

**SOUTH DERBYSHIRE DISTRICT COUNCIL’S ANSWERS  
TO THE EXAMING AUTHORITY’S SECOND WRITTEN QUESTIONS**

Oaklands Farm Solar Farm NSIP

(Construction and operation of a solar farm plus energy storage with  
associated infrastructure and connection to the grid)

Application by Oaklands Farm Solar Ltd

**PINS Reference: EN010122**

EN010122 - Oaklands Farm Solar Park NSIP – SDDC’s Answers to the ExA’s Second Written Questions

Ref:	ExA’s Question	SDDC Answer:
1.	Draft Development Consent Order (dDCO) and other consents	
	<b>General points</b>	
1.4	<p><u>Articles 11(7), 14(9), 16(6) - Guillotine</u></p> <p>Articles 11(7), 14(9), 16(6) confer deemed consent if the authority does not respond within 28 days (a “guillotine”).</p> <p>DCC [<a href="#">REP1-026</a>] and SDDC [<a href="#">REP1-029</a>] consider that 28 days is a tight timeframe to deal with a submission, particularly if consultation is required between authorities, with internal consultees, or the Applicant. They ask that provision is made for the authority’s attention to be drawn to the guillotine.</p> <p>The EA [<a href="#">REP1-032</a>] does not support “deemed approval” for any consents, but ask that provision is made for attention to be drawn to the guillotine if the approach is taken.</p> <p>The Applicant [<a href="#">REP1-025</a>, <a href="#">REP3-032</a>] does not consider it necessary for any application for consent to contain a statement drawing the authority’s attention to the deemed consent period as it considers that this is clearly and properly provided for within the dDCO [<a href="#">REP3-008</a>] and DCC, SDDC and the EA have been made aware of the “deemed consent” provisions through this examination process. The Applicant has revised Articles 11(7), 14(9) and 16(6) to allow the 28-day period to be extended if agreed in writing between the parties. It does not propose any further amendments.</p> <p>With reference to the Applicant’s updates, the ExA notes that if an extension to the 28-day period is not agreed in writing then the “deemed approval” provisions would remain. The ExA notes the likely benefits for applications for consent to be properly considered, and for the timescales to be reasonable. It would like to find the right balance between not unnecessarily delaying</p>	<p>SDDC is now content that provision need not be made for the authority’s attention to be drawn to the guillotine, as the 28-day period can be extended.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>the Proposed Development and ensuring that appropriate regard is given to the interests and advice of parties involved in considering applications for consent. The ExA refers to the form of words adopted in Articles 14(7), 18(12), 19(10), 21(7) of <a href="#">The A57 Link Roads Development Consent Order 2022</a>.</p> <p>a) Do DCC, SDDC, and the EA still ask that provision is made for the authority’s attention to be drawn to the guillotine?</p> <p>b) Please could the Applicant comment?</p>	
	<p><b>Part 1 - Preliminary</b></p>	
1.5	<p><u>Article 2 – Interpretation</u></p> <p>DCC [<a href="#">REP1-026</a>] and SDDC [<a href="#">REP1-029</a>] consider that some site preparation works have the potential to create adverse noise and air quality impacts including “remedial work in respect of any contamination or other adverse ground conditions” and “site clearance (including vegetation removal, demolition of existing buildings and structures)”. They say that “commencement” should include site preparation works relating to protected species, archaeological remains and traffic.</p> <p>In relation to “site clearance (including vegetation removal, demolition of existing buildings and structures)”, the Applicant [<a href="#">REP3-032</a>] has amended Requirement 9 - Construction environmental management plans (CEMP) to provide that for the purposes of Requirement 9, “commence” includes site clearance works.</p> <p>EA [<a href="#">REP1-032</a>] consider that significant environmental effects from “remedial work in respect of any contamination or other adverse ground conditions” cannot be ruled out and advise that this is removed from “site preparations work”, and that such</p>	<p>SDDC is content in regard to the mitigation of site preparation works.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>works are undertaken with controls that apply at commencement, including Requirements 9 and 13.</p> <p>In relation to “remedial work in respect of any contamination or other adverse ground conditions”, the Applicant [REP3-032] has amended Requirement 13 – Land contamination to provide that no remedial works in any phase of the development may commence until a contamination risk assessment has been produced.</p> <p>NE [REP1-037] say that if site preparation would involve the breaking the soil or other activity that could damage the soil through compaction etc. then further information about the potential impacts on Best Most Versatile (BMV) agricultural land should be included and suitable mitigation measures secured to ensure that this resource is not damaged. It says that additional mitigation measures must be proposed and secured to ensure that there is no impact on the designated sites features if any site preparation work in the River Mease Special Area of Conservation (SAC) and River Mease Site of Special Scientific Interest (SSSI) catchment has the potential to mobilise sediment.</p> <ul style="list-style-type: none"> <li>a) Please could the Applicant clarify how its updates would address the concerns raised by DCC and SDDC in relation to archaeological remains and traffic? Should updates also be made to Requirement 10 - Construction traffic management plan (CTMP) and Requirement 18 – Archaeology? Please could DCC and SDDC comment?</li> <li>b) Do DCC, SDDC, or EA have any remaining concerns in relation to the mitigation of site preparation works? How might they be resolved?</li> <li>c) Please could the Applicant comment on whether any updates are required to address NE’s concerns, including</li> </ul>	

**EN010122 - Oaklands Farm Solar Park NSIP – SDDC’s Answers to the ExA’s Second Written Questions**

Ref:	ExA’s Question	SDDC Answer:
	<p>in relation to the River Mease SAC and SSSI? If not, why not?</p> <p>d) Please could NE set out any remaining concerns in relation to site preparation works at Deadline 5 and suggest how they might be resolved?</p>	
	<b>Part 2 - Principal Powers</b>	
	N/A	
	<b>Part 3 - Streets</b>	
	N/A	
	<b>Part 5 – Powers of Acquisition</b>	
	N/A	
	<b>Part 7 - Miscellaneous/General</b>	
1.12	<p><u>Article 33 – Removal of human remains</u></p> <p>Reference is made to recent DCO precedent where a similar article was removed.</p> <p>a) Are there any known burial grounds within the Order limits?</p> <p>b) Would provision for any archaeological human remains be included in the Written Scheme of Investigation secured by Requirement 18 – Archaeology?</p> <p>c) Does it follow that Article 33 can be removed?</p> <p>d) Please could SDDC comment?</p>	SDDC is not aware of any burial grounds within the Order limits.

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Ref:	ExA’s Question	SDDC Answer:
	<b>Schedule 1, Part 2 - Requirements</b>	
1.15	<p><u>Requirement 5 – Detailed Design Approval</u></p> <p>Is SDDC content that Requirement 5(1) secures sufficient details for detailed design approval? Please provide the reasoning for any addition.</p>	<p>SDDC is content that requirement 5(1) secures sufficient details.</p>
1.16	<p><u>Requirement 5 – Detailed Design Approval</u></p> <p><u>Design parameters</u></p> <p>DCC [REP1-026] and SDDC [REP1-029] say that it would be helpful to have the design parameters in one certified document.</p> <p>The Applicant [REP1-025, REP3-032] says that the design parameters relied on for the assessment are secured by subparagraph (2) of Requirement 5, which requires the detailed design to be in accordance with the principles and assessments set out in the ES and the outline design principles as set out in the design statement. The Applicant has amended subparagraph (2) to specifically reference Table 4.2.</p> <p>Table 4.2 is in the Project Description [REP3-023].</p> <p>a) Please could the Applicant either ensure that the Project Description is referenced in Requirement 5(2) of the dDCO and added to the dDCO Schedule 12 – Documents to be Certified, <u>or</u> replicate Table 4.2 in the Design Statement [REP3-027] and update Requirement 5(2) accordingly to refer to that?</p> <p>b) Do DCC or SDDC have any remaining concerns in relation to the identification of design parameters? How might they be resolved?</p>	<p>SDDC would be content with these and would have no remaining concerns in relation to the identification of design parameters.</p>

