging authority, if the design parameters were set out in a single, definitive, standalone certified document?

Ref:	Question to:	Question:
		<p>c) With reference to paragraph 5.10.29 of NPS EN-1, do SDDC consider that sufficient design content is secured to ensure that future consenting will meet landscape, visual and good design objectives?</p> <p>d) Please could the Applicant set out the consideration given to paragraph 5.10.38 of NPS EN-1 in relation to requirements for the incorporation of design details?</p>
1.10	Applicant	<p><u>Requirement 9 – Construction environmental management plans (CEMP)</u></p> <p>The EA [AS-019] request to be consulted when the CEMP is submitted to the relevant Local Authority to be approved.</p> <p>Please could the Applicant update Requirement 9 accordingly?</p>
1.11	Applicant	<p><u>Requirement 16 - Fencing and other means of enclosure</u></p> <p>Please add a provision for all proposed temporary fences, walls, or other means of enclosure for the site preparation works to be carried out in accordance with the approved details.</p>
1.12	Applicant	<p><u>Requirement 20 – Construction hours</u></p> <p>The final sentence of paragraph (4) appears to allow works to be carried out if the scheme is not approved. Should the sentence be “<i>Save for emergency works, works under sub-paragraph (2) must be carried out in accordance with an approved scheme</i>”?</p>
<p>2. Land rights, related matters, and statutory undertakers</p>		
2.1	Applicant	<p><u>Updates during the Examination</u></p> <p>The Applicant [APP-019 paragraphs 8.6-10 and Appendix 1] sets out the status of discussions to reach voluntary agreement and states that it will continue to seek to acquire the land, the rights and other interests and the temporary use of land, as well as secure the removal of rights affecting the Order Land that may impede the Authorised Development, by agreement wherever practicable. It also sets out the engagement with Statutory Undertakers [APP-019 Appendix 2].</p>

Ref:	Question to:	Question:
		<p>The Applicant [APP-019 paragraph 8.11] notes that are several interests identified in the Book of Reference (BoR) [AS-009] where it has not been possible to identify ownership, occupation or interests in land. The Applicant states that it has carried out searches and enquiries with the Land Registry, site visits and notices have been erected on site to seek to identify unknown landowners, occupiers or persons with an interest in the land.</p> <ol style="list-style-type: none"> a) Please could the Applicant set out what further steps will be undertaken up to the end of the Examination to identify unknown ownership, occupation, or interests in land? b) Please could the Applicant provide updates to the matters requested in Appendix the Rule 6 letter [PD-006] at relevant Examination deadlines: <ul style="list-style-type: none"> • Updates to the BoR, Statement of Reasons (SoR) [APP-019] and Land Plan [AS-002]; • Schedule of progress regarding any outstanding matters, objections, and agreements in relation to land rights; and • Schedule of progress regarding Protective Provisions and Statutory Undertakers? c) Please can the Applicant ensure that any changes to the BoR [AS-009] are, where necessary, carried through to the SoR [APP-019]?
2.2	Applicant	<p><u>Part 2 of the BoR</u> [AS-009]</p> <p>Part 2 does not include all Category 1 Lessees, Tenants or Occupiers or all Category 2 persons identified in Part 1.</p> <p>The BoR [AS-009] states that no Category 3 parties have been identified in relation to the Order Land.</p> <ol style="list-style-type: none"> a) Does Part 2 include all persons whose land is not being acquired but would be affected either by the carrying out of the works or by the using of the works? b) Are there any other parties, including those sitting outside the Order Land, that might be entitled to make a relevant claim if the DCO were to be made and fully implemented, and should therefore be added as Category 3 parties? This could include, but not be limited to, those that have provide representations on, or have interests in, noise,

Ref:	Question to:	Question:
		vibration, air quality, artificial lighting, impacts on property values or rental incomes or a business, loss of rights, or concerns about project financing or alternatives.
2.3	Applicant	<p><u>Part 3 of the BoR [AS-009]</u></p> <p>Part 3 does not include all Category 2 parties identified in Part 1.</p> <p>Is the Applicant satisfied that the omitted Part 1 parties are not entitled to enjoy easements or other private rights over land (including private rights of navigation over water) which it is proposed shall be extinguished, suspended, or interfered with?</p>
2.4	Applicant	<p><u>Plot 02-033</u></p> <p>The BoR [AS-009] refers to the acquisition of rights of 84 square metres of an unnamed watercourse. (unnamed) (north of Rosliston Road). The outline of the plot on Land Plan [AS-002] does not appear to correlate with the position of the watercourse.</p> <p>Is the Land Plan correct?</p>
2.5	Applicant	<p><u>Acquisition of Freehold</u></p> <p>The Applicant seeks to acquire the freehold of plot numbers 02-045, 02-048, 02-051, 02-052, 02-053, 02-054, 02-055, 02-056, 02-057, 03-060, and 04-061.</p> <ol style="list-style-type: none"> a) In each case, and in the context of the temporary nature of the Proposed Development, please could the Applicant explain how it has minimised the powers sought? Why is it not sufficient to acquire rights and/ or impose restrictive covenants? b) Should the table in paragraph 9.3 of the SoR [APP-019] refer to the acquisition of freehold interests in Works Number 1 for plot number 03-060 rather than 03-06? c) Should the plots that are identified solely for the acquisition of freehold interests in the BoR [AS-009] be included in paragraph 9.4 of the SoR [APP-019] which sets out the acquisition of rights and imposition of restrictive covenants?
2.6	Applicant	<u>Land interests</u>

Ref:	Question to:	Question:
		<p>Please could the Applicant carry out a thorough audit of Appendix 1 of the SoR [APP-019] and update it as necessary, including in relation to:</p> <ul style="list-style-type: none"> • ensuring consistency with the BoR [AS-009]: • Category 2 interests - some are currently included, others are not; • clarifying that it includes summaries of the status of negotiations in relation to powers sought for temporary possession; • including the status of discussions with Derbyshire County Council, Helen Louise Gallimore, James John Henry Gallimore, and Rosemary Anne Gallimore; • including plot numbers 01-001, 01-002, 01-003, 01-004, 01-005, 01-006, 01-007, 01-008, 01-009, 01-010, 01-011, 01-012, 01-015, 01-016, and 01-021 for E.ON UK plc; • referring to Elisabeth Albinia Dolben Goodson rather than Elizabeth Goodson; and • whether plot number 04-061 should be included for Susan Mary White?
2.7	Affected Persons Interested Parties	<p><u>Other inaccuracies</u></p> <p>Are any parties aware of any other inaccuracies in the BoR [AS-009], SoR [APP-019], or Land Plan [AS-002]?</p>
2.8	Affected Persons	<p><u>Other concerns about the powers sought</u></p> <p>Does any Affected Person have any concerns that they have not yet raised about the legitimacy, proportionality or necessity of the land rights powers sought by the Applicant that would affect their land or their rights in land?</p>
2.9	Applicant Statutory Undertakers	<p><u>Sections 127 and 138 of the PA2008</u></p> <ol style="list-style-type: none"> a) Is any of the land that is proposed to be acquired Statutory Undertakers' land for the purposes of s127(3) of the PA2008? b) Do the Statutory Undertakers have any concerns about whether the tests set out in s127(3)(a) or (b), s127(6)(a) or (b), and s138(4) of the PA2008 have been met?

Ref:	Question to:	Question:
2.10	Applicant E.ON UK PLC National Grid Electricity Distribution (East Midlands) PLC National Grid Electricity Transmission PLC	<p><u>Land in the vicinity of Drakelow electricity substation</u></p> <p>a) Please explain whether, and if so how, the land rights powers requested could affect the undertakings of E.ON UK PLC, National Grid Electricity Distribution (East Midlands) PLC and National Grid Electricity Transmission PLC, including in the vicinity of Drakelow electricity substation at plot numbers 01-001 to 01-014 [AS-002, AS-009]?</p> <p>b) Please could the Applicant justify the extent of the land over which the powers are sought, and justify the flexibility sought, for example by providing an indicative layout?</p> <p>c) Do E.ON UK PLC, National Grid Electricity Distribution (East Midlands) PLC, or National Grid Electricity Transmission PLC have any concerns about the extent of the land over which the powers are sought?</p>
2.11	Applicant	<p><u>Draft DCO Article 17 - Compulsory acquisition of land</u></p> <p><u>Draft DCO Article 19 - Compulsory acquisition of rights and restrictive covenants</u></p> <p>The Applicant [AS-017] states that it is requesting compulsory acquisition powers in case landowners default on voluntary agreements, or where unknown interests in the land emerge. Noting the need to ensure that the extent of rights and interests to be acquired have been minimised, and that disproportionate or unjustified interference with human rights would be avoided, is it necessary to secure that the compulsory acquisition powers can only be used when landowners default on voluntary agreements, or where unknown interests in the land emerge, and in each case to the minimum extent necessary?</p>
2.12	Applicant	<p><u>Draft DCO Article 19 - Compulsory acquisition of rights and restrictive covenants</u></p> <p>The Applicant [AS-017] explains the purpose of paragraphs (5) and (6) and refers to precedent. Would Article 5 still make sufficient provision for the transfer of powers if paragraphs (5) and (6) are deleted?</p>
2.13	Applicant	<p><u>Draft DCO Article 26 - Temporary use of land for carrying out the authorised development</u></p> <p>The Applicant [AS-017] suggests that "carrying out the authorised development" should be interpreted as during the construction of the authorised development.</p>

