

# Heckington Fen Solar Park

EN010123

## Applicant Response to Interested Parties First Written Question Submissions at Deadline 2

Applicant: Ecotricity (Heck Fen Solar) Limited

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## **APPLICANT RESPONSE TO INTERESTED PARTIES FIRST WRITTEN QUESTION SUBMISSIONS AT DEADLINE 2**

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*No further response was deemed necessary in relation to Noise and Vibration; therefore Table 8 from the Examining Authorities First Written Questions (PD-012) has not been replicated. All following tables have been renumbered.*



# 1. Purpose of this Document

- 1.1. This document is submitted on behalf of Ecotricity (Heck Fen Solar) Ltd (“the Applicant”) and contains the Applicant’s review and response to the Interested Parties responses for the Examining Authority’s (the “ExA) First Written Questions at Deadline 2.
- 1.2. Details of the Applicant’s responses are set out within this document in the subsequent sections below, presented in a tabulated format.



**Table 1: General, Miscellaneous and Cross- Topic Questions**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - Summarised	Applicant's Response
GEN 1.10	Boston Borough Council (BBC)  Lincolnshire County Council (LCC)  North Kesteven District Council (NKDC)	<p>Could the relevant planning authorities (RPAs) confirm if you are in agreement with and provide any other comments regarding the overall approach to the cumulative impact assessment, including the developments considered, and the conclusions therein as set out in both ES Appendix 2.3 [APP-175] and the Interrelationship with other NSIPs [REP1-021].</p>	<p><b>LCC response:</b></p> <p>LCC largely agrees except for the assessment within Table 1.1 of REP1-021 that cumulative agricultural land/BMV impacts will not be significant especially in relation to NSIP projects 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13.</p> <p><b>APP-175 – NKDC response:</b></p> <p>... The Council agrees that in addition to the Lincolnshire Reservoir and One Earth Solar Farm, NSIP projects 1, 2, 3, 4, 6, 8 (Cottam, Gate Burton, West Burton, Mallard Pass, Temple Oaks and Tillbridge respectively) will have cumulative adverse effects on agricultural land at a regional level. Application 23/1021/FUL has also identified loss of BMV land and whilst documents submitted with EIA screening application 23/0460/PREAPP at Mareham Lane Sleaford state that the site is not BMV land the LPA has not received a copy of the ALC report. Therefore, cumulative agricultural land impacts with this project also cannot be ruled out at this time.</p>	<p>LCC’s response is noted, however as set out in the Interrelationship with other Nationally Significant Infrastructure Report (document reference ExA.IRReport-D3.V2 – updated at Deadline 3) that 3,623 ha of BMV would be sealed over through the operation of these 11 energy projects. This is less than 1% of the total BMV land in Lincolnshire. Their operation would result in a temporary change of land use. Of this, a cumulative area of 55.2ha of BMV would be permanently lost or “sealed over”, which is approximately 0.014% of the total BMV land in Lincolnshire. Only the Lincolnshire Reservoir would permanently remove BMV agricultural land in Lincolnshire. Therefore, it is justified that the impacts of the cumulative change in BMV/ agricultural land use is identified as not significant.</p> <p>NKDC’s response is noted. Best and Most Versatile land is further considered in the Written Summary of the Applicant’s Oral Case at Issue Specific Hearing 3 (ISH3) on Tuesday 21<sup>st</sup> November 2023 (document reference ExA.WSISH3-D3.V1) subsequent to Issue Specific Hearing 3. It is also assessed within the ES Technical Note - Updated Information on Cumulative Projects (REP2-050). This Technical Note considers 17No. Cumulative Sites as it also considers TCPA sites. Of these 18No. Sites (including the Proposed Development), 16No. are solar developments. These solar developments would result in the temporary change to 60.3ha of BMV land in Lincolnshire. Under the IEMA guide this 60.3ha would fall into the category of major to moderate adverse effects and so further</p>

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			<p><b>REP1-021 – NKDC response:</b></p> <p>The Council does not agree that cumulative agricultural land/BMV impacts will not be significant. Aside from BMV matters, and excepting the Beacon Fen energy park, NKDC agree with the applicant's assessment that cumulative adverse effects from those projects can be discounted.</p> <p><b>Cumulative Effects with Beacon Fen Energy Park – NKDC:</b></p> <p>With reference to paragraph 3.18, NKDC agree that it is highly likely that the Beacon Fen Energy Park will also use the A17 for construction vehicle routeing. Whether or not cumulative construction traffic movements will have a 'severe impact' (NPPF paragraph 111) after mitigation would be for the Highway Authority to also advise upon however based on the data submitted in relation to Heckington Fen (Table 14.9 – ES Transport and Access chapter) this appears unlikely. Paragraph 7.19 suggests a one percent impact in total vehicles and a 1.6% impact in HGV</p>	<p>consideration was given to this figure. The cumulative ES assessment then takes this headline figure of 60.3ha and considers it against the total area of BMV within Lincolnshire. Across Lincolnshire there is estimated to be 402,900ha (71.2%) of BMV land<sup>1</sup>. The temporary change of 60.3ha of BMV land is equivalent of 0.01% of BMV land in Lincolnshire. When this temporary change (and not permanent sealing or downgrading) is placed into context with the extensive BMV resource across the County the cumulative effect would be <b>not significant</b> in EIA terms.</p> <p>The Applicant has no further comments to make in relation to Beacon Fen Energy Park and the traffic and access assessment.</p> <p>The Applicant continues to liaise with the developers of Beacon Fen Energy Park, and updates will be made to the Interrelationship Report accordingly.</p> <p>It is useful to note that NKDC consider the Heckington Fen Solar Park and Beacon Fen Energy Park developments as temporary land use.</p> <p>As set out in the Applicant's Written Summary of the Applicant's Oral Case at Issue Specific Hearing 3 (ISH3) on Tuesday 21<sup>st</sup> November 2023 (document reference ExA.WSISH3-D3.V1) the 'need' to develop BMV land is not the purpose of Policy S67, which appears to be more guided at housing developments.</p> <p>The ongoing agricultural operations may change, but agricultural activities are continuing during the lifetime</p>

<sup>1</sup> Table 16.4 of Chapter 16: Land Use and Agriculture (Document Reference: 6.1.16/ REP2-028)

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - Summarised	Applicant's Response
			<p>flow in terms of cumulative considerations.</p> <p>If construction phase/s do overlap, the Council's view is that it would be possible through the discharge of dDCO Requirement 14 (Construction traffic management plan) to require the respective parties to evidence schedules of agreement in relation to, for instance, the timing of abnormal load movements along the A17 to reduce impacts. Subject to landowner agreement NKDC also agree that in the event works are required at the Bicker Fen substation, the potential construction haulage route could potentially follow the same routing as that of the proposed development. NKDC note the commitments made in paragraph 5.6 of Rep1-021 in this respect.</p> <p>With reference to cumulative agricultural land impacts, the proportions of BMV estimated to date at Beacon Fen Energy Park are restricted to those in the EIA Scoping Report; about 149ha of Subgrade 3a. The applicant then sets this figure in the context of 20.2ha of agricultural land being 'sealed over' at Heckington Fen energy park for the purpose of fixed equipment. As set out in NKDC's LIR they do not agree</p>	<p>of the Proposed Development, with further detail on the sheep grazing provided in an update to Outline Operational Environment Management Plan (document reference ExA.oOEMP-D3.V2 / Revision 2) submitted at Deadline 3.</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - Summarised	Applicant's Response
			<p>that 'sealing over' (i.e., permanent loss) should be the yardstick, although accept that paragraph 7.38 summarises that cumulatively the proposed development and Beacon Fen Energy Park would lead to a cumulative temporary use of 406.88ha of BMV land used.</p> <p>As summarised in NKDC's LIR the Council is not yet satisfied that the applicant has proven that the 'need' to develop BMV land has been clearly established (with reference to CLLP policy S67, first bullet point), nor in relation to point 3 that the impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions. The proposals for sheep grazing are developed only to high level, with the applicant stating only that a contract with a grazier is in place but with no further detail provided. The applicant's suggestion at paragraph 7.37 that instead of 'loss', the granting of the DCO will lead to an alteration in the agricultural practice which will take place on the Energy Park site (from arable to pastoral) has not yet been detailed, and 'without prejudice' discussions in relation to</p>	