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Ref:	ExA’s Question	SDDC Answer:
1.18	<p><u>Requirement 11 - Operational environmental management plan (OEMP)</u></p> <p>For certainty, to ensure consistency with the ES, and with reference to recent precedent, can it be required for the OEMP to provide details of the solar panel replacement and how this would not lead to any materially new or materially more adverse environmental effects compared to those identified in the ES?</p>	<p>SDDC considers that it can be required for the OEMP to contain details of solar panel replacement to ensure compliance with the ES, and that it should be required.</p>
<b>Schedule 1, Part 3 – Procedure for Discharge of Requirements</b>		
	N/A	
<b>Schedule 10 – Protective Provisions</b>		
	N/A	
<b>2. Land rights, related matters, and statutory undertakers</b>		
	N/A	
<b>3. General and cross-topic planning matters</b>		
3.2	<p><u>Local Planning Authority (LPA) resources</u></p> <p>DCC and SDDC [REP2-001] raise concerns about their resources for the consideration of any submissions, approvals and monitoring necessary for impact mitigation.</p> <p>The Applicant [REP3-033] refers to Article 30 (fees) of the Part 3 of Schedule 1 of the dDCO [REP3-008] and says that it is willing to discuss resourcing matters with the LPA in respect of Requirements and Obligations.</p> <p>a) Please could DCC and SDDC set out any remaining concerns, summarise any related discussions with the</p>	<p>a) The concerns of SDDC remain as previously stated. The Applicant has advised SDDC that they are willing to discuss resourcing, but those conversations have, to date, been limited.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>Applicant, and suggest how their issues might be resolved?</p> <p>b) Please could the Applicant comment?</p>	
3.4	<p><u>Solar panel and battery storage replacement during the operation stage</u></p> <p>The Applicant [<a href="#">REP1-025</a> response to question 4.2] states that solar panels are not expected to be replaced during the operational life of the project, save for individual instances of damage or unexpected failure of specific panels, and that to account for this an annual replacement rate of 0.2% per year has been assumed in the ES [<a href="#">REP3-021</a> Table 13.3]. Battery cells replacement is anticipated to be once every 8 to10 years depending on the final installed system and the operations profile. It considers that mitigation measures are secured within the Outline CEMP [<a href="#">REP1-007</a>] and Outline Construction Traffic Management Plan (Outline CTMP) [<a href="#">REP1-021</a>], and summarised in the ES [<a href="#">REP3-021</a> paragraph 13.59].</p> <p>The ExA notes the potential for adverse impacts in relation Heavy Goods Vehicle (HGV) movements during the operation stage, including for the replacement of solar panels and other equipment, in various chapters of the ES. It is seeking to ensure that appropriate precision and clarity is provided for related mitigation during the operation stage.</p> <p>Responding to similar concerns, paragraphs 2.2.3 and 2.2.5 of the <a href="#">Mallard Pass Solar Farm Outline OEMP</a> limit the maximum number of daily HGV movements during operation and requires the relevant planning authority to confirm that any maintenance activities involving panel replacement would not lead to such materially different effects. The <a href="#">Mallard Pass Solar Farm DCO</a> provides that the definition of “maintain” does not include remove, reconstruct or replace the whole of Work No. 1 at the</p>	<p>b) SDDC consider that the mitigation measures set out in the Outline CEMP and Outline CTMP are adequate.</p>



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	<p>same time and for such works not to give rise to any materially new or materially different environmental effects than those identified in the ES for the operation of the authorised development. The ExA is considering whether to adopt a similar approach.</p> <p>a) Please could the Applicant suggest updates to the dDCO [REP3-008] and Outline OEMP [REP1-009]?</p> <p>b) Please could SDDC, DCC, LCC and SCC comment at Deadlines 4 and 5, setting out any concerns and how they might be resolved?</p>	
<p><b>4. Need case, effects on climate change, alternatives, electricity generation, and grid connection</b></p>		
	<p>N/A</p>	
<p><b>5. Project lifetime and decommissioning</b></p>		
<p>5.1</p>	<p><u>Outline DEMP [REP1-011]</u></p> <p>DCC [REP1-026] considers that it is necessary to understand the end state of the land following decommissioning, and its suitability of other uses, including agriculture, if the full impact of the proposal is to be understood prior to consenting, and suggests that this must be addressed in the DEMP. SDDC [REP1-029] considers that it is necessary, reasonable, and appropriate for the definition of the end state after decommissioning to be secured by the dDCO [REP3-008].</p> <p>The Applicant [REP1-025, REP3-032] refers to Requirement 22 of the dDCO [REP3-008], says that decommissioning would be carried out in accordance with the relevant legislation and policy in force at the time of decommissioning, that it is not considered necessary or appropriate to include further detail in the dDCO</p>	<p>a) SDDC considers that it is necessary, reasonable, and appropriate for the definition of the end state after decommissioning to be secured by the dDCO. SDDC agree that consideration of the end state and decommissioning at all stages of the Proposed Development are appropriate in relation to the effective and efficient mitigation of long-term adverse effects</p> <p>b) Cutting and leaving ducts, cabling, or other infrastructure in the ground will prevent redraining operations, as well as ploughing/mole ploughing, and, as a result, the land will not return to BMV. Operations relating to excavations and infrastructure removal will undo land quality improvements. Leaving infrastructure in the ground could be detrimental to the River Mease SAC.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>[<a href="#">REP3-008</a>], and that its approach is consistent with recent precedent.</p> <p>The ExA is considering the extent to which it would be appropriate for the mitigation of impacts from decommissioning to require measures to be taken during detailed design, construction, operation, and maintenance, and whether this would benefit from more consideration of the potential end state after decommissioning now and when detailed mitigation plans would be finalised. Would consideration of the end state and decommissioning at all stages of the Proposed Development be appropriate in relation to the effective and efficient mitigation of long-term adverse effects and are there any specific examples of where this might be beneficial or unhelpful.</p> <p>a) Please could the Applicant, DCC, SDDC, EA, and NE comment?</p> <p>b) Do DCC, SDDC, EA and NE have any comments on the Outline DEMP [<a href="#">REP1-011</a>]? How should their concerns be addressed?</p>	
5.2	<p><u>Decommissioning of underground cables</u></p> <p>DCC [<a href="#">REP1-026</a>, <a href="#">REP2-001</a>] and SDDC [<a href="#">REP1-029</a>, <a href="#">REP2-001</a>] consider that leaving underground cables in place would prevent suitable reinstatement of land drains, or appropriate decompaction of the soil, may inhibit mole ploughing/ subsoiling, and prevent the land from being returned to BMV condition. They say that the decomposition of cabling materials could leach contaminants into the soil and water resources. The councils suggest that the dDCO [<a href="#">REP3-008</a>] should require the underground cables and ducting to be removed, although SDDC [<a href="#">REP1-029</a>] advise that removal would undo soil improvements that have taken place during the 40 fallow years.</p>	<p>b) SDDC considers that details of the manner in which the cables are to be installed so as to mitigate the overall likely adverse impacts most effectively, should be secured during detailed design and subject to approval by the local planning authority in consultation with the EA.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The EA [<a href="#">REP1-032</a>] say that the approach to decommissioning cables should depend upon a site-specific risk assessment being carried out prior to decommissioning and expect to work with operators to agree best available environmental options. It notes that leaving cables in place could fall under the definition of waste.</p> <p>Councillor Amy Wheelton [<a href="#">REP1-039</a>] considers that leaving the cables in place would make the land incapable of returning to agricultural use due to the implications for drainage, whereas if they are dug out the previous 40 years fallow would be rendered a waste of time.</p> <p>The Applicant [<a href="#">REP3-031</a>, <a href="#">REP3-032</a>, <a href="#">REP3-033</a>] seeks an appropriate level of flexibility which would allow some cables to be left in place should an assessment of the situation at the decommissioning stage determine that to leave cables in place would be environmentally preferable, having regard to factors such as the condition of the land at that time, potential disturbance from the removal of the cables, and any contamination risks which could arise from the cables being left in place.</p> <p>a) Please could the Applicant consider the potential for the cables to be installed in such a manner as to mitigate the overall likely adverse impacts most effectively, for example by maximising the likelihood of it being acceptable for them to be left in place by mitigating long-term drainage, agricultural, contamination, and waste impacts? Should the dDCO [<a href="#">REP3-008</a>] secure that this be considered during detailed design and subject to approval by the local planning authority in consultation with the EA?</p> <p>b) Please could DCC, SDDC and the EA comment?</p>	

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Ref:	ExA’s Question	SDDC Answer:
6.	Agriculture, land use, soils, ground conditions, minerals, and geology	
6.1	<p><u>Agricultural Land Classification (ALC)</u></p> <p>NE <a href="#">[AS-022]</a>, <a href="#">[REP1-037]</a> raise various concerns regarding ALC, including:</p> <ul style="list-style-type: none"> <li>• where BMV is not expected then a semi detailed survey (1 auger per 2 ha plus representative pits) will suffice;</li> <li>• in areas that BMV is expected then a full ALC (1 auger per ha plus representative pits) must be undertaken;</li> <li>• it does not concur with the assumption that land quality is mostly 3b within the cable route;</li> <li>• an ALC survey should be undertaken on the cable route;</li> <li>• in the absence of a detailed survey for most of the cable corridor it is impossible to provide an accurate baseline and demonstrate the likely potential impacts;</li> <li>• the survey requires an experienced ALC surveyor to make the correct professional judgements;</li> <li>• detail should be provided of the professional credentials and experience required of soil scientists (surveyors) experience carrying out ALC; and</li> <li>• the ALC survey will inform the Soil Management Plan.</li> </ul> <p>SDDC <a href="#">[REP1-029]</a> consider that the Applicant’s ALC and surveys meet the minimum criteria of MAFF 1988, but say that the soil survey work was not supervised/ observed.</p> <p>NE <a href="#">[AS-022]</a> provide detailed comments on the Applicant’s ALC undertaken to date and say <a href="#">[REP1-037]</a> that it will provide more detailed comments for Deadlines 2 and 3. The ExA notes that these are yet to be submitted.</p>	<p>d) SDDC have not had any recent dialogue with the Applicant in regard to ALC.</p> <p><b>DEADLINE 5</b></p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The Applicant [<a href="#">REP1-023</a>, <a href="#">REP1-025</a>, <a href="#">REP3-032</a>] considers the approach and methodology used within the ALC and surveys to be robust and appropriate. It says that is engaging with NE on a SoCG. It states that it is undertaking further survey work to confirm the ALC on the cable route and will provide an update on the results of the survey at Deadline 4.</p> <ul style="list-style-type: none"> <li>a) Please could the Applicant clarify the supervision provided for all ALC and surveys, including for the soil survey work on site, setting out the relevant professional credentials and experience of the surveyors/ scientists?</li> <li>b) Please could NE and SDDC comment on the supervision provided by the Applicant at Deadline 5?</li> <li>c) Please could the Applicant provide a draft copy of the SoCG with NE at Deadline 4, and set out the ALC matters yet to be agreed with NE and the next steps to be taken to address them?</li> <li>d) Please could NE and SDDC set out any remaining ALC concerns at Deadlines 4 and 5, summarise any related discussions with the Applicant, and suggest how their issues might be resolved?</li> <li>e) Please could NE and SDDC provide their comments on the results of the Applicant’s ALC on the cable route at Deadline 5?</li> </ul>	
6.2	<p><u>Outline Soil Management Plan</u></p> <p>NE [<a href="#">AS-022</a>] comment that the Outline Soil Management Plan should:</p> <ul style="list-style-type: none"> <li>• comply with paragraph 5.1 of the <a href="#">Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009)</a>;</li> </ul>	<b>DEADLINE 5</b>