Ref:	Question to:	Question:
		<p>a) Can “carrying out the authorised development” also be considered to include operation, maintenance, and decommissioning?</p> <p>b) In the interests of clarity, and noting the need to ensure that the extent of rights and interests to be acquired have been minimised, and that disproportionate or unjustified interference with human rights would be avoided, should Article 26 include that it only applies to the site preparation works and to the construction of the authorised development?</p>
2.14	Applicant	<p><u>Funding</u></p> <p>Regulation 5(2)(h) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 provides that if the proposed order would authorise the compulsory acquisition of land or an interest in land or right over land, a statement of reasons and a statement to indicate how an order that contains the authorisation of compulsory acquisition is proposed to be funded.</p> <p>Paragraph 18 of the CA Guidance states that Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from a blight notice have been taken account of.</p> <p>The Funding Statement [APP-020] identifies that the costs of land acquisition (including compensation payable in respect of any compulsory purchase) would be approximately £8 million. It states that should any claims for blight arise because of the Application, the Applicant has access to sufficient funds to meet the cost of acquiring these interests at whatever stage they are served.</p> <p>a) Does the £8m include an allowance for contingent costs and inflation?</p> <p>b) What allowances have been made for potential claims for blight?</p> <p>c) What comfort can be provided of funding being available should the cost be exceeded?</p> <p>d) What comfort can provided that the scope of the Proposed Development would not be reduced in response to any future changes in costs or available funding?</p>
2.15	Applicant	<p><u>Possible impediments</u></p>

Ref:	Question to:	Question:
	SDDC	<p>a) Is the Applicant aware of any land or rights being required in addition to those sought through the dDCO [AS-005] before the Proposed Development can become operational?</p> <p>b) Does SDDC have any concerns about whether potential impediments to the development been properly identified and addressed? Is it aware of any matters within or outside the scope of the dDCO that may have a bearing on whether the development could become operational may not be satisfactorily resolved, including in relation to acquisitions, consents, resources, or other agreements?</p>
2.16	Applicant	<p><u>Equalities Act 2010</u></p> <p>a) Please could the Applicant summarise how it has had regard to the Equalities Act 2010 in relation to the powers sought?</p> <p>b) Have any Affected Persons or Interested Parties been identified as having protected characteristics and, if so, what regard has been given to them?</p>
3. General and cross-topic planning matters		
3.1	Applicant	<p><u>Responses to submissions</u></p> <p>Please could the Applicant provide written responses to all written and oral submissions made up to the close of the Examination, including relevant representations and additional submissions made during Pre-Examination, at the earliest opportunity?</p>
3.2	Statutory bodies	<p><u>Responses to the Applicant's submissions</u></p> <p>a) Please could statutory bodies provide a written response to any submissions made by the Applicant that either seek to address concerns that they have previously raised, or that raise new concerns, at the earliest opportunity?</p> <p>b) Please could the responses set out whether and, if so, how their concerns have been addressed and set out any remaining concerns and the steps that might be taken to resolve them?</p>

Ref:	Question to:	Question:
3.3	Applicant	<p><u>Mitigation measures</u></p> <p>All mitigation measures relied on in the ES should be clearly and unambiguously secured via the dDCO [AS-005].</p> <p>a) Please could the Applicant carry out a thorough audit and advise whether each item of mitigation identified and relied on in the ES, including in ES Chapters 5-16 [APP-106, APP-135, APP-139, APP-143, APP-146, APP-155, APP-160, APP-163, APP-165, APP-167, APP-169, APP-177] and ES Appendix 17.1 – Schedule of Mitigation [APP-179], is provided in one of more of the:</p> <ul style="list-style-type: none"> • dDCO [AS-005]; • Outline CEMP [APP-090]; • Outline Operational Environmental Management Plan (Outline OEMP) [APP-091]; • Outline Decommissioning Environmental Management Plan (Outline DEMP) [APP-092]; • Outline Landscape and Ecological Management Plan (Outline LEMP) [APP-105]; • Outline Construction Traffic Management Plan (Outline CTMP) [APP-148]; and/ or • Outline Battery Safety Management Plan [APP-093]? <p>b) Is the mitigation secured in the dDCO and/ or outline management plans:</p> <ul style="list-style-type: none"> • provided to at least the same level of detail as set out in the ES; • sufficiently defined so that they would be likely to result in the residual effects identified in the ES; and • does it include all relevant provisions for further survey requirements, monitoring and maintenance? <p>c) With reference to paragraph 4.1.18 of the Overarching National Policy Statement for Energy (NPS EN-1), does the Applicant consider that all secured mitigation is relevant to planning, necessary to make the Proposed Development acceptable in planning</p>

Ref:	Question to:	Question:
		<p>terms, directly related to the Proposed Development, fairly and reasonably related in scale and kind to the Proposed Development, and reasonable in all other respects?</p>
<p>3.4</p>	<p>Applicant DCC SDDC EA</p>	<p><u>Construction phase management plans</u></p> <p>The dDCO [AS-005] and Outline CEMP [APP-090] refer to several management plans for the construction phase that would only be prepared post-consent, including the Public Rights of Way Management Plan, Site Waste Management Plan, Species Protection Plan, Travel Plan, and Water Quality and Silt Management Plan.</p> <p>a) Please could the Applicant ensure that the dDCO [AS-005] and/ or Outline CEMP [APP-090] identify the measures to be included in those management plans to demonstrate that the mitigation relied on in the ES is secured?</p> <p>d) Please could DCC, SDDC, and the EA advise whether outline versions of any of those management plans, or any other management plans, should be provided during the Examination to clarify and help secure the measures that should be included? In each case, please set out why this is necessary and proportionate.</p>
<p>3.5</p>	<p>Applicant DCC SDDC EA NE</p>	<p><u>Pollution control through other consenting and licensing regimes</u></p> <p>Paragraphs 4.12.2 and 4.12.10 of NPS EN-1 note that the planning and pollution control systems are separate but complementary, that pollution control is concerned with preventing pollution using measures to prohibit or limit the releases of substances to the environment, and to ensuring that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health. It states that the Secretary of State (SoS) should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator.</p> <p>Paragraph 4.12.15 of NPS EN-1 requires the SoS to consider if the EA, any pollution control authority, Statutory Nature Conservation Bodies, Drainage Boards, water and sewerage undertakers, and other relevant bodies are:</p> <ul style="list-style-type: none"> • satisfied that potential releases can be adequately regulated under the pollution control framework; and

Ref:	Question to:	Question:
		<ul style="list-style-type: none"> • the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution would make the Proposed Development unacceptable, particularly in relation to statutory environmental quality limits. <ol style="list-style-type: none"> a) Please could the relevant bodies comment, highlighting any specific concerns? b) Please could the Applicant provide evidence of whether relevant bodies, including the water and sewerage undertakers, are satisfied and what concerns remain? c) Please could the Applicant set out the steps that will be taken to resolve any outstanding concerns? b) Please could the relevant bodies and the Applicant provide regular updates to the Examination?
4. Need case, alternatives, generation capacity, and grid connection		
4.1	Applicant	<p><u>The quantity of electricity generated</u></p> <p>The Applicant [APP-165 paragraph 13.29] estimates that 157,067MWh of electricity would be generated for the first year of operation with a degradation of 0.55% for each subsequent year, giving estimated total energy generation of 5,653,501 MWh over the 40-year lifetime.</p> <ol style="list-style-type: none"> a) Is this consistent with paragraph 2.10.50 of NPS EN-1, which states that total capacity of a solar farm can be measured either in terms of the combined capacity of installed solar panels (measured in direct current) or in terms of combined capacity of installed inverters (measured in alternating current)? b) Is this the quantity of electricity generation that the ExA should consider for the planning balance?
4.2	Applicant	<p><u>Solar panel and battery storage replacement during the operational phase</u></p> <p>NPS EN-1 states that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure and that energy security and net zero ambitions will only</p>

