



# Mallard Pass

Solar Farm

## Mallard Pass Solar Farm

**Statement of Common Ground with  
Lincolnshire County Council**

**Deadline 2 - June 2023**

EN010127

EN010127/APP/8.8

## 1.0 Introduction

### **Status of the Statement of Common Ground**

1.1 This Statement of Common Ground ('SoCG') is being submitted to the Examining Authority as an agreed draft between both parties. It will be amended as the examination progresses in order to enable a final version to be submitted to the Examining Authority.

### **Purpose of this document**

1.2 This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared in relation to the Mallard Pass Solar Farm Development Consent Order (the Application). The SoCG is a 'live' document that has been prepared by Mallard Pass Solar Farm Limited and Lincolnshire County Council.

1.3 The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2015 by the Department for Communities and Local Government<sup>1</sup>.

1.4 Paragraph 58 of the Department for Communities and Local Government (DCLG) Guidance comments that:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence".*

1.5 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between Lincolnshire County Council and Mallard Pass Solar Farm Limited on matters relating to Mallard Pass Solar Farm.

1.6 The document will be updated as more information becomes available and as a result of ongoing discussions between Mallard Pass Solar Farm Limited and Lincolnshire County Council.

<sup>1</sup> Planning Act 2008: Guidance for the examination of applications for development consent (March 2015) paragraphs 58 – 65

1.7 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted.

### **Terminology**

1.8 In the table in the Issues chapter of this SoCG:

“Agreed” indicates where the issue has been resolved.

“Not Agreed” indicates a position where both parties have reached a final position that a matter cannot be agreed between them.

“Under Discussion” indicates where points continue to be the subject of on-going discussions between parties.

## **2.0 Description of development**

2.1 The Proposed Development comprises the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) array electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the National Grid.

2.2 The Mallard Pass DCO Project comprises those parts of the Mallard Pass Project which are to be consented to by a DCO, namely:

- The Solar PV Site - the area within the Order limits that is being proposed for PV Arrays, Solar Stations and the Onsite Substation.
- Onsite Substation - comprising electrical infrastructure such as the transformers, switchgear and metering equipment required to facilitate the export of electricity from the Proposed Development to the National Grid. The Onsite Substation will convert the electricity to 400kV for onward transmission to the Ryhall Substation via the Grid Connection Cables.
- Mitigation and Enhancement Areas - the area within the Order limits that is being proposed for mitigation and enhancement.
- Highway Works Site - the areas that are being proposed for improvement works to facilitate access to the Solar PV Site
- Grid Connection Corridor - the proposed corridor for the Grid Connection Cables between the Onsite Substation and the National Grid Ryhall Substation.

### **3.0 Current Position**

#### **Position of Mallard Pass Solar Farm Limited and Lincolnshire County Council**

3.1 The following schedule addresses the position of Mallard Pass Solar Farm Limited and Lincolnshire County Council, following a series of meetings and discussions with respect to the key areas of the project.

3.2 As mentioned previously, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and ultimately both parties agree on relevant points.

## 4.0 Record of Engagement

### Summary of consultation and engagement

4.1 The parties have been engaged in consultation and engagement throughout the development of the Application. Table 1 shows a summary of the meetings and correspondence that has taken place between Mallard Pass Solar Farm Ltd (including consultants on its behalf) and Lincolnshire County Council in relation to the Application.

**Table 4.1 – Record of Engagement<sup>2</sup>**

<b>Date</b>	<b>Form of Correspondence</b>	<b>Key topics discussed and key outcomes</b>
09/09/2021	Virtual Meeting	Introduction to project and team
15/10/2021	Email from LCC	LCC requested details on the traffic survey data scope and timings to confirm that the surveys undertaken are suitable.
	Email from LCC	It was noted by LCC that it is expected that the primary impacts associated with the Proposed Development are associated with the construction phase, rather than the operational. Decommissioning could be assessed in the future once details are available.
	Email from LCC	LCC requested that the access strategy sought to minimise new points of access onto the LRN and to retain the existing access points, where possible.  Outcome: The existing access points have been utilised, where possible. Where it is not possible to retain or use an existing access, the new access locations have been chosen in order to meet highway safety requirements and minimise the associated environmental impacts.