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> <li>• follow the Institute of Quarrying’s <a href="#">Good Practice Guide for Handling Soils in Mineral Working</a>;</li> <li>• clarify the level of professional qualification and experience required of the site foreman to ensure that soil handling and storage of soils adhere to the Defra Construction Code of Practice;</li> <li>• set out the target specification for the proposed end uses based on pre-construction ALC grade;</li> <li>• where topsoil is to be stripped, typically for construction compounds; access tracks and laying cabling, the soil handling methodology (movement, storage &amp; replacement) and soil protection proposals are reviewed to ensure that appropriate mitigation is in place to allow for the restoration of the land to the baseline ALC Grade;</li> <li>• avoiding soil handling during October to March inclusive, irrespective of soil moisture conditions;</li> <li>• only allow soils in a dry and friable condition to be handled; and</li> <li>• limit stockpile heights to avoid compaction of soils, typically a maximum of 3m for topsoils and 5m for subsoils.</li> </ul> <p>The Applicant [<a href="#">REP1-023</a>] is drafting a SoCG with NE to ensure all comments are addressed.</p> <ol style="list-style-type: none"> <li>a) Please could the Applicant provide a draft copy of the SoCG with NE at Deadline 4, and set out the Outline Soil Management Plan matters yet to be agreed with NE, and the next steps to be taken to address them?</li> <li>b) Please could the Applicant submit the updated Outline Soil Management Plan?</li> </ol>	

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	<p>c) Please could NE set out any remaining Outline Soil Management Plan concerns at Deadlines 4 and 5, summarise any related discussions with the Applicant, and suggest how their issues might be resolved?</p> <p>d) Please could SDDC comment at Deadlines 4 and 5?</p>	
6.3	<p><u>Loss of BMV agricultural land</u></p> <p>Paragraph 5.11.12 of NPS EN-1 states that Applicants should seek to minimise impacts on BMV agricultural land and preferably use land in areas of poorer quality. Paragraph 2.10.29 of NPS EN-3 says that the use of BMV agricultural land should be avoided where possible.</p> <p>The ES [<a href="#">APP-169</a> paragraph 15.134] states that the Battery Energy Storage System (BESS) 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 BESS and substation would be within a small field of mixed Subgrade 3a and 3b quality. It is indicated 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> <p>The Applicant [<a href="#">REP1-025</a>, <a href="#">REP3-032</a>] says that the BESS and onsite substation is proposed within a relatively small field and anticipates that this area could be restored to BMV status on decommissioning. At Deadline 4 it will submit a Soil Management Plan dedicated to this area to address the removal of topsoil, the management of that material for the duration of the consent. It anticipates restoration to comparable quality but cannot be certain of restoration back to the same ALC grade, and therefore considers that it would not be reasonable for the</p>	<p><b>b) DEADLINE 5</b></p> <p><b>e) DEADLINE 5</b></p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>DCO to require no permanent loss of Subgrade 3a agricultural land.</p> <p>a) Please could the Applicant comment on whether the BESS and onsite substation could be located to avoid BMV agricultural land? If not, why not?</p> <p>b) Please could DCC and SDDC comment on the Applicant’s Soil Management Plan for the BESS and onsite substation at Deadline 5, set out any remaining concerns and suggest how their issues might be resolved?</p> <p>DCC and SDDC [<a href="#">REP1-026</a>, <a href="#">REP1-029</a>, <a href="#">REP2-001</a>] consider it inevitable that land drains would be compromised by piling, cabling and other infrastructure and that, in the absence of land drains, nutrients would be washed out of the soil and the soil would no longer be BMV agricultural land quality. They also say that soil compaction on soil structure would lead to reduced permeability to water and air as well as increased surface runoff and erosion. The councils consider that the impacts on soil would not be practically reversible in respect of BMV land and that the Proposed Development would result in the permanent loss of BMV land. The councils advise that the Proposed Development site contains soil that is particularly good to produce potatoes, as it is potato cyst nematode free, making the soil even more of a rarity and adding to the BMV value. They consider that the permanent loss of BMV land of the scale proposed is a critical impact and that it is reasonable for the dDCO to require no permanent loss of Subgrade 3a land.</p> <p>Councillor Amy Wheelton [<a href="#">REP1-039</a>] notes that manure is not being added back to the soil to increase the organic matter content, raises concerns about the impact of the piling on the soil structure and land drainage, and considers that the land</p>	



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	<p>would be incapable of returning to BMV or any agricultural use as it would no longer be drained.</p> <p>The Applicant [<a href="#">REP3-031</a>, <a href="#">REP3-033</a>] says that although piling may disturb or break up land drains, the number affected is expected to be minimal and in the unlikely event that any significant drainage issue emerges due to construction activity, it would use measures such as SuDS, replacing or repairing land drains to rectify the situation. It considers it likely that there would be an improvement to soil quality as the ground beneath the solar panels would be permanently vegetated whereas with the existing agricultural use there are periods of bare and compacted earth which increase levels of the surface water runoff. It states that the land would be returned to an appropriate condition following decommissioning without compromising soil quality. The Applicant says that the lease requires it to make good the land in no worse state or condition prior to implementing the Proposed Development.</p> <ul style="list-style-type: none"> <li>c) Please could the Applicant suggest how measures to mitigate the potential for damage to existing land drains and impacts on soil quality can be secured by the dDCO [<a href="#">REP3-008</a>]?</li> <li>d) Please could the Applicant suggest how the condition of the land after decommissioning can be secured by the dDCO [<a href="#">REP3-008</a>]?</li> <li>e) Please could DCC and SDDC comment on the Applicant’s suggestions at Deadline 5, set out any remaining concerns and suggest how their issues might be resolved?</li> </ul>	
<p><b>7. Biodiversity</b></p>		