Ref:	Question to:	Question:
		<p>be delivered if the development of new low carbon sources of energy is enabled at speed and scale (paragraphs 3.3.62, 4.2.1, 4.2.4, and 4.2.5).</p> <p>The National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) notes that the efficiency of solar panels degrades over time and that they generally require replacing after 20-25 years and as the technology improves the efficiency of a solar panel is likely to improve as well. It states that Applicants may elect to replace panels during the lifetime of the site (paragraphs 2.10.55 and 2.10.67).</p> <p>The Applicant [AS-017] does not expect that there will be a need for mass panel replacement during the operation of the Proposed Development and states that the dDCO does not authorise any maintenance works that would be likely to give rise to any materially new or materially different environmental effects that have not been assessed in the ES.</p> <p>The ExA is seeking to understand the likely potential benefits and adverse effects during the operational phase in relation to the replacement of panels.</p> <ul style="list-style-type: none"> a) Please could the Applicant comment on the case for solar panel and battery storage replacement during the operational phase, including in relation to anticipated improvements in technology and the national need? b) Please could the Applicant clarify how often it anticipates replacing solar panels and battery storage during the operational phase and the maximum number or proportion that it anticipates replacing in a one-month period? How are the effects of that assessed and how is any mitigation secured?
4.3	Applicant	<p><u>Grid connection agreement</u></p> <p>NPS EN-1 states that the SoS should be satisfied that appropriate network connection arrangements are/ will be in place (paragraph 3.2.17). The Applicant [APP-183] reports that it secured a grid connection agreement with National Grid Electricity Transmission (NGET) to import and export the full electrical capacity of the Proposed Development.</p> <p>Please could the Applicant provide evidence of the agreement with NGET?</p>
<p>5. Project lifetime and decommissioning</p>		

Ref:	Question to:	Question:
5.1	DDC SDDC EA	<p><u>Decommissioning of underground cables</u></p> <p>Paragraph 2.10.68 of NPS EN-3 states that the nature and extent of decommissioning of a site can vary and generally it is expected that underground cabling will be dug out to ensure that prior use of the site can continue.</p> <p>The Applicant [APP-092, APP-181] says that the cables may be left in situ, depending on the method which is likely to have the least environmental impact at the time.</p> <p>a) Do the parties have any comments on the Applicant's suggested approach and whether it strikes an appropriate balance between the potential magnitude and duration of impacts during decommissioning and the longer-term implications for future site use?</p> <p>b) Should the dDCO [AS-005] require the underground cables and ducting to be removed?</p>
5.2	Applicant DDC SDDC EA	<p><u>Draft DCO [AS-005] Requirement 22 - Decommissioning and restoration</u></p> <p><u>End state and funding</u></p> <p>Several parties, including South Derbyshire District Council [RR-295], Lullington Parish Meeting [RR-179], Alex Wolfe [RR-010], Denise Ann Walsh [RR-077], Diane Abbott [RR-080], Jacqueline Shirley Bott [RR-129], Martin David William Abbott [RR-190], and Tracy Hiatt [RR-321] raise concerns in relation to decommissioning.</p> <p>The Applicant provides a description of the decommissioning activities [APP-092, APP-181].</p> <p>The Applicant [AS-017] considers that it is not necessary to add a requirement to secure the end state of the Order Land after decommissioning and refers to the requirement for a decommissioning environmental management plan and a decommissioning traffic management plan to be submitted for approval.</p> <p>The ExA is considering if it has sufficient understanding of the likely end state of the land after decommissioning, the suitability for other uses after decommissioning, the measures that should be secured by the DCO, and the likely potential effects.</p> <p>a) Please could the parties comment on how the end state after decommissioning should be defined?</p>

Ref:	Question to:	Question:
		<ul style="list-style-type: none"> b) Is it necessary, reasonable, and appropriate for the definition of the end state after decommissioning to be secured more precisely by the dDCO? c) Should a provision be added to the dDCO to secure funding for decommissioning? d) If it should be secured, how should the amount of funding be identified, what form of security would be appropriate, and when should the security be put in place?
5.3	Applicant DDC SDDC EA	<p><u>Draft DCO [AS-005] Requirement 22 - Decommissioning and restoration</u></p> <p><u>Timescales for completion</u></p> <p>The dDCO requires decommissioning to commence no later than 40 years following the date of final commissioning of the first phase of Work No. 1.</p> <p>The Applicant [APP-181] says that decommissioning is expected to take between 12 and 24 months.</p> <ul style="list-style-type: none"> a) Should the dDCO include a requirement for decommissioning and restoration to be completed within a specified timescale? b) If so, how should the completion of decommissioning and restoration be defined, and what is an appropriate timescale for it to be completed? Should separate timescales be identified for different activities, for example for decommissioning, for restoration, and for any necessary maintenance? c) Should the commencement and completion of decommissioning also be related to when the generation of electricity ceases in case that is earlier than 40 years following the date of final commissioning of the first phase of Work No. 1?
6. Agriculture, land use, soils, ground conditions, minerals, and geology		
6.1	Applicant	<p><u>Ministerial Statement</u></p> <p>Please provide your consideration of the statement made on 15 May 2024 by the Secretary of State for Energy Security and Net Zero in relation to solar and protecting our food security and Best and Most Versatile (BMV) agricultural land.</p>

Ref:	Question to:	Question:
6.2	NE SDDC	<p><u>Agricultural Land Classification (ALC)</u></p> <p>Paragraph 2010.33 of NPS EN-3 states that the ALC is the only approved system for grading agricultural quality in England and, if necessary, field surveys should be used to establish the ALC grades in accordance with grading criteria and identify the soil types to inform soil management at the construction, operation, and decommissioning phases in line with the DEFRA Construction Code.</p> <ul style="list-style-type: none"> a) Are NE and SDDC content with the Applicant's ALC and surveys [APP-168, APP-169, APP-170, APP-171]? b) Is Subgrade 3b a robust worst case assumption for the areas that were not surveyed [APP-168]? c) Should surveys be required of areas that were not surveyed to rule out that they could be BMV agricultural land?
6.3	Applicant	<p><u>Park Farm and Fairfield Farm</u></p> <p>The Applicant [APP-169] focuses on the current agricultural activity and potential effects on agricultural business at Oaklands Farm.</p> <p>Please could similar descriptions and assessments be provided for Park Farm and Fairfield Farm?</p>
6.4	Applicant	<p><u>Farming during the operational phase</u></p> <p>The Applicant [APP-169 paragraph 15.47] anticipates that the dairy unit would continue to operate during the operational phase and states that this is confirmed by the landowner/ farmer.</p> <p>It considers [APP-169 paragraph 15.109] that the farm would need to either rent land for fodder production or buy-in more winter fodder and straw. It states that there would be significant changes to the way the farm operates day to day, although the farm would continue to operate as a full-time farm and the rental income from the Proposed Development would provide support to maintain the farm business.</p>

Ref:	Question to:	Question:
		<p>The Applicant [APP-169 paragraph 15.135] considers that land has the potential to be grazed by sheep, that the dairy herd would continue, and the related employment across the farm and Oaklands Farm area has the potential to be similar to or higher than the current labour, because the management of sheep is more labour-intensive than for arable cropping.</p> <p>The ExA is seeking to understand the likelihood that the land would be farmed during the operational stage, and the implications of this for the assessment.</p> <ul style="list-style-type: none"> a) Please could the Applicant provide an assessment of whether continued dairy farming and the introduction of sheep farming would be commercially viable? Why would the landowner/ farmer continue to farm the land when they would have rental income from the Proposed Development? b) What would the impacts on agriculture and soils be if the land did not continue to be farmed? Should this assumption form the basis of a reasonable worst-case assessment? c) If the assessment relies on the land continuing to be farmed then should this be secured by the dDCO [AS-005]?
6.5	Applicant	<p><u>Soil management during the operational phase</u></p> <p>The Applicant [APP-169 paragraph 15.106] states that the land would be sown to grassland and managed, including grazing with sheep, for the duration of the operational phase.</p> <ul style="list-style-type: none"> a) Please could the Applicant advise whether that is a firm undertaking or whether other options may be considered? b) If other options may be considered, please could the Applicant clarify the implications of different options for the assessment? c) Please could the mitigation measures be detailed in the Outline OEMP [APP-091]?
6.6	Applicant SDDC	<p><u>Potential permanent loss of agricultural land</u></p> <p>The Applicant [APP-169 paragraph 15.134] states that the Battery Energy Storage System and onsite substation would be removed during decommissioning, but that the land in these areas may not be restored back to the same ALC grade. The Battery Energy Storage System and substation would be within a small field of mixed Subgrade 3a and 3b quality. The Applicant</p>