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			<p>the dDCO Requirement for sheep grazing continue.</p> <p><b>BBC response:</b> The Borough supports this and urges shared construction of the cable route, where possible, to reduce the impact of its construction on the local area, affected residents and the farmers who own affected land. This will reduce the time they are unable to farm their land.</p>	<p>BBC's response on the Cable Route Corridor is noted, however the Applicant would add that the routes proposed by Heckington Fen Solar Park and Beacon Fen Energy Park are for the majority of the lengths different, with only small areas of potential overlapping cable route corridors. Communication with the Beacon Fen Energy Park developer will continue.</p>

**Table 2: Biodiversity, Ecology and the Natural Environment**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
BIO 1.2	The Applicant and National Grid Electricity Transmission Plc	<p>Could the Applicant and National Grid Electricity Transmission Plc (NGET): Grid</p> <p>i) Provide further details/plans on the extent of loss of mixed species plantation woodland to be removed to the south-west corner of Bicker Fen substation, with an indication of minimum and maximum area of loss for a) a GIS system and b) an Air Insulated Switchgear (AIS) system.</p> <p>ii) Provide a more detailed explanation as to why planting around the Bicker Fen substation is not appropriate and has not been included in the plans.</p> <p>iii) Give further consideration as to whether off-site planting in the vicinity of the substation (or a contribution to third party planting) has been considered, which potentially could be secured via legal agreement.</p>	<p><b><u>National Grid Electricity Transmission Plc</u></b></p> <p>i) Refers to Appendix 8.13 (document reference PS-153) and explains prior to detailed design being undertaken not possible to indicate a minimum area of loss.</p> <p>The maximum footprints for the Gas Insulated Switchgear and Air Insulation Switchgear are given and confirmed to be in the footprint of Work No.6A and Work No.6B as shown on the Works Plan (document reference 2.2).</p> <p>ii) The remaining land at Bicker Fen Substation is either constrained by existing infrastructure or is required for further development.</p> <p>iii) The options being considered by the Applicant are summarised .</p>	<p>No further commentary is necessary on NGET’s answers, however as noted in iii) the Applicant continues to explore options to satisfy the request of Boston Borough Council, but would reiterate that planting is included within the Energy Park of Heckington Fen Solar Park within a separate woodland parcel and within hedgerows on the northern boundary. This will replace the tree loss at the Bicker Fen Substation when considering the project as a whole.</p> <p>Notwithstanding this, the Applicant has been in further discussions with Boston Borough Council (BBC) since ISH 3 and has included an additional mitigation and/or enhancement commitment with the Outline Landscape and Environmental Management Plan (document reference 7.8, Revision 4) at Deadline 3. This provides for a cascade system in which the Applicant first agrees to offer landowners hosting the cable connection in Boston Borough, hedgerow planting, or another improvement to connectivity for biodiversity between natural habitats as may be deemed suitable on their landholding. If agreement cannot be reached, then the Applicant commits to a contribution of £10,000 (calculated based on the cost of planting 600 trees with Boston Trees Trust) for a connectivity or a planting scheme in Boston Borough Council's area.</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
				<p>The exact measure will be confirmed through the final LEMP (to be approved by BBC) but it is now clear that the commitments are secured in the outline LEMP and by virtue of Requirement 8 of the DCO. The Applicant therefore considers that this matter has been sufficiently mitigated.</p>
BIO 1.3	Forestry Commission	<p>The Change Consultation Report [PS-004] submitted with the Change Application includes at Table 5.3 comments from the Forestry Commission with recommendations for additional compensation planting as well as management of the existing plantation. The Applicant has provided comments in response within the Table 5.3.</p> <p>Do the Forestry Commission have any further comments to make in relation to this matter?</p>	<p>The Forestry Commission are satisfied the additional woodland planting at the Energy Park will compensate for the loss of the woodland at Bicker Fen, however it may be beneficial if the new woodland was connected to the hedgerows around the site for better connectivity for wildlife.</p> <p>Also, they would recommend a woodland management plan is produced for the newly created woodland. A managed woodland can better withstand extreme weather events, be more resilient to the threat of pests and diseases and increase biodiversity.</p>	<p>The Applicant thanks the Forestry Commission for noting that the additional planting on the Energy Park will compensate for the loss at Bicker Fen.</p> <p>As outline in the response to BIO1.2 above, further connectivity is proposed and an update to the Landscape Strategy within the Outline Landscape and Environmental Management Plan (document reference 7.8, Revision 4) has been made to include additional hedgerow to connect the additional woodland to the rest of the Energy Park site.</p> <p>The Applicant can confirm that a woodland management plan will be created for the Final LEMP. Requirement 8(2)(d) provides that the Applicant must include details in the final LEMP of how the landscape and ecology measures will be managed, maintained and monitored during the operational life of the authorised development.</p>
BIO 1.6	The Applicant and Natural England	Could the Applicant and NE provide an update with timescales for submission of protected species licences and any further	Natural England are working with the applicant to produce a Letter of No Impediment and a DAS agreement has been signed. We are	The Applicant concurs with this update.



ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
		comments that they wish to make on this matter.	unable to provide an update on the timescales at present.	
BIO1.7	Natural England	NE is asked to confirm if they agree with the Applicants' conclusions regarding the effects of the Change Application on European sites from all phases of the development, including in-combination effects.	Natural England agree with the conclusions of the Shadow HRA to inform Appropriate Assessment (Document 5.2 7th November 2023). It is unlikely that the proposed development will have an adverse effect on the integrity of the Wash SAC, SPA and Ramsar alone or in combination.	The Applicant welcomes this confirmation.

