

Application by Mallard Pass Solar Farm Ltd for an Order Granting Development Consent for the proposed Mallard Pass Solar Farm

Agenda for Issue Specific Hearing 4 (ISH4): Environmental matters

Hearing	Date and Time	Location
Issue Specific Hearing 4 (ISH4) Environmental matters	<p>Tuesday 26 September 2023 (commencing 2.00pm)</p> <p>and</p> <p>Wednesday 27 September 2023 (commencing 10.00am)</p> <p>Registration and seating available from 1.30pm on Tuesday 26 September and 9.30am on Wednesday 27 September</p> <p>Virtual Registration Process from 1.30pm on Tuesday 26 of September and 9.30am on Wednesday 27 of September</p>	<p>Orton Hall Hotel & Spa, The Village, Orton Longueville, Peterborough, PE2 7DN</p> <p>and</p> <p>By virtual means using Microsoft Teams</p> <p>Full instructions on how join online or by telephone will be provided in advance to those who have pre-registered.</p>

Attendees

The Examining Authority (ExA) would be particularly assisted by the attendance of representatives of the following parties:

- The Applicant
- Lincolnshire County Council
- Rutland County Council
- South Kesteven District Council
- Mallard Pass Action Group
- National Grid Electricity Transmission
- Natural England (Item 9 (a))

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the agenda, subject to the ExA's ability to control the Hearing.

If you have not already confirmed your attendance, please do so as soon as possible by contacting the Case Team on 0303 444 555 or MallardPassSolar@planninginspectorate.gov.uk.

Agenda

Please note that this agenda has been published before Deadline 6 and therefore may be subject to some change dependent on submissions received at Deadline 6.

Should any of the following matters not be able to be considered by the end of the close of ISH4, they can be considered in Part 1 of ISH5 taking place on Thursday 28 September 2023.

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Issue Specific Hearing

3. Statements of Common Ground

- a) Summary of the latest position regarding the preparation of Statements of Common Ground

Following item 3, the ExA will then move on to ask specific questions of the applicant and IPs in relation to the following matters:

4. Matters relating to the scope of the Proposed Development

- a) Applicant's proposed operational time limit of 60 years, including explanation of the reasons for the 60 year period and any implications of this for the assessment of the Proposed Development
- b) Matters relating to the connection agreement with National Grid, including questions arising from NGET's response to EXQ2 1.0.8 [REP5-034]

5. Water and Flood Risk

- a) Implications of the proposed 60 year operational time limit for the Flood Risk Assessment.
- b) Consideration of the sequential test for flood risk and the extent to which it has been applied to site selection.
- c) Consideration of surface water run-off and drainage during the construction operational and decommissioning phases, including the suitability modelling and proposed mitigation as identified in the Applicant's updated outline Surface Water Drainage Strategy [REP5-053], outline Water Management Plan

[REP5-072], outline Operational Environmental Management Plan [REP5-062] and outline Decommissioning Environmental Management Plan [REP5-064].

- d) Any other matters arising deemed relevant by the ExA.

6. Archaeology

- a) Further ExA questions regarding the Applicant's archaeological evaluation.
- b) Archaeological mitigation, including consideration of the Applicant's Outline Written Scheme of Investigation submitted at D5 [REP5-075].

7. Land use and Soils

- a) Consideration of the extent of soil surveys.
- b) Matters arising from responses to EXQ2 in relation to the management and monitoring of soil, including the suitability of measures identified in the updated outline Soil Management Plan [REP5-069], outline Landscape Environmental Management Plan [REP5-066] and outline Operational Environmental Management Plan [REP5-062].

8. Landscape and visual

- a) Implications of the proposed 60 year operational time limit
- b) Proposed fencing, including security considerations
- c) Proposed mitigation and enhancement measures
- d) Updated Design Guidance [REP5-058]
- e) Any further matters in relation to the Outline Landscape Environmental Management Plan [REP5-065]
- f) Any other matters arising deemed relevant by the ExA

9. Biodiversity and ecology

- a) Shadow Habitats Regulations Assessment in-combination matters arising from responses to EXQ2 3.1.3 and the Statement of Common Ground between the Applicant and Natural England [REP5-009].
- b) Suitability of the Applicant's latest approach to Biodiversity Net Gain, including updates to Requirements 5 and 7 of the draft Development Consent Order [REP5-016] and the outline Landscape Environmental Management Plan [REP5-066].
- c) Provisions for ecological monitoring, including matters arising from responses to EXQ2 3.0.5.

- d) Highways measures to avoid harm to the Ryhall Pasture and Little Warren Verges SSSI, including the updated outline Travel Plan [REP5-074]

10. Transportation and traffic

- a) Traffic regulation measures, including:
 - i. The extent of temporary measures along Bourne Road, Essendine (proposed 30mph speed limit and temporary traffic signal control area);
 - ii. Provision for access to Essendine Industrial Estate, including COMAH sites arising responses to EXQ2 11.0.5;
 - iii. Management of temporary closures.
- b) Consideration of construction traffic matters arising from submissions at Deadline 5, including:
 - i. Potential issues raised by National Highways regarding construction traffic associated with the Proposed Development should the construction programme overlap with the A47 Wansford to Sutton scheme [REP5-035 & REP5-036];
 - ii. Suitability of updates to the outline Construction Traffic Management Plan [REP5-068] and outline Construction Environmental Management Plan [REP5-060] that seek to address matters, including; construction staff parking, the provision of wheel wash systems and the safe manoeuvrability of vehicles at construction compounds.
- c) Consideration of the Applicant's updates to the outline Operational Environmental Management Plan [REP5-062] aimed at preventing maintenance activities causing materially new or materially different environmental effects from those reported in the Environmental Statement and related reporting to the local authorities.

11. Socio-economics

- a) Matters arising from responses to EXQ2 regarding Public Rights of Way and Permissive Paths.
- b) Any other matters arising deemed relevant by the ExA.

12. Noise

- a) Consideration of South Kesteven District Council's D5 representations regarding an acoustic validation assessment [REP5-025]
- b) Any relevant noise matters in relation to the latest versions of the relevant Environmental Management Plans [REP5-059, REP5-061, REP5-063]

13. Matters relating to residential living conditions

- a) Glint and glare effects

- b) Effects upon occupiers of North Lodge Farm Bungalow and Wood Farm Cottages

14. Any other relevant matters

15. Actions arising and next steps

16. Closing

Purpose of ISH4

This further ISH on Environmental Matters Hearing is being held to address matters and questions identified by the ExA including through its reading of application documents, Local Impact Reports, representations from Interested Parties, responses to written questions and site inspections to date.

It considers that the matters raised would benefit from consideration of oral representations in order to ensure adequate examination of these issues. This does not mean however that other issues not raised by the ExA for discussion at the hearing are unimportant, rather that they are more able to be dealt with and understood through written questions/submissions and oral representations at previous hearings.

Attendance

Anyone wishing to attend the Hearing in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **2.00pm (10.00am on Wednesday 27 September 2023)** those attending virtually should join promptly at **1.30am (9.30am on Wednesday 27 2023)** to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at Issue Specific Hearing

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at

Hearings. Questioning at the Hearing will be led by the ExA. The ExA will ask specific questions related to the matters identified in the agenda. Matters raised in written submissions should be taken as read and do not need to be repeated but may be referred to where required.

Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

The evidence presented orally at ISH4 should be included in post-hearing submissions and submitted by **Deadline 7 (Tuesday 10 October 2023)**.