<sup>2</sup> This table is not intended to be a record of every call or email exchanged between the parties (for example emails organising meetings), but should record the key exchanges of information and meetings

Date	Form of Correspondence	Key topics discussed and key outcomes
03/11/2021	Virtual Teams meeting	Pre-briefing presentation – Introducing Mallard Pass Solar Farm
		<ul style="list-style-type: none"> <li>- General update</li> <li>- DCO process introduction roles and responsibilities</li> <li>- Consultation strategy</li> </ul>
04/11/2021	Email from Applicant	The Applicant provides digital notification of the launch of the Stage One non-statutory consultation, including links to consultation materials and information regarding consultation events (digital and in-person).
08/11/2021	Virtual Teams meeting	<p>The Applicant engaged with Lincolnshire County Council Cllr. Ashley Baxter.</p> <p>Pre-briefing presentation – Introducing Mallard Pass Solar Farm; Land use on Site; Perceived flood risk and mitigation; Visual impact and mitigation; Local policy and national policy statement; Agricultural land use versus renewable energy; Agricultural Land Classification Grade and soil sampling; Assessment of carbon mileage; and Consultation process.</p>
18/11/2021	Video call meeting	<p>Proposed scope of the desk-based assessment, key sources of information, proposed scope / extent / timings of the geophysical survey.</p> <p>Addressed within Section 8.2 in <b>Chapter 8: Cultural Heritage [EN010127/APP/6.1]</b> of the ES and in greater detail in <b>Appendix 8.4: Desk Based Assessment [EN010127/APP/6.2]</b></p>
06/01/2022	Meeting	The Applicant engaged with LCC's Ian Field. Meeting with LLFA to discuss FRA and SuDS requirements. Agreed that SuDS measures should focus on the substation and surface water management for the PV Arrays could be implemented through SuDS techniques.



Date	Form of Correspondence	Key topics discussed and key outcomes
		Agreement on principles for SuDS and FRA proposed by Arcus. Set out in <b>Appendix 12.5: Flood Risk Assessment [EN010127/APP/6.2]</b>
10/01/2022	Letter via email from Applicant	The Applicant confirming LVIA approach including methodology, study area and viewpoint locations ahead of EIA Scoping Report submission.
18/01/2022	Phone call	The Applicant engaged with LCC's Ian Field. To discuss any requirements for watercourse buffers.
03/02/2022	Email from Applicant	The Applicant informs the local authority of the submission of the Environmental Impact Assessment (EIA) Scoping Report and providing general updates about the status of the Proposed Development.
07/02/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Planning Performance Agreement</li> <li>- General update</li> <li>- Ongoing work</li> </ul>
15/02/2022	Email from LCC	<p>LCC provided feedback on the proposed construction strategy.</p> <p>LCC confirm preference to avoid two-way construction vehicle conflicts occurring.</p>
	Email from Applicant	<p>Information was provided to LCC on the methodology to develop construction trip rates.</p> <p>Outcome: The methodology to develop construction trip rates has been deemed as reasonable by LCC.</p>

Date	Form of Correspondence	Key topics discussed and key outcomes
16/02/2022	Letter and Email from Applicant	The Applicant shares a link to the Scoping Report, a PDF copy of the Applicant's community newsletter, and of the post-Stage One FAQs document.
17/02/2022	Email from Applicant	The Applicant shared working draft version of the Statement of Community Consultation (SoCC).
02/03/2022	Email from Applicant	The Applicant engaged with LCC's Ian Field. Email to LLFA to invite them to meeting between Arcus and EA.
	Email from LCC	LCC Written response to the PEIR: confirming the requirements for the detailed assessment and submission, reaffirming the details identified during the initial consultation.
18/03/2022	LCC Scoping Report – Appended to PINS scoping Opinion	The Council is also agreeable to the general approach and methodology detailed within the Scoping Report.
23/03/2022	Email from Applicant	The Applicant shares a copy of the draft SoCC via email, marking the launch of the draft SoCC consultation period.
31/03/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Ecology</li> <li>- Landscape and Visual Impact</li> <li>- Future engagement</li> </ul>
05/04/2022	Teams meeting	Discussion regarding landscape viewpoints, scope of the surveys and the rationale behind scoping out certain surveys or features for assessment