**Table 3: Compulsory Acquisition and Temporary Possession**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
CA1.1	All Affected Persons	<p>Provide comments on the following:</p> <p>i) If they are aware of any inaccuracies in the Book of Reference (BoR) [PS-034], Statement of Reasons (SoR) [PS-030] or Land Plans [PS-013]? If so, please set out what these are and provide the correct details.</p> <p>ii) Consideration of if there are any reasonable alternatives to any Compulsory Acquisition (CA) or Temporary Possession (TP) sought by the Applicant.</p> <p>iii) Confirmation if there are any areas of land or rights that the Applicant is seeking the powers to acquire that you consider are not needed.</p> <p>iv) Detail any other concerns which regard the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect land that you own or have an interest in.</p>	<p>i) The Environment Agency is not aware of any inaccuracies in the Book of Reference or Land Plans in relation to its landholdings. (However, please see response to CA.1.6 below in relation to an inaccuracy in respect of Plots 63A, 63B and 72)</p> <p>The Environment Agency hopes to have resolved all issues in relation to its landholdings by voluntary agreement before the close of the Examination period.</p> <p>ii) and iii) and iv) The Environment Agency has no comments on this.</p>	<p>The Applicant notes the Environment Agency's response and agrees with it.</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
CA1.3	Lincolnshire County Council	<p>Are Lincolnshire County Council (LCC) in their role as the Highway Authority aware of:</p> <p>i) any reasonable alternatives to CA or TP sought by the Applicant; and</p> <p>ii) any areas of land or rights that the Applicant is seeking the powers to acquire that they consider would not be needed?</p>	<p>i) In our role as Highway Authority, LCC are not aware of any highway land being identified as subject of these powers or concerns that the land-take for highways works should be elsewhere or is excessive.</p> <p>ii) LCC is a landowner for part of the cable route for which the Applicant is seeking CA and TP powers however this response and representations made are provided in respect of LCC's role as Highway Authority and as a Relevant Planning Authority only. Therefore no comments are offered with regard this particular question.</p>	<p>The Applicant notes LCCs reply. The Applicant will continue to liaise with LCC's agent in relation to their landholding on the cable route.</p>
CA1.6	Environment Agency	<p>Could the EA provide an update on land agreements relating to plots 63A, 63B and 72, regarding this matter and set out any further comments relating to CA and TP of rights.</p>	<p>The EA remain hopeful that the necessary rights can be acquired by voluntary agreement and that these negotiations will be concluded before the end of the Examination period.</p> <p>As mentioned in CA.1.1 above, the EA do not agree with the statement relating to plots 63A, 63B and 72 included in the Schedule of Negotiations with Undertakers and Landowners [REP1-005 on page 20]. Although Protective Provisions have now been agreed with the Applicant, these relate solely to the disapplication of the Environmental Permitting (England and Wales) Regulations 2016 in respect of a flood risk activity permit. In this respect they are separate from the Environment Agency's concerns as the landowner of plots 63A, 63B and 72.</p>	<p>The Applicant agrees with the position outlined by the Environment Agency (particularly that the protective provisions are separate from the land agreement); the Applicant has undertaken further engagement with the EA to explain its approach to the Schedule of Negotiations.</p>

**Table 4: Design, Landscape and Visual**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
DLV 1.2	Boston Borough Council  Lincolnshire County Council  North Kesteven District Council	<p>Can the RPAs provide comment:</p> <p>i) Do the DAS [PS-144], the Technical Guide [PS-045] and the Outline Design Principles Document (DPD) [PS-138] provide enough detail and a sufficient basis to guide detailed design development post consent? Are any further visuals or illustrative drawings required?</p> <p>ii) Is Requirement 6 of the dDCO [PS-024] sufficient to secure the detailed design of the structures listed at Tables 1.1 to 1.6 of the Outline DPD [PS-138]?</p> <p>iii) Do the RPAs have the necessary experience and expertise to take on the design approval post-consent, or would an external design review be necessary? If so, please could the RPAs indicate what addition</p>	<p><b>LCC Response to i):</b> LCC considers that the submitted documents provide enough detail and a sufficient basis to guide detailed design at this stage.</p> <p><b>BBC Response to i):</b> Since the main work package in the Borough is the buried cable and works within the substation the submitted information is suitable.</p> <p><b>NKDC response to i):</b> For the purpose of discharging Requirements it would be helpful if these principles could be extracted and cross referenced to the parameters, design and dimensions of the works, buildings and structures in each Work Area to show how the detailed design aligns with the outline parameters including highlighting where there are any divergences.</p> <p>If the applicant could provide further images as far as possible of all works, buildings and structures; again for the purpose of assisting with a compare/contrast exercise when detailed designs are submitted, this would be welcomed by NKDC.</p> <p><b>LCC Response to ii):</b> It might be helpful to expand the current drafting of part (2) (of Requirement 6) to make it clear that the detailed design should also take into account any details</p>	<p>The Applicant has no further comments in relation to replies from LCC (i) and BBC (all).</p> <p>The Applicant has included images to assist with the Technical Guide (APP-052) to aid explanation. No further images are proposed so not to conflict with the Rochdale Envelope parameters; nor to cause confusion about what has been assessed.</p> <p>Cross referencing is not proposed at this time and nor would it be appropriate in the final submission given that the approach to the ES has adopted a Rochdale Envelope 'worst case scenario' approach, however the Applicant can work with NKDC to provide relevant supporting documents to assist with an explanation alongside the final discharge of requirements.</p> <p>The Applicant notes LCC's suggested amendment to Requirement 6(2). The Applicant does not consider it necessary for</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p>approved pursuant to other requirements where these are relevant. Suggested additional wording could be as follows:</p> <p><i>(2) The details submitted must accord with the outline design principles and the flood risk assessment and with any details approved under requirements 7, 8, 10, 11 and demonstrate how they have taken account of the results of any archaeological investigations or archaeological evaluations carried out pursuant to requirement 12(1).</i></p>	<p>each design phase plan to have to provide details of how it accounts for matters already approved by Requirements 7, 8, 10, and 11. This could become onerous and unwieldy. By the very nature of the structure of the Requirements at Schedule 2, works cannot commence until each of the respective plans have been approved by the RPAs (as relevant). The plans will therefore have to 'talk to each other' and work together; the discharging authority will have rights of refusal if they do not. It will also be in the Applicant's interest to ensure that each of the plans work together otherwise the Applicant would risk disapproval of the plan and would then need to re-submit, which would restart the 10-week period for discharging requirements.</p> <p>The Applicant is, however, content to include the need for the design plan to take account of any results of the archaeological investigations. The Applicant will update Requirement 6 of the DCO at Deadline 3 as follows:</p> <p><i>"(2) The details submitted must accord with the outline design principles and the flood risk assessment and, where relevant, demonstrate how they have taken account of relevant results of any archaeological investigations or archaeological evaluations carried out pursuant to requirement 12."</i></p>



ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p><b>BBC Response to ii):</b> Requirement 6 is sufficient.</p> <p><b>NKDC response to ii):</b> With reference to (h), it may be necessary for the applicant to submit typical cross sections of cable and pipeline works relative to features such as roads, railways, watercourses and green infrastructure, however as drafted the wording does not preclude the Councils seeking those details in relation to the applicable Work Areas.</p> <p>The Councils are likely to need to consult other organisations in relation to the detail of elements such as fire safety infrastructure comprising fire suppression systems and storage structures for the purposes of firefighting, and flood protection measures; depending on the Work Area. Whilst R6 binds that the details must accord with the submitted Flood Risk Assessment it might be helpful to expand I to also require submission of finished floor levels (as well as ground levels) in relation to Work Areas containing buildings; for example work numbers 2 and 4.</p> <p><b>LCC response to iii):</b> LCC do not consider that an external design review is necessary.</p> <p><b>BBC response to iii):</b> BBC notes their recent experiences of other buried cable developments and substation applications.</p>	<p>The Applicant notes Figures 4.12 (document reference 6.2.4/ REP2-038) which show cable crossings for key features. Appendix I of the outline CEMP (document reference 7.7) also includes an Outline Watercourse Crossing Method Statement.</p> <p>The Applicant notes Figures 4.21 (document reference 6.2.4/REP2-044) which show finished floor levels and ground levels of the control building.</p> <p>The Applicant has not further commented on responses to section iii.</p>



ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<b>NKDC response to iii):</b> NKDC do not consider that an external design review is necessary in this context.	



