



Mallard Pass

Solar Farm

Mallard Pass Solar Farm

**Draft Statement of Common Ground with
South Kesteven District Council**

Deadline 4 - July 2023

EN010127

EN010127/APP/8.9

Glossary

The glossary used for the Statement of Common Ground can be found within the Chapter 0 Glossary of the Environment Statement [APP-030].

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 South Kesteven District 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 Government¹.

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 South Kesteven District 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 South Kesteven District Council.

¹ 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 South Kesteven District Council

3.1 The following schedule addresses the position of Mallard Pass Solar Farm Limited and South Kesteven District 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 South Kesteven District Council in relation to the Application.

Table 4.1 – Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
10/09/2021	Email	Introduction to project and team.
01/10/2021	Virtual meeting	Case officer and senior planning team introduction.
15/10/2021	Email	The Applicant sent an email introducing the Proposed Development and extending a meeting invitation.
21/10/2021	Virtual meeting	General update DCO process introduction roles and responsibilities Consultation strategy
01/11/2021	Virtual meeting	Pre-briefing presentation – Introducing Mallard Pass Solar Farm; Location of the Site; Agricultural Land Classification Grade of Site; Stage One consultation events; and Engagement with parish councils and the community.
04/11/2021	Email	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).
18/11/2021	Virtual meeting	Proposed scope of the desk-based assessment, key sources of information, proposed scope / extent / timings of the geophysical survey. In regard to the specifics of the desk-based

Date	Form of Correspondence	Key topics discussed and key outcomes
		assessment references were made to the need for a review of the historic environment record, lidar analysis, historic map regression, review of data from the Portable Antiquities Scheme.
06/12/2021	Virtual meeting	Pre-briefing presentation – Introducing Mallard Pass Solar Farm; Opportunities for enhancements; Visual impact from Public Rights of Way (PRoWs); Carbon savings and efficiency; Lifespan of solar panels; Mitigation opportunities for Parish Councils around the site during construction; Mitigate perceived flood risk; Capacity of substation; and Agricultural Land Classification. Discussions around PPA.
17/12/2021	Virtual meeting	General update on Stage One non-statutory consultation · Discussions around Planning Performance Agreement
11/2021 – 02/2022	Virtual meeting	The Applicant engaged with SKDC Environmental Health Services. The proposed baseline noise survey methodology and locations were presented. SKDC queried the location of the potential noise-generating plant in relation to proposed survey locations and typical noise emission levels. Further discussion on approach to consideration of rated noise levels in accordance with BS 4142. Specifically, it was proposed to consider a lower limit of 35 dB for rated noise levels.
07/01/2022	Letter via email	The Applicant confirming LVIA approach including methodology, study area and viewpoint locations
16/02/2022	Phone call	The Applicant engaged with SKDC Customer Services' Christian Polzin. Record request of Private Water Supply (PWS) within 2 km of Project site. Response received on 14/03/2022. Data used to inform the assessment.

Date	Form of Correspondence	Key topics discussed and key outcomes
	Letter and Email	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	The Applicant shared an earlier working draft version of the Statement of Community Consultation (SoCC).
03/02/2022	Email	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.
14/03/2022	Email	Response from SKDC providing registered PWS.
23/03/2022	Email	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	Ecology Landscape and Visual Impact Planning Performance Agreement (scope and instruction)
01/04/2022	Virtual meeting	The Applicant engaged with the Tourism and Visitor Economy Officer for Invest South Kesteven. The consultation was used to confirm the tourism offer of the South Kesteven area, particularly within a 2km radius of the proposed Order limits, and key tourism receptors (attractions and accommodation providers) that the Applicant should account for in its design layout considerations and overall assessment.

Date	Form of Correspondence	Key topics discussed and key outcomes
		The consultation has informed the mitigation and assessment of tourism impact in the socioeconomics ES chapter. The socio-economics assessment assesses the impact upon tourism and accommodation providers as not-significant, as such no mitigation is required.
07/04/2022	Email	Written response to the EIA Scoping: concerns raised regarding the ‘scoping out’ of cultural heritage (buried archaeology). Outcome: Buried archaeology and built heritage now scoped in and the assessment is presented in Chapter 8: Cultural Heritage.
07/04/2022	Meeting	The Applicant engaged with SKDC Registered PWS: Banthorpe Lodge; The Stables; Kettles Barn; Glen Lodge; Bowthorpe Park Farm; Spa House; Spa Cottage; Spa Lodge Farm.
12/04/2022	Virtual meeting	General update Draft SoCC
22/04/2022	Letter via email	SKDC submit feedback on the draft SoCC to the Applicant in a letter delivered by email.
11/05/2022	Virtual meeting	Statutory consultation forward look · SoCC
	Email	The Applicant notifies the local authority of the upcoming Stage Two Statutory Consultation, providing dates and consultation information, and offering a pre-briefing meeting.

