

Mallard Pass Solar Farm

Draft Statement of Common Ground with Lincolnshire County Council

Deadline 5 - September 2023

EN010127

EN010127/APP/8.8.2



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 Government¹.
- 1.4 Paragraph 58 of the Department for Communities and Local Government (DCLC) 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.

 $^{^1}$ 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 ongoing 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

| Date | Form of Correspondence | Key topics discussed and key outcomes |
|--|---------------------------|---|
| 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 con undertaken are suitable. | | 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. |
| 03/11/2021 | Virtual Teams meeting | Pre-briefing presentation – Introducing Mallard Pass Solar Farm |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|------------|---------------------------|--|--|
| | | - General update | |
| | | - DCO process introduction roles and responsibilities | |
| | | - Consultation strategy | |
| 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 | The Applicant engaged with Lincolnshire County Council Cllr. Ashley Baxter. | |
| | | 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. | |
| 18/11/2021 | Video call meeting | Proposed scope of the desk-based assessment, key sources of information, proposed scope / extent / timings of the geophysical survey. Addressed within Section 8.2 in <i>Chapter 8: Cultural Heritage [EN010127/APP/6.1]</i> of the ES and in greater detail in <i>Appendix 8.4: Desk Based Assessment [EN010127/APP/6.2]</i> | |
| 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. | |
| | | Agreement on principles for SuDS and FRA proposed by Arcus. Set out in <i>Appendix 12.5:</i> Flood Risk Assessment [EN010127/APP/6.2] | |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|------------|------------------------------------|---|--|
| 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 lan 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 | Planning Performance Agreement General update Ongoing work | |
| 15/02/2022 | Email from LCC | LCC provided feedback on the proposed construction strategy. LCC confirm preference to avoid two-way construction vehicle conflicts occurring. | |
| | Email from Applicant | Information was provided to LCC on the methodology to develop construction trip rates. Outcome: The methodology to develop construction trip rates has been deemed as reasonable by LCC. | |
| 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. | |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|------------|--|---|--|
| 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 | Ecology Landscape and Visual Impact Future engagement | |
| 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 | |
| | | - Ecology - Landscape and Visual Impact (viewpoints) | |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|------------|------------------------------------|---|--|
| 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 | 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. | |
| | | 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. | |
| 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 ever and information (including CAP site details), and of links to the relevant consultation documents, including the PEIR and PEIR NTS. | |
| 03/08/2022 | Letter via Email from LCC | LCC submit feedback to Stage Two Statutory Consultation in a letter delivered via email. | |



| Date Form of Correspondence | | Key topics discussed and key outcomes | | |
|-----------------------------|------------------------------------|---|--|--|
| | Stage Two response | The Applicant engaged with LCC's Stage Two response. Approach for SuDS agreed. | | |
| | | Best practice outlined in Appendix 11.6 Outline Surface Water Drainage Strategy. | | |
| 10/08/2022 | Virtual meeting | - General update | | |
| | | - Stage 2 consultation update | | |
| 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 | - Combined authorities (LCC, RCC, SKDC) catch up | | |
| | | - Stage Two consultation early feedback | | |
| 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 from Applicant | The Applicant notifies LCC 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) | | |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|------------|------------------------|--|--|
| | | - Trail trenching | |
| | | - DMMO | |
| | | - LCC climate change meeting set up | |
| | | - Discussion regarding requirement for and scope of a Minerals Assessment | |
| 03/10/2022 | Email from Applicant | The Applicant engaged with Lincolnshire County Council and Derby University. | |
| | | Climate change and Greenhouse Gas emissions calculations discussion | |
| 05/10/2022 | Site walkover meeting | - Combined authorities (LCC, RCC, SKDC) | |
| | | - Site meeting to discuss LVIA and PRoW | |
| | | 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. | |
| | | 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. | |
| 07/10/2022 | Virtual meeting | 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 one the scope of works is confirmed. | |
| | | 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. | |