Date	Form of Correspondence	Key topics discussed and key outcomes
		<ul style="list-style-type: none"> <li>- Ecology</li> <li>- Landscape and Visual Impact (viewpoints)</li> </ul>
21/04/2022	Letter via email from Applicant	LCC submits feedback on the draft SoCC to the Applicant in a letter delivered via email.
05/05/2022	Email from LCC	<p>A consultation response was received from AAH consultants on behalf of LCC on 5th May 2022 requesting the inclusion of a number of additional viewpoints. These viewpoints were subsequently included in this chapter as representative or illustrative viewpoints.</p> <p>Outcome: The additional viewpoints requested by LCC / AHH have been included within the representative viewpoints (Figure 6.8.1 - 6.8.20) and the illustrative viewpoints (Figure 6.9.A – 6.9.H) of the submission LVIA.</p>
11/05/2022	Letter via Email from Applicant	To set out the intended scope of surveys (as detailed in the Baseline Report - BSG Ecology, 2022) and interim findings.
	Email from Applicant	The Applicant notifies the local authority of the upcoming Stage Two Statutory Consultation, providing dates and consultation information, and offering a pre-briefing meeting.
25/05/2022	Virtual meeting	Statutory consultation forward look
26/05/2022	Email from Applicant	The Applicant notified the local authority of the start of the Stage Two Statutory Consultation, informing councillors of changes in the Proposed Development, of public consultation events and information (including CAP site details), and of links to the relevant consultation documents, including the PEIR and PEIR NTS.

Date	Form of Correspondence	Key topics discussed and key outcomes
03/08/2022	Letter via Email from LCC	LCC submit feedback to Stage Two Statutory Consultation in a letter delivered via email.
	Stage Two response	The Applicant engaged with LCC's Stage Two response. Approach for SuDS agreed. Best practice outlined in <b>Appendix 11.6 Outline Surface Water Drainage Strategy</b> .
10/08/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- General update</li> <li>- Stage 2 consultation update</li> </ul>
22/08/2022	Virtual meeting	University of Derby on behalf of LCC attended a meeting to discuss the PEIR stage comments related to Climate Change chapter.
31/08/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC) catch up</li> <li>- Stage Two consultation early feedback</li> </ul>
07/09/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC) catch up</li> <li>- Approach to SoCGs and DCO timeline update</li> </ul>
14/09/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC) Stage 2 consultation feedback discussion</li> <li>- Site visit arrangements</li> </ul>
16/09/2022	Letter via Email from Applicant	The Applicant notifies LCC of onsite survey works; trial trenching.
21/09/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC) site visit re-arrangement due to bank holiday</li> <li>- PPA for examination discussion</li> </ul>

Date	Form of Correspondence	Key topics discussed and key outcomes
28/09/2022	Virtual meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC)</li> <li>- Trail trenching</li> <li>- DMMO</li> <li>- LCC climate change meeting set up</li> <li>- Discussion regarding requirement for and scope of a Minerals Assessment</li> </ul>
03/10/2022	Email from Applicant	<p>The Applicant engaged with Lincolnshire County Council and Derby University. Climate change and Greenhouse Gas emissions calculations discussion</p>
05/10/2022	Site walkover meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC)</li> <li>- Site meeting to discuss LVIA and PRoW</li> </ul>
		<p>Planting specifications requested for areas shown on the proposed Green Infrastructure Plan (Figure 6.11). Outcome: Outline planting specifications have been provided within the oLEMP.</p>
		<p>Visualisations - further detail to be provided on the Onsite Substation. Outcome: The rendered visualisation at representative viewpoint 11 has been updated to provide further details of the Onsite Substation.</p>
07/10/2022	Virtual meeting	<p>Discussion with LCC on the approach to temporary road closures being provided based on similar project experience and reasonable assumptions, being updated in the CTMP by the contractor once the scope of works is confirmed.</p> <p>Outcome: It has been agreed that the details regarding this matter will be assessed within the CTMP, secured by way of requirement on the DCO.</p>