Date	Form of Correspondence	Key topics discussed and key outcomes
18/05/2022	Virtual Teams meeting	Presentation – Introduction to Stage Two consultation; Description of the Applicant; Project boundary of the Site; Our consultation process; Design development; residential setback, visual screening, ecological mitigation and enhancement, recreational amenity; Stage Two design; and Events and contact information.
25/05/2022	Virtual meeting	Statutory consultation forward look.
26/05/2022	Email	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.
22/06/2022	Virtual meeting	· Stage Two Statutory Consultation update
14/07/2022	Meeting	The Applicant engaged with RCC and SKDC registered PWS: Banthorpe Lodge; Bowthorpe Park Farm; Glen Lodge; Hales Lodge; North Lodge; Spa Cottage; Spa House; Spa Lodge Farm; Tickencote Hall; and Tickencote Warren Farm.
22/07/2022	Virtual meeting	General update Stage Two Statutory Consultation update
27/07/2022	Virtual meeting	Stage Two Statutory Consultation update

Date	Form of Correspondence	Key topics discussed and key outcomes
07/2022	Virtual meeting	<p>The Applicant engaged with SKDC Environmental Health – Section 42 consultation (based on PEIR).</p> <p>PEIR assessment was reviewed and summarised. SKDC Environmental Health were satisfied with the assessment undertaken and the proposed control and mitigation measures.</p> <p>Comparable approach retained in the ES.</p>
		<p>The Applicant engaged with Barton Willmore on behalf of RCC and SKDC– Section 42 consultation (review of PEIR).</p> <p>No comments on Chapter 10 of PEIR (Noise and Vibration) – approach to assessment in accordance with best practice.</p> <p>Similar approach retained in ES.</p>
01/08/2022		<p>The Applicant engaged with SKDC’s Climate Change Officer. The Climate Change Officer provides commentary and concludes that the scheme will have a ‘positive effect when considering the transition towards renewable energy generation at a UK-wide level.’</p>
05/08/2022	Virtual meeting	Stage 2 consultation feedback process / planning committee briefing discussion
26/08/2022	Letter via Email	SKDC submit response to Stage Two Statutory Consultation on all topics
31/08/2022	Virtual meeting	<p>Combined authorities (LCC, RCC, SKDC) catch up</p> <p>Stage Two consultation early feedback</p>

Date	Form of Correspondence	Key topics discussed and key outcomes
07/09/2022	Virtual meeting	Combined authorities (LCC, RCC, SKDC) catch up Approach to SoCGs and DCO timeline update
14/09/2022	Virtual meeting	Combined authorities (LCC, RCC, SKDC) Stage 2 consultation feedback discussion Site visit arrangements
16/09/2022	Letter via Email	The Applicant notifies SKDC of onsite survey works; trial trenching.
21/09/2022	Virtual meeting	Combined authorities (LCC, RCC, SKDC) site visit re-arrangement due to bank holiday PPA for examination discussion
28/09/2022	Virtual meeting	Combined authorities (LCC, RCC, SKDC) Trial trenching DMMO LCC climate change meeting set up Discussion regarding requirement for and scope of a Minerals Assessment
05/10/2022	Site Walkover Meeting	Combined authorities (LCC, RCC, SKDC) Site meeting to discuss LVIA and PRow
		Agricultural Land Classification (ALC) – hectare area calculations to be provided for each soil grading across the Solar PV Site.