| Date | Form of Correspondence | Key topics discussed and key outcomes | |
|---------------------------|-----------------------------|---|--|
| 09/10/2022 | Email | The required scope and quantum of archaeological trial trenching. | |
| | | 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 | |
| 12/10/2022 | Virtual Meeting | - Combined authorities (LCC, RCC, SKDC) | |
| | | - Site visit de-brief | |
| | | - PPA for examination discussions | |
| | | - Trial trenching | |
| 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 | |
|----------------------------|-------------------------|---|--|
| 14/06/2023 | Email correspondence | Applicant received copies of LCC's Local Impact Report (LIR) via email. This will be included within the SoCG following assessment. | |
| 06/07/2023 | Email Correspondence | Agreement of important and relevant local policies | |
| 17/07/2023 | Email Correspondence | Applicant issue of updated SoCG for comment | |
| 19//07/2023 | Virtual Meeting | To discuss amendments to SoCG following ISH | |
| 24/07/2023 | Email correspondence | To confirm final version of SoCG to submit to the ExA for Deadline 4 | |
| 10/08/2023 | Virtual meeting | DCO drafting session with Applicant, LCC, RCC and SKDC | |
| 11/08/2023 | Virtual meeting | S278 agreement process meeting | |
| 15/08/2023 – 21/08/2023 | Email Correspondence | To share the Applicants response to comments on the drafting of the DCO | |
| 21/08/2023 | Virtual meeting | To discuss LCC response to Applicants position on DCO drafting | |
| 05/09/2023 | Virtual meeting | To discuss final amendments to SoCG prior to DL5 submission | |



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 |
| LCC 13-11 | Policy ID2 – Transport and Strategic | the negative impacts arising from this development in terms of increased traffic, disruption to road users and as a result of | Noted | Agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------------|---|--|---|---------------------|
| | Transport Infrastructure | junction improvement works, would not be expected to result in an unacceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the existing local highway network within Lincolnshire, subject to the development being carried out as proposed within the DCO application documents and further details being agreed as part of subsequent DCO Requirements, LCC states that only a minor part of the highway network will be affected within Lincolnshire, therefore RCC should be consulted as well. | | |
| LCC- 12- 06 | Details of Highways works proposed by the | Agree to the principle of having a separate agreement to the DCO which replicates a S278 Agreement process. having such | The Applicant considers that whilst the DCO drafting is well precedented, it is content to seek to agree a side Agreement with LCC to provide such protections, | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-------------------------|---|--|--------|
| | Proposed Development | an agreement in place would satisfy the LPAs concerns related to detailed highways works approvals and booking. However, we have yet to see the draft wording of such an agreement and therefore this is not yet confirmed. | similar to what would be expected under a section 278 Agreement. | |



Table 2 - Landscape and Visual impact

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|---------------------------------------|--|--|------------|
| 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. Please see further response in Applicants Response to Deadline 2 submissions on Landscape and Visual matters [REP3-032] and Summary of its oral submissions at ISH2 submitted at Deadline 4. | Not agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|-------------------------------|---|---|------------|
| 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 |
| LCC 2-03 | Photomontages | AHH/LCC requested that photomontages are undertaken in accordance with AVR Level 2 or Level 3 standards. 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. Some of the images used in the assessment are also | The photomontages were produced to AVR Level 3. The methodology for the provision of the photomontages is detailed within Appendix 6.2 [APP-055]. The photomontages have been produced in accordance with the Landscape Institute's, Technical Guidance Note 06/19, Visual Representation of Development Proposals. It should be recognised that all photomontages are illustrative and the Applicant would recommend that these are | Not agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|--|---|---------------------|
| | | 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 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. LCC agree to consult their Landscape Consultants on the Applicants response and update at Deadline 5 | reviewed at the relevant viewpoints in the field. Please see further response in Applicants Response to Deadline 2 submissions on Landscape and Visual matters [REP3-032] and Summary of its oral submissions at ISH2 submitted at Deadline 4. | |
| LCC 2-04 | PRoW | LVIA should acknowledge that many of the local roads are also used as pedestrian routes between recreational footpaths/PRoW network. | The submission LVIA acknowledges that some of the rural lanes are also used by walkers as links between the existing PRoW network. See paragraph 1.2.4 of the Amenity | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|---|--|------------|
| | | 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 LCC agree to consult their Landscape Consultants on the Applicants response and update at Deadline 5 | and Recreation Assessment [APP-058] Please see further response in Applicants Response to Deadline 2 submissions on Landscape and Visual matters [REP3-032] and Summary of its oral submissions at ISH2 submitted at Deadline 4. | |
| LCC 2-05 | Methodology | LVIA methodology identifies effects of Major-Moderate as being significant – usually the threshold for significant effects are considered to be Moderate and above. See Local Impact Report - the assessment considers that only | 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 | Not agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|--|--|--------|
| | | 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. LCC agree to consult their Landscape Consultants on the Applicants response and update at Deadline 5 | effects, and it is for the assessor to determine this threshold. 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. Further justification or explanation for the significance of effects is provided within the LVIA in accordance with the methodology in Appendix 6.2. Please see further response in Applicants Response to Deadline 2 submissions on Landscape and Visual matters | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|--|--|------------|
| | | | [REP3-032] and Summary of its oral submissions at ISH2 submitted at Deadline 4. | |
| 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. Please see further response in Applicants Response to Deadline 2 submissions on | Not agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---------------------|--|--------|
| | | | Landscape and Visual matters [REP3-032] and Summary of its oral submissions at ISH2 submitted at Deadline 4. | |