Date	Form of Correspondence	Key topics discussed and key outcomes
09/10/2022	Email	<p>The required scope and quantum of archaeological trial trenching.</p> <p>A Written Scheme of Investigation (method statement) for the work was submitted to and approved by LCC; notwithstanding their maintained position that additional trenching would be required</p>
12/10/2022	Virtual Meeting	<ul style="list-style-type: none"> <li>- Combined authorities (LCC, RCC, SKDC)</li> <li>- Site visit de-brief</li> <li>- PPA for examination discussions</li> <li>- Trial trenching</li> </ul>
12/10/2022	Virtual Meeting	Written Scheme of Investigation and trial Trenching discussion
1 March 2023	Letter from LCC to PINs	Written relevant representation response on the DCO Application: planning policy, cultural heritage and archaeological, highways and access, plus other environmental topics which will be discussed in detail in the LIR
7 March 2023	Email from the Applicant	The first draft Statement of Common Ground (SoCG) between the Applicant and LCC for the Mallard Pass Solar Farm (MPSF) project
19 April 2023	Virtual Meeting	An initial call to discuss LCC's Relevant Representation, Rule 6 letter and the draft SoCG. Discussion around a template which suits both parties and the key topics as mentioned in the Rule 6 letter.
19 April -12 June 2023	Email Correspondence	Email exchanges between the Applicant and LCC regarding the drafting of the SoCG.

Date	Form of Correspondence	Key topics discussed and key outcomes
14 June 2023	Email correspondence	The Applicant received copies of LCC's Local Impact Report (LIR) via email. These concerns will be included within the future SoCG following the review of the Report.

## 5.0 Current Position

5.1 The tables below provide a schedule that details the position on relevant matters on a topic-by-topic basis between Mallard Pass Solar Farm Limited and Lincolnshire County Council, including any matter where discussions are ongoing.

**Table 1 – Access and highways**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 1-01	Survey Scope	LCC requested details on the traffic survey data scope and timings to confirm that the surveys undertaken are suitable.	It has been agreed with LCC that the traffic data collected is valid and appropriate.	Agreed
LCC 1-02	Impacts	It was noted by LCC that it is expected that the primary impacts associated with the Proposed Development are associated with the construction phase, rather than the operational. Decommissioning could be assessed in the future once details are available.	It has been agreed that the primary transport impacts of the Proposed Development are associated with construction and only this phase will be assessed. Decommissioning would be assessed in the future once details are available.	Agreed