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Ref:	ExA’s Question	SDDC Answer:
7.2	<p><u>Woodland bordering the former Drakelow Power Station site</u></p> <p>The Forestry Commission [<a href="#">RR-095</a>] considers that the woodland bordering the former Drakelow Power Station site, listed on the Arboricultural Report as Woodlands 8, 9 &amp; 10 are Lowland Mixed Deciduous Woodland on the Priority Habitat Inventory (England) and therefore recognised under the UK Biodiversity Action Plan as being the most threatened and requiring conservation action.</p> <p>The Applicant [<a href="#">REP1-023</a>] applies the habitat type of Other Woodland; Broadleaved rather than Lowland Mixed Deciduous Woodland due to the quality of the habitat present, which it considers do not meet the criteria for the Lowland Mixed Deciduous habitat type, including because of the presence of sycamore and the mixture of broadleaved and coniferous species.</p> <p>The Applicant [<a href="#">REP1-023</a>, <a href="#">REP3-030</a>] is updating the Arboricultural Survey Report [<a href="#">APP-133</a>] to provide further detail of the approach to be taken to the construction of the access and cable route at the Drakelow Power Station and anticipates providing the update at Deadline 4.</p> <p>a) Are the Forestry Commission and SDDC satisfied with the Applicant’s explanation for categorisation as Other Woodland; Broadleaved? If not, why not?</p> <p>b) Please could the Forestry Commission and SDDC comment on the updated Arboricultural Survey Report at Deadline 5, set out any remaining concerns and suggest how their issues might be resolved?</p>	<p>a) SDDC considers that the presence of sycamore doesn’t necessary restrict the classification to Lowland Mixed Deciduous Woodland, neither does the presence of mixed coniferous woodland, depending on the percentage of coverage.</p> <p><b>b) DEADLINE 5.</b></p>
7.3	<p><u>Draft DCO [<a href="#">REP3-008</a>] Article 37 - Felling or lopping of trees or removal of hedgerows</u></p>	<p>SDDC considers that given the extent and number of veteran/ancient trees, queries over the classification of other trees, as well as the afforded protection offered by TPO’s, it</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p><u>Draft DCO [REP3-008] Article 38 - Trees subject to Tree Preservation Orders.</u></p> <p>The Applicant [REP1-025, REP3-032] considers that the broad powers to fell or lop any tree, or shrub near any part of the authorised development, or cut back its roots, without the Local Planning Authority’s consent is to ensure that the Proposed Development could be delivered in good time and without unreasonable delay.</p> <p>DCC [REP1-026] considers that it is necessary for SDDC’s prior consent to be required for the removal to fell or lop trees. SDDC [REP1-029] require the power to consent on the removal to fell or lop trees.</p> <p>The ExA is considering whether the broad powers requested by the Applicant are justified, whether it is reasonable to consider that delay could be avoided by planning and obtaining consent for such works in advance, and if it would be helpful for consent to be deemed if it isn’t provided within 28 days of an application for consent. The ExA is considering whether a provision regarding the quality of the works might be helpful, as provided for <u>Sunnica Energy Farm</u>: <i>“to ensure all works are carried out to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other more suitable recognised codes of good practice provided these meet or exceed the appropriate British Standards”</i>. The ExA is thinking about whether greater control should be provided for trees subject to Tree Preservation Order than for other trees and shrubs.</p> <p>Please could the Applicant, SDDC and DCC comment?</p>	<p>would be prudent for those provision relating to works to or felling of, TPO trees, to be removed from the DCO.</p>
7.4	<p><u>Ancient/ veteran trees</u></p>	<p>b) SDDC considers that it is essential that every tree is classified accordingly, and the Applicant makes every effort to avoid impacts on highly valuable trees and that once</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>The Woodland Trust [RR-316, REP1-049] question whether various trees in the Arboricultural Survey Report [APP-133] that are not identified as veteran/ ancient should be. The Applicant [REP1-023, REP3-031] provides its reasoning for each tree and says that it will engage with SDDC and DCC regarding the identification and classification of veteran trees .</p> <p>a) Please could the Applicant provide a draft copy of the SoCG with SDDC and DCC at Deadline 4, and set any tree classification matters yet to be agreed, and the next steps to be taken to address them?</p> <p>b) Please could The Woodland Trust, DCC and SDDC set out any remaining concerns regarding tree classification and ancient/ veteran trees at Deadlines 4 and 5, summarise any related discussions with the Applicant, and suggest how their issues might be resolved?</p>	<p>amendments are made to the Arboricultural Survey, both SDDC and The Woodland Trust can make further comments. Further details to quantify the loss of those trees that are considered irreplaceable under the proposed works.</p>
7.5	<p><u>Habitat Constraints Plan</u></p> <p>The ExA [PD-010 question 7.13] asked whether a Habitat Constraints Plan, or similar, would provide helpful clarification of the buffer zones, and if the Applicant, DCC and SDDC could agree what should be included in the Outline CEMP [REP1-007].</p> <p>DCC [REP1-026] and SDDC [REP1-029] recommended 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>The Applicant [REP3-032] agrees with SDDC and DCC that a Habitat Constraints Plan should be included as part of the detailed CEMP.</p>	<p>b) Significant impacts on habitats are likely during site preparation works and consequently a Habitat Constraints Plan with interpretable maps will provide the necessary details and extent of site clearance works relating to buffer zones to sensitive features such as ancient/ veteran trees, other retained trees, ponds, watercourses, hedgerows and woodlands.</p> <p><b>c) DEADLINE 5</b></p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>a) Please could the Applicant, in consultation with SDDC and DCC, submit an updated Outline CEMP <a href="#">[REP1-007]</a> at Deadline 4 to include for a Habitat Constraints Plan, setting out what such a plan should include?</p> <p>b) Should a Habitats Constraint Plan be required for the site preparation works?</p> <p>c) Please could SDDC and DCC comment on the provisions for a Habitat Constraints Plan in the updated Outline CEMP at Deadline 5, set out any remaining concerns and suggest how their issues might be resolved?</p>	
7.6	<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>SDDC <a href="#">[REP1-029, REP2-001]</a> say that the supporting baseline for the Preliminary Environmental Information Report, identified 28 breeding territories for skylark within the Oakland Farm part of the Site and that this has dropped to an estimate of 19 pairs. It suggests that to remove a degree of uncertainty, it would be best to assume the maximum population estimate. SDDC questions the impact of the operation stage on the skylark population and the capacity of the surrounding area to accommodate the movement of any dispersed birds. It considers that there would be an adverse impact on ground nesting birds as while the total area of suitable habitat may have increased, the fragmented form of that habitat, broken up by solar panels, may no longer be suitable for some species.</p> <p>NE <a href="#">[REP1-037]</a> recommends that any potential negative effects to skylark should be identified as early as possible and designed</p>	<p>a) SDDC is content with the Applicant’s explanation.</p> <p>c) SDDC considers that the Proposed Development would harm skylark or other ground nesting birds. 19 breeding pairs is a significant loss at district level and provides important context in relation to the “significant effect to occur on any species of bird, approximately 1% of the population must be affected” rule.</p> <p>d) SDDC considers that specific mitigation for skylark would be appropriate in the form of Skylark plots to be created within arable fields adjacent to Oakland Farm. Skylark plots are created in accordance with Countryside Stewardship management practices. The provision of Skylark plots at a ratio of two plots provided for each potential lost territory is an accepted and widely used mitigation strategy for developments that will result in the loss of Skylark territories. Skylark plots also benefit other farmland bird species. A Skylark plot is a 4m x 4m area of arable field that is created by either turning off the drill during sowing to leave an unsown plot or sowing the crop as</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>out to avoid impacts. NE refers to its <a href="#">standing advice</a> on best practice for surveys, methods, and mitigation, to avoid negative impacts for breeding birds such as skylarks.</p> <p>The Applicant [<a href="#">REP1-025</a>, <a href="#">REP3-032</a>] says that of the 28 territory holding males identified in the Study Area, only 19 were recorded within the Order Limits. It considers that the loss of potential nesting habitat would have a very minor effect on the local population of skylark within the Site and study area that would not be detrimental to the conservation status of the species in the area beyond the site.</p> <ul style="list-style-type: none"> <li>a) Is SDDC satisfied with the Applicant’s explanation of the number of breeding pairs?</li> <li>b) Please could the Applicant set out whether it has fully followed NE’s standing advice?</li> <li>c) With reference to NPS EN-1, do the Applicant, SDDC or NE consider that the Proposed Development would harm skylark or other ground nesting birds?</li> <li>d) Please could SDDC, DCC and NE set out any remaining concerns regarding skylark and other ground nesting birds, and suggest how their issues might be resolved?</li> </ul>	<p>normal and spraying with herbicide to create the plot by 31 December.</p> <p>Using the estimate of 19 Skylark territories, 38 Skylark plots are required in offsite fields, which at 2 plots/ha equates to 19ha of arable fields within which the plots will be cited. The plots would need to be maintained on an annual basis for the duration of the operational life of the development.</p>
7.7	<p><u>Barn owl</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>Breeding Bird Survey Report ES Appendix 6.4 [<a href="#">APP-124</a>] states that no records of barn owl were returned during the desk study or during a search of publicly available data sources, no records were found within the Site Boundary, and no suitable nest sites</p>	<p><b>c) DEADLINE 5</b></p> <p>d) SDDC consider that there would be an adverse impact on Barn owl. Breeding and foraging barn owls will be particularly sensitive to disturbance of the surrounding landscape especially at the construction phase. Under NE advice these should be identified as early as possible and designed out to avoid impacts.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>were noted during the field survey. Breeding Bird Survey Report ES Appendix 6.9 <a href="#">[APP-128]</a> records that a barn owl was recorded leaving a tree on 29/07/2021 within the Park Farm Site, adding that no specific survey was undertaken for this species, but it has been considered a probable breeding species on account of its presence and suitable nesting sites both within mature trees and within the Park Farm buildings.</p> <p>SDDC <a href="#">[REP1-029, REP2-001]</a> say that the Applicant should clarify whether barn owl has been identified as nesting within a Site tree and if nesting has been identified, mitigation and compensation measures should be prescribed to adhere to statutory legislation and best practice guidelines during construction and operation stages. It refers to some inconsistencies in the Breeding Bird Survey Report . It considers that there would be an adverse impact on barn owl as while the total area of suitable habitat may have increased, the fragmented form of that habitat, broken up by solar panels, may no longer be suitable for some species.</p> <p>NE <a href="#">[REP1-037]</a> recommends that any potential negative effects to barn owl should be identified as early as possible, designed out to avoid impacts. NE refers to its <a href="#">standing advice</a> on best practice for surveys, methods, and mitigation, to avoid negative impacts for breeding birds such as barn owl.</p> <p>The Applicant <a href="#">[REP1-025, REP3-032]</a> states that the site provides suitable habitat for barn owl to nest but no nesting activity was recorded during the bird surveys. It considers that the Proposed Development would not result in a reduction in the availability of foraging habitat during either construction or operation stages.</p> <p>a) Please could the Applicant set out whether it has fully followed NE’s standing advice?</p>	<p>e) A survey by a licensed barn owl worker or specialised ecologist might be better able to quantify the barn owl population in the surrounding area and identify the degree of impact. Greater mitigation may be required to avoid negative impacts for barn owl.</p>