Date	Form of Correspondence	Key topics discussed and key outcomes
		Outcome: Area calculations for the Solar PV Site for each agricultural land classification to be provided within ES Chapter 12, Land Use and Soils.
12/10/2022	Virtual meeting	Combined authorities (LCC, RCC, SKDC) Site visit de-brief PPA for examination discussions Trail trenching
01/03/2023	Letter from RCC to PINS	Written relevant representation response on the DCO Application.
24/05/2023	Virtual meeting	An initial call to discuss SKDC's relevant representation, Rule 6 letter and the draft SoCG. Discussion around a template which suits both parties and the key topics mentioned in the Rule 6 letter.
19/04/2023 – 12/06/2023	Email Correspondence	Email exchanges between the Applicant and SKDC regarding the drafting of the SoCG
27/06/2023	Virtual Meeting	A virtual meeting to discuss the approach to the draft SoCG between both parties, alongside the recently submitted LIR and WR.
06/07/2023	Virtual Meeting	Meeting to discuss agreement of draft SoCG content in advance of ISH1 and for issue to the ExA at DL4
20/07/2023	Virtual Meeting	Call to discuss SoCG progress post ISH and agree updates for DL4 submission to EXA

Date	Form of Correspondence	Key topics discussed and key outcomes
20/07/2023 – 25/07/2023	Email correspondence	Agreement of draft SoCG for submission at deadline 4

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 South Kesteven District Council, including any matter where discussions are ongoing.

Table 1 – Planning Policy

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 1-01	Policy	<p>The Proposed Development will need to consider policies as adopted in the SKDC development plan including:</p> <ul style="list-style-type: none"> • South Kesteven Local Plan 2011 – 2036 (adopted 2020) • Appendix 3 Renewable Energy • Design Guidelines for Rutland & South Kesteven Supplementary Planning Document 	noted	Agreed

		<p>(adopted November 2021)</p> <ul style="list-style-type: none"> • Carlby Parish Neighbourhood Development Plan 2018-2036 (Made 2019) • Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) 		
SKDC 1-02	Local Policies	A list of local policies important and relevant to the ExAs decision has been agreed and are appended to this SoCG	Noted – see Appendix A for the agreed list of important an relevant local policies. Section 6.5 of the Planning Statement [APP-203] also includes a schedule of local policy, including SPDs which have been considered by the Applicant.	Agreed

Table 2 – Scope and Methodology of the Environmental Statement

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC2-01	Environmental Impact Assessment	SKDC have commissioned an independent compliance review of the applicant's Environmental Statement, jointly with Rutland County Council (RCC). Noting the limitations of the review set out in paragraph 1.4 of the report, the review produced by Stantec confirms that the EIA undertaken is considered in compliance with applicable EIA	Noted	Agreed

		<p>legislation and associated guidance and it comprehensively assesses the likely significant effects of the proposed development.</p> <p>Notwithstanding this, SKDC notes that other technical consultees may have comments on elements of the approach.</p>		
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Table 3 – Duration of the proposed development

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 3-01	Duration of the development	Uncertainty of the lifetime of the proposed development, makes meaningful assessment of the impacts of the proposal, in particular any decommissioning phase, extremely difficult which creates further concern and uncertainty amongst the local community.	See Applicant's Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order [REP3-028]. See also the Applicant's Summary of Oral Submissions at ISH1 and ISH2 submitted at Deadline 4, which reflects the Applicant's position expressed at those Hearings.	Under discussion

Table 3 – Landscape and Visual Impact

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 3-01	ES Figures 6.6 and 6.7 - Representative viewpoints, illustrative viewpoints and visual receptor groups	SKDC have been involved in the agreement of viewpoints at the pre-submission.	Noted	Agreed
SKDC - 02	Methodology and conclusions	As confirmed at ISH2 the LPA are content that the scope and methodology for the LIVA are appropriate. Notwithstanding this, SKDC notes that other technical consultees may have comments on elements of the approach.	Noted	Agreed

SKDC - 03	Impacts	<p>Significance of effects reported in LVIA not disputed. General concerns related to overall impacts and wider enjoyment of the Countryside remain</p> <p>SKDC recognise elements of the assessment identify significant adverse impacts.</p>	Noted	Agreed
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Table 4 – Heritage and archaeology

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 4-01	Impact on heritage assets	Section 42 stage response – No objection from a conservation point of view given the distances from the development site [to built heritage assets]	Noted	Agreed
SKDC 4-02	Archaeology	SKDC will defer to Lincolnshire County Council's judgement on this matter, it is noted there is dispute over the extent of trial trenching.	Noted	Agreed

Table 5 – Highways and Access

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 5-01	Highways	<p>SKDC will defer to Lincolnshire County Council's judgement on this matter with regard to impacts.</p> <p>Please refer to table 13 below for comments on the CTMP.</p>	Noted	Agreed