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 the Applicant's assumptions | Agreed |



Table 4 - Archaeology

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|---|---|---|------------|
| LCC 4-01 | Written Scheme of Investigation (WSI) method statement | A WSI submitted 17 August 2023 has been reviewed and LCC position is unchanged in that insufficient pre-determination has been carried out. | 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 | LCC maintains that further predetermination evaluation needs to be carried out in order to be able to properly identify, understand and assess the potential impacts and for an appropriate mitigation strategy to be developed. If the Applicant is not agreeable or forthcoming in carrying out such further work pre-determination and the ExA is minded to grant the DCO and require additional trenching to be carried out, then details of this | The Applicant has issued the Outline Written Scheme of Investigation (Rev 0) that has been submitted at Deadline 5 and the dDCO (Rev 5) has been updated to provide that the authorised development must be carried out in accordance with the WSI. This was issued to the LPAs prior to Deadline 5 and comments will be gratefully received. | Not Agreed |



will need to be agreed in advance and also a WSI agreed.

LCC does not consider the 'without prejudice' drafting and alternative route of the Applicant going direct to the SoS for approval of the additional trenching as necessary. If a scheme is required (the content of which could be confirmed/clarified in the wording of the DCO) and this is submitted to LCC directly (or SKDC) then this would only be refused if it fundamentally conflicted with the terms of that Requirement. However, if for some reason the scheme were to be refused then the Applicant has a right of appeal and so can exercise that right. This is the same as that which exists for any other Requirement and so LCC does not see why a different decision route for this specific matter is necessary.

In terms of the WSI, in the absence of additional trenching, LCC submits that the only suitable package of mitigation The Outline WSI itself sets out the processes by which the various authorities will be involved in the development of the detailed archaeological mitigation measures.

Whilst the Applicant considers its approach to pre-application trial trenching is robust, the Applicant submitted 'without prejudice' drafting for a Requirement relating to the amount of precommencement additional trenching being agreed by the Secretary of State at Deadline 4 [REP4-041]. The Applicant's position is that where such a Requirement was considered necessary, given the differing positions of the Applicant and the LPAs on this point, and the need for the Proposed Development, it should be the Secretary of State to approve this to avoid the dispute continuing on into the implementation stage.



| | | within that WSI would be to secure archaeological Strip Map and Record (SMR) in all areas not previously evaluated as this would ensure any surviving archaeology can then be mapped, investigated and recorded as necessary. Refer to response to ExQ2 for suggested revised drafting. | | |
|-------------|------------|---|---|------------|
| LCC 4-03 | Evaluation | LCC maintains 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 |
|-------------|---------------------------|--|---|------------|
| LCC 4-05 | WSI Position Statement | LCC position is as set out at 4-02, above. | The Outline Written Scheme of Investigation (WSI) (rev0) was shared with the Local Authorities on 17 August 2023 and issued to the ExA at Deadline 5. The Applicant waits comment form the LPAs on the WSI. However, it is the Applicants understanding that the Position on trenching is as per the position set out in the relevant parties' summaries of ISH. | Not agreed |