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Ref:	ExA’s Question	SDDC Answer:
	<p>b) Please could the Applicant address the inconsistencies in the ES and submit an update to the ES at Deadline 4, together with any necessary updates to the Outline CEMP [<a href="#">REP1-007</a>], ensuring that it takes a precautionary approach?</p> <p>c) Please could SDDC and DCC comment on the updates at Deadline 5?</p> <p>d) With reference to NPS EN-1, please, at Deadlines 4 and 5, could the Applicant, SDDC and NE set out whether they consider that the Proposed Development would harm barn owl?</p> <p>e) Please, at Deadlines 4 and 5, could SDDC, DCC and NE set out any remaining concerns regarding barn owl, and suggest how their issues might be resolved?</p>	
7.8	<p><u>Great crested newt</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>SDDC [<a href="#">REP1-029</a>, <a href="#">REP2-001</a>] is not content that great crested newt was scoped out of the detailed assessment, that great crested newt has not been fully surveyed and that this should be addressed. It considers that there are a total of 15 off-site ponds within 250m of the site boundary, which have not been surveyed as no access was obtained from the landholders, therefore, presence or absence of great crested newt in these ponds has not been fully determined. It considers that additional compensation and mitigation measures may be required to control the potential for killing and injuring great crested newt</p>	<p>c) SDDC considers it to be unlikely that given the number and proximity of ponds, that great crested newts are absent in the locality. The Fairfield Planning Application (LPA reference: DMPA/2024/0789) have applied for a GCN licence which could be interpreted as being that there is a requirement to consider GCN’s.</p> <p>d) SDDC consider that as yet, no mitigation strategy has been provided, it may be prudent for the Applicant to apply for NE District licence as per the Fairfield Planning Application (LPA reference: DMPA/2024/0789), or appropriate ponds are given considerable buffers, which would need to be robustly enforced.</p>



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Ref:	ExA’s Question	SDDC Answer:
	<p>during the construction stage and sets out what could be included in a Great Crested Newt Mitigation Strategy.</p> <p>The Applicant [<a href="#">REP1-025</a>, <a href="#">REP3-032</a>] states that the findings of the great crested newt surveys indicate that great crested newt are likely to be absent from the Site. Nine surveys were carried out of waterbodies located within and close to the Site boundary which had suitability for supporting great crested newt confirmed an absence of great crested newt. Of the 15 offsite waterbodies identified by SDDC, 12 are located over 100m from the Site boundary, reducing the likelihood of any great crested newt (if present) travelling from these waterbodies into the largely unsuitable habitats present within the Site boundary. It considers that great crested newt are highly unlikely to be affected by the Proposed Development and therefore, no mitigation is required for great crested newt other than the application of standard avoidance measures as part of a highly precautionary approach secured through Requirement 9 (construction environmental management plans) and Requirement 21 (protected species) of the dDCO [<a href="#">REP3-008</a>].</p> <ul style="list-style-type: none"> <li>a) Please could the Applicant comment on the potential for offsite waterbodies identified by SDDC that fall within 100m of the Site boundary to support great crested newt?</li> <li>b) As a precautionary measure, please could the Applicant update the Outline CEMP [<a href="#">REP1-007</a>] to include for a Great Crested Newt Mitigation Strategy and set out the contents required of it?</li> <li>c) With reference to NPS EN-1, do the Applicant or SDDC consider that the Proposed Development would harm great crested newt?</li> </ul>	

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Ref:	ExA’s Question	SDDC Answer:
	<p>d) Please could SDDC set out any remaining concerns regarding great crested newt, and suggest how their issues might be resolved?</p>	
7.9	<p><u>Otter</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>SDDC [<a href="#">REP1-029</a>, <a href="#">REP2-001</a>] provides evidence of the presence of otter on the watercourses connected with the Proposed Development and the potential for adverse impacts on them, including cumulatively with a proposed Energy Storage System at Fairfields Farm. It considers that further clarification on the importance of the Site for otter is required and what mitigation measures are in place, particularly regarding site works and water crossings in relation to otter disturbance given that both applications are likely to be aligned. SDDC say that the Outline OEMP [<a href="#">REP1-009</a>] does not appear to show any mitigation for otter.</p> <p>The Applicant [<a href="#">REP3-031</a>, <a href="#">REP3-032</a>, <a href="#">REP3-033</a>] concludes that it is likely that otter uses the unnamed watercourse and ponds for foraging and shelter and considers that embedded mitigation and the mitigation measures for protected species, including otter, would ensure that significant impacts on otter are avoided. The Applicant refers to mitigation measures within the Outline LEMP [<a href="#">REP3-025</a>], Outline CEMP [<a href="#">REP1-007</a>], Outline DEMP [<a href="#">REP1-011</a>], ES Chapter 6 [<a href="#">APP-135</a>] and the Schedule of Mitigation [<a href="#">APP-179</a>].</p>	<p>c) SDDC considers that even with mitigation for otter, including managed crossing and no night-time operations, some disturbance is still likely during construction, and otter may abandon the area.</p> <p>d) SDDC considers that the ideal objective is to ensure that the proposed development will not result in the loss of any holts and that it fully incorporates the otters foraging needs. No works of any kind, including clearance of vegetation and storage of materials, can take place within the protection zones, unless a licence has been issued permitting such activities. Any well-established trails should be identified. During the construction phase it is essential that machinery which could harm them is made safe or cordoned off with temporary fencing at the end of the working day. Otters must not be put at risk.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>a) Please could the Applicant set out its consideration of impacts on otter cumulatively with the proposed Energy Storage System at Fairfields Farm?</p> <p>b) Please could the Applicant ensure that the mitigation for otter is clearly identified in the outline management and mitigation plans and that all mitigation for otters in ES Chapter 6 [APP-135] and the Schedule of Mitigation [APP-179] is secured in the outline management and mitigation plans?</p> <p>c) With reference to NPS EN-1, do the Applicant or SDDC consider that the Proposed Development would harm otter?</p> <p>d) Please could SDDC set out any remaining concerns regarding otter, and suggest how their issues might be resolved?</p>	
7.10	<p><u>Badger</u></p> <p>NE [AS-022, REP1-037] are aware that the Proposed Development may impact a Badger sett and say that it may be possible to avoid impacts through the development of the final design. It is unable to issue Letters of No Impediment before it has received draft protected species licence applications for review.</p> <p>The Applicant [REP3-029] say that it will submit a draft application for a Badger Licence to NE shortly after Deadline 3, in order to seek a Letter of No Impediment from NE on that matter.</p> <p>DCC [REP1-026] state that consideration should be given to the ground level fencing design to enable the passage of badger</p>	<p>d) The proposed buffer for badger/badger sett stands at 30m. In most circumstances the buffer should be adequate but a detailed scope of works in relation to badger/badger setts would help clarify the appropriate buffer.</p> <p>e) A detailed scope of proposed work in relation to badger/badger setts would also help clarify suitable mitigation if it is required.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>and consider that badger setts should be given greater consideration in respect of buffer zones to minimise disturbance.</p> <p>Paragraph 4.49 of the Outline LEMP <a href="#">[REP3-025]</a> includes that indicative locations of the mammal gaps are detailed within ES Figure 6.3, would allow the movement of badger and hedgehog to disperse through the Site, and that the gaps would be 20-30cm in size.</p> <ul style="list-style-type: none"> <li>a) Has the Applicant submitted a draft application for a Badger Licence to NE?</li> <li>b) Does NE have any concerns that would prevent it from issuing a Letter of No Impediment. How might any such concerns be resolved?</li> <li>c) Please could a Letter of No Impediment, or confirmation that one cannot be provided, be submitted by Deadline 4 or 5?</li> <li>d) Please, following consultation with DCC, could the Applicant respond to DCC’s concerns about buffer distances for badger?</li> <li>e) Please could DCC and SDDC set out any remaining concerns regarding badger, and suggest how their issues might be resolved?</li> </ul>	
7.11	<p><u>Draft DCO <a href="#">[REP3-008]</a> Requirement 21 – Protected Species Species Protection Plans</u></p> <p>SDDC <a href="#">[REP1-029]</a> consider that the Outline CEMP <a href="#">[REP1-007]</a> should provide Species Protection Plans for Otter, Great Crested Newt/ /Ponds, Hedgerows &amp; Trees and Woodland and identify important zones for each species to feed into mitigation strategies. DCC <a href="#">[REP1-026]</a> suggest that outline Species</p>	<p>b) SDDC considers that until the extent of site preparation works are clearly established, there are still concerns that these works could carry significant environmental effects as those identified in the Outline CEMP. It is entirely feasible that Species Protection Plans will be required for site preparation works.</p> <p><b>c) DEADLINE 5</b></p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>Protection Plans. should be provided in outline during the Examination.</p> <p>The Applicant has updated paragraph 2.81 of the Outline CEMP [REP1-007] to set out the high level contents for a Species Protection Plan to be included in the final CEMP.</p> <p>The ExA notes the series of concerns raised by SDDC [REP1-029, REP2-001] in relation to scoping, surveys and potential impacts on a number of protected species, including skylark, barn owl, great crested newt, and otter.</p> <ul style="list-style-type: none"> <li>a) Please could the Applicant, in consultation with SDDC and DCC, submit an updated Outline CEMP [REP1-007] at Deadline 4 to include more detail of Species Protection Plans so that specific measures are identified for individual species and address SDDC’s concerns?</li> <li>b) Site preparation works which include (amongst other things) remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, and the demolition of existing buildings and structures, typically fall outside the Outline CEMP [REP1-007]. Should Species Protection Plans be required for the site preparation works?</li> <li>c) Please could SDDC and DCC comment on the provisions for Species Protection Plans in the updated Outline CEMP at Deadline 5, set out any remaining concerns and suggest how their issues might be resolved?</li> </ul>	
7.12	<p><u>Invasive non-native species</u></p> <p>Do EA or SDDC have any concerns regarding non-native species that need to be addressed at this stage? How might their concerns be resolved?</p>	<p>SDDC is content provided mitigation measures are adhered to and robustly enforced, paying particular attention to invasive species associated with watercourses and consequently the River Mease SAC.</p>

