

GEN 2.1	Comments on updated NPPF
LA reply	Solar farms continue to be classed as essential infrastructure in Annex 3. The December version of the NPPF also includes a new reference to solar but not in a context relevant to this application as it relates to buildings. References to 'renewable' are unchanged from the September 2023 version of the NPPF.
GEN 2.2	Comments on updated NPS
LA reply	EN1: Solar is quoted as one of the cheapest generators of electricity, the other is wind, and together they are likely to be the predominant sources in a net zero system in 2050. Storage is also important but many options are not yet available at scale. Hydro is part of the storage solution but has limited topographical capacity. EN3: The advice contained in the section on Solar does not appear to raise any issue that has not been considered as part of the application, including the matters the Secretary of State should consider in 3.10.143 to 3.10.153. EN5: Relevant owing to 1.6.3i but since the proposed cable is relatively short and underground the impact issues the NPS raise are ameliorated. Land rights and land interests are dealt with by the application.
GEN 2.4	The Applicant's response to ExQ1 GEN 1.7 [REP2-077] included some further detail regarding methodology for assessment of likely significant effect on some of the miscellaneous issues presented within Environmental Statement (ES) Chapter 18 [PS-077]. Could Lincolnshire County Council (LCC), North Kesteven District Council (NKDC) and Boston Borough Council (BBC) confirm if they have any comments regarding the methodology for Major Accidents and Disasters; Waste; Electric, Magnetic and Electromagnetic Fields; and Telecommunications as presented.
LA reply	The Borough Council have no comments on these issues
GEN 2.5	An addition has been made to the outline Decommissioning and Restoration Plan [REP3-023] at paragraphs 1.18.2 and 1.18.5 c) relating to monitoring reporting to Relevant Planning Authorities (RPAs) and the action to be taken in the event of a failure. LCC, NKDC and BBC are invited to comment on this additional provision within the Plan.
LA reply	The impact of decommissioning on the Borough is much less than on NKDC. The Borough Council are satisfied with these provisions
GEN 2.7	An Equality Impact Assessment was submitted at D3 [REP3-031] which includes consideration of persons or groups with a protected characteristic in order to inform the Examining Authority (ExA) how the Applicant has considered the Equality Act 2010 and provide information to assist the decision maker in applying the Public Sector Equality Duty. Could LCC, NKDC, BBC and any other Interested Parties provide any comments they wish to raise.
LA reply	The Borough Council have no comments on this document

GEN 2.11	<p>The Applicant's response to ExQ1 BIO 1.5 [REP2-077] clarifies that a major beneficial effect relates to hedgerow resource only and that Table 6.10 ES Chapter 6 [PS-059] does not report tree resource during the construction phase as these effects were not deemed to be significant. Other non-significant residual effects are reported within Table 6.10.</p> <p>I. Could the Applicant provide further explanation why tree resource has been excluded from Table 6.10 or update it to include tree resource.</p> <p>In the Applicant's response to part iv) of ExQ1 BIO 1.5 it is stated that residual beneficial effects are reported solely on the quantum of the proposed vegetation rather than their maturity. Considering this relates to an assessment of the significance of a landscape feature it is unclear why maturity has not been considered.</p> <p>II. Could the Applicant provide an explanation of why they consider this is appropriate for the landscape assessment</p> <p>III. Could LCC, NKDC and BBC provide comment on the Applicant's response to ExQ1 BIO 1.5 [REP2-077].</p>
LA reply	<p>III. The applicant's response and the quoted document focus on the landscape impact of the Energy Park. They do comment on the loss of trees at the Bicker Fen substation and that the impact of their loss is balanced with the tree planting proposed at the Energy Park. The Borough Council understand this point of view as at a project level it makes sense. The Borough Council have commented on the loss of trees and the impact on the Borough. The applicants have suggested a resolution to their loss and the Borough Council agrees with it. There are very few, if any, hedges on the cable route and the applicants have offered to provide hedgerow planting as part of the suggested resolution to the tree loss in the Borough in order to provide connectivity of habitat. If the landowners agree to this offer there will also be a landscape benefit.</p>

<p>BIO 2.2</p>	<p>The most recent update to the draft DCO [REP3-004] includes an amendment to R8(c) which increases minimum Biodiversity Net Gain (BNG) of habitat units to 65% using the Biodiversity Metric 4.0.</p> <p>Statutory Biodiversity Metric tools and guides were released by the Department for Environment, Food and Rural Affairs on Wednesday 29 November 2023. NKDC in their response to ISH3 Action Points [AP3, REP3-040] notes that they have no objection to fixing the use of Biodiversity Metric 4.0 in R8. Longfield Solar Farm (Correction) Order 2023 includes amendments to DCO Schedule 2 R9(2)(a) in relation to the application of Biodiversity Metric 4.0.</p> <p>Could the Applicant provide:</p> <ol style="list-style-type: none"> I. An update to the BNG assessment Appendix 8.12 and 8.13 [REP2-047 and REP2-049] as necessary to include reference to the most recent guidance, and the additional information on condition assessments as requested by NKDC [paragraphs 4.25-4.26, REP2-109 and AP3, REP3-040]. II. Consideration of whether R8(c) should be reworded to refer to the Statutory Metric in place of Biodiversity Metric 4.0 and/or to reflect the Longfield Solar Farm (Correction) Order 2023. <p>Could NKDC, BBC and LCC provide comment on:</p> <ol style="list-style-type: none"> I. The implications of the recent BNG tools and guidance (noting that this is not yet statutory for NSIPs). II. The amendments to R8 to include an increase to the minimum percentage of BNG to 65%. III. Whether to fix the use of Metric 4.0 given the above.
<p>LA reply</p>	<ol style="list-style-type: none"> I. The Statutory Biodiversity Metric and Metric 4.0 are very similar and so the Borough Council do not think there are any substantive issues from choosing Metric 4.0. Although BNG is not a statutory requirement of NSIPs the Borough Council consider it appropriate for BNG to be enhanced as a response to national targets for biodiversity / habitat creation. II. The Borough Council welcome a BNG target of 65% and would support any further increase. III. The Borough Council agree to Metric 4.0.
<p>BIO 2.4</p>	<p>BBC comments following ISH4 [REP3-049] refer to ongoing discussions with the Applicant regarding compensation for loss of trees at Bicker Fen substation within the BBC area arising from the change application [PS-001]. Paragraphs 5.5.11 to 5.5.13 of the outline LEMP [REP3-021] refer to additional mitigation and enhancement measures for planting in the BBC area.</p> <ol style="list-style-type: none"> I. BBC are asked to confirm if they are satisfied with the additional measures as set out in the outline LEMP. II. The Applicant and BBC are asked to confirm if off-site planting and/or funding can be adequately secured within the LEMP to be secured by R8, or whether a S106 or similar obligation should be sought and if so, whether this could be achieved within the Examination timetable.
<p>LA reply</p>	<ol style="list-style-type: none"> I. The Borough Council is satisfied with the additional measures as set out in the outline LEMP paragraphs 5.5.11 – 5.5.13 II. The mechanism for this and for question SE 2.1 II need to be consistent as it includes the payment of money. The SOCG will have the same wording for these requirements and work on a S106 will be commenced.