Table 5 – Ecology and Biodiversity

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|---|---|--------|
| LCC 5-01 | Designated sites | 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. 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. | 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. 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. | Agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|-----------------------|---|--|--------|
| LCC 5-02 | Species | 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). 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). | 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. | Agreed |
| LCC 5-03 | Species | GCN – agree with the suggested approach but recommend that the planned 2022 survey includes onsite ponds as well as off-site ponds | 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 | Agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|---|---|--------|
| | | to ensure 2021 findings remain true. | detailed data will be sought for licensing purposes prior to construction in accordance with the oCEMP. Paragraph 7.6.33 of Chapter 7 of the ES [APP-037] confirms that both onsite and offsite ponds immediately adjacent to the order limiter were included in the survey. | |
| 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 | Noted. | Agreed |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|--------------------------|---|----------------------|--------|
| | | well in excess of the 10% gain that is advocated at a national level and so would be a positive impact 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 | 9m is required for IDB ditches and so if the ditch is not an IDB ditch then the landowner is responsible for maintenance of watercourse ditch. The suggested offsets would appear reasonable to LCC but ultimately it will be for the landowner to agree. Also refer to response to ExQ2 12.0.4 | 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. | Agreed |
| 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 | Noted | Agreed |



| | | for the PV Arrays could be implemented through RsuDS techniques. Agreement on principles for SuDS and FRA proposed by Arcus on behalf of the Applicant. | | |
|-------------|------------|---|--------|--------|
| LCC 7-04 | Flood risk | The impacts of proposed development, in terms of flooding, are neutral. | Noted. | Agreed |
| | | However, as the vast majority of the MPSF affects land lying within Rutland, the ExA are advised to take into account the views of RCC as set in its LIR. | | |



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 - Agricultural Land and Soils

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------------|--------------------------|---|--|------------------|
| LCC 9-01 | Agriculture and Soils | Please refer to LIR [REP2-044] for detailed response – in summary LCC notes concerns with the use of BMV land within the proposed development, majority of the land proposed for solar PV development comprises Grade 3A land. LCC has concerns specifically with the long-term affect, the proposed development would have on the food production economy, including farm enterprises who will be affected. LCC also has concern due to the other proposed developments proposed within LCC, including on food security and the permanent loss of agricultural land. LCC view the loss of agricultural land as a result of | Noted. 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. 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 Hambleton supporting the Applicants position on food security and preservation of soils for future generations | Under Discussion |



development as a negative The Applicant has prepared affect. Appendix D which comprises a briefing note entitled 'Self-LCC will review Applicant sufficiency of UK Agriculture'. responses on matters of food This note has been prepared to security at DL5 and will respond examine the current position of as necessary at DL6. food security and self-sufficiency in the UK. The note uses UK Government and industry statistics as well as considering relevant policy to understand the UK's position. The note concludes that the UK benefits from high levels of selfsufficiency in most staples and that self-sufficiency in calories can be achieved from wheat production alone.



Table 10 – Public Rights of Way

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|--------------|--------------------------|--|--|---------------------|
| LCC 10-01 | DMMOs | LCC is satisfied with the principle and effect of Art 12 and notes that the Applicant intends to updated the drafting at Deadline 5. LCC have yet to see the detail of this and therefore discussions will need to continue until we are satisfied with the provisions. Therefore we propose to continue to work with the Applicant to agree a position by Deadline 6. | 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). At Deadline 5, the Applicant has amended article 12 to allow for the DMMO process to be completed if LCC chose to do so, and then for the Applicant to stop the PROW up it if has been created. The Applicant will continue to work with LCC to seek resolution for DL6. | Under Discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|-------|--------------------------|---|---|------------|
| LCC | Impact upon | LCC notes concerns with the | The impacts to PRoW both | Not agreed |
| 10-02 | PRoW | size and scale of the development and the affect the development would have on PRoW which pass in and around the order limits, specifically on the recreational value of various public rights of way. LCC acknowledges there will be new permissive footpaths developed as part of the development, there are concerns for the mechanism for securing these over the lifetime of the development. And would suggest that these routes should be secured and adopted as part of the definitive network. LCC further acknowledges the imposition of a 60 year time limit, however, maintains the permanent adoption of permissive routes is appropriate. | 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 ARA concludes there would be Major-Moderate adverse effects (significant) during construction and decommissioning to Bridleways E182 (BrAW/1/1) and E169 that traverse through the Solar PV Site reducing to Moderate Adverse effects (not significant) post maturation of planting at year 15. All other PRoW within the Order Limits and locality would experience | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---------------------|--|--------|
| | | | effects no greater than Slight adverse (not significant) reducing to Minimal Adverse (not significant) post maturation of planting at year. | |
| | | | The Applicant's Deadline 3 submissions set out the full context of the Proposed Development's impacts to users of PRoWs in the area. | |
| | | | The permissive paths are secured pursuant to Requirement 7 of the DCO. The Applicant does not propose that these are to become public rights of way. | |
| | | | The provision of permissive paths, as illustrated on the GI Strategy Plan [APP-173] would be maintained for the entire operational period of the | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|--------------------------|---------------------|---|--------|
| | | | Proposed Development as is secured by the [REP4-13] and Requirement 7 of the draft DCO. | |