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Ref:	ExA’s Question	SDDC Answer:
8.	Historic environment	
	N/A	
9.	Landscape, visual, glint, and glare	
9.1	<p><u>Visualisations</u></p> <p>Diane Abbott [REP1-043] has submitted sample images which compare some of the Applicant’s views with her own photos and measurements. She suggests that the Applicant’s visualisations do not seem to be accurately calibrated and misrepresent the actual effects. Diane Abbott recommends that the Applicant’s visualisations are correctly calibrated, that revised images are provided that offer a better degree of accuracy, and that the assessment is revisited accordingly.</p> <p>It appears to the ExA that there are typos in Diane Abbott’ references [REP1-043] to the Applicant’s figures [APP109, APP-110] and that her reference to Figure 5.11c should read Figure 5.10c, and that Figure 5.10gc should read Figure 5.10g.</p> <p>The Applicant [REP3-031] says that the details raised with regard to the viewpoints and visualisations are largely a function of perspective, but also due to the limitations of the digital terrain data used to create visualisations, which provide a proxy for exact ground levels, but have a slight variation from what is ‘true’ to the actual landscape. It says that it complies with Landscape Institute guidance, including the 3rd Edition of the Guidelines on Landscape and Visual Impact Assessment (GLVIA3) (2013). It states that the visualisations are a tool used to help understand the nature of the effects and the slight variations to ground level are normal limitations of the process and do not change the resulting assessment of effects.</p>	<p>e) SDDC is content with landscape and visual assessment and consider that any potential inaccuracies in the visualisations would not undermine the conclusions of the document.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>Paragraph 3.23 of GLVIA3 identifies that it is important that the basis of professional judgements is transparent and understandable, so that the underlying assumptions and reasoning can be understood by others. Paragraph 8.15 states that <i>“Photographs can have an important role to play in communicating information about the landscape and visual effects of a proposed development, although it is acknowledged that they cannot convey exactly the way that the effects would appear on site”</i>. Paragraph 8.16 says that <i>“The predicted changes must be described in the text but should also be illustrated by means of visualisations showing, from representative viewpoints, how the changes in views will appear”</i>.</p> <p>The ExA is considering the potential for misleading inaccuracies in the Applicant’s visualisations and any implications of that for its consideration of the landscape and visual impact assessment.</p> <ul style="list-style-type: none"> <li>a) Does Diane Abbott agree with the ExA’s interpretation of typos in her references to the Applicant’s figures?</li> <li>b) Please could the Applicant set out the calibration undertaken of the digital terrain model to actual ground levels?</li> <li>c) Please could the Applicant provide a detailed response to the comments made by Diane Abbott [<a href="#">REP1-043</a>] on Figures 10c, 10f, 10g, 10j, 10k, 10o and 10p [<a href="#">APP109</a>] (Viewpoint 1: Coton Road), and Figure 11c [<a href="#">APP-110</a>] (Viewpoint 2: Cross Britain Way), in each case setting out how accurate it considers that its own visualisations are, with reasoning?</li> </ul>	

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Ref:	ExA’s Question	SDDC Answer:
	<p>d) Please could the Applicant comment on the potential for inaccuracies in the other visualisations used for the landscape and visual assessment?</p> <p>e) Please could SDDC comment?</p>	
9.3	<p><u>The National Forest</u></p> <p>SDDC [REP1-029] considers that the Proposed Development is consistent with Local Plan Policy INF8 in relation to tree planting and connectivity depending on the amount and extent of necessary tree felling for the safe delivery of the Proposed Development. It requests greater identification of areas that would be subject to tree felling to help identify whether the mitigation measures are adequate.</p> <p>The Applicant [REP3-030, REP3-032] says that the Arboricultural Survey Report [APP-133] includes a Tree Removal and Retention Plan that identifies where trees would be removed, and anticipates providing an update at Deadline 4.</p> <p>a) Please could SDDC comment on the updated Arboricultural Survey Report at Deadline 5 in relation to its concerns regarding compliance with Local Plan Policy INF8, set out any remaining concerns regarding compliance with Local Plan Policy INF8, and suggest how the issues might be resolved?</p> <p>b) Does The National Forest Company have any remaining concerns? How might they be addressed?</p>	<p><b>a) DEADLINE 5</b></p>
9.4	<p><u>Glint and glare assessment modelling</u></p> <p>In the context of the above questions on the accuracy of the visualisations used for the landscape and visual assessment, please could the Applicant comment on the accuracy of the</p>	<p>SDDC advise that as per the submitted assessment, terrain elevation heights have been interpolated based on OS Terrain 50 DTM data. This source of data is considered to be robust. SDDC does not have any concerns in this regard.</p>



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Ref:	ExA’s Question	SDDC Answer:
	<p>digital terrain and solar panel models used in the glint and glare assessment?</p> <p>Does SDDC have any related concerns? How might they be addressed?</p>	
9.6	<p><u>Glint and glare – anti-reflective coating on the solar panels</u></p> <p>SDDC <a href="#">[REP1-029]</a> recommended that a condition be attached to the consent for the submission of details of the solar panels and confirmation that an anti-reflective coating would be applied to them.</p> <p>The Applicant <a href="#">[REP3-032]</a> has added provisions for anti-reflective coating to Table 4.2 of the Project Description <a href="#">[REP3-023]</a> and Appendix B of the Design Statement <a href="#">[REP3-027]</a>.</p> <p>Requirement 6(1)(m) of the made <a href="#">Sunnica Energy Farm Order</a> includes for Local Planning Authority approval of the anti-reflective coating to be used on the solar modules. The ExA is considering whether to add a similar provision to the dDCO <a href="#">[REP3-008]</a> to provide clarity, firmness, and the control suggested by SDDC.</p> <p>Please could the Applicant and SDDC comment?</p>	<p>SDDC consider that it would be appropriate to require the Local Planning Authority to approve details of the anti-reflective coating to be used on the solar modules.</p>
9.7	<p><u>Glint and glare assessment</u></p> <p>Diane Abbott <a href="#">[REP1-043]</a> raises other concerns about the glint and glare assessment, including (paragraph references in brackets):</p> <ul style="list-style-type: none"> <li>• modelling reflections from mid-height of the panel rather than the top (4.3, 4.4, 4.5);</li> <li>• only considering the ground floor of dwellings as possible receptors (4.9);</li> </ul>	<p>e) SDDC does not have any concerns in relation to glint and glare.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> <li>• only considering receptors within a 1km radius (4.10);</li> <li>• local road users are only given a low sensitivity (4.12);</li> <li>• local residents only have a medium sensitivity (4.13);</li> <li>• significance of effect thresholds not to best practice guidance (4.14, 4.16, 4.17, 4.18); and</li> <li>• assessment of morning glare at properties near Oakland’s Farm (4.21).</li> </ul> <p>The Applicant’s responses [<a href="#">REP3-031</a>] include that:</p> <ul style="list-style-type: none"> <li>• the midpoint of the solar panel is used to undertake the geometric modelling as the model uses just a single height, but visibility and screening recommendations for glint and glare effects are based on the maximum height of the panels (4.3, 4.4, 4.5);</li> <li>• an observer on the ground floor is used for modelling purposes, but the upper floor is considered when determining the potential impacts of glint and glare (4.9);</li> <li>• a 1km study area for ground-based receptors is adopted because the proportion of an observer’s field of vision taken up by the reflecting area diminishes as separation distance increases and although solar reflections could be experienced from the panels at further distances than this, they are not considered significant (4.10);</li> <li>• the justification for local roads being of low sensitivity is provided in ES Chapter 14 [<a href="#">APP-167</a>], which says that they typically have the lowest traffic densities and low potential impact of a distraction or degradation to safety and/ or operation (4.12);</li> </ul>	

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> <li>• the justification for dwellings being of medium sensitivity is provided in ES Chapter 14 [APP-167], which says that there is some capacity for observers to experience solar reflections for certain durations throughout the year or on any given day without causing a significant reduction in residential amenity (4.13);</li> <li>• the impact levels have been accepted on several projects in the UK and the assessment approach is considered appropriate (4.14, 4.16, 4.17, 4.18); and</li> <li>• the modelling output for the dwelling can be provided to Diane Abbott (4.21).</li> </ul> <p>a) Please could the Applicant justify how consideration of modelling using the mid-point of the panel is a reasonable worst case rather than modelling using a higher point?</p> <p>b) Please could the Applicant clarify how it considers visibility, screening, and impacts on the upper floors of dwellings if this does not (as the ExA understands) make use of the geometric model?</p> <p>c) Please could the Applicant justify how it concludes low potential degradation of safety to users of local roads, including horse riders, agricultural vehicles, and lorries?</p> <p>d) Please could the Applicant comment on the potential human health and well-being impacts of glint and glare, including on the occupiers of dwellings and horse riders?</p> <p>e) Does SDDC have any concerns in relation to glint and glare? How might they be addressed?</p>	
<p><b>10. Noise and vibration</b></p>		