**Table 5: Development Consent Order**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
DCO 1.1	The Applicant Boston Borough Council Lincolnshire County Council North Kesteven District Council	At ISH1 the references to the individual RPAs in the dDCO [PS-024] was referred to in relation to numerous Articles and Schedules. The ExA understands that the Applicant is working with the RPAs to agree which authority is responsible for each of the individual discharge of requirements. References to individual consultees is also to be reviewed. The Applicant is asked to reflect this review and agreed wording with the RPAs in the D2 submission of the dDCO.	<b>LCC and BBC response:</b> The RPAs have prepared and furnished the Applicant with a document setting out suggested revisions to the dDCO in relation to which authority is responsible for each of the individual discharge of requirements. It is understood the Applicant will be submitting an updated version of the dDCo at Deadline 2.  <b>NKDC response:</b> Please note that this relates solely to discharging authority responsibility and not to the broader wording of the Requirement/s, which are still under review with the applicant.	The Applicant confirms the discharge of requirement table was submitted at Deadline 2 (document reference REP2-012).
DCO 1.2	National Gas Transmission Plc	Could NGT confirm if protective provisions in Schedule 13 Part 4 of the dDCO [PS-024] are agreed, and whether they wish to raise any further comments in response to the Applicant.	The protective provisions are agreed but the parties are finalising negotiations over the terms of a commercial agreement which has not yet been concluded. This is anticipated to be concluded well within the examination timescales and NGT will update to confirm the position as soon as this is the case.	The Applicant agrees that the commercial agreement is expected to be concluded well within the examination timetables.
DCO 1.3	National Grid Electricity Transmission Plc	Could NGET confirm if the protective provisions in Schedule 13 Part 7 of the dDCO [PS-024] are agreed, and provide an update on discussions regarding asset protection, highlighting any issues which remain outstanding.	The protective provisions are agreed but the parties are finalising negotiations over the terms of a commercial agreement which has not yet been concluded. This is anticipated to be concluded well within the examination timescales and NGET will update to confirm the position as soon as this is the case.	The Applicant agrees that the commercial agreement is expected to be concluded well within the examination timetables.

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
DCO 1.4	National Grid Electricity Transmission Plc	<p>Could NGET:</p> <p>i) Explain the situation which might arise that would mean they need to apply for Work No's 6B or 6C under the Town and Country Planning Act 1990 or the General Permitted Development Order 2015.</p> <p>ii) Confirm if they are satisfied with the wording of Articles 32 and 45.</p>	<p>i) As a regulated transmission operator, NGET are legally obliged to provide connections to any customer who requests it, the connection priority/order of connections is potentially subject to change for instance if the Applicants project timescale changed for funding or any other reasons. In such circumstances NGET may need to connect other parties first/in a different order. Accordingly, these provision simply make it clear that NGET can still use the TCPA 1990 regime where it is necessary or it elects to do so in order to meet it's connection and licence obligations including to maintain an efficient and economic network, without prejudicing the implementation of the DCO.</p> <p>ii) NGET have agreed the wording of Article 32 and 45 with the Applicant.</p>	<p>The Applicant notes this comment and welcomes the further explanation from NGET.</p>
DCO 1.5	Environment Agency	<p>Could the EA confirm if replacement of 'business day' with 'working days' and the time period for notification would address their concerns, and whether they have other outstanding comments relating to the dDCO including the protective provisions at Schedule 13 Part 6 (previously Part 5).</p> <p>The EA may wish to combine their answer with WE.1.4</p>	<p>The Environment Agency has now agreed protective provisions, which we understand will be included in the next iteration of the draft DCO to be submitted at Deadline 2.</p> <p>In respect of Schedule 14, we understand that in the next iteration of the draft DCO the term 'business day' will replace the term 'working day' and a time period of 20 days will be included, as requested, to enable adequate consultation to be undertaken.</p> <p>We also understand that the Environment Agency will be included as a consultee to the</p>	<p>The Applicant confirms that the protective provisions included in Schedule 13 of the DCO are agreed; and the changes to Schedule 14 and Requirement 18 of the DCO have been made at Deadline 2 [REP2-008].</p> <p>The Applicant understand that the only point between parties is the land rights for the offsite cable route.</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p>discharge of Requirement 18 (Decommissioning and restoration).</p> <p>Providing all the above are found to be satisfactory on review of the revision submitted at Deadline 2, this will address all our outstanding comments relating to the draft DCO.</p>	
DCO 1.6	Network Rail Infrastructure Limited	<p>Could Network Rail confirm if protective provisions in Schedule 13 Part 9 of the dDCO [PS-024] are agreed, and whether they wish to raise any further comments.</p>	<p>The Protective Provisions that are in Schedule 13, Part 9 of the dDCO are agreed save for one provision which the parties hope to agree in the next 8-10 weeks.</p>	<p>The Applicant hopes the point in relation to Compulsory Acquisition can be resolved within the examination timetable.</p>
DCO 1.8	Black Sluice Internal Drainage Board	<p>Can the Black Sluice Internal Drainage Board (IDB) confirm:</p> <ul style="list-style-type: none"> <li>i) If you have any comments on the legislation to be disapplied</li> <li>ii) Is the list of drainage legislation at Schedule 3(1) a complete list, or do you consider any should be added or removed.</li> </ul>	<p>It is understood Black Sluice IDB will submit their response at Deadline 3.</p>	

**Table 6: Historic Environment**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
HE 1.1	The Applicant  Boston Borough Council  North Kesteven District Council	<p>Could NKDC and BBC:</p> <p>i) Confirm if you are in agreement with the identification of the above buildings as NDHAs and that only Mill Green Farmhouse should be considered for further assessment.</p> <p>ii) Provide comment on the proposed mitigation set out in paragraph 10.6.2 of ES Chapter 10 [APP-063]</p>	<p><b>BBC response:</b> All of the named buildings are in North Kesteven District. Boston Borough Council support any comments NKDC say on them.</p> <p><b>NKDC response:</b> NKDC agrees with the Applicant's list of non-designated heritage assets; with the exception of the Low boundary wall at Elm Grange which it considers not to be a non-designated heritage asset due to its extant condition.</p> <p>NKDC request that the farm buildings (cottages and barn) at Six Hundreds Farm and the former drainage pump at Head Dike should probably be subject to some further assessment.</p>	<p>The Applicant notes NKDC's comment and has made an amendment to the Outline Construction Environmental Management Plan (document reference 7.7, Revision 5) at Deadline 3 to cover the further assessment required. The Outline WSI for Mitigation was considered as a place for this information, but was discounted as it focuses on archaeological work to be undertaken by field archaeologists whereas the historic building recording surveys are better completed by built heritage specialists.</p>
HE 1.2	North Kesteven District Council  Historic England	<p>i) Can NKDC explain further what contribution they consider the Site makes to the significance of the setting of Kyme Tower and why a negative impact would arise.</p> <p>ii) Can Historic England provide comment on both the Applicant's and NKDCs assessment of harm to Kyme Tower?</p>	<p><b>NKDC response:</b> In relation to South Kyme Tower NKDC note as a fortified tower there should not be an expectation that the tower was designed as part of a wider designed landscape... Due to the historic function of the tower and the extant landscape setting, no views of the tower, or away from the tower, should be classed as "incidental". The fact that the tower is visible from the application site demonstrates the fact that Kyme Tower was designed to be a physical presence in the landscape... A degree of 'less than substantial harm' on its special interest is noted... NKDC</p>	<p>The Applicant maintains its position in relation to South Kyme Tower, but would stress that even if paragraph 202 of the NPPF is engaged, then the public benefit test has been satisfied, as demonstrated throughout the Application (most notably in the Statement of Need and Planning Statement (7.3/APP-234) and Statement of Need and Planning Statement Addendum (7.3a / REP2-062), the provision of a renewable energy scheme to meet net zero targets, local benefits such as the permissive</p>



ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p>disagrees with the conclusion that the effect on Kyme Tower is “not significant” and that no harm is caused.</p> <p><b>Historic England response:</b></p> <p>From a planning policy perspective in which all harm to the significance of designated assets requires clear and convincing justification and to be set against public benefits, a low level of less than substantial harm might still be identified and taken into the ExA’s consideration.</p>	<p>path and a community orchard, and benefits to the local economy during construction.</p>

**Table 7: Land Use and Soils**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
LUS 1.2	The Applicant and Natural England	<p>The draft SoCG [REP1-016] (yet to include input from NE) indicates that due to land access not being granted for intrusive soil sampling, that this be completed post-consent and at the detailed design stage. It states that a methodology to address this has been submitted to NE for their review.</p> <p>Could NE:</p> <ul style="list-style-type: none"> <li>i) Provide a response to the Applicants comments as summarised above.</li> <li>ii) Confirm whether they are satisfied with the methodology for intrusive soil sampling.</li> </ul>	<p>Natural England have provided comments to the applicant on proposed changes to the outline Soil Management Plan. Natural England advise that 1m across the cabling route is acceptable given the methodology set out in the outline Soil Management Plan is adhered to.</p>	<p>The Applicant notes these comments and a further update to the Outline Soil Management Plan (document reference 7.15/ Revision 2) will be submitted at Deadline 3.</p>
LUS 1.3	The Applicant and Natural England	<p>i) Could NE provide details on the further information that they require at this stage, bearing in mind that the Applicant has confirmed that a detailed SMP would be secured by a standalone Requirement in the next version of the dDCO to be submitted at D2 (rather than as part of the Construction Environmental Management Plan (CEMP) secured by R13 of the current version [PS-024).</p>	<p>Natural England provided comprehensive notes on the Outline Soil Management Plan, including that of the offsite grid connection route.</p> <p>Key elements to note include there is no commitment for a programme of supervision, monitoring and reporting as proposed, given the very high quality of the land. This should include supervision of soil handling by a competent soil specialist.</p> <p>Natural England note there is no assessment of the decommission process on soils (including BMV land)</p>	<p>The Applicant has considered these comments and a further update to the Outline Soil Management Plan (document reference 7.15/ Revision 2) will be submitted at Deadline 3.</p> <p>Paragraph 1.7.11 of the Outline Decommissioning and Restoration Plan (document reference 7.9) notes a restoration of the land to its pre-construction condition at the end of operation. The cable route corridor restoration is covered in the Outline Soil Management Plan, no decommissioning is proposed as the cable is to be left <i>in situ</i> and therefore no plan is required.</p>





ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p>for the cable route corridor. Natural England advise that within the ES, there is a commitment to decommissioning and an outline decommissioning plan.</p> <p>Whilst the commitment to handle soils 'so far as possible between March and November' is welcomed, it is important to stop handling soils during the wetter winter months from October to March (inclusive), when soil conditions are unlikely to be suitable and it would be damaging to leave soils bare without crop cover.</p>	

**Table 8: Planning Policy and Legislation**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
PPL 1.3	<p>Boston Borough Council</p> <p>Lincolnshire County Council</p> <p>North Kesteven District Council</p>	<p>Could the RPAs:</p> <p>i) Provide to the Examination full copies of any Development Plan policies that have or will be referred to in your LIRs.</p> <p>ii) Provide copies of any Supplementary Planning Documents that may be of relevance.</p> <p>iii) Confirm whether there are any relevant made or emerging neighbourhood plans that the ExA should be aware of, and if so provide details.</p> <p>iv) Confirm whether the Applicants' policy analysis set out in section 4 of the Statement of Need and Planning Statement [PS-142] is comprehensive</p>	<p><b>LCC response to i) ii) and iii):</b> LCC refers to ExA to submissions by the other RPAs. It is noted that LCC also referenced CLLP Policy S12 and SELLP Policies 1 and 33 in addition to those cited by others and so for completeness copies of those policies are attached to this response as Appendix A.</p> <p><b>BBC response i):</b> We provided the policies referred to in our LIR as appendices to the LIR.</p> <p><b>NKDC response (i):</b> A copy of all relevant Development Plan policies is provided.</p> <p><b>BBC response ii):</b> The Borough do not have any relevant Supplementary Planning Documents.</p> <p><b>NKDC response (ii):</b> There are no SPDs that are of relevance to these proposals within North Kesteven District, however the Central Lincolnshire authorities have produced a series of guidance notes and checklists in relation to delivery of Biodiversity Net Gain (CLLP policy S61) and Energy Efficient Design (CLLP policy S8). The latter will be applicable to works such as monitoring and control buildings with sources of electricity supply and heating for example those used by personnel. Other NKDC strategies and guidance applicable to these proposals are set out in section 9 of NKDC LIR.</p> <p><b>BBC response iii):</b> There are no relevant made or emerging neighbourhood plans.</p>	<p>The Applicant would reiterate the gap analysis in relation to the policies covered in the LIRs (including Local Plan Policies, updates to the NPPF and NPPG) were included within the Statement of Need and Planning Statement Addendum submitted at Deadline 2 (document reference 7.3a/REP2-062).</p> <p>This Statement of Need and Planning Statement Addendum covers all planning policies highlighted by the RPA's with the exception of CLLP Policy S50 – 'Community Facilities' which sets out (in relation to new facilities as part of wider development proposals) where new community facilities are deemed necessary as part of a wider development proposal (such as a residential development scheme which generates demand for new facilities) and acceptable within the guidance set out in Policy S45, then developers will be expected to provide such relevant facilities either directly on-site and/or off site, through a financial contribution, either alone or cumulatively with other developments. Opportunities to incorporate community facilities within or adjacent to the development site should be sought in the first instance. Whether on or off-site, community facilities should be implemented, as appropriate, at an early stage of the phasing of development; and have a robust business plan and governance arrangements in place, prepared by the applicant, including any funding arrangement, to ensure the facility is financially sustainable in the longer term.</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p><b>NKDC response (iii):</b> There are no made or emerging neighbourhood plans applicable to these proposals within North Kesteven District. South Kyme parish has held initial discussions with NKDC regarding neighbourhood planning but this has not advanced to date.</p> <p><b>LCC response to iv):</b> The Applicant has not made reference to: CLLP policies – S10, S11, S12, S16, S47, S50, S54, S66 and S67 and SELLP policies – 1, 2, 3, 4, 30 and 33.</p> <p><b>BBC response iv):</b> The applicants does not quote policies 2, 3, 4 and 30 of the local plan. It is considered policies 4 (Flood Risk) and 30 (pollution) are the most relevant to the consideration of flood risk and air quality / dust, smoke and fumes.</p> <p><b>NKDC response (iv):</b> – North Kesteven District Council considers that Section 4 ‘Planning Policy Context’ of Statement of Need and Planning Statement [PS-142] is comprehensive save for the below observations. The applicant summarises the position contained within the emerging NPSs in relation to a number of matters including the use of best and most versatile land (BMV). Paragraph 4.30 of Section 4 references part of this guidance (as contained in draft EN-3) however it does not quote the preceding paragraph in that guidance (3.10.14).</p> <p>The NPPF (2021) has been updated in Sept 2023. The applicant refers to a number of NPPF paragraphs however Chapter 15 ‘Conserving and</p>	<p>In accordance with Policy S50, a community orchard and permissive path (onsite) is to be provided as Works Packages 9b and 9c (amongst other benefits of the scheme).</p> <p>With regard to NKDC response which states: <i>“in the context of CLLP policy S5 Part F, the applicant has not expressly set out how the scale of the proposed solar energy scheme in this case is ‘appropriate to the business need.’”</i>, the Applicant responds with the following.</p> <p>Part F of Policy S5 states (on the matter of Agricultural diversification):</p> <p><i>“Proposals involving farm based diversification to non-agricultural activities or operations will be permitted, provided that the proposal will support farm enterprises and providing that the development is: a) In an appropriate location for the proposed use; b) Of a scale appropriate to its location; and c) Of a scale appropriate to the business need.”</i></p> <p>The Proposed Development is of a scale appropriate to business need, to support the wider landholding. Furthermore, there is no prescribed scale of ‘appropriateness’ for the business needs, however the benefits are considered on a national scale. The landowner is working with the Applicant who are seeking to provide electricity to customers wanting 100% renewable energy. The land will remain in farming, via grazing.</p> <p>Notwithstanding this, it is re-iterated by the Applicant that NPS EN-1 (which should be afforded</p>