Table 11 - Need case, site selection and alternatives

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|--------------|------------------------------------|---|----------------------|--------|
| LCC 11-01 | Site Selection and Alternatives | LCC notes the applicant's approach to the site selection process and recognises that this has been influenced taking into account a number of different factors including proximity to a grid connection; minimising impacts on designated sites (e.g. SSSI/Listed Buildings, etc). Whilst LCC agrees National Policy Statements (NPS) and draft NPS's are to be given primacy over local policies the local planning policies that are also deemed important and relevant in assessing the site selection process have been agreed and are confirmed within Appendix 1 | Noted | Agreed |



Table 12 – draft Development Consent Order

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|---------------|----------------------------|---|--|------------------|
| LCC-12- 01 | Article 2 – Interpretation | Disagree that the maintenance schedule does not need to be approved by the relevant planning authorities and that enforcement powers could be used if concerns exist. A maintenance schedule (setting out planned works) could be submitted at least 12 months in advance and so if submitted like other Requirements under Schedule 16, then there would be plenty of time for the decision to be made and (if disagreement exists and the schedule refused) an appeal to be made to SoS as per the existing provisions. Taking enforcement action would be reactionary whereas the approval route would be preventative. | The Outline OEMP (Rev 3) submitted at Deadline 5 has been updated to provide that alongside the maintenance schedule, any supporting environmental and traffic information will be provided to evidence that there are no materially new or materially different environmental effects arising from any planned maintenance activities. The text has also been updated to be specific about the part of the Environmental Statement that such information will have to show it is consistent | Under discussion |