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Ref:	ExA’s Question	SDDC Answer:
10.2	<p><u>Assessment criteria</u></p> <p>Diane Abbott [REP1-043] paragraphs 3.17 and 3.20] raises concerns about the baseline noise levels used in the assessment and the identification of Lowest Observable Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Levels (SOAEL).</p> <p>In its response the Applicant [REP3-031] says that the assessment criteria are agreed with SDDC.</p> <p>Does SDDC have any concerns in relation to the noise assessment criteria? How might they be addressed?</p>	<p>SDDC does not have any concerns in regard to the noise assessment criteria,</p>
10.3	<p><u>Piling for the solar panels</u></p> <p>SDDC [APP-160 paragraph 11.101] is quoted as identifying piling during construction as the most significant noise impact.</p> <p>The Applicant [REP1-025 response to question 10.1] refers to mitigation including scheduling the work at times to minimise impact on nearest receptors, employing multiple rigs to reduce the time taken for piling in a given area before moving on, screening or low-noise plant models. It refers to mitigation measures set out in paragraph 2.2.3 of the Outline CEMP [REP1-007].</p> <p>Not all of the mitigation mentioned by the Applicant is included in the Outline CEMP [REP1-007] and none of it specifically refers to piling.</p> <p>a) Given the potential for noise impacts from piling during construction and SDDC’s comments, and for clarity, please could the Applicant, in discussion with SDDC, update the Outline CEMP [REP1-007] to include the specific mitigation measures for piling?</p>	<p>b) SDDC has yet to hold further discussions with the Applicant on this specific matter, but SDDC will be content once the Outline CEMP is updated accordingly.</p>

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Ref:	ExA’s Question	SDDC Answer:
	b) Please could SDDC comment at Deadlines 4 and 5?	
10.5	<p><u>Operation stage noise limits</u></p> <p>SDDC [APP-160 Table 11.2] recommend that a condition be provided for a site noise limit at the boundary to be validated upon completion and maintained thereafter. SDDC [REP1-029 response to question 10.2] is satisfied with the proposed site noise limits.</p> <p>The Applicant [REP1-025 response to question 10.2] states that it is in discussion with SDDC and will ensure that the position is confirmed through a SoCG.</p> <p>Requirement 15 of the dDCO [REP3-008] makes provision for an “ ... operational noise assessment containing details of how the design of the authorised development has incorporated mitigation to ensure the operational noise rating levels as set out in the environmental statement are to be complied with ...”.</p> <p>The Outline OEMP [REP1-009 paragraph 4.5.1] refers to the need to submit an operational noise assessment and to Requirement 15, but provides no further detail.</p> <p>The ExA seeks to ensure that the proposed mitigation is secured in the dDCO [REP3-008] and Outline OEMP [REP1-009].</p> <p>a) For clarity, please could the Applicant, in discussion with SDDC, update the dDCO [REP3-008] and Outline OEMP [REP1-009] to ensure that they:</p> <ul style="list-style-type: none"> <li>• are consistent with each other and, between them, clearly secure the necessary mitigation without, for example, having to refer to the ES for operational noise rating levels;</li> </ul>	<p>b) The SoCG is still under discussion, but SDDC would be content once the Outline OEMP is updated accordingly.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> <li>• incorporate SDDC’s requirements, including any for validation and maintenance of noise limits; and</li> <li>• ensure that there would not be any materially new or materially more adverse environmental effects compared to those identified in the ES?</li> </ul> <p>b) Please could SDDC comment?</p>	
<b>11. Traffic and transport</b>		
11.2	<p><u>Securing the construction traffic routes</u></p> <p>The Applicant [<a href="#">REP1-025</a> response to question 11.4] says that subject to responses from others, it is content to amend the Outline CTMP [<a href="#">REP1-009</a>] to secure that:</p> <ul style="list-style-type: none"> <li>• construction route Scenario 2A to only be used if Scenario 1 (using Walton-on-Trent bypass) is not available; and</li> <li>• construction route Scenario 2B to only be used if Scenarios 1 and 2A are not available.</li> </ul> <p>a) Are DCC, SDDC, or SCC content for the Outline CTMP [<a href="#">REP1-009</a>] to be updated to secure the above?</p> <p>b) Please could the Applicant, following discussion with DCC, SDDC, and SCC, update the Outline CTMP [<a href="#">REP1-009</a>] accordingly?</p>	<p>a) SDDC are content for the Outline CTMP to be updated to secure those matters.</p>
11.3	<p><u>Construction traffic – DCC and SDDC concerns</u></p> <p>DCC and SDDC [<a href="#">RR-078</a>, <a href="#">RR-295</a>, <a href="#">REP1-026</a>, <a href="#">REP2-001</a>] raise concerns including in relation to:</p> <ul style="list-style-type: none"> <li>• infringement of the 7.5 tonne Environmental Weight Limit in the locality;</li> </ul>	<p>c) Additional information was requested by SDDC as part of the review and response to the applicant submission.</p> <p>Discussions have been held with DCC as the LHA in relation to use of the narrow bridge at the southern end of Rosliston Road (along construction Route 2A) and DCC consider increased use of bridge to be acceptable given the low levels of construction</p>

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Ref:	ExA’s Question	SDDC Answer:
	<ul style="list-style-type: none"> <li>• further assessments are required to establish the impacts of HGV movements during construction and decommissioning, particularly regarding the impacts of goods vehicle access through urban areas and along relatively quiet country roads;</li> <li>• the Applicant to work in consultation with the Highway Authority and the organisers of events in the locality to ensure that vehicle movement routes and timings can be coordinated for the avoidance of congestion;</li> <li>• weight and width restrictions on bridges, traffic control and monitoring to ensure compliance with routing and timing requirements, working in consultation with the Highway Authority to reduce the potential for related adverse impacts on congestion;</li> <li>• a pinch point at Coton-in-the-Elms with very narrow local roads where residents park on either side of the road (reference construction route Scenario 2B);</li> <li>• disruption to farm traffic and rural business through the increase of road usage by HGVs accessing the site during the construction stage;</li> <li>• safe and satisfactory means of access to each of the individual compounds comprising the wider site;</li> <li>• ensuring that there are no fundamental safety considerations regarding the wider highway network, including that suitable manoeuvring of HGV vehicles (swept-path analysis) can be readily achieved along the narrow country lanes; and</li> <li>• it is anticipated that the Applicant would be responsible for keeping the highway clear of debris, preventing the trafficking of mud onto the road and</li> </ul>	<p>traffic forecast and good visibility provided across the bridge. The potential for traffic signals to be introduced was considered with DCC but was not viewed as desirable due to wider negative impacts of introducing signals at the location. This matter is therefore considered by SDDC to have been appropriately considered in consultation with DCC.</p> <p>Analysis of the proposed site access arrangements along Walton Road have been reviewed. SDDC therefore consider that the potential impacts at the site access locations have been appropriately considered by the applicant.</p> <p>Additional analysis of the abnormal load routing was requested by SDDC to confirm suitability of the proposed routing and the identification of temporary mitigation measures. Discussions have taken place with the applicant team and it is understood that once the abnormal load vehicle specification are confirmed, further analysis of the will be undertaken to confirm locations at which temporary mitigation will be necessary. SDDC sees no reason to provide further analysis at this stage, if it will be superseded once the vehicle specifications are confirmed. The analysis conducted to date indicates that the proposed abnormal load route is broadly feasible. As long as the subsequent analysis is submitted and agreed with all impacted authorities (planning and highways), SDDC are content for this element to be submitted at a later date.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>rectifying of additional harm caused to the network assets demonstrably caused by the Applicant or its contractors to the satisfaction of the Highway Authority.</p> <p>The Applicant [<a href="#">REP1-025</a>] reports that DCC and/ or SDDC require review or clarification of:</p> <ul style="list-style-type: none"> <li>• cumulative traffic impact - other projects and event management;</li> <li>• communication plans with the local community, stakeholders, and events during construction;</li> <li>• controls on vehicle movements during highway incidents and emergency road closures;</li> <li>• controls on vehicle movements during school pick up/ drop off times;</li> <li>• remedial measures to address infringement of designated construction vehicle route; and</li> <li>• communication plans with local community, and stakeholders.</li> </ul> <p>The Applicant’s responses [<a href="#">REP1-023</a>, <a href="#">REP1-025</a>, <a href="#">REP3-032</a>] include that:</p> <ul style="list-style-type: none"> <li>• paragraph 5.15 of the Outline CTMP [<a href="#">REP1-021</a>] contains a firm commitment by the Applicant to engage with Catton Hall, the National Memorial Arboretum, DCC and SCC to agree the timing of construction vehicles so as to not disrupt event traffic;</li> <li>• HGVs would not be permitted to travel through the villages of Walton-on-Trent or Rosliston, table 3-3 of the Outline CTMP [<a href="#">REP1-021</a>] identifies the sensitive built up areas to be avoided by construction traffic</li> </ul>	