**Table 2 – Landscape and Visual impact**

<b>Ref.</b>	<b>Description of Matter</b>	<b>Stakeholder Comment</b>	<b>Applicant's Response</b>	<b>Status</b>
LCC 2-01	Location of Representative viewpoints	The Local Impact Report confirms that whilst it is likely most effects do arise in that circumference, the impacts, however intermittent cannot be ignored beyond the 2km boundary. Given the height of some of the taller elements of the development it would have been beneficial for the LVIA to include viewpoints beyond 2km even if just to prove the lack of impact.	The locations of the representative and illustrative viewpoints were the subject of consultation via letter with LCC on 10th January 2022. The additional viewpoints requested were subsequently included in chapter 6 of the ES [APP-036] as representative or illustrative viewpoints.	Under Discussion
LCC 2-02	Landscape Characterisation	Requests inclusion of the Lincolnshire Historic Landscape Characterisation Project within the LVIA.	Chapter 6 of the ES [APP-036] has included a review of the Lincolnshire Historic Landscape Characterisation Project to inform the baseline study.	Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 2-03	Photomontages	<p>AHH/LCC requested that photomontages are undertaken in accordance with AVR Level 2 or Level 3 standards.</p> <p>The Local Impact Report confirms the number of photomontages appears limited especially given the scale of the development. Whilst the selection of the viewpoints has been discussed with LCC during the pre-application consultation stage, the exact location was not in all instances agreed.</p> <p>Some of the images used in the assessment are also considered to be of less than ideal quality with dark views rendering it hard to ascertain the finer grain of information. The choice of winter imagery is fine but the actual weather at</p>	The photomontages were produced to AVR Level 3	Not Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
		<p>the time of assessment should not diminish the value of the images. The close image of the assessors car in some of these images adds little to the value of the panoramic.</p>		
LCC 2-04	PRoW	<p>LVIA should acknowledge that many of the local roads are also used as pedestrian routes between recreational footpaths/PRoW network.</p> <p>See Local Impact Report - in terms of impacts on users of the area, there appears to be a lack of appreciation that the road network is used by pedestrians, cyclists and not just motorists. Therefore the assessment of roadside viewpoints needs to consider these multi-faceted users</p>	<p>The submission LVIA acknowledges that some of the rural lanes are also used by walkers as links between the existing PRoW network.</p>	Not Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 2-05	Methodology	<p>LVIA methodology identifies effects of Major-Moderate as being significant – usually the threshold for significant effects are considered to be Moderate and above.</p> <p>See Local Impact Report - the assessment considers that only effects classified as Major or Moderate-Major are considered as significant with all other classifications being 'of lesser concern' and not significant. This approach is a break with the norm for LVIA's where any classification Moderate and above is considered to be significant and so the LVIA seeks to down-play the impacts of the development.</p>	<p>Within the EIA Regs, judgements regarding the likelihood of significant or not significant effects must be clearly set out by a suitably qualified consultant. However, no particular threshold is given for the determination of significant or not significant effects, and it is for the assessor to determine this threshold.</p> <p>The significance ratings within the LVIA methodology indicates a 'sliding scale' of the relative importance of effects with Major being the most important and Minimal being the least important. Effects that are judged to be 'Major' or 'Major-Moderate' are deemed to be significant. Effects which are of 'Moderate' significance or less are judged to be not significant.</p>	Not Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
			Further justification or explanation for the significance of effects is provided within the LVIA in accordance with the methodology in Appendix 6.2.	
LCC 2-06	Residential Amenity	RVAA – a study area of 100m from the Site has been included although this should be extended beyond 100m in relation to the proposed substation and ancillary buildings of higher elevation.	The study area of 100m from the Solar PV Site is considered to be appropriate for the RVAA. The RVAA submitted in the Stage 2 PEIR did not identify any overbearing effects on the residential properties located within 100m of the Solar PV Site and Onsite Substation and this is also the case at submission. As such, it is not considered necessary to extend the study area beyond 100m as no overbearing effects were identified within this study area.	Under Discussion

**Table 3 – Climate Change**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 3-01	National Grid Future Energy Scenarios decarbonisation trajectories	Correspondence 27 September 2022 11:54 - Agrees with the Applicant that in principle, projects such as Mallard Pass are urgently required and that the falling short FES could be ambitious in the current energy context.	Noted	Agreed
LCC 3-02	Annual degradation rates	Research identifies a range of degradation rates. However, an annual rate of 0.55% seems to be quoted in many reports.	Noted – this degradation rate broadly falls in line with our assumptions	Agreed

**Table 4 – Archaeology**

<b>Ref.</b>	<b>Description of Matter</b>	<b>Stakeholder Comment</b>	<b>Applicant's Response</b>	<b>Status</b>
LCC 4-01	Written Scheme of Investigation (WSI) method statement	As per email correspondence from Jan Allen 11/11/2022 15:49 the written methodology section of the WSI was agreed but she did not agree on the number or locations of the trenches which the applicant submitted in the WSI.	Noted. A Written Scheme of Investigation (method statement) for the work was submitted to and approved by LCC; notwithstanding their maintained position that additional trenching would be required.	Not Agreed
LCC 4-02	Trail trenching quantity	The scope and extent of trenching is woefully inadequate and is insufficient to provide baseline information on archaeological potential across the impact zone.	The Applicant considers that its approach to this matter is robust and sufficient for the purposes of the ES. In the interim results of the work are reported in Appendix 8.6: Trial Trenching Report of the ES.	Not Agreed