| lef. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---------------------|---------------------------|--------|
| | | | with – being section | |
| | | | 5.17 in Chapter 5. | |
| | | | The Applicant does not | |
| | | | agree that the | |
| | | | maintenance schedule | |
| | | | will need to be | |
| | | | approved by the | |
| | | | relevant planning | |
| | | | authorities, particularly | |
| | | | as maintenance repairs | |
| | | | are required where the | |
| | | | solar farm is not | |
| | | | efficiently generating | |
| | | | energy. In any event, | |
| | | | Article 5 of the dDCO | |
| | | | (Rev 5) provides the | |
| | | | relevant planning | |
| | | | authority with powers to | |
| | | | enforce where the | |
| | | | works are likely to give | |
| | | | rise to materially new | |
| | | | or different effects than | |
| | | | those assessed in the | |
| | | | environmental | |
| | | | statement. | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---------------------|----------------------------|--------|
| | | | The Applicant does not | |
| | | | agree that the | |
| | | | maintenance schedule | |
| | | | will need to be | |
| | | | approved by the | |
| | | | relevant planning | |
| | | | authorities, particularly | |
| | | | as maintenance repairs | |
| | | | are required where the | |
| | | | solar farm is not | |
| | | | efficiently generating | |
| | | | energy and this should | |
| | | | not be delayed by | |
| | | | requiring LPA approval. | |
| | | | In any event, where the | |
| | | | Applicant does not | |
| | | | comply and the works | |
| | | | are likely to give rise to | |
| | | | materially new or | |
| | | | different effects than | |
| | | | those assessed in the | |
| | | | environmental | |
| | | | statement, this is a | |
| | | | breach of the | |
| | | | provisions in the DCO | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|----------------|----------------------------|--|--|---------------------|
| | | | and the relevant planning authority can enforce as necessary. | |
| LCC- 12.01a | Article 2 - Interpretation | LCC agree that the updated definition of 'maintain' is appropriate. | Applicant has amended the dDCO (Rev 5) submitted at Deadline 5 to amend the definition of 'maintain' to include that the extent of the works must not give rise to any material new or materially different environmental effects than those identified within the ES. | Agreed |
| LCC-12- 02 | Schedule 2 | Amend wording of Requirements 7, 8, 11, 12 and 18 to make clear that Lincolnshire County Council is a specified consultee. Refer to separate submission at Deadline 4 containing suggested revised wording. | The Applicant has submitted a table 2.0 within the new document Applicant's Response to Deadline 4 Submissions, [Volume-9.37], which collates all the LPA's | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|---------------|-----------------------|---|--|---------------------|
| | | Amend wording of Requirement 10 to make Lincolnshire County Council primary approval body for works within Lincolnshire/District of South Kesteven Refer to separate submission at Deadline 4 containing suggested revised wording. This response to be read in conjunction with comments on WSI/Requirement 10 and response to ExA second written questions. LCC will review the updated Requirements upon receipt of DL5 documentation and will update position for DL6. | responses and Applicant's responses to the articles and requirements within the DCO, which were outstanding matters. Specifically, the Applicant has added Lincolnshire County Council as a consultee to requirements 7, 8, 11, 12 & 18. | |
| LCC-12- 03 | Schedule 16 | Welcome the amendment to increase timeframe from 6 weeks to 8 weeks but note the recent Longfield has set this at 10 weeks and so would agree with SKDC that this should be the same with a further 4 weeks for further information to be the same for Mallard Pass. Please also see LCC response to ExA second written questions. | Please see the response provided to the ExA's First Written Question 5.4.2 [REP2-037]. The dDCO [REP4-027] submitted at Deadline 4 | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|---------------|-----------------------|--|---|---------------------|
| | | | provides a period of 8 weeks rather than 6 weeks for the discharging of the majority of the requirements, except for requirements 7, 11, 12 and 18, where a longer period of 10 weeks is deemed appropriate. | |
| LCC-12- 04 | Schedule 16 - Fees | Note the intention to agree a graduated fee arrangement outside the DCO however we maintain a provision should remain within the DCO in line with Advice Note 15. This gives certainty to LPAs that the fees will be paid and not be subject of a separate agreement. Fees need to avoid 'fixed amounts' as fees regs are expecting to increase by 35%. | Following drafting has been added to Schedule 16 in the dDCO submitted at Deadline 5:Where an application is made to the relevant planning authority for written consent, agreement or approval in respect of a requirement, the fee prescribed under | Under Discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---|--|--------|
| | | All requirements should be listed under Category 1 in the first instance instead of some falling under Category 1 and some under Category 4. Disagree with the view that some Requirements will be less complex and won't be as costly to process. It should be made clear that the fee payable is per requirement and not each application made, as some applications may be seeking approval for several Requirements. | regulation 16(1)(b) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012(a) (as may be amended or replaced from time to time) is to apply and must be paid to the relevant planning authority for each application. Any fee paid under this Schedule must be refunded to the undertaker within four weeks of— (a) the application being rejected as invalidly made; or (b) the relevant planning authority failing to determine the application within the | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|---------------|-----------------------|--|--|---------------------|
| | | | decision period as determined under paragraph 26(1), unless within that period the undertaker agrees, in writing, that the fee is to be retained by the relevant planning authority and credited in respect of a future application. | |
| LCC 12- 05 | Articles | see LCC response to ExQ1 Q5.0.6 - Article 6 (Application and modification of statutory provisions) regarding the ability to disapply the requirements of Section 23 of the Land Drainage Act 1991 is included in Article 6 of the Draft Development Consent Order (Rev 3). | Please see Applicant's response at [REP3-028]. Applicant has been in touch with the relevant Internal Drainage Boards to discuss this further and to clarify whether it will consent on the LLFA's behalf to LLFA | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|---------------|-------------------------|--|---|---------------------|
| | | | responsible watercourses. | |
| | | | The Applicant is discussing this with the IDB on LCC's behalf. The disapplication of section 23 is a standard process in DCOs, with replacement protections via the drafting in the DCO including article 16, Requirement 9, the setoffs already provided for in the Order limits, and the measures set out in the oCEMP. | |
| LCC 12- 06 | Duration of development | LCC will provide an update upon review of DL5 documents. Notwithstanding this, LCC maintain time-limit should be | The dDCO (Rev 5) submitted at Deadline 5 has been updated to provide that decommissioning must | Under discussion |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|--------------------------------------|----------------------------|--------|
| | | 40 years, as per the assessment work | commence no later than | |
| | | relating to decommissioning. | 60 years the date of final | |
| | | | commissioning of Work | |
| | | | No. 1. | |
| | | | Further to discussions | |
| | | | with the relevant | |
| | | | planning authorities, | |
| | | | the Outline OEMP (Rev | |
| | | | 3) has been updated at | |
| | | | Deadline 5 to provide | |
| | | | that the detailed OEMP | |
| | | | must provide that the | |
| | | | undertaker must | |
| | | | provide notice to the | |
| | | | relevant planning | |
| | | | authorities once the | |
| | | | authorised | |
| | | | development stops | |
| | | | generating electricity. If | |
| | | | within 12 months of the | |
| | | | date of the notice the | |
| | | | authorised | |
| | | | development does not | |
| | | | re-generate electricity, | |
| | | | decommissioning of the | |