Ref:	Question to:	Question:
		<p>indicates that there would be a permanent loss or downgrading of 1.5ha of Subgrade 3a agricultural land if the substation was not removed or suitably restored.</p> <ul style="list-style-type: none"> a) Noting the protection afforded to BMV agricultural land, has sufficient consideration been given to measures to avoid the permanent loss of Subgrade 3a agricultural land? a) Would it be reasonable for the dDCO [AS-005] to require no permanent loss of Subgrade 3a agricultural land? If not, why not?
6.7	Applicant SDDC	<p><u>Return to agricultural land uses after decommissioning</u></p> <ul style="list-style-type: none"> a) Should the dDCO [AS-005] explicitly require the land to be returned to agricultural use immediately after decommissioning has been completed? If not, why not? b) Please could the Applicant suggest suitable wording in case the ExA is minded to include such a provision?
6.8	SDDC EA	<p><u>Draft DCO [AS-005] Requirement 13 - Land contamination</u></p> <p>The Applicant [AS-017] states that appropriate remediation strategies and measures would be secured where found to be necessary, and that remediation must be carried out in accordance with the approved scheme.</p> <ul style="list-style-type: none"> a) Is the approach consistent with the EA's guidance on land contamination risk management? Should it be required that land contamination is dealt with in accordance with that guidance? b) Should measures be added to Requirement 13 in relation to avoiding disturbing any contamination and to consultation with the EA?
6.9	DCC	<p><u>Mineral safeguarding</u></p> <p>Paragraph 5.11.19 of NPS EN-1 states that Applicants should safeguard any mineral resources on the proposed site as far as possible, considering the long-term potential of the land use after any future decommissioning has taken place.</p>

Ref:	Question to:	Question:
		<p>Paragraph 5.11.28 of NPS EN-1 states that where a Proposed Development has an impact upon a Mineral Safeguarding Area, the SoS should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p> <p>The Applicant [APP-146 Paragraph 9.45] states that a short section of cable routing parallel to Walton Road to the north of Grove Wood is in a Sand and Gravel Safeguarding Area in the Draft Derbyshire and Derby Minerals Local Plan. DCC is quoted as saying that this is unlikely to impact the availability of the resource.</p> <p>DCC [RR-078] states that the nature of the Proposed Development means it could be removed relatively easily and it is unlikely therefore that it would lead to the permanent sterilisation of the sand and gravel resource.</p> <ul style="list-style-type: none"> a) Is DCC satisfied that mineral resources are safeguarded “as far as possible”? b) Have appropriate mitigation measures been put in place to safeguard mineral resources?
7. Biodiversity		
7.1	Applicant SDDC NE	<p><u>Skylark</u></p> <p>Paragraph 5.4.55 of NPS EN-1 states that consent should be refused where harm to a protected species and relevant habitat would result, unless there is an overriding public interest, and the other relevant legal tests are met.</p> <p>The Applicant [APP-135 paragraph 6.69] considers it highly unlikely that 19 singing males recorded within the site boundary represent 19 successful breeding pairs within the Oaklands farm area. It [APP-135 Table 6.8] summarises that habitat loss during the construction and operational phases would each be a significant adverse effect at the local level that would be a minor adverse effect in the context of EIA Regulations and not significant. The Applicant [APP-135 Table 6.5] states that the study area is considered of district ecological value for skylark.</p> <ul style="list-style-type: none"> a) Please could the Applicant clarify the ecological importance (e.g., district level or site level) given to skylark habitats in the assessment and provide an update to correct any inconsistency?

Ref:	Question to:	Question:
		<p>b) Please comment on the potential for any successful breeding skylark on the site currently and during the operational phase.</p> <p>c) Please comment on the potential for harm to skylark during the site preparation works, and during the construction, operational and decommissioning phases?</p>
7.2	<p>Applicant NE SDDC</p>	<p><u>Barn owl</u></p> <p>The Applicant [APP-135 paragraph 6.68 and Table 6.6] records the presence of barn owl in the study area and considers that there would not be a loss of nesting or foraging habitat for barn owl during the construction phase, and that the provision of enhancements would provide overall benefit during the operational phase.</p> <p>SDDC [RR-295] expresses concern about whether barn owls have been identified as nesting within site trees, and, if so, whether appropriate mitigation and compensation will be provided.</p> <p>a) Please could the Applicant, following consultation with SDDC, update its assessment and secured mitigation measures as necessary?</p> <p>b) Please could SDDC advise if it has any outstanding concerns on the Applicant's updates?</p> <p>c) Please could NE comment?</p>
7.3	<p>Applicant SDDC NE</p>	<p><u>Other breeding birds of conservation concern</u></p> <p>The Applicant [APP-135 paragraph 6.68] states that the site supports suitable habitat for a range of farmland bird species. Breeding bird surveys of the southern portion of the site identified a total of 56 bird species, including 22 species of conservation concern. It considers that the study area has limited potential for Schedule 1 bird species other than barn owl.</p> <p>a) Please could the Applicant set out the consideration given to all 22 species of conservation concern identified, including in relation to the removal of any hedgerow that may provide a suitable habitat?</p> <p>b) What length of hedgerow would be removed and how much would be replaced? How is this secured?</p>

Ref:	Question to:	Question:
7.4	SDDC	<p><u>Great crested newt</u></p> <p>The Applicant [APP-135 paragraph 6.7] scoped great crested newt out of the detailed assessment as it considers that the Proposed Development would not result in the loss of any ponds and would be focused in areas of arable and grazed grassland which provide low suitability habitat for great crested newt in their terrestrial phase. It states that surveys of all accessible ponds functionally connected to the site within 250m confirm the likely absence of great crested newt.</p> <p>SDDC [RR-295] suggests that additional compensation and mitigation measures may be required to suitably control the potential for killing and injuring great crested newt during the construction phase.</p> <ul style="list-style-type: none"> a) Is SDDC content that great crested newt was scoped out of the detailed assessment? b) Please could SDDC explain why additional compensation and mitigation measures may be required?
7.5	NE DCC SDDC	<p><u>River Mease Special Area of Conservation (SAC)</u></p> <p>The Applicant [APP-122 paragraph 5.3] concludes that the avoidance and mitigation measures which would be secured in relation to the construction of the Proposed Development provide certainty that harmful effects associated with contaminated run-off, changes in surface water flow, and disturbance to otter, would be avoided entirely, thereby eliminating any potential for adverse effects on the integrity of the River Mease SAC either alone or in-combination with other plans and projects.</p> <ul style="list-style-type: none"> a) Please could the Applicant set out the conclusions, with reasoning, in relation to white clawed crayfish, bullhead and spined loach? b) Are NE, DCC, and SDDC satisfied with the Applicant's assessment?
7.6	NE DCC SDDC	<p><u>River Mease Site of Special Scientific Interest (SSSI)</u></p> <p>The Applicant [APP-135 Table 6.6] states that the provision of embedded mitigation as part of the CEMP, such as the application of best practice run-off and pollution control methods, would ensure that the predicted impact of contamination would be extremely unlikely.</p>

Ref:	Question to:	Question:
		Are NE, DCC, and SDDC satisfied with the Applicant's assessment?
7.7	Applicant SDDC NE	<p><u>Draft DCO [AS-005] Requirement 21 – Protected Species</u></p> <p>Provisions are included for the authorised development not to commence until protected species surveys have been carried out by a suitably qualified person, and for mitigation to be carried out in accordance with a resulting Species Mitigation Plan that must be agreed with the local planning authority.</p> <ul style="list-style-type: none"> a) Should the Species Mitigation Plan be agreed with the local planning authority in consultation with NE? b) Noting the potential for disturbance during the pre-commencement site preparation works, operation and decommissioning, are similar provisions required for those phases?
7.8	Applicant	<p><u>Protected species and enhancements during the operational phase and after decommissioning</u></p> <ul style="list-style-type: none"> a) Please could the Applicant comment on the potential for species, including protected species and non-native invasive species, to move onto the site during the 40-year operation of the authorised development, whether they are encouraged to or not? b) If that does occur, then what are the implications for the potential effects and mitigation measures? What is the potential for harm to a protected species and relevant habitat? c) Are there potential implications for land uses after decommissioning? d) With reference to paragraph 5.4.47 of NPS EN-1 and paragraph 2.10.89 of NPS EN-3, have reasonable opportunities been taken to maximise biodiversity enhancements and increase the biodiversity value of the site, including through habitat creation and enabling species to move onto the site, during the 40-year period of operation and after decommissioning? e) Please could the Applicant explain how it proposes to deal with the potentially competing interests of agricultural land uses and biodiversity enhancement after decommissioning? Which should be prioritised?
7.9	SDDC	<u>Operational phase detailed assessment</u>