Table 6 – Ecology and biodiversity

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 6-01		SKDC do not have an inhouse ecologist. The scope of the PEIR stage assessments assessed by appointed consultants were considered appropriate. For further detailed comments, SKDC would defer to Lincolnshire Wildlife Trust.	Noted	Agreed
SKDC 6-02	Biodiversity Net Gain (BNG)	Requirement 7 as currently presented within the draft DCO only seeking a minimum of 10%, which would greatly reduce the extent of the positive impact.	The DCO mandates a 10% gain in line with legislation but the Proposed Development will aim to deliver a fair higher gain. The BNG Metric calculations are based on the Green Infrastructure Strategy Plan [APP-173] and measures that are in the Outline LEMP. All habitat creation and enhancement measures will be set out in the detailed LEMP which is required to be in	Under discussion

			<p>accordance with the Outline LEMP compliance with which is secured via DCO Requirement. As such delivering reaching well over 10% will be achievable and secured</p>	
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Table 7 – Noise and air quality

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 7-01	Operational noise	SKDC confirm no comment on assessment methodology or conclusions set out in ES with regard to Operational noise, and note final schemes/details will be secured as DCO Requirements.	Noted	Agreed
SKDC 7-02	Construction noise	See points raised at 6.7.1 of LIR. Points around working hours and potential noise impacts raised through response to ExA questions at stage 2.	Please Refer to applicants' response to interested parties submissions on air quality, noise and vibration [REP3-025],	Under discussion
SKDC 7-03	Air quality	SKDC 6.7.1 outline concerns regarding dust.	Please Refer to applicants' response to interested parties submissions on air quality, noise and vibration [REP3-025], this confirms that within the oCEMP [REP2-020], mitigation measures have been specified based on a potential large risk of dust emission during construction as a precautionary approach. On this	Under discussion

			basis, it is not anticipated that there will be any significant residual effects.	
SKDC 7-05	Core Construction Hours	The Applicants proposed working hours are acceptable subjected to proposed condition set out in response Q1.0.11 [REP2-052] with regard to noise impacts.	Noted. Please refer to Applicants Response to Interested Parties Submissions' on Air Quality, Noise and Vibration [REP3-025]	Under discussion

Table 8 – Water Resources

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 8-01	Flood Risk	SKDC will defer to Lincolnshire County Council's and other statutory drainage authorities judgement on this matter as LLFA	Noted	Agreed

Table 9 – Land use and soils

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 9-01	Assessment of Agricultural Land and soils	SKDC will Defer to Natural England's advice on the adequacy of the assessment.	Noted	Agreed
SKDC 9-02	Land use	<p>Concern regarding:</p> <ul style="list-style-type: none"> • loss of Best and Most Versatile and all grades of agricultural land and impacts upon arable food production • Cumulative impacts with other similar NSIP projects • Food security and carbon impacts of food imports • Lack of mechanism for replacement of agricultural land <p>See section 6.3 of SKDC Local Impact Report [REP2-051] for full response</p>	<p>Impacts upon Land Use and Soils are set out in Chapter 12: of the ES [APP-042] which also considered effects of land use change on food and food production.</p> <p>The Applicant's Response to Interested Parties' Deadline 2 Submissions on Land Use and Soils REP3-031 provides further context related to the total amount of BMV land impacted by the Proposed Development in the context of the wider BMV resource in the Rutland and Lincolnshire region - 0.052%. The response also refers to the recent Longfield Solar farm decision and appeal decision in</p>	Under discussion

			<p>Hambleton supporting the Applicants position on food security and preservation of soils for future generations. The response also explains the approach to site selection and notes that there is very limited permanent loss of BMV soils arising from the Proposed Development, noting that there is a key difference between the loss of soils, and a change in use of the land.</p>	
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Table 10 – Climate change

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 10-01		SKDC's Report to Planning committee 11 th August 2022 – confirms at 2.2.6 "The proposed development would therefore have a positive impact in directly mitigating against emissions of carbon dioxide to the atmosphere for energy requirements, and significantly have a positive effect when considering the transition towards renewable energy generation at a UK-wide level."	Noted	Agreed

Table 11 – Socio- economics

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC11-01	Study area	Consultation with the Applicant was used to confirm the tourism offer of the South Kesteven area, particularly within a 2km radius of the proposed DCO limits, and key tourism receptors (attractions and accommodation providers) that we should account for in our design layout considerations and overall assessment.	The consultation has informed the mitigation and assessment of tourism impact in the socio-economics ES chapter. The socio-economics assessment assesses the impact upon tourism and accommodation providers as not-significant, as such no mitigation is required.	Agreed
SKDC 10-02	Impacts	6.2.5 As it is noted in Renewable Energy Appendix 3, the South Kesteven District includes extensive areas of countryside which are popular destinations for walking, cycling, horse riding and fishing. There is an extensive network of public rights of way	noted, Please refer to response to SKDC12-01 below	Under discussion

		<p>and bridleways across the District, and National Cycle Network routes through Grantham and Stamford. The impact upon existing public footpaths and their associated recreational value as a result of the development is noted as a key consideration. As such the change in the character of the area, from an attractive rural destination to an urbanised landscape, is a key area of concern. Further, the potential wider negative impacts on the visitor economy as a result of the development require careful consideration.</p>		
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Table 11 – Public Rights of Way

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 12-01	Public Rights of Way	<p>Concern in the local community associated with recreational impacts from the perspective of Public Rights of Way (PRoW) that pass in and around the Order limits.</p> <p>Concern on impact during construction.</p>	<p>The impacts to PRoW both within the Order Limits and in the vicinity has been assessed with the Amenity and Recreation Assessment (ARA) [APP-058] which forms Appendix 6.5 to the LVIA [APP-036]. The Applicant's Response to Interested Parties' Deadline 2 Submissions on Public Rights of Way and Permissive Paths REP3-022 includes a Walking Routes and Viewpoints Table which, considered in light of the ARA and the Green Infrastructure Strategy, illustrate that Non Motorised Users have has been duly considered and assessed by the Applicant as part of the DCO submission and that impact to them would be limited to those routes within, or</p>	Under discussion

			<p>in close proximity to the Solar PV area.</p> <p>Please also see the Applicant's response to Interested Parties on these issues [REP3-022] which sets the Proposed Development's impacts in context.</p> <p>As such, the Applicant considers that the Proposed Development does not cause a significant effect to recreational use of the PRoWs or recreational use of the countryside as a community resource more generally.</p>	
SKDC 12-02	Permissive Paths	Following ISH2 – SKDC are content that Permissive Paths would be retained during duration of development	Noted	Agreed
SKDC 12-03	Permissive Paths	The weight to be afforded to the benefit of the permissive paths need to be considered in the context of the impact of the	Noted	Under discussion

		Proposed Development on the proposed routes.		
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Table 13 – outline Management Plans

Where a management plan is not referred to in the following table, then the LPAs have no comment on it.

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
13-01	Outline Construction Traffic Management Plan	<p>See SKDCs response to ExA Q1 – Q1.0.19 for comments regarding:</p> <ul style="list-style-type: none"> • Parking numbers during construction • Routing and vehicle numbers • Access • Working hours and delivery <p>Appropriateness of walking a cycling targets</p>	<p>The Applicant's Response to Interested Parties' Deadline 2 Submissions on Traffic and Transportation REP3-034.</p> <p>The oCTMP has been updated at Deadline 4 to make specific provision on aspects raised as concerns in the July hearings.</p>	Under discussion
13-02	Outline Operational Environmental Management Plan [APP-208]	<p>Comments to be added following deadline 4 submission.</p>	<p>Noted, the Applicant awaits detailed comment for review.</p>	Under discussion

	<p>Outline Decommissioning Environmental Management Plan [APP-209]</p> <p>Outline Landscape and Ecology Management Plan [APP-210]</p> <p>Outline Employment, Skills and Supply Chain Plan [APP211]</p> <p>Outline Construction Traffic Management Plan [APP-212]</p> <p>Outline Soil Management Plan [PDA-007]</p> <p>Outline Water Management Plan [APP-214]</p>			
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	Outline Travel Plan [APP215]			
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Table 14 – Cumulative sites

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
14-01	Cumulative list	List appears up to date – SKDC happy to engage and keep under review	Noted – the applicant will schedule a meeting with RCCs to review the LPAs application register and provide update at Deadline 5.	Under discussion

Table 15 – DCO

Where an Article/Requirement is not referred to in the following table, then the LPAs have no comment on it.

Ref.	Description of Matter	Stakeholder Comment	Applicant's Response	Status
SKDC 15.01	Procedure for discharging requirements	Procedure not agreed with applicant to date	The Applicant will engage with SKDC to discuss the procedure for discharging the requirements.	Under discussion
SKDC 15.02	Part 2(1) of Schedule 16	<p>Timeframes for decisions set out in Part 2(1) and (3) of Schedule 16 not considered sufficient</p> <p>SKDC welcome the Applicant's proposal to increase the notice period to 8 weeks and the reference made to other similar DCO's. SKDC would also wish to refer to the Longfield Solar DCO scheme, which provided a 10 week period and a more flexible approach, which SKDC would also advocate would be appropriate for Mallard Pass</p>	<p>Please see the response provided to the ExA's First Written Question 5.4.2 [REP2-037].</p> <p>The Draft DCO (Rev 3) has also been updated to provide an extended timeframe in Part 3 of Schedule 16 where further information and consultation is required. With a notice period of 8 weeks and a further 4 weeks for further information and consultation, this timeframe now reflects the 12 weeks requested.</p>	Under discussion

			<p>Further amends have been made at Deadline 4 to provide that key (but not all) requirements will have a 10 + 4 weeks discharge period, rather than 8 + 4.</p> <p>The Applicant will informally discuss the pre-warnings of any submission with SKDC should the DCO be granted</p>	
SKDC 15.03	Schedule 16 – Fees	SKDC consider it appropriate to include provision for the payment of fees to the discharging authority for applications made under Schedule 16	The Applicant has shared with the LPAs a draft fee schedule for requirement discharge and awaiting feedback.	Under discussion
SKDC 15.04	Requirement 7 – Outline Landscape and Environmental Management Plan	<p>SKDC considers that any commitment to mitigate landscape effects that the assessment identifies as being necessary should be secured over a minimum of 15 years.</p> <p>SKDC would refer to its previous response to this</p>	<p>Please see the Applicants responses provided to the ExA’s First Written Question 5.2.4 [REP2-037]. The Applicant does not consider that the replacement period should be extended to a minimum of 15 years. The 5 years allows for fixes if growth rates are not being met, rather than replacing</p>	Under discussion

		question at Deadline 2 and the importance of ensuring full landscape mitigation is delivered over a minimum period of 15 years	a planted tree or shrub in the long term. The 5 years is preceded in other solar DCOs, including the Cleve Hill Solar Park Order 2020, and DCOs in other sectors (noting it was included in the original model provisions).	
SKDC 15.05	Further requirements	Comments to be added following deadline 4 submission.	Noted, the Applicant awaits detailed comment for review, following which a drafting session with LPAs can be arranged.	Under discussion

Signatures

6.1 This Statement of Common Ground is agreed upon:

On behalf of South Kesteven District Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

Appendix 1

Local Policy considered important and relevant for South Kesteven

South Kesteven Local Plan Plan 2011 – 2036 (adopted 2020)	South Kesteven Local Plan Plan 2011 – 2036 (adopted 2020) Renewable Energy Appendix	Carlby Neighbourhood Plan –.	Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016)
Policy SD1 (The Principles of Sustainable Development in South Kesteven)	Criterion 1 Landscape and Visual Impact	Policy P.0.	Policy M11 – Safeguarding of Mineral Resources
Policy SP1 (Spatial Strategy)	Criterion 2 residential amenity assessment	V.0.	
Policy SP5 (Development in the Open Countryside)	Criterion 3 of the Renewable Energy Appendix Cumulative impact assessment	D.0	

Policy RE1 (Renewable Energy Generation)	Criterion 4 Heritage assets		
Policy EN1 (Landscape Character)	Criterion 5 – Noise impact		
Policy EN2 (Protecting Biodiversity and Geodiversity)	Criterion 6 Impact on highways		
Policy EN3 (Green Infrastructure)	Criterion 7 impact on designated sites		
Policy EN4 (Pollution Control)	Criterion 8 Glint and glare to aircraft movement		
Policy EN5 (Water Environment and Flood Risk Management)	Criterion 9 Agricultural land		
Policy EN6 (The Historic Environment)			

Policy ID2 (Transport and Strategic Transport Infrastructure)		
Policy DE1 (Promoting Good Quality Design)		