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|------|-----------------------|---------------------|---------------------------|--------|
| | | | authorised | |
| | | | development must | |
| | | | commence unless it | |
| | | | was a force majeure | |
| | | | event that occurred | |
| | | | which caused the | |
| | | | authorised | |
| | | | development to stop | |
| | | | generating electricity or | |
| | | | a force majeure event | |
| | | | happens within that 12- | |
| | | | month period (which | |
| | | | would re-set the 12- | |
| | | | month clock). | |



Table 13 - Management Plans

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|--------------|-----------------------|---|--|---------------------|
| LCC 13-01 | Management plans | As per LCCs response to the ExAs FWQs Q1.19, Outline plans listed in a) to i) are generally acceptable at this stage and note final schemes/details will be secured as DCO Requirements. | Applicant would welcome detailed discussion with LCC as to what wording it would seek to be added and will seek to reach agreement ahead of DL6. | Under discussion |
| | | In relation to the OLEMP it could however be more detailed at this stage setting out a more robust set of targets and tasks supplemented by a methodology for reviewing progress. Even if it is not proposed to include specific plant species at this stage an idea of provenance and mixes rather than just areas | | |
| | | of planting would be helpful. The % commitment to BNG should also be increased to more than a minimum 10% given the assessment shows a much | | |



higher % rate (71%). This should therefore be confirmed in the wording of Requirement 7 Refer to separate submission at Deadline 4 containing suggested revised wording. LCC refers its response to ExA second written question 10.0.5. LCC agrees that an individual PRoW Management Plan is not required as detail is contained and secured elsewhere. However, LCC requests further discussion with Applicant on content relating to widths of PRoW.



Table 13 – Planning Policy context and Compliance

| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|--------------|---|--|---|--------|
| South | Kesteven District | Council Local Plan (2011-2036) | | |
| LCC 13-07 | Policies considered important and relevant | 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 and relevant local policy. | Agreed |
| Lincoln | shire Minerals ar | nd Waste Local Plan: Core Strategy and Develo | pment Management Policies (2016) | |
| LCC 13-12 | 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 |

Table 14 - Cumulative Sites



| Ref. | Description of Matter | Stakeholder Comment | Applicant's Response | Status |
|--------------|-----------------------|---|---|------------------|
| LCC14- 01 | Cumulative list | LCC disagree with list as it stands as it does not include NSIPs over 10km. See response to ExA second written questions. | Noted – The Applicant will engage and look to update the cumulative list where necessary. | Under discussion |



Appendix 1 Local Policy considered important and relevant

| □ South Kesteven Local Plan 2011 – 2036 (adopted 2020) | South Kesteven Local Plan 2011 – 2036 (adopted 2020) Renewable Energy Appendix | 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 M11 – Safeguarding of Mineral Resources |
| Policy SP1 (Spatial Strategy) | Criterion 2 Residential amenity assessment | |
| Policy SP5 (Development in the Open Countryside) | Criterion 3 of the Renewable Energy Appendix Cumulative Impact Assessment | |
| 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) | | |



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: |