DCO 2.6	An amendment to Schedule 14 (2) of the draft DCO [REP3-004] increases the timeframe for Relevant Planning Authorities to give notice of decision on a Requirement from eight to ten weeks. The Applicant's post-hearing submission [Agenda item 6, REP3-038] explains that no further changes will be made to the deemed discharge mechanism, referring to the 'critical national priority' status of solar in the final draft National Policy Statements. LCC, NKDC and BBC are asked to provide any further comments they may wish to raise on Schedule 14.
LA reply	The Borough Council are satisfied with the 10 week timeframe and the deemed consent provision.
DCO 2.7	ISH3 agenda item 6 referred to Schedule 14 (5) of the draft DCO [REP3-004] (Fees) and the Applicant's post hearing submission/ action point 10 [REP3-038] further responds to NKDC's comments regarding refunds to fees and notes that there is a mechanism to retain fees at paragraph 5(2)(b)(i). Schedule 14 (5)(1) refers to the 2012 Fee Regulations. The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 came into force on 6 December 2023. I. The Applicant is requested to amend the relevant wording of Schedule 14 (5) accordingly to reflect the 2023 Regulations. The Applicant, LCC, NKDC and BBC are asked to also consider: II. The merit of fees being paid per Requirement rather than per application. III. Whether the provision to introduce an annual indexation of fees from 1 April 2025 as set out in Regulation 18A should be reflected within the draft DCO.
LA reply	II. If the Borough Council was paid by application it might be the case that one application included all requirements requiring prior approval of details for £145. Being paid by requirement clearly increases the payments. However, if only part of a requirement's information is submitted, the remaining details should attract a fee as well, when they are submitted. Similarly any changes during the construction period requiring the approval of modified details, which have already been approved should attract a fee as well. From experience of other NSIP projects the submitted information can be significant and takes time to assess and so payment by requirement and then by application is reasonable. The £145 fee in the regulations does not reflect this. III. The Borough Council agrees with annual indexation.
HE 2.3	R6 (2) of the draft DCO (REP3-004) includes an additional criteria regarding the need for design details to take account of the results of archaeological investigations. Could LCC, NKDC and BBC confirm their agreement to the proposed additional wording.
LA reply	The Borough Council agree with this additional wording.
LUS 2.2	R8 LEMP and R19 Operational Environmental Management Plan (OEMP) of the draft DCO [REP3-004] include provision for securing sheep grazing on the solar park site. In response to comments made by NKDC at ISH3/4 the Applicant has proposed an additional commitment within the outline OEMP [paragraphs 2.22 to 2.24, REP3-034] relating to sheep grazing management. LCC, NKDC and BBC are asked to comment on this addition to the OEMP.
LA reply	The Borough Council have no comments on this issue.

LUS 2.4	The Applicant's has submitted a post-hearing submission for ISH3 agenda item 8 regarding use of Best and Most Versatile (BMV) agricultural land [Appendix 3, REP3-038]. This includes submissions regarding cumulative assessment, changes to calculations of amounts of BMV affected on other solar farm projects in Lincolnshire, and explanation of consideration of significant effect terms. LCC, NKDC and BBC are asked to provide any comments they may wish to raise.
LA reply	The Borough Council have no comments on this issue.
SE 2.1	<p>The updated outline Supply Chain, Employment and Skills (SCES) Plan [REP3-015] includes provision of an Apprenticeship Scheme amongst other initiatives and commitments, and states at section 3 that a fund to facilitate training and apprenticeships will be provided for the operational lifetime of the Proposed Development, the mechanism for which is to be agreed with NKDC and BBC following determination of the DCO.</p> <p>NKDC and BBC are asked to comment on the amendments to the outline SCES Plan including the amount of and approach to the funding for training and apprenticeships.</p> <p>The Applicant, NKDC and BBC are to clarify:</p> <ol style="list-style-type: none"> I. How the proposed funding of £50,000 was calculated. II. If the Applicant's proposal for funding can be adequately secured within the outline SCES Plan to be secured by R16, or whether a Section 106 Agreement or similar obligation should be sought and if so, could its agreement be achieved within the Examination period.
LA reply	<ol style="list-style-type: none"> I. The Borough Council understand the figure is derived from the Longfield DCO Community Benefit Fund. II. See the response to BIO 2.4II above.