Ref:	Question to:	Question:
	DCC NE EA	<p>The Applicant [APP-135 paragraph 6.7] scoped adverse impacts arising during the operational phase out of the detailed assessment on the basis that there is no potential for significant effects to occur for all ecological receptors.</p> <p>Are the parties content that adverse impacts arising during the operational phase were scoped out of the detailed assessment?</p>
7.10	Applicant EA	<p><u>Wildflower meadows</u></p> <p>The EA [APP-121] is quoted as stating that if crops are to be replaced by wildflower meadows, a management plan must be agreed which should include when and where any grazing is permitted, as well as an annual cut and removal of wildflowers in August to allow species to fully establish.</p> <p>a) Please, following consultation with the EA, could the Applicant ensure that suitable measures for the management and maintenance of wildflower meadows are included in the Outline OEMP [APP-091]?</p> <p>b) Please could the EA advise if it has any outstanding concerns on the Applicant's update?</p>
7.11	Applicant SDDC	<p><u>Draft DCO [AS-005] Article 37 - Felling or lopping of trees or removal of hedgerows.</u></p> <p>The Applicant [AS-007, AS-017] considers that the broad powers to fell or lop any tree or shrub trees subject to tree preservation orders or cut back their roots are subject to appropriate limitations, and is necessary for the safe delivery of the Proposed Development.</p> <p>a) Should the exercise of these powers be subject to the prior consent of the local planning authority?</p> <p>c) Should the removal of hedgerows be restricted to those identified in Schedule 9 to ensure that any impacts are minimised and to ensure consistency with the ES?</p>
7.12	Applicant SDDC	<p><u>Draft DCO [AS-005] Article 38 - Trees subject to Tree Preservation Orders.</u></p> <p>The Applicant [AS-007, AS-017] considers that the broad powers to fell or lop trees subject to tree preservation orders or cut back their roots provide necessary flexibility.</p>

Ref:	Question to:	Question:
		<p>a) Should the exercise of these powers be subject to the prior consent of the local planning authority?</p> <p>b) Should the relevant trees be identified in Schedule 9 to ensure that any impacts are minimised and to ensure consistency with the ES?</p> <p>b) With reference to paragraph 5.4.32 of NPS EN-1, would the proposals fully mitigate the direct and indirect effects on ancient and veteran trees?</p>
7.13	<p>Applicant DCC SDDC</p>	<p><u>Buffers</u></p> <p>The Applicant states that there would be:</p> <ul style="list-style-type: none"> • a 5m buffer to retained hedgerows [APP-135] paragraph 6.78]; • a protection buffer of at least 15m from ancient woodland associated with Grove Wood LWS and for any ancient or veteran trees a buffer zone at least 15 times larger than the tree diameter [APP-135] paragraph 6.79]; and • in accordance with the EA’s requirements, an 8m buffer to watercourses, apart from water crossings. <p>DCC and SDDC [APP-121] are quoted as recommending that a habitat constraints plan or similar is produced for the CEMP, which clearly defines buffer zones to sensitive features such as ancient/veteran trees, other retained trees, ponds, watercourses, hedgerows, and woodlands etc.</p> <p>a) Please could DCC and SDDC comment on the buffers proposed by the Applicant?</p> <p>b) Please could the Applicant ensure that each buffer relied on for mitigation in the assessment is included in the Outline CEMP [APP-090]?</p> <p>c) Please could the Applicant, DCC, and SDDC consider whether a habitat constraints plan, or similar, would provide helpful clarification of the buffer zones, seek to agree what should be included in the Outline CEMP [APP-090], and each provide an update at the earliest opportunity?</p>
7.14	Applicant	<u>Invasive Non-Native Species (INNS)</u>

Ref:	Question to:	Question:
		<p>The Applicant [APP-135 paragraph 6.55] records INNS (Himalayan balsam, rhododendron, cherry laurel, buddleia, Japanese knotweed) within the site or in proximity to it. It states [APP-135 Table 6.8] that control of Japanese knotweed would be included in the LEMP. The Outline LEMP [APP-105 paragraphs 5.36-7] includes measures in relation to Himalayan balsam.</p> <p>Please could the Applicant update the Outline LEMP [APP-105] to include mitigation measures for all recorded INNS?</p>
7.15	<p>SDDC National Forest Company</p>	<p><u>National Forest</u></p> <p>a) Is the Proposed Development consistent with Policy INF8 (The National Forest) of the South Derbyshire Local Plan, including in relation to supporting the delivery of National Forest objectives, native scrub and woodland connectivity across the site, and tree planting targets?</p> <p>b) Are the necessary mitigation measures provided in the Outline CEMP [APP-090], Outline OEMP [APP-091], Outline DEMP [APP-092], and Outline LEMP [APP-105]?</p>
7.16	Applicant	<p><u>Environmental Improvement Plan 2023</u></p> <p>With reference to paragraph 5.4.39 of NPS EN-1, please could the Applicant summarise the regard given to the government's Environmental Improvement Plan 2023 and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere?</p>
7.17	<p>Applicant SDDC NE</p>	<p><u>Biodiversity Net Gain</u></p> <p>The Applicant [AS-017] states that delivery of biodiversity net gain is secured via the Outline Landscape Ecological Management Plan. The Applicant has submitted a Biodiversity Net Gain Report [APP-131].</p> <p>The ExA is considering whether to add a requirement to the dDCO [AS-005] for no part of the authorised development to commence until a Biodiversity Net Gain Strategy has been submitted to and approved by the local planning authority in consultation with NE, and for it to be implemented as approved.</p> <p>Please could the parties comment?</p>

Ref:	Question to:	Question:
8. Historic environment		
8.1	DCC archaeologist	<p><u>Archaeology - further fieldwork</u></p> <p>The DCC archaeologist is quoted as saying that no further fieldwork is required until post-consent [APP-139 Table 7.1], should consent be granted.</p> <p>Is the DCC archaeologist content that no further fieldwork is required to support the consideration of whether development consent should be granted?</p>
8.2	Applicant DCC archaeologist	<p><u>Archaeology – potential later prehistoric to Roman assets</u></p> <p>The Applicant [APP-139] considers that that is a low risk of high value later prehistoric to Roman assets being present on the site.</p> <ol style="list-style-type: none"> a) Please could the Applicant and the DCC archaeologist comment on the value of later prehistoric to Roman assets that should be considered in the assessment and the potential for them to be of demonstrably equivalent value to designated heritage assets? b) Please could the Applicant provide supporting evidence to justify the assessment that they are at a low risk of being present and clarify the meaning of ‘low risk’ in the context of a reasonable worst-case assessment. Please could the DCC archaeologist comment on the likelihood of them being present? c) Please could the Applicant clarify, with detailed justification, the potential for harm to later prehistoric to Roman assets of demonstrably equivalent value to designated heritage assets, and whether that potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance? Please could the DCC archaeologist comment?
8.3	Applicant DCC archaeologist	<p><u>Archaeology – micrositing</u></p>

Ref:	Question to:	Question:
		<p>Paragraph 2.10.137 of NPS EN-1 states that the ability of the Applicant to microsite specific elements during the construction phase should be an important consideration by the SoS when assessing the risk of damage to archaeology.</p> <ol style="list-style-type: none"> a) Please could the Applicant provide its consideration of the potential for micrositing, including the practical feasibility in relation to the foundations of the solar panels? b) Please could the Applicant ensure that any micrositing mitigation is explicitly secured in the Outline CEMP [APP-090]? d) Please could the DCC archaeologist comment?
8.4	Applicant DCC SDDC	<p><u>Draft DCO [AS-005] Requirement 18 - Archaeology</u></p> <ol style="list-style-type: none"> a) Should this requirement also apply to the site preparation works, rather than only in relation to commencement? b) Should a requirement be added for a copy of any analysis, reporting, publication, or archiving required as part of the written scheme to be deposited with the Historic Environment Record of the local planning authority within one year of the date of completion of the authorised development or such other period as may be agreed in writing by the local planning authority? c) In relation to any archaeological remains not previously identified which are revealed when carrying out the authorised development, should it be required that: <ul style="list-style-type: none"> • they must be retained in situ and reported to the relevant planning authority as soon as reasonably practicable from the date they are identified; • no construction operations are to take place within 10 metres of the remains for a period of 14 days from the date of any notice unless otherwise agreed in writing by the local planning authority; and • if the local planning authority determines in writing that the archaeological remains require further investigation, no construction operations are to take place within 10 metres of the remains until provision has been made for the further investigation and recording of the remains in accordance with details to be submitted in writing to, and approved in writing by, the local planning authority?