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Ref:	ExA’s Question	SDDC Answer:
	<p>including Walton-on-Trent and outlines mitigation in the form of a signing strategy (Section 4), contractor information packs (paragraph 5.36), and compliance measures (paragraph 6.10);</p> <ul style="list-style-type: none"> <li>• Section 6 of the Outline CTMP <a href="#">[REP1-021]</a> includes for a Traffic Management Group (TMG) to oversee the implementation of the CTMP and the appointment of a Transport Co-ordinator, accountable for monitoring and reporting to the TMG;</li> <li>• it is expected that full details of monitoring systems would be agreed with the relevant highway authorities in the preparation and approval of the CTMP;</li> <li>• DCC confirm that it is reviewing the highway asset provisions and measures and will revert with any concerns; and</li> <li>• it is engaging with DCC and SCC on transport matters to be agreed in a SoCG and additional measures will be added to the Outline CTMP <a href="#">[REP1-021]</a> if needed.</li> </ul> <p>a) Please could the Applicant provide a draft copy of the SoCG with DCC and SDDC at Deadline 4, and set out the construction traffic matters yet to be agreed with DCC and SDDC, and the next steps to be taken to address them?</p> <p>b) Please could the Applicant submit the updated Outline CTMP <a href="#">[REP1-021]</a>?</p> <p>c) Please could DCC and SDDC set out any remaining construction traffic or highway asset protection concerns at Deadlines 4 and 5, summarise any related discussions</p>	

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Ref:	ExA’s Question	SDDC Answer:
	with the Applicant, and suggest how their issues might be resolved?	
<b>12. Water quality, resources, drainage, and flooding</b>		
12.7	<p><u>Piling and underground cabling</u></p> <p>DCC and SDDC [<a href="#">REP1-026</a>, <a href="#">REP1-029</a>, <a href="#">REP2-001</a>] consider it inevitable that land drains would be compromised by piling and underground cables. They suggest that these may alter localised drainage patterns through the interruption of flows during the construction, operation, and decommissioning stages. Councillor Amy Wheelton [<a href="#">REP1-039</a>] raises related concerns.</p> <p>The Applicant [<a href="#">REP3-031</a>, <a href="#">REP3-033</a>] says that although piling may disturb or break up land drains, the number affected is expected to be minimal and that in the unlikely event that any significant drainage issue emerges due to construction activity, it would use measures such as SuDS, replacing or repairing land drains to rectify the situation.</p> <p>a) Please, following consultation with the EA, DCC and SDDC, could the Applicant set out how it has assessed the potential for the piling and underground cables to impact on land drainage and flooding at each stage of the Proposed Development, and advise how any necessary mitigation measures, including SuDS, replacing or repairing land drains, are secured?</p> <p>b) Do the EA, DCC, or SDDC have any remaining concerns regarding the potential for the piling and underground cables to impact on land drainage and flooding? How might any issues be resolved?</p>	<p>b) SDDC considers that broken land drains and ditches need to be maintained to ensure waterlogging/pooling of water does not occur as this could cause compaction and be detriment to BMV. The creation of SuDs measures may remove BMV ground due to associated excavation and SDDC would question whether SuDS features are appropriate as they are not agricultural drainage systems.</p>
<b>13. Other planning topics</b>		

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Ref:	ExA’s Question	SDDC Answer:
13.3	<p><u>Cumulative effects</u></p> <p>DCC [REP2-001] and SDDC [REP2-001] refer to general concerns regarding cumulative impacts in relation to the number of developments coming forward in the surrounding area.</p> <p>The Applicant [REP3-033] says that it uses a list of developments agreed with the DCC and SDDC and that it is reviewing the cumulative developments with a view of updating the list in agreement with DCC and SDDC through the SoCG.</p> <ul style="list-style-type: none"> <li>a) Please could the Applicant provide a draft copy of the SoCG with DCC and SDDC at Deadline 4, and set out the cumulative effects matters yet to be agreed with DCC and SDDC, the next steps to be taken to address them?</li> <li>b) Please could the Applicant submit any updates required to relevant chapters of the ES, ensuring that they include consideration of any cumulative developments added to the list?</li> <li>c) Please could DCC and SDDC set out any remaining cumulative effect concerns, including in relation to any other specific development or any specific planning issue, at Deadlines 4 and 5. How might their issues be resolved?</li> </ul>	<p>c) The cumulative impacts of traffic generated by businesses, developments and festivals in the locality is considered in the CTMP and will be considered by the emerging Traffic Management Group. In addition, the issues associated with planned highway maintenance and its impact on construction traffic access to the site have been discussed with the County Highway Authority.</p> <p>It is clear that the Walton bypass and new Trent crossing will not be completed in time to contribute to the alleviation of traffic in the area during construction. However, the emerging Traffic Management Group is anticipated to assist in managing the cumulative traffic impacts associated with both developments and other businesses and festivals in the area. Concerns remain that the cumulative impacts of traffic have the potential for congestion during the construction period remain, but these are to be addressed through close working with interested parties.</p> <p>In addition to the traffic impacts, a number of developments in the locality will add to the visual impact on the landscape. These developments include the ongoing development of 2,200 homes at the former Drakelow Power Station site, the proposed Walton Bypass, numerous BESS’s, and the proposed incinerator plant nearby at Swadlincote. The cumulative impact of these developments will significantly change the character of the landscape in the area.</p>
13.4	<p><u>BESS fire risk and related emergency response and pollution</u></p> <p>Section 5.6 of the Outline BSMP [APP-093] identifies an additional risk of causing environmental harm from discharge of</p>	<p>a) SDDC are now content that SDDC’s concerns in relation to BESS, fire risk and related emergency response and pollution have been addressed.</p>

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Ref:	ExA’s Question	SDDC Answer:
	<p>contaminated water. It says that to prevent this, there would be a drainage system installed around the BESS compound and substation area that will either drain to an underground tank or SuDS pond with shut-off and separating capabilities for containment and testing of water prior to discharge or removal. Paragraph 5.4.7 of the Outline OEMP <a href="#">[REP1-009]</a> refers to the production of an Emergency Response Plan in consultation with Derbyshire Fire and Rescue.</p> <p>DCC <a href="#">[REP2-001]</a> and SDDC <a href="#">[REP2-001]</a> consider that there is a significant risk that the battery storage fire suppression system would fail, resulting in a major incident requiring a disaster response with the use of water to extinguish the battery fires and thereafter their cooling. Given the presence of the aquifers on site, any spent firewater would be likely to be contaminated and hazardous and would need to be contained to avoid any significant environmental impacts, including to aquifers. They note that emergency calls to the fire service locally are directed to Staffordshire and that in an emergency, fire crews are required to cross the River Trent, which can result in some delay in attending incidents and reducing the potential to limit a damaging environmental incident.</p> <p>The EA <a href="#">[AS-019]</a>, <a href="#">[REP1-033]</a>, <a href="#">[REP3-001]</a> consider that the pollution risks of emergency response have not been appropriately assessed and that if the firewater isn’t adequately controlled this could result in significant pollution risks and cause detrimental impact to the environment. It says that the Applicant should confirm that the flow control valves would close automatically if a fire were detected by the detection system and include any relevant routine maintenance required, to ensure this system remains functional, within the Outline Drainage Strategy.</p>	

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Ref:	ExA’s Question	SDDC Answer:
	<p>The Applicant [<a href="#">REP1-023</a>, <a href="#">REP3-033</a>] says that the BESS would be set within a bunded slab which drains to a pollution-controlled attenuation tank to contain any contaminated water in the event of a fire. All rainwater landing on those impermeable areas would be collected and directed to underground tanks, which have been sized to account for larger storm events, with additional contingency for climate change. The tanks would be fitted with a hydrobrake which would manage the flow of water out to the existing watercourse to the north, near Rosliston Road at existing greenfield run-off rates. The tanks would be fitted with automatic control valves which would close in the event of any incident with the BESS or substation and any water contained in order to allow the water to be tested for contaminants and if necessary pumped into a tanker to be taken away from the Site for proper disposal. The Applicant says that the Outline BSMP [<a href="#">APP-093</a>] provides further details on the procedure for dealing with potential contamination issues. It also states that design parameters for the BESS include measures which reduce the risk of fire from the batteries, by providing appropriate spacing between the battery units to mitigate fire spreading between battery units and through locating the BESS in the centre of the Site, away from residential properties. It says that the final BSMP would sit alongside an emergency response plan and provide details of in-built BESS safety features like internal fire suppression systems built into individual battery units, automatic detection and alert systems, remote shut-down, and procedures to alert local emergency services in line with agreed fire-fighting strategy.</p> <p>a) Please could the EA, DCC and SDDC set out any remaining concerns in relation to BESS, fire risk and related emergency response and pollution, summarise any related discussions with the Applicant, and suggest how their issues might be resolved?</p>	

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Ref:	ExA’s Question	SDDC Answer:
	b) Please could the Applicant comment?	