LCC 4-03	Evaluation	Insufficient evaluation has been undertaken to allow for an understanding of the archaeological potential or to provide the basis for reasonable mitigation to deal with the impacts of this development.	The Applicant is of the opinion that sufficient assessment (evaluation) has been undertaken to design suitable mitigation and thus inform the decision, in accordance with industry good practice and aligned with policy. The Applicant further understands that LCC's concern is focused on the extent of evaluation undertaken, not the evaluation methods undertaken.	Not Agreed
LCC 4-04	Mitigation	LCC is of the view that further archaeological evaluation within the red line boundary is necessary to understand the extent, nature and significance of surviving archaeology so that appropriate mitigation can be determined.	In light of the policy requirements, the Applicant is of the opinion that sufficient assessment work has been completed to inform the options for mitigating the potential impacts of the Proposed Development (on buried archaeological remains) to reflect the archaeological characterisation of the Site that has been developed in light of the evaluation undertaken.	Not Agreed



**Table 5 – Ecology and Biodiversity**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 5-01	Designated sites	<p>International Designated Sites - no issue in principle given the low number of wildfowl identified (based on surveys carried out thus far) and distance from Rutland Water SPA.</p> <p>National Designated Sites - no issue in principle and note PINs agreed operational impacts can be scoped out. In terms of construction impacts, these are to be addressed/mitigated principally through the provision of stand-offs and a CEMP and so it will be necessary for such a CEMP to be contained within the ES to ensure that these can be assessed in terms of the appropriateness.</p>	<p>Section 7.4 of Chapter 7: Ecology and Biodiversity [APP-037] assesses impacts on designated sites and the shadow HRA provided in Appendix 7.5 [APP-063] demonstrates that there would be no adverse effects on the European sites.</p> <p>An outline CEMP (oCEMP) [PDA-005]. has been prepared as part of the DCO application and the requirement to produce a detailed CEMP is secured under the DCO produced covering mitigation measures pertaining to designated sites and retained habitats.</p>	Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 5-02	Species	<p>Breeding birds - original surveys were conducted in 2021 and so it is suggested that updated surveys be conducted in 2022 to ensure findings/evidence base is as up to date as it can be given the Examination is not likely to take place until 2023 (by which time the original surveys will be nearing 2 years old).</p> <p>Otter and water vole - original surveys were conducted in 2021 and so it is suggested updated surveys be conducted in 2022 to ensure findings/evidence base is as up to date as it can be given the Examination is not likely to take place until 2023 (by which time the original surveys will be nearing 2 years old).</p>	<p>At the submission of the DCO, the surveys are only one year old and the habitats within the Order limits have not changed significantly, therefore, no update surveys are needed to assess the impacts of the Proposed Development. This age of data is in line with CIEEM guidance.</p>	Agreed
LCC 5-03	Species	<p>GCN - agree with the suggested approach but recommend that the planned 2022 survey includes on-site ponds as well as off-site ponds to ensure 2021 findings remain</p>	<p>At submission of the DCO, the data at time of submission is only 1 year old and therefore sufficient for the purposes of the assessment. Updated and more</p>	Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
		true.	detailed data will be sought for licensing purposes prior to construction in accordance with the oCEMP.	
LCC 5-04	Species	Badgers - surveys conducted in 2021 and so it is suggested that updated surveys be conducted in 2022 to ensure findings/evidence remains true.	Update badger surveys are to be carried out as a mitigation and avoidance measure due to the mobile nature of the species as set out in the Chapter 7: Ecology and Biodiversity. These will be carried out prior to construction in accordance with the oCEMP. The data presented is considered sufficiently recent to be used for the purposes of this assessment.	Agreed
LCC 5-05	Biodiversity Net Gain	The application suggests that there would be a substantial biodiversity net gain created across the scheme as part of the Mitigation and Enhancement areas. This gain is cited as being within the region of 71% which is well in excess of the 10% gain that is advocated at a national level and so would be a positive impact	Noted.	Agreed

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
		of the development if delivered.		