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			<p>enhancing the natural environment’, paragraph 174 is not summarised.</p> <p>At paragraph 4.51 the applicant references Central Lincolnshire Local Plan Policy S5, Part F ‘Agricultural Diversification’. The Council has not listed S5 as an applicable policy in our LIR. The preface to this policy does not give examples of types of ‘agricultural diversification’, however it does note CLLP paragraph 2.5.3.</p> <p>The 15th December 2022 ‘National Statistics – Chapter 5: Diversification’ document confirms that solar energy is the second most common form of diversified activity, and has increased by 21% over a 10 year period. However, in the context of CLLP policy S5 Part F, the applicant has not expressly set out how the scale of the proposed solar energy scheme in this case is ‘appropriate to the business need.’ NKDC accept that the December 2022 document refers to the increased popularity of solar energy in the agricultural context, solar energy proposals are not expressly envisaged in the operation of CLLP policy S5, which is why the Council has not previously referred to it as an applicable policy.</p> <p>In addition NKDC has referenced CLLP policy S10, S11, S28, S49, S50, S54, S66, S67 and S84 in their LIR however these are not referred to in the PS-142 policy section. In that context NKDC do not consider that PS-142 is comprehensive insofar as these policies are all applicable to a greater or lesser degree to the proposals.</p>	<p>significant weight over and above local plan policies in the assessment of the application) is clear that there is a need for renewable energy infrastructure and that the scale of requirements and the urgency ensures that there must be no upper limits on capacity. Decision makers must give substantial weight to the contribution NSIP projects will make towards satisfying this need.</p>



ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
			Finally with reference to paragraph 4.71 NKDC note that the 'Renewable and low carbon energy' section of the NPPG was updated on 14 August 2023 with specific guidance dealing with BESS schemes.	

**Table 9: Socio-Economics**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
SET 1.2	Applicant Boston Borough Council Lincolnshire County Council North Kesteven District Council	<p>Could the RPA's provide:</p> <p>i) Comments on the Outline Supply Chain, Employment and Skills Plan [APP-243].</p> <p>ii) Confirm if you would be able to liaise with the relevant educational institutions in order to discharge Requirement 16 of the dDCO [PS-024]?</p> <p>iii) Details of any current initiatives in place regarding promotion of related careers in renewable energy in the area?</p>	<p><b>LCC Response to i) ii) and iii):</b> LCC offers no comments at this stage refers the ExA to responses given by the RPAs.</p> <p><b>BBC Response i):</b> Our comments on the outline Supply Chain, Employment and Skills Plan are as follows:</p> <p><u>Local Labour:</u></p> <ul style="list-style-type: none"> <li>• What actions will be explored to execute 'all reasonable endeavours' that will provide local residents sustainable training and employment are not explained.</li> <li>• BBC suggest that more than one careers event would be needed.</li> <li>• Further organisations could be added to Table 1 and interaction with the two local authorities Economic Development teams is noted.</li> </ul> <p><u>Supporting Local Services:</u></p> <ul style="list-style-type: none"> <li>• A 'Meet the Buyer' could be an ideal event to discuss and disseminate the opportunities available.</li> </ul> <p><u>Recruitment and Training Opportunities:</u></p> <ul style="list-style-type: none"> <li>• Advertisement through a series of careers fairs where local colleges are fully embedded in the process.</li> <li>• Concern the applicant would be looking more towards the short term training opportunities rather</li> </ul>	<p>The Applicant has considered the comments from the RPAs at Deadline 2 and has provided an update to the Outline Supply Chain, Employment and Skills Plan (document reference 7.12, Revision 2) at Deadline 3.</p> <p>The changes relate to the provision of an Apprenticeship Scheme; meet-the-buyer and careers-fairs type events and strengthening the commitments to use local suppliers and labour where possible.</p> <p>It is worth reiterating that this is an outline plan; and therefore, it is difficult to obtain buy-in and full support for the exact details of a skills and supply chain plan until after an award of consent and until the procurement stage for a contractor. The final plan will therefore be the one which can set out the real detail.</p> <p>The Applicant has not confirmed the mechanism to fund apprenticeship and training opportunities, but notes this will be confirmed in the final Plan to be in a form agreed with the RPAs. A figure of £50,000 per annum is committed to in the outline plan.</p> <p>The Applicant is committed to ensuring tangible benefits during the construction period. These actions will be implemented and over seen by the principal contractor and as such will be written into their contract.</p>

			<p>than creating sustainable employment during the construction phase.</p> <p><u>Support for Development of Skills Locally;</u></p> <ul style="list-style-type: none"> <li>• More detail of the types of jobs and how this is to be achieved with potential partners.</li> <li>• BBC support opportunities where the public and private sector can come together and deliver skills and employment opportunities.</li> </ul> <p><u>Monitoring and Evaluation;</u></p> <ul style="list-style-type: none"> <li>• More about engagement with all potential local supply chains.</li> </ul> <p><b>NKDC Response i):</b> NKDC note that given there are likely to be financial elements to this discharge of this document (potentially funding of apprenticeships and educational/higher education placements) a s106 Agreement might be required.</p> <p>Further detail of how actions within the Plan will be implemented and overseen. No reason why the main contractor cannot deliver apprenticeships in full, due to the duration of the construction period.</p> <p>NKDC are concerned that “...Use of local labour where commercially viable and available” provides an opportunity for the applicant to avoid the use of local labour. The applicant should instead commit to using local labour ‘where possible’.</p> <p>Turning to the sub-headings in the document:</p> <ol style="list-style-type: none"> <li>1. Local Labour – Refers to a careers type event being held locally in advance of the main construction starting on site, additional content could be provided. Explanation that job seekers will be made</li> </ol>	<p>At this time the Applicant would prefer the wording to remain as commercially viable. We note the Council’s concern about this point, but would reiterate that commercial viability is an important consideration and needs to be borne in mind when considering a renewable energy scheme which is required to meet an urgent national need (as outlined in EN-1, November 2023). However, we would expect, but granted this cannot be guaranteed, that local supply is anticipated to be more cost effective due to the proximity of personnel.</p> <p>The Applicant has updated its commitment to a careers event/job fair. It is likely to be more appropriate to tie this into other career events such as those held by education providers. Promotion</p>
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			<p>aware of what types of employment opportunities and careers are available during construction and operation. Further detail on what the careers event will look like.</p> <p>The applicant states that interested parties can contact them, but is this a message that is already being promoted? If so, we would expect the document to set out how and where. As drafted the suggestion seems to be that the applicant might rely on reactive approaches and expressions of interest from the local labour market rather than proactively and progressively seeking to advertise those opportunities more widely. In terms of the public and private sector organisations noted in Table 1 we consider that this is not ambitious enough, consider adding Lincoln College, Secondaries and Academies in the Sleaford area (such as Carres Grammar, Kesteven and Sleaford High School, St Georges Academy).</p> <p>2. Supporting local services - no real detail of how this will operate in an open and fair way. An opportunity here would be to have a contractors/suppliers exhibition whereby local contractors are invited to attend a conference to understand what the supply chain opportunities are and also what contractors opportunities they are, hosted by Ecotricity and their main contractor. As part of this they could engage with such organisations as the Federation of Small Businesses and the local Chamber of Commerce to identify potential businesses that could benefit. The opportunities need to be clearly promoted in an open and fair</p>	<p>would be in local newspapers, and via appropriate social media channels. Other targeted forms of promotion may be appropriate, for example posters.</p> <p>The Applicant notes that some companies are already contacting them through the designated webpage, but also other Ecotricity channels. A spreadsheet of interested parties list is used to register this interest.</p> <p>The drafting is deliberately flexible as a tendering process is needed with third parties to build the site. It would therefore be for them to promote job opportunities they have available at the appropriate time.</p> <p>The list of additional education providers will be updated.</p> <p>The Applicant and the contractor to be chosen to oversee the build of the project will use reasonable endeavours to source materials (being fit for purpose and on a price parity with materials from out-with the local area) for both the construction and operation of the Proposed Development.</p> <p>A designated local employment coordinator will oversee the final Supply Chain, Employment and Skills Plan.</p> <p>Consultation and liaison measures with Jobcentre Plus and education providers will be undertaken.</p> <p>The Applicant notes the courses mentioned and has made contact with the University of Lincoln regarding the courses they have available, and requested information on how to be involved in job fairs or other appropriate events.</p> <p>The Applicant has updated the Outline Supply Chain, Employment and Skills Plan (document reference 7.12, Revision 2) at Deadline 3 to include an open day</p>
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			<p>way, and the applicant needs to be clear on what the timescale for such opportunities are.</p> <p>3. Recruitment and Training opportunities – as above, some kind of jobs fair that highlights what the employment opportunities are. Engage with local colleges, especially Grantham, Lincoln and Boston about how they can work with the colleges to provide dedicated training programmes for young people looking to enter into the job market, particularly in the renewables sector. If they provide the colleges with funding, they can tailor training programmes to the main contractors needs.</p> <p>NKDC are concerned that apprentices are already likely to be in placements with firms who offer construction services, this suggests that the applicant will not look towards funding more niche apprenticeships or university placements tailored to the renewables sector, e.g. the University of Lincoln offers an MSc in Energy Materials and Battery Science, and a BSc in Ecology and Conservation. There are multiple UK Universities offering courses in renewable energy engineering.</p> <p>4. Support for Development of Skills Locally – as above NKDC support the general approach however detail is limited. An opportunity would be to have a contractors/suppliers exhibition.</p> <p>5. Monitoring and Evaluation – NKDC accept that specialist teams may be brought in for technology-specific works packages</p>	<p>type event, and will invite local companies to come and see what opportunities are available.</p> <p>Initial discussions have been undertaken with NKDC Economic Development Team regarding community benefit, but these have been kept deliberately distinct from the planning process.</p>
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			<p>(highlighting it would be helpful to identify these early) their view is that the starting point should be to prioritise local suppliers and labour (outwith technology-specific work) and only then to engage suppliers etc known to the applicant.</p> <p>An omission is how these commitments, and the additionality recommended above by NKDC, will be funded. By way of recent precedent, Longfield Solar Energy Limited (LSE) have entered into a Community Benefit Agreement (CBA) with Essex County Council to provide £2.1 million in education, supply chain, skills and employment funding across the lifetime of the Longfield scheme, with training and apprenticeships in the renewables sector receiving £50,000 a year.</p> <p>The applicant has not entered into detailed discussions with NKDC, nor (as far as we are aware) other host authorities in relation to the required community benefits package, and as set out above it remains unresolved how the detail of draft Requirement 16 will be discharged. It seems very likely that certain elements (training, apprenticeships and higher education placements) will need to be addressed either by s106 Agreement or CBA.</p> <p>NKDC encourage the applicant to provide further detail on this matter at the earliest opportunity (accepting that CBA discussions are to a degree detached from the PA2008 process), and mindful that the Longfield NSIP project is both recent and identical in export capacity (400MW) to</p>	
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			<p>Heckington Fen NKDC would anticipate that the overall value of the training, apprenticeships and higher education placement element is comparable.</p> <p><b>BBC response to ii):</b> The Borough Council has good links to Boston College and the University of Lincoln and so should be able to liaise with them over Requirement 16.</p> <p><b>NKDC response to ii):</b> We can confirm that the Council would be able to liaise with the relevant educational institutions in order to discharge Requirement 16 of the dDCO, subject to the above comments in relation to Q (i).</p> <p><b>BBC response to iii):</b> We are not aware of any initiative beyond the University of Lincoln’s MSc on Energy Materials and Battery Science.</p> <p><b>NKDC response to iii):</b> – At present the Council is not aware of any current initiatives in place regarding promotion of related careers in renewable energy in the area/Lincolnshire.</p>	<p>No further comments are included to cover ii and iii.</p>
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**Table 10: Traffic, Transport and Public Right of Way**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
TT 1.3	The Applicant National Grid Electricity Transmission Plc	<p>Could the Applicant and NGET consider:</p> <p>i) Should the dDCO [PS-024] specify a separate CTMP for the Bicker Fen substation works, or is Requirement 14 sufficient to cover this?</p>	<p>NGET considers that Requirement 14 is sufficient as currently drafted.</p> <p>It is anticipated that NGET will submit a CTMP for the traffic movements associated with Works No's 6B and 6C or that NGET's traffic movements will be dealt with as part of the overall discharge of Requirements in respect of the phase of works at Bicker Fen substation.</p>	The Applicant concurs with this position.
TT 1.5	The Applicant Lincolnshire County Council National Grid Electricity Transmission Plc	<p>i) Could the Applicant and NGET clarify if AILs would be necessary for the works at Bicker Fen substation?</p> <p>ii) Could LCC clarify if they have any comments to make regarding the use of AILs on the local highway network?</p>	<p><b>NGET response to i)</b> NGET confirm that no AILs would be necessary for the extension works at Bicker Fen Substation.</p> <p><b>LCC response to ii):</b> No comments at this stage. It is noted an AIL Assessment will be prepared in due course as is proposed in Chapter 14, para 14.6.3 of the ES [PS-73] however it is currently not clear whether this assessment would be provided predetermination or as a requirement of any DCO (Schedule or Requirement). LCC would therefore welcome clarification on this matter and will continue to liaise with the Applicant on this matter.</p>	<p>i) The Applicant welcomes this confirmation and concurs with the position.</p> <p>ii) The AIL haulier will need to adhere to the relevant rules and regulations pertaining to the movement of AILs in due course. This includes for liaison and agreement with National Highways, LCC and the Police. The need for these other consents is already accounted for and reflected in the Applicant's "Consents and Licences required under Legislation" [REP1-006].</p>
TT 1.6	The Applicant Lincolnshire County Council National Grid Electricity	ii) Can NGET confirm if paragraphs 14.6.14 to 14.6.18 and Table 14.9 of ES Chapter 14 [PS-073] are an accurate indication of existing and	<b>NGET response to ii):</b> NGET provided the figures quoted in paragraphs 14.6.14-24.6.8 and Table 14.9 of ES Chapter 14 and can confirm that to our knowledge they are an accurate indication of existing and proposed traffic flows.	The Applicant has no further comments on those received by NGET.

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
	Transmission Plc	<p>proposed traffic flows to the Bicker Fen substation.</p> <p>iii) Can LCC confirm if they agree with the Applicant's assessment of sensitivity of Links Four (Cowbridge Road), Five (Bicker Drove) and Six (Vicarage Drove), or if, having regard to Table 14.2 of ES Chapter 14 [PS-073], you consider the sensitivity of any of these Links should be increased.</p>	<p><b>LCC response to iii):</b> Therefore having regard to the criteria within Table 14.2, LCC would suggest that the sensitivity of these routes should be considered to fall within the scope of the definition of High (or at the very least Medium) rather than Negligible. If this sensitivity were applied then the Significance of Effect would increase from Negligible to Major (or Moderate) and therefore significant in EIA terms. Notwithstanding the above, LCC is of the view that a reasonable estimate of HGV and car traffic associated with the development has been applied by the Applicant for the construction phase and, subject to the routing and mitigation measures as proposed by the Applicant being secured as part of any DCO, then as confirmed in paragraph 7.7.18 of our LIR [REP1-028] the traffic and transport impacts during the construction, operation, and decommissioning (subject to agreement of a CTMP) would be neutral.</p>	<p>LCC go on to conclude that the effect is not significant because use of Cowbridge Road would be temporary. Even if the sensitivity was changed to "high" the same conclusion on the significance of the effect because (1) the construction traffic using that road would be temporary; and (2) the Applicant has embedded into the Outline Construction Environmental Management Plan and outline Construction Traffic Management Plan mitigation measures relating to Cowbridge Road.</p> <p>However, the Applicant has prepared ES Transport and Access Technical Note-Sensitivity of Cowbridge Road, Bicker Drove and Vicarage Drove (document reference ExA.ESATN.D3.V1) to assess a worst-case scenario of 'high' sensitivity. This will be submitted at Deadline 3.</p>
TT 1.8	The Applicant Lincolnshire County Council	<p>Could the Applicant and LCC consider if the wording of Requirement 18 of the dDCO [PS-024] is sufficient to secure a DTMP?</p>	<p>LCC will continue to discuss the drafting of R18 with the Applicant and look to agree a position in later versions of the dDCO. One option could be to draft R18 so that it makes clear a Decommissioning Traffic Management Plan will need to be submitted. Another option could be to adopt a similar approach to that taken at Mallard Pass where Schedule 16 of the latest version of the draft DCO [REP8-006] (which sets out the procedure for discharging requirements) has been revised to make clear</p>	<p>The Applicant refers LCC to its response to this question submitted at Deadline 2 (REP2-077).</p> <p>In summary, the principle of a decommissioning traffic management plan is already secured through the measures referred to in the body of the control plans, and that it would not be necessary (in the interests of conciseness and best practice drafting) to refer to the need for traffic management measures on the face of the DCO</p>



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			that subsequent agreements referenced within approved documents would fall within the meaning of “discharge” and therefore follow the same approval route as that of original Requirements. If this approach were taken then Schedule 14 could therefore be amended to replicate this approach as it would then provide the mechanism/control necessary to ensure a subsequent DTMP is secured.	at Requirement 18. Accordingly, given that the outline DRP (at paragraph 1.10) stipulates that a decommissioning traffic management plan will be produced, the final decommissioning scheme must incorporate such traffic management measures. This is therefore secured by virtue of Requirement 18(4) of the DCO.

**Table 11: Water Environment and Flood Risk**

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
WE 1.2	Anglian Water	Could Anglian Water explain the draft Water Resources Management Plan and its relevance to the Proposed Development, its current status and provide a copy of any extracts of the latest version which are of relevance to the Examination.	The draft Water Resources Management Plan (WRMP) remains in draft and has been supplemented by Anglian Water’s Business Plan for 2025 to 2030 submitted to regulators. The WRMP will be draft until approved (as revised) regulators in or about December 2024. Its relevance to the Proposed Development is that Anglian Water is now having to decline requests from new business development in order to ensure sufficient supplies are available for current and future domestic customers. The project though has minimised the need for potable water supplies through including rainwater harvesting in the design to supply non potable uses during construction and operation. As a consequence, there is no need to include a Water Resources Assessment Requirement in the draft DCO, which is an approach Anglian Water is having to follow with other NSIP requiring potable water supplies.	The Applicant welcomes this confirmation and agrees with the position set out by Anglian Water.
WE 1.4	The Applicant Black Sluice Internal Drainage Board Environment Agency	ii) Could the IDB, the EA and Lead Local Flood Authority (LLFA) provide any further comments they wish to raise regarding the proposed methods of watercourse crossings and whether you consider the final details are able to be adequately secured by Requirement 6 of the dDCO [PS-	<b>Environment Agency response to ii):</b> The protective provisions included in Schedule 13, Part 5 for the Environment Agency will ensure detailed plans and the methodology in relation to the main river crossing will need to be approved by them prior to the works taking place. Accordingly, the EA are satisfied that details are adequately secured in relation to those watercourses crossings	The Applicant agrees with the position set out by the Environment Agency.  The Applicant will continue to liaise with LCC regarding the drafting of the DCO. It should, however, be noted that Appendix I of the outline CEMP (document reference 7.7) includes an Outline Watercourse Crossing

ExA Question Number:	Question Addressed to:	Question	Interested Parties Response at Deadline 2 - summarised	Applicant's Response
	Lead Local Flood Authority	<p>024] alongside the protective provisions set out in Schedule 13 Parts 5 and 7.</p> <p>iv) Could the EA, IDB or LLFA comment on the mitigation and monitoring measures.</p>	<p>under the Environment Agency's jurisdiction.</p> <p><b>LCC response to ii):</b> LCC will continue to liaise with the Applicant about the drafting of the dDCO and so if necessary the wording could be amended to make clearer that this detail will form part of this Requirement.</p> <p><b>Environment Agency response to iv):</b> The Environment Agency is satisfied that subject to the identified mitigation within the outline Construction Environment Management Plan (oCEMP) being fully implemented and best practice methods being followed in respect of pollution prevention; as well as the relevant water abstraction licences and discharge permits being obtained prior to construction commencing for that activity, there should be no deterioration in waterbody status.</p> <p><b>LCC response to iv):</b> LCC offer no further comments at this stage.</p>	<p>Method Statement; this is secured by Requirement 13 of the DCO.</p>



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