Ref:	Question to:	Question:
		<p>d) Should it be required that on completion of the authorised development, suitable resources and provisions for long term storage of the archaeological archive will be agreed with the county archaeologist?</p>
8.5	Applicant	<p><u>Cumulative effects during the operational phase</u> Please justify the conclusion of no cumulative effects with other schemes during the operational phase [APP-139 paragraphs 7.118 – 7.120].</p>
<p>9. Landscape, visual, glint, and glare</p>		
9.1	Applicant	<p><u>Zone of theoretical visibility mapping</u> The Applicant [APP-101 paragraph A5.2.3] states that the assessment considers areas from which the solar panels (2.7m high), the onsite substation (variable heights of between 5-10.2m) and battery storage (variable heights of between 3.12-3.5m) are potentially visible.</p> <p>a) Please could the Applicant ensure that the heights of the solar panels, the onsite substation, and battery storage used in the assessment are clearly identified and secured by the dDCO [AS-005]? b) Please could the Applicant explain whether, and if so why, it is content for the height of and replacement solar panels during the 40-year operational phase to be restricted to a maximum height of 2.7m, including in relation to the national interest? c) Please could the Applicant set out the consideration given to lighting and CCTV columns and how their heights are secured.</p>
9.2	Applicant	<p><u>Mitigation required to reduce operational phase effects from Year 1 to Year 10</u> The Applicant [APP-102, APP-103, APP-106] states that the magnitude of:</p> <ul style="list-style-type: none"> • landscape effect at the site would reduce from major adverse at Year 1 to moderate adverse at Year 10;

Ref:	Question to:	Question:
		<ul style="list-style-type: none"> • landscape effect at Village Estate Farmlands would reduce from major adverse at Year 1 to moderate adverse at Year 10; • visual effect at Coton Road/ Church Street between Walton-on-Trent and Coton in the Elms would reduce from major adverse at Year 1 to moderate adverse at Year 10; • visual effect at the unnamed road between Walton-on-Trent and Church Street would reduce from moderate adverse at Year 1 to minor adverse at Year 10; • visual effect at Cross Britain Way/ National Forest Way between Walton-on-Trent and Rosliston would reduce from major adverse at Year 1 to moderate adverse at Year 10; and • visual effect at the Public Rights of Way (PRoW) within 2.5km of the site south of the Cross Britain Way/ National Forest Way would reduce from moderate adverse at Year 1 to minor adverse at Year 10. <p>In each case, please provide a detailed justification for why the effects would reduce from Year 1 to Year 10, the specific mitigation measures necessary to achieve that, and how each measure is secured, for example by the Outline LEMP [APP-105]?</p>
9.3	Applicant	<p><u>Operational phase mitigation</u></p> <p>The Applicant [APP-106] paragraph 5.105] states that embedded mitigation is secured in the Outline LEMP [APP-105].</p> <p>Please could the Applicant carry out a thorough audit of the Outline LEMP [APP-105] and update it as necessary to ensure that the mitigation for landscape, visual, glint and glare impacts during the operational phase:</p> <ul style="list-style-type: none"> • is provided to at least the same level of detail as set out in the ES [APP-106, APP-167]; • is sufficiently defined so that they would be likely to result in the residual effects identified in the ES [APP-106, APP-167]; and • includes all relevant provisions for further survey requirements, monitoring and maintenance?

Ref:	Question to:	Question:
9.4	SDDC National Forest Company	<p><u>The National Forest</u></p> <p>Have reasonable opportunities been taken to provide more woodland, and to support Policy INF8 (The National Forest) of the South Derbyshire Local Plan in relation to potential landscape and visual effects?</p>
9.5	Applicant	<p><u>Noise</u></p> <p>With reference to paragraph 5.10.22 of NPS EN-1, please could the Applicant summarise how it has addressed the landscape and visual effects of noise from construction and operational activities on residential amenity and on sensitive locations, receptors, and views?</p>
9.6	Applicant SDDC	<p><u>Glint and glare</u></p> <p>Footnote 93 of NPS EN-3 states that most commercially available solar panels are designed with anti-reflective glass or are produced with anti-reflective coating and have a reflective capacity that is generally equal to or less hazardous than other objects typically found in the outdoor environment, such as bodies of water or glass buildings.</p> <p>Please comment on whether mitigation using anti-reflective glass or anti-reflective coating should be secured?</p>
<p>10. Noise and vibration</p>		
10.1	Applicant	<p><u>Piling for the solar panels</u></p> <p>The Applicant [APP-160 Table 11.2] states that, piling is the preferred method for the solar PV modules and results in the highest noise levels at most properties.</p> <p>SDDC [APP-160 paragraph 11.101] is quoted as identifying piling during construction as the most significant effect, and expects the Applicant to explore provision of localised screening to minimise the impacts.</p> <p>a) Please could the Applicant provide more detail on the alternative piling methods considered and identify the piling method that it is most likely to use?</p>

Ref:	Question to:	Question:
		<p>b) If percussive piling is being considered as a reasonable worst case for the assessment, what quieter alternatives have been considered, and what are the pros and cons of the alternatives?</p> <p>c) What mitigation measures should be provided for noise from piling, and can these be clearly secured in the Outline CEMP [APP-090]?</p>
10.2	Applicant SDDC	<p><u>Noise limits</u></p> <p>Paragraph 5.12.18 of NPS EN-1 requires that consideration be given to including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.</p> <p>SDDC [APP-160 Table 11.2] are quoted as recommending a condition for a site noise limit at the boundary.</p> <p>a) Please could the Applicant, following consultation with the SDDC, update its secured mitigation measures for the construction and operational phases as necessary, or set out why it does not consider it necessary to secure noise limits?</p> <p>b) Please could SDDC advise if it has any outstanding concerns on the Applicant's updates?</p>
10.3	Applicant SDDC	<p><u>Construction and delivery hours</u></p> <p>Requirement 20 of the dDCO [AS-005] specifies construction hours as a firm requirement. Paragraph 1.15.1 of the Outline OEMP [APP-090] states that working hours would be agreed with the Council prior to construction. SDDC [APP-160 Table 11.2] is quoted as recommending a condition for SDDC's standard working hours to be adopted.</p> <p>a) Please could SDDC advise if it has any concerns about Requirement 20 of the dDCO [AS-005]?</p> <p>b) Please could the Applicant, following consultation with SDDC about its concerns, update the Outline OEMP [APP-090] to recognise the firmness of the construction hours secured in the dDCO [AS-005]?</p>

Ref:	Question to:	Question:
10.4	Applicant	<p><u>Construction noise mitigation</u></p> <p>Paragraph 2.2.3.1 of the Outline CEMP [APP-090] states that the Contractor would have a duty to undertake Best Practical Means as defined in s79(9) of the Environment Protection Act 1997 and s72 of the Control of Pollution Act 1974. Paragraph 2.2.3.2 states that the Contractor would have a duty to follow the recommendations set out in BS 5228:2009.</p> <p>In the interests of firmness and clarity, should "... the Contractor will have a duty to ..." be updated to "... the Contractor will be required to ..."?</p>
11. Traffic and transport		
11.1	Applicant DCC	<p><u>Significance criteria and significance of effect matrix</u></p> <p>a) Please could the Applicant explain the basis for the significance criteria [APP-155 Table 10.7] and significance of effect matrix [APP-155 Table 10.8] in the context of relevant guidance, including in National Highways' Design Manual for Road and Bridges and as provided by the Institute of Environmental Management and Assessment?</p> <p>b) Please could DCC comment?</p>
11.2	Applicant DCC SDDC	<p><u>Field surveys</u></p> <p>The Applicant [APP-155 paragraph 10.57] states that field surveys were carried out in November 2021 and April 2023.</p> <p>Do the parties have any concerns about whether the timing of these surveys is likely to provide sufficient understanding of the baseline conditions, including for non-motorised users?</p>
11.3	Applicant DCC	<p><u>Condition of roads</u></p> <p>Several parties including Andrew Passey [RR-025], David Frost [RR-065], Gemma Price [RR-100], Martin David William Abbott [RR-190], Miriam Elizabeth Mary Campion [RR-212], and Richard Giddings [RR-259], raise concerns in relation to the existing condition of roads.</p>

Ref:	Question to:	Question:
		<ul style="list-style-type: none"> a) Please could the Applicant set out the consideration given to road condition, including in relation to safety, noise, and vibration? b) Please could DCC and SDDC comment? c) Are any mitigation measures required and, if so, what are they and how could they be secured?
11.4	Applicant DCC Staffordshire County Council (SCC)	<p><u>Heavy goods vehicles (HGV)</u></p> <p>Paragraph 5.14.14 of NPS EN-1 states that requirements may be added to a consent where there is likely to be substantial HGV traffic that control numbers and possibly routing of HGV movements in a specified period during construction; make sufficient provision for HGV parking and facilities; and ensure satisfactory arrangements for reasonably foreseeable abnormal disruption.</p> <p>Paragraph 2.10.123 of NPS EN-3 states that Applicants should assess the various potential routes to the site for delivery of materials and components where the source of the materials is known at the time of the application and select the route that is the most appropriate.</p> <p>Paragraph 2.10.125 includes that Applicants should ensure all sections of roads and bridges on the proposed delivery route can accommodate the weight and volume of the loads and width of vehicles. Where modifications to roads and/or bridges are required, these should be identified, and potential effects addressed.</p> <p>DCC [RR-078] considers that further assessments are required to establish the impacts of HGV movements associated with the construction and decommissioning of the proposal, particularly regarding the impacts of goods vehicle access through urban areas and along relatively quiet country roads benefiting from an environmental weight limit.</p> <p>SCC [APP-155 Table 2.1] is quoted as saying that the route through Stapenhill is within Staffordshire and is particularly sensitive to HGV usage and will need careful consideration. The Applicant [AS-015 Figure 10.3] indicates that the likely construction route for HGV would be on Route 6 through Stapenhill.</p> <ul style="list-style-type: none"> a) Please could the Applicant, following consultation with DCC, update its assessment and secured mitigation measures as necessary?

Ref:	Question to:	Question:
		<p>b) Please could DCC advise if it has any outstanding concerns on the Applicant's updates?</p> <p>c) Do SCC or DCC have any comments on the mitigation measures provided for Route 6?</p> <p>d) Should it be secured that construction route Scenario 2A would only be used if Scenario 1 (using Walton-on-Trent bypass) is not available [APP-155 paragraph 10.149]?</p> <p>e) Should it be secured that construction route Scenario 2B would only be used if Scenarios 1 and 2A are not available?</p> <p>f) Are any more measures required to ensure that no construction traffic would go through Walton-on-Trent?</p> <p>g) Are there any concerns about whether sections of roads and bridges on the proposed routes can accommodate the weight and volume of the loads and width of vehicles?</p>
11.5	Applicant	<p><u>Construction phase mitigation measures</u></p> <p>Paragraph 5.14.18 of NPS EN-1 states that the SoS should ensure that the Applicant has sought to mitigate impacts, including during the construction phase of the development and by enhancing active, public, and shared transport provision and accessibility.</p> <p>Requirement 10 of the dDCO [AS-005] provides that no phase of the authorised development is to be commenced until a CTMP covering that phase and in accordance with the Outline CTMP [APP-148] has been submitted to and approved by the local planning authority in consultation with the highway authority for the relevant highway(s).</p> <p>The Applicant [APP-155] identifies mitigation measures relied on in the assessment, including in paragraphs 10.283-299.</p> <p>a) Please could the Applicant carry out a thorough audit of the Outline CTMP [APP-148] and update it as necessary to ensure that the mitigation for the operational phase:</p> <ul style="list-style-type: none"> • is provided to at least the same level of detail as provided in the ES [APP-155]; • is sufficiently defined so that they would be likely to result in the residual effects identified in the ES [APP-155]; and • includes all relevant provisions for any monitoring and maintenance?

Ref:	Question to:	Question:
		<p>b) Please could the Applicant review the wording in the Outline CTMP [APP-148] (e.g., “it is envisaged”, “are expected to”, “it is proposed”, “will be able”, etc.) to ensure that the mitigation measures are firmly secured and avoid any ambiguity?</p>
11.6	Applicant	<p><u>Mitigation required to reduce construction phase effects</u></p> <p>The Applicant [APP-155 Table 2.1] states that mitigation measures would reduce the magnitude of effect from moderate adverse to minor adverse in several cases, including:</p> <ul style="list-style-type: none"> • Scenario 1: <ul style="list-style-type: none"> ○ non-motorised amenity, Walton Road, PRow Route 9; and ○ non-motorised amenity, Temporary Construction Haul Road, PRow Route 9. • Scenario 2A: <ul style="list-style-type: none"> ○ severance of communities, Main Street (Stapenhill), Croft Residential Home and Riverside Residential Home; ○ severance of communities, Rosliston Road, The First Day Nursery; ○ road vehicle driver and passenger delay, Main Street (Stapenhill), Croft Residential Home, Riverside Residential Home, retail and businesses along Main Street, residential dwellings fronting the carriageway along Main Street; ○ road vehicle driver and passenger delay, Rosliston Road, The First Day Nursery, retail and businesses along Rosliston Road in Stapenhill, residential dwellings fronting the carriageway along Rosliston Road in Stapenhill; ○ road vehicle driver and passenger delay, A513, National Memorial Arboretum on event days; ○ road vehicle driver and passenger delay, unnamed road between A513 and Church Street, Catton Hall on event days; ○ non-motorised user delay, Main Street (Stapenhill), Croft Residential Home and Riverside Residential Home; ○ non-motorised user delay, Rosliston Road, The First Day Nursery; ○ non-motorised amenity, Walton Road, PRow Route 9; ○ non-motorised amenity, Temporary Construction Haul Road, PRow Route 9; ○ road user and pedestrian safety, Main Street (Stapenhill), Collision Clusters, Croft Residential Home and Riverside Residential Home;

Ref:	Question to:	Question:
		<ul style="list-style-type: none"> ○ road user and pedestrian safety, Rosliston Road, Collision Clusters, The First Day Nursery; ○ road user and pedestrian safety, A5121, Collision Clusters; and ○ road user and pedestrian safety, A513, Collision Clusters, retail units and businesses at Ventura Retail Park, Tamworth. <ul style="list-style-type: none"> ● Scenario 2B: <ul style="list-style-type: none"> ○ severance of communities, Mill Street, residential dwellings fronting the carriageway along Mill Street in Coton in the Elms; ○ severance of communities, Church Street, residential dwellings fronting the carriageway along Church Street in Coton in the Elms; ○ road vehicle driver and passenger delay, A513, National Memorial Arboretum on event days; ○ road vehicle driver and passenger delay, unnamed road between A513 and Church Street, Catton Hall on event days; and ○ road user and pedestrian safety, A513, Collision Clusters, retail units and businesses at Ventura Retail Park, Tamworth. <p>In each case, please provide a detailed justification for why the effects would reduce, the specific mitigation measures necessary to achieve that, and how each measure is secured, for example by the Outline CTMP [APP-148]?</p>
11.7	Applicant	<p><u>Mitigation measures outside the Order Limits</u></p> <p>Alteration to streets reference AS-G1 [AS-004] Sheet 3] is outside the Order Limits. Please could the Applicant advise how this mitigation is secured and provide any evidence necessary to substantiate?</p>
11.8	Applicant DCC	<p><u>Plots 02-045 and 02-048</u></p> <p>The BoR [AS-009] seeks the acquisition of the freehold of a section verge on Rosliston Road. How is the maintenance of the verges provided for?</p>
11.9	DCC	<p><u>Draft DCO [AS-005] Article 9 - Power to alter layout, etc., of streets</u></p>

Ref:	Question to:	Question:
	SDDC	<p><u>Draft DCO [AS-005] Article 10 - Access to works</u></p> <p>The Applicant requests powers to make permanent, rather than temporary, alterations to streets and to create of permanent means of access, setting out its reasoning [AS-017].</p> <p>Do DCC or SDDC have any concerns?</p>
11.10	DCC SCC	<p><u>Draft DCO [AS-005] Article 13 - Traffic regulation measures</u></p> <p>The Applicant is requesting broad powers to authorise temporary traffic regulation measures for the purposes of the construction or decommissioning of the authorised development, and has set out its reasoning for that [AS-017].</p> <p>Do DCC or SCC have any concerns?</p>
12. Water quality, resources, drainage, and flooding		
12.1	Applicant EA	<p>The EA [AS-019] states that The Water Framework Directive (WFD) Assessment lacks information and has been incorrectly screened. It considers that the WFD Assessment does not address the WFD groundwater body in question and hydro-morphological impacts have been screened out even though culverting of watercourses is proposed.</p> <p>a) Please could the Applicant, following consultation with the EA, update its assessment as necessary?</p> <p>b) Please could the EA advise if it has any outstanding concerns on the Applicant's updates?</p>
12.2	EA DCC SDDC	<p><u>Draft DCO [AS-005] Article 6 - Disapplication and modification of legislative provisions</u></p> <p>The Applicant [AS-007] is seeking to disapply a requirement in s25 of the Land Drainage Act 1991 for statutory consent from the EA in relation to impounding water necessary for the temporary stopping up of watercourses to trench and lay cables, installation of culverts, drainage and other features to cross watercourses. It states that it would be content in principle to include protective provisions for the benefit of the EA, if requested.</p>

Ref:	Question to:	Question:
		<p>The EA [AS-019] states that it cannot agree to disapply the requirement for any impoundment licences required.</p> <ul style="list-style-type: none"> a) Notwithstanding any potential discussions on protective provisions, please could the EA set out the implications of s25 of the Land Drainage Act 1991 being disapplied, including in relation to the need to control the Proposed Development and mitigate its effects. b) Without prejudice to any later determination, please could the EA set out any concerns that it currently has that may lead to any impoundment licenses not being granted? c) Do DCC or SDDC have any related concerns?
12.3	EA DCC SDDC	<p><u>Draft DCO [AS-005] Requirement 9 - Construction environmental management plans (CEMP)</u></p> <p>The Applicant [AS-017] states that while the Outline CEMP [APP-090] does not refer to a Surface Water Management Plan, it includes surface water management provisions. It refers to Requirement 17, which provides for details of the surface water and foul water drainage system for each phase to be submitted to and approved by the local planning authority.</p> <ul style="list-style-type: none"> a) Should a requirement to provide details of a Surface Water Management Plan be added to Requirement 9 of the dDCO? If so, why? b) Would it be helpful for the Applicant to provide an Outline Surface Water Management Plan to the Examination to clarify and help secure the measures that should be included?
12.4	Applicant EA DCC	<p><u>Flood risk assessment (FRA)</u></p> <p>The EA [AS-019] states that flood risk has not been appropriately assessed and there is a risk that the proposed mitigation measures are not appropriate. The Applicant subsequently updated its Flood Risk Assessment and Outline Drainage Strategy [AS-014].</p> <ul style="list-style-type: none"> a) Please could the Applicant consult with the EA on the adequacy of the updated FRA and on the appropriateness of the proposed mitigation measures? b) Following consultation with the EA, please could the Applicant provide any updates as necessary?

Ref:	Question to:	Question:
		<p>c) Please could the EA advise if it has any outstanding concerns on the Applicant's updates, including in relation to whether the FRA satisfies the minimum requirements set out in paragraph 5.8.15 of NPS EN-1?</p> <p>d) Is the EA satisfied that the FRA makes up-to-date allowances for climate change?</p> <p>e) Does DCC, as Lead Local Flood Authority, have any concerns about the FRA?</p>
12.5	Applicant EA	<p><u>Flood debris</u></p> <p>Please comment on the potential for flood debris to build up on the legs supporting the solar panels and any related implications for flood risk and drainage.</p>
12.6	Applicant	<p><u>Sustainable Drainage Systems (SuDS)</u></p> <p>Please could the Applicant ensure that the operation and maintenance of SuDS is secured as required by paragraphs 5.8.38 and 5.8.39 of NPS EN-1?</p>
12.7	Applicant EA DCC SDDC	<p><u>Potential water quality, drainage, and flooding benefits</u></p> <p>Paragraph 2.10.154 of NPS EN-3 states that where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, and water quality management.</p> <p>Have reasonable opportunities been taken to maximise the potential benefits?</p>
13. Other planning topics		
13.1	Applicant East Staffordshire Borough Council (ESBC)	<p><u>Air Quality – Air Quality Management Areas (AQMA)</u></p> <p>Paragraph 5.2.12 of NPS EN-1 states that where a Proposed Development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory</p>

Ref:	Question to:	Question:
		<p>limits, objectives or targets are not breached. Paragraph 5.2.19 states that consent should be refused if a project will lead to non-compliance with a statutory limit, objective, or target.</p> <p>The Applicant [AS-015 Figures 10.3 and 10.5] indicates the locations of Burton Upon Trent AQMA 1 and Burton Upon Trent AQMA 2 and their proximity to the likely route for construction vehicles, Route 6.</p> <p>The Applicant [APP-177 paragraph 16.67] states that the average daily traffic generated during the construction phase has been estimated to result in maximum annual average daily trips (AADT) of 14 heavy vehicles and 67 light vehicles, which it considers to be well below the screening threshold for areas within an AQMA.</p> <ol style="list-style-type: none"> a) Please could the Applicant identify the screening threshold for areas within an AQMA and how this accords with any relevant guidance? b) Notwithstanding any screening criteria, and following consultation with ESBC, please could the Applicant provide its reasoning in relation to whether the increase in traffic due to the Proposed Development would be likely to lead to a breach of any relevant statutory air quality limits, objectives or targets set out in the most recent relevant air quality plan/strategy? c) Notwithstanding any screening criteria, and following consultation with ESBC, please could the Applicant provide its reasoning in relation to whether the increase in traffic due to the Proposed Development would be likely to affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy? d) Please could ESBC comment?
13.2	Applicant	<p><u>Air quality – decommissioning</u></p> <p>Please could the Applicant summarise the consideration given to potential effects on air quality during decommissioning?</p>
13.3	Applicant	<p><u>Aviation and defence</u></p>

Ref:	Question to:	Question:
		<p>With reference to paragraph 5.5.39 of NPS EN-1, please could the Applicant provide evidence that it has consulted with the Ministry of Defence, Met Office, Civil Aviation Authority, NATS and any aerodrome likely to be affected by the Proposed Development?</p>
13.4	Applicant	<p><u>Climate change adaptation and resilience</u></p> <p>Please could the Applicant carry out a thorough audit of the Outline LEMP [APP-105] and update it as necessary to ensure that, for climate change adaptation and resilience, the mitigation in relation to ecology during the construction and operational phases and landscape and visual during the operational phases:</p> <ul style="list-style-type: none"> a) is provided to at least the same level of detail as provided in the ES [APP-165]; b) is sufficiently defined so that they would be likely to result in the residual effects identified in the ES [APP-165]; and c) includes all relevant provisions for monitoring and maintenance?
13.5	Applicant	<p><u>Health and wellbeing</u></p> <p>With reference to paragraph 4.4.6 of NPS EN-1, please could the Applicant summarise the consideration given to promoting local improvements to encourage health and wellbeing, including potential impacts on vulnerable groups within society and impacts on those with protected characteristics under the Equality Act 2010, i.e., those groups which may be differentially impacted by a development compared to wider society as a whole?</p>
13.6	Applicant	<p>PRoW</p> <p>Paragraph 2.10.45 of NPS EN-1 requires the Applicant provide an outline PRoW Management Plan to set out detail on how PRoW would be managed to ensure they are safe to use.</p> <p>The Applicant describes mitigation measures in the assessment [APP-163 paragraphs 12.84-87 and 12.94] and in the Outline OEMP [APP-090 paragraph 2.10.1].</p> <p>Please could the Applicant update the Outline CEMP [APP-090], Outline OEMP [APP-091] and Outline DEMP [APP-092] to specifically include an outline PRoW Management Plan for each phase that sets out detail on how public rights of way would be managed to ensure they are</p>

Ref:	Question to:	Question:
		safe to use and that, as a minimum, include those measures described in the ES [APP-163] and relied on in the assessment?
13.7	Applicant	<p><u>Safety – gas pipeline</u></p> <p>The Applicant [APP-138], paragraph 2.3.1] refers to a gas pipeline route through the site. Paragraph 4.13.8 of NPS EN-1 states that it is necessary to be satisfied that a safety assessment has been prepared, as required, and that the Competent Authority has raised no safety objections.</p> <ul style="list-style-type: none"> a) Please could the Applicant summarise its safety assessment in relation to the gas pipeline, including for any excavation or piling works in its vicinity? b) Are appropriate mitigation measures secured and, if so, where? c) Has the relevant Competent Authority been consulted and have they raised any safety objections? d) Please could the Applicant update the Major Accidents and Disasters assessment [APP-177] as appropriate?
13.8	Applicant	<p><u>Safety – flood risk</u></p> <p>The Applicant [AS-014] paragraph 8.3] states that Rosliston Road, and the access tracks off it, are located within the fluvial flood risk area and notes that the local road network may be affected by flooding where it crosses the unnamed watercourse and by surface water, particularly Coton Road between Oaklands Farm and Lad’s Grave. It considers that flood depths along these routes are expected not to exceed 300 mm and should remain passable with care. It refers to the availability of alternative routes.</p> <ul style="list-style-type: none"> a) Please could the Applicant summarise its safety assessment in relation to access and egress during flooding? b) Are appropriate mitigation measures, including alternative routes, secured and, if so, where? c) Has the relevant Competent Authority been consulted and have they raised any safety objections?

Ref:	Question to:	Question:
13.9	Applicant	<u>Socio-economics and PRow – decommissioning</u> Please could the Applicant summarise the consideration given to potential effects on socio-economics and PRow during decommissioning?

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