**Table 6 – Noise**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 6-01	Noise	LCC does not have an in-house noise specialist and recommends and endorses any recommendations or comments made by South Kesteven District Council and Rutland County Council.	Noted	Agreed

**Table 7 – Water resources**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 7-01	Methodology	The Council is agreeable to the general approach and methodology detailed within the Environmental Statement.	Noted.	Agreed
LCC 7-02	Offsets from ditches	minimum stand-off distance for ditches may need to be increased where ditches are owned/maintained by Internal Drainage Boards (IDB). Typically such ditches require a minimum 9m buffer on each side of the ditch in order to allow access for maintenance. The advice of any IDB should therefore be sought and appropriate buffers designed into the final site layout.	Drainage ditches within the Order limits are not adopted by the IDB and therefore the 9m buffer is not applicable. Fencing surrounding the PV Arrays will be offset at least 10m either side from main rivers & ponds and 6m from ditches.	Under Discussion

LCC 7-03	SUDS	Meeting with LLFA to discuss FRA and SuDS requirements. Agreed that SuDS measures should focus on the substation and surface water management for the PV Arrays could be implemented through RSuDS techniques. Agreement on principles for SuDS and FRA proposed by Arcus.	Noted	
-------------	------	--	-------	--

**Table 8 – Air quality**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 8-01	Air quality	LCC does not have an in-house specialist and so has no specific comments to offer at this	Noted	Agreed



**Table 9 – Public Rights of Way**

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
LCC 9-01	DMMOs	<p>LCC has received 3 Definitive Map Modification Order (DMMOs) applications as follows:</p> <ul style="list-style-type: none"> <li>• DMMO 188 – Application for public bridleway along Cobbs Nook Lane to the south of Belmesthorpe linking into Rutland public bridleway.</li> <li>• DMMO 440 – Gravel Pit Road – Application for a cul-de-sac restricted byway from Carlby Road in a southerly direction.</li> <li>• DMMO 451 – Claimed BOAT connecting Belmesthorpe Road and the ford at the West Glen River.</li> </ul> <p>It is recommended that the scheme layout be reviewed to take into account the existence of the current DMMOs so as to ensure these do not impact on</p>	<p>DMMOs 451 and 188 relate to existing tracks which correspond with the Macmillan Way long-distance route. This route is retained within layout of the Proposed Development and impacts assessed by the various relevant ES chapters (highways, landscape noise etc).</p> <p>The claimed public right of way at DMMO 440 which extends to the south of Carlby Road to the north-west of the Order limits would be created and then stopped under article 12 of the DCO to enable legal certainty as to its status to be achieved in the context of the Proposed Development being brought forward. The historic claimed route is for a restricted byway</p>	Under Discussion

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
		<p>the scheme as currently laid out.</p> <p>The Inspector has raised a question about this and we have included the following response to those questions.</p> <p>This will require further discussion. Article 12 seeks to create the PROW along the alignment of claimed PROWs, in combination with Article 11 which allows stopping up. LCC's PROW Team has not seen this before and is unsure at this stage whether it is legally possible to simultaneously record and extinguish a DMMO route. The ExA will therefore need to satisfy themselves that the proposed approach to adopt and extinguish the DMMO is something that is feasible/achievable legally through the DCO. If not then it may be possible to add the DMMO route to the definitive</p>	<p>along 'Gravel Pit Road' which extends in a southerly direction from Carlby Road and terminates within an agricultural field (where a former gravel pit was located). The claimed route does not physically exist, as the historic claimed route was removed at some point after the gravel activities ceased. Therefore, it has no users, and therefore no receptors that could be affected by the Proposed Development. As such, impacts to the claimed route have not been considered within the ES.</p>	

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
		<p>map and then extinguish the newly created restricted byway to enable development to take place or alternatively the Applicant should include a provision for new PROW along different alignments within the scheme and/or include a provision that this is reinstated as PROW if the scheme is decommissioned.</p>		

**Table 10– Planning Policy Context and Compliance**

Ref.	Description of Matter	Stakeholder Comment	Applicant’s Response	Status
<b>Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016)</b>				
LCC 10-01	Policy M11 – Safeguarding of Mineral Resources	Refer to Local Impact Report	A Minerals Assessment has been submitted within Appendix 4 of the Planning Statement. This concludes that the development is reversible and so minerals within the Order limits would not be permanently sterilised, and there is an overriding need for the development and that it could not be reasonable sited elsewhere. The development is therefore compliant with Policy M11	Agreed

## **Signatures**

6.1 This Statement of Common Ground is agreed upon:

On behalf of Lincolnshire County Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date: