



Mallard Pass

Solar Farm

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Schedule of Changes Draft Development Consent Order

Deadline 4 (25th July 2023)

EN010127

EN010127/APP/9.3.4

Revision 4

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations
2009 Reg 5(2)(q)

Schedule of Changes to the draft DCO (dDCO)

The table below details the changes made to the dDCO since its submission, providing the changes made at each relevant deadline. The table below does not detail minor changes made in relation to typographical errors and updates in cross-referencing.

Article	Change	Reason for change	Deadline change was made at
Article 2	Insertion of definition of 'working day'.	This has been inserted in accordance with the Applicant's Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order (Rev 0) to provide further clarity.	Deadline 3
	definition of "authorised development". Amended to state: <i>"means the development and associated development described in Schedule 1 (authorised development), which is development within the meaning of section 32 (meaning of "development") of the 2008 Act"</i>	This has been amended following the ExA's comment at Issue Specific Hearing 3, to reflect the definition of authorised development in the Longfield Solar Farm Order 2023.	Deadline 4
	definition of 'maintain'. Amended to refer to Work No. 1 rather than the authorised development	This has been amended following the ExA's comments at Issue Specific Hearing 3, to clarify that the definition of maintain does not cover the replacement of all of the solar panels at the same time.	Deadline 4
Article 12(1)	Insertion of 'plan' after 'claimed public right of way'.	This has been updated in accordance with the Applicant's Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order (Rev 0) to correct the typographical error identified.	Deadline 3

Article 13(1)(a)	Reference to " <i>Part 1 (permanent means of access to works) of</i> " has been deleted.	This has been updated following the ExA's FWQ 5.0.12 and the Applicant's review to correct the typographical error.	Deadline 2
Article 17	Addition of the definition of "specified land" to mean any land within the Order limits.	This has been updated following the Applicant's review of this Article to provide further clarity on the applicability of this Article.	Deadline 2
Article 23(2)	Deletion of article 23(2)(c)	This has been deleted following the ExA's comments at Issue Specific Hearing 3.	Deadline 4
Article 34	Amending the article to provide the undertaker and NGET with the benefit of the Order for Work No. 3.	This has been updated to provide NGET with the power to undertake Work No. 3 themselves, should they prefer to do so, as Work No. 3 is undertaken entirely on NGET land.	Deadline 3
Article 35(1)	Amending the article to read: "Subject to paragraph (3)..."	This has been amended to correct a typographical error.	Deadline 3
Article 38	Article 38(1): Amending the power to fell or lop any tree or shrub " <i>within or overhanging land within the Order limits</i> "	This has been updated following the ExA's FWQ 5.0.20(c).	Deadline 2
	Article 38(5): Addition of " <i>and shown on the hedgerows plans</i> ".	This has been updated for clarity.	Deadline 2
Article 39	Deletion of Article 39.	This has been deleted following the ExA's FWQ 5.0.21 and Rutland County Council and South Kesteven District Council confirming that there are no Tree Preservation Orders within or adjacent to the Order limits.	Deadline 2
Article 43(4)	Amended the period from six weeks to eight weeks	This has been amended to reflect the longer period agreed in Schedule 16 in accordance with the Applicant's	Deadline 4

		Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order (Rev 0).	
Schedule 1	The further associated development items (a) to (q) have been amended to more neatly categorise the list.	This has been updated following the ExA's FWQ 5.1.1 to provide further clarity and more neatly categorise the list of further associated development.	Deadline 2
	Amending the postcode in the definition of 'existing substation'.	This has been updated in accordance with the Applicant's Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order (Rev 0) to correct the postcode provided.	Deadline 3
Schedule 2, Requirement 6(1)	Addition of " <i>drainage, water, power and communication cables and pipelines</i> ".	This has been updated following the ExA's FWQ 5.2.3(b).	Deadline 2
Schedule 2, Requirement 7(2)	Addition of " <i>existing trees to be retained</i> ".	This has been updated following ExA's FWQ 5.2.4(a).	Deadline 2
	Requirement 7(2)(f): Amended from minimum 10% biodiversity net gain to 65% biodiversity net gain.	This has been amended following the ExA's comments at Issue Specific Hearing 2 and Issue Specific Hearing 3. This is further discussed in the Applicant's summary of oral submissions at ISH2 also submitted at Deadline 4.	Deadline 4
Schedule 2, Requirement 7(3)	Addition of 'hedgerows' for replacement within a period of five years after its planting if it dies or becomes damaged.	This has been updated following ExA's FWQ 5.2.4(f).	Deadline 2
Schedule 2, Requirement 8(3)	Addition of: <i>(3) The details submitted under sub-paragraph (2) must be in accordance with the parameters.</i>	This has been added following updates to the parameters submitted for Deadline 2.	Deadline 2

Schedule 2, Requirement 8(7)	Addition of: <i>“(7) Prior to the date of final commissioning of any phase, any permanent fencing, walls or other means of enclosure for that phase approved under sub-paragraph (2) must be completed and properly maintained for the operational lifetime of the part of the authorised development enclosed by the permanent fencing, walls or other means of enclosure.”</i>	This has been updated following ExA's FWQ 5.2.5.	Deadline 2
Schedule 2 – Requirement 8(7)	Splitting out sub-paragraph 7 into 2 separate sub-paragraphs	To provide further clarity following the ExA's comments at Issue Specific Hearing 3	Deadline 4
Schedule 2, Requirement 16	Amendment from 'operational noise strategy' to ' <i>operational noise assessment</i> '.	This has been updated following ExA's FWQ 5.2.7(a).	Deadline 2
	Amended to state that the noise rating levels (determined in line with BSI British Standards Publication 4142:2014+A1:2019 dated 30 June 2019 (or the current version of that publication if this has been superseded when the assessment is submitted for approval)) must not exceed 35 decibels at residential properties	This has been amended following the ExA's comments at Issue Specific Hearing 3 to provide further clarity of the noise rating levels on the face of the Order.	Deadline 4
Schedule 2, Requirement 17	Amendment to refer to " <i>skills, <u>supply chain</u> and employment plan</i> ".	This has been updated following ExA's FWQ 5.2.8(c).	Deadline 2
Schedule 2, Requirement 18	Requirement 18 has been updated to include the Environment Agency as a specific consultee.	Requirement 18 has been updated to include the Environment Agency as a specific consultee, to enable the Environment Agency to comment on the Decommissioning Environmental Management Plan, as	Procedural Deadline A

		requested by the Environment Agency within their Relevant Representation [RR-0323].	
	Requirement 18(4): Amended to add " <i>for the works required to decommission that phase of the authorised development</i> ".	This has been updated to clarify that the DEMP applies only to the decommissioning works that are carried out.	Deadline 2
	Adding a new sub-paragraph 1 to state: <i>"The undertaker must notify the local planning authority of its decision to decommission any part of the authorised development.</i>	This has been amended following the ExA and Interested Parties' comments at Issue Specific Hearing 3 to provide certainty as to when decommissioning is to take place. Taken with the updates to the oDEMP at Deadline 4, which requires a decommissioning programme to be included in the detailed DEMPs, and this Requirement requiring compliance with those detailed DEMPs, this will enable such certainty to be achieved.	Deadline 4
Schedule 2 generally	Amendments made throughout this Schedule to provide greater clarity that measures are retained for the relevant stage of development to which they relate (further to the thrust of the ExA's questions referred to below) and to ensure that they are each internally consistent when referring to phases.		Deadline 2
Schedule 3	Amending the title of the legislation being disapplied	This has been amended to more accurately reflect the full title of the local legislation.	Deadline 4
Schedule 4	Amending the descriptions to 'public right of way' or 'highway' as required. Adding an additional row.	This has been inserted in accordance with the Applicant's Response to Interested Parties' Deadline 2 Submissions on draft Development Consent Order (Rev 0) to correct a typographical error. Other amends made to ensure Schedule is fully consistent with Access and Rights of Way Plans.	Deadline 3

Schedule 13	Schedule 13 has been updated to reflect the submission of the updated outline soil management plan and outline construction environmental management plan at Procedural Deadline A.	Schedule 13 has been updated to reflect the latest document revision numbers and their date of submission and corrects the revision numbers of the documents submitted at the submission stage on 24 November 2022.	Procedural Deadline A
	Schedule 13 has been updated to reflect the submission of the updated documents submitted at Deadline 2.	Schedule 13 has been updated to reflect the latest document revision numbers and their date of submission.	Deadline 2
	Schedule 13 has been updated to reflect the submission of the updated documents submitted at Deadline 3.	Schedule 13 has been updated to reflect the latest document revision numbers and their date of submission.	Deadline 3
	Schedule 13 has been updated to reflect the submission of the updated documents submitted at Deadline 4.	Schedule 13 has been updated to reflect the latest document revision numbers and their date of submission.	Deadline 4
Schedule 15, Part 3	The protective provisions for the protection of National Grid Gas PLC have updated.	The protective provisions have been updated to reflect the latest discussions with National Grid. The protective provisions have not yet been agreed. In particular, paragraphs 18, 22, 27 and 31 are under discussion. Part 3 will be updated further once the protective provisions have been agreed.	Procedural Deadline A
	The protective provisions for the protection of National Gas Transmission Plc have updated.	The protective provisions have been updated to reflect the agreed provisions with NGT.	Deadline 2
Schedule 15, Part 4	The protective provisions for the protection of National Grid Electricity Transmission have been inserted.	The protective provisions have been inserted to reflect the latest discussions with National Grid. The protective provisions have not yet been agreed. In particular, paragraphs 34, 38, 43 and 47 are under discussion.	Procedural Deadline A

		Part 4 will be updated further once the protective provisions have been agreed.	
	The protective provisions for the protection of National Grid Electricity Transmission have been inserted.	The protective provisions have been inserted to reflect the agreed provisions with NGET.	Deadline 2
Schedule 15, Part 5	The protective provisions for the protection of Environment Agency have been updated.	<p>The protective provisions have been updated to reflect the latest discussions with the Environment Agency. The protective provisions have not yet been agreed. In particular, paragraphs 49, 50, 53 and 58 are under discussion.</p> <p>Part 5 will be updated further once the protective provisions have been agreed.</p>	Procedural Deadline A
Schedule 15, Part 6	The protective provisions for the protection of Anglian Water have been inserted.	<p>The protective provisions have been inserted to reflect the latest discussions with Anglian Water. The protective provisions have not yet been agreed. In particular, paragraphs 68 and 70 are under discussion.</p> <p>Part 6 will be updated further once the protective provisions have been agreed.</p>	Procedural Deadline A
	The protective provisions for the protection of Anglian Water have been inserted.	The protective provisions have been updated to reflect the provisions agreed with Anglian Water.	Deadline 2
Schedule 15, Part 7	The protective provisions for the protection of Network Rail have been inserted.	As requested by Network Rail, the protective provisions have been inserted to reflect the template protective provisions for the protection of Network Rail. The protective provisions continue to be under discussion, particularly in relation to the indemnity provisions, and	Procedural Deadline A

		the agreed protective provisions will be appended to the Framework Agreement.	
Schedule 15, Part 8	The protective provisions for the protection of Cadent Gas Limited have been inserted.	The protective provisions have been inserted to reflect the latest discussions with Cadent Gas Limited. The protective provisions have not yet been agreed. In particular, paragraph 104 is under discussion. Part 8 will be updated further once the protective provisions have been agreed.	Procedural Deadline A
	The protective provisions for the protection of Cadent Gas Limited have been inserted.	The protective provisions have been updated to reflect the provisions agreed with Cadent Gas Limited.	Deadline 2
Schedule 16, Part 2	Schedule 16, Part 2(1) has been updated to provide a period of eight weeks rather than six weeks for the undertaker to give notice of its decision on the application.	This has been amended in response to the ExA's FWQ 5.4.2(a).	Deadline 2
	Schedule 16, Part 2(4) has been updated to provide: <i>"(4) Where an application has been made to the relevant planning authority for any consent, agreement or approval required by a requirement included in this Order and the relevant planning authority does not determine the application within the period set out in sub-paragraph (1):</i> <i>(a) And the application is accompanied by a report pursuant to sub-paragraph (3) which states that the subject matter of such application is likely to give rise to any materially new or materially different environmental effects compared to those in the environmental statement; or</i>	The Applicant has reviewed this in response to the ExA's FWQ 5.4.2(b) and it has been updated to provide further clarity.	Deadline 2

	<i>(a) The relevant planning authority considers that the subject matter of such applications will give rise to any materially new or materially different environmental effects compared to those in the environmental statement, then the application is to be taken to have been refused by the relevant planning authority at the end of that period”.</i>		
	This has been amended to provide a longer period of 10 weeks, rather than 8 weeks, for Requirement 6, 7, 11, 12 and 18.	This has been amended following comments from the local planning authorities at Issue Specific Hearing 3 to provide longer periods for discharging certain requirements. It is understood that the LPAs may have further comments on this list in due course.	Deadline 4
Schedule 16, part 3(2)	Amended the further information requests period from 10 to 20 working days.	This period has been extended in accordance with the Applicant’s Response to Interested Parties’ Deadline 2 Submissions on draft Development Consent Order (Rev 0)	Deadline 3
Schedule 16, part 3(3)	Amended the consultation period from five to 10 working days.	This period has been extended in accordance with the Applicant’s Response to Interested Parties’ Deadline 2 Submissions on draft Development Consent Order (Rev 0).	Deadline 3
	Amended the further information requests period from five to 10 working days from receipt of such a request.	This period has been extended in accordance with the Applicant’s Response to Interested Parties’ Deadline 2 Submissions on draft Development Consent Order (Rev 0)	Deadline 3
	Amended the further information requests period from 15 to 20 working days from receipt of the discharge application.	This period has been extended in accordance with the Applicant’s Response to Interested Parties’ Deadline 2 Submissions on draft Development Consent Order (Rev 0).	Deadline 3

