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Ref: EN010130

Date: 13<sup>th</sup> September 2024

Dear Sir

**PLANNING ACT (2008) AS AMENDED AND THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS AMENDED) RULES 9 & 17**

**APPLICATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT ORDER FOR OUTER DOWSING OFFSHORE WIND PROJECT**

Further to your letter dated 31 July 2024 requesting the Council's Principal Areas of Disagreement Statement please find attached the Council's completed document which can be updated during the examination,

Yours faithfully

**for Neil McBride  
Head of Planning**

Ref	Area of disagreement	Summary of concern held by LCC (full comments in LIR)	What needs to change, or be included or amended to overcome the disagreement	Likelihood of the concern being addressed during the examination
1.1	<u>Waste</u> Minimal information regarding waste arisings	Lincolnshire County Council (LCC) notes the majority of the expected waste (62,000 m3) appears to be from “trenchless crossings”. It is not clear what this waste would be or how it is proposed to be dealt with.	LCC considers the Outline Site Waste Management Plan to be generally acceptable. However, greater detail of waste arisings, the proposals impact on waste and the proposed methodology for dealing with this waste is necessary.	LCC is hopeful that the applicant will take this into account and update the Outline Site Waste Management Plan accordingly so that LCC can provide comments during the Examination.
2.1	<u>Highways</u> Cumulative effects of traffic generated on the road network	LCC is aware that there are other potential NSIPs in this area (two National Grid schemes and Ossian Off-Shore Wind and Cable route) – if these other schemes were to generate traffic of a similar scale to Outer Dowsing and occur at the same time –this could result in a situation where the transport impact is between 20%-40% uplift on key existing A roads in the east of the County. This would be a major concern and critical Routes like the A16 through Boston and the A158 through Horncastle could not accommodate such changes.	Whilst LCC generally agree with the methodology and approach in the Transport Assessment (TA). LCC consider greater consideration should be given to the potential cumulative effects in relation to traffic, particularly with the other NSIP schemes in close proximity.	It is necessary to produce a timetable to show the construction periods for all the NSIP projects in this area to understand when construction will be taking place and when there are pressures on certain parts of the highway network and what can be put in place and secured to mitigate these pressures.
2.2	<u>Highways</u> Draft DCO wording	The Draft DCO text is similar to other NSIPs draft DCOs in	The Council would require the developer to obtain detailed prior technical approval	LCC is hopeful that the alteration to the wording can be incorporated into the

		Lincolnshire in that Articles 9-16 (Streets) provide powers for works in the streets, TROs, road closures all without the Highway Authority approval.	of their works (accesses, passing places etc) from the Council as Highway Authority. They will also need to gain approval of when the works are to be implemented and the diversions/traffic management through LCC Permitting scheme.	draft DCO, so that the Highway Authority has the ability to grant approval for works through the LCC permitting scheme.
3.1	<u>Archaeology</u> Trial Trenching	<p>The trenching strategy will need to target potential archaeology identified from the desk based assessment, full air photo and LiDAR assessment, and geophysical survey results. The trenching strategy will also need to target those areas where the above have not been successful in locating archaeology. Targeting blank areas is an essential part of determining the archaeological potential across a proposed development as different types of archaeology and geology may limit or mask the effectiveness of non-intrusive evaluation techniques</p> <p>LCC notes evaluation continues to focus on finding more information on known archaeology while blank areas</p>	A suite of mitigation types cannot be reasonably deployed until there is an evidence base which establishes the archaeological potential: there must be site-specific understanding of the presence, significance, depth and extent of surviving archaeology across the full impact zone to inform an effective and fit for purpose mitigation strategy.	To confirm that trial trenching will take place in the blank areas.

		<p>of unknown potential remain unevaluated through successive phases of evaluation work. No field evaluation has been undertaken so there can be no site-specific informed appropriate mitigation measures across the Order Limits boundary.</p>		
3.2	<p>Archaeology WSI – post consent archaeological work</p>	<p>Archaeological work including evaluation techniques such as trenching as well as mitigation has been proposed to be pushed to post-consent, and that evaluation is focused on finding out more information on what is already known. This is an extremely risky strategy, as known archaeology can be easily mitigated. The lack of evaluation at all levels (air photos, geophysical survey, trenching) in areas which are currently ‘blank’ means that the potential remains unknown and therefore unmitigable, pushing increasingly high levels of risk to post consent with the potential for field evaluation and the resulting appropriate levels of archaeological</p>	<p>LCC considers this archaeological work, including mitigation measures should be undertaken prior to consent...</p>	

		mitigation being pushed into impacting the work programme, schedule and corresponding budgetary impacts.		
3.3	<u>Archaeology</u> Enhanced data sources		LCC expect full assessment of all available air photos as they are a fundamental part of archaeological desk based work as thousands of new sites, and new information about existing sites, are found in this way. Those areas not adequately assessed using standard desk based sources and techniques, for example geophysical survey and air photo assessment, will need a higher percentage of trial trenching to effectively obtain sufficient baseline evidence to inform appropriate mitigation through these areas along with the rest of the redline boundary	
4.1	<u>Built Heritage</u> Further consideration of non-designated heritage assets	LCC requests an expanded list of non-designated heritage assets for further assessment. Additional detailed proposals for suitable mitigation measures for built heritage would also be useful.	LCC notes that while some measures will be discussed later in the planning process, the current assessment, especially regarding non-designated assets, requires more information. As such LCC request the expanded list of non-designated heritage assets for further assessment.	LCC is hopeful that the applicant will keep this list flexible, and provide an updated list of non-designated heritage assets for consideration. LCC would provide comments on any updates to this list during Examination.
5.1	<u>Landscape</u> Premature scoping out of the landscape study area	LCC considers that the study area for landscape should remain flexible until the final design concept has become firm.	The OnSS has been assessed with a 5km study area, which was agreed during consultation and, given the scale and mass of the development is an acceptable parameter.  The use of the Rochdale Envelope	LCC is hopeful that this study area can remain flexible until the design is fully evolved.

			<p>Approach is explained in Chapter 3 of the ES, its use here where the developer does not know the exact specifications of infrastructure is acceptable. However, LCC considers that given the design is evolving, it is concerning that views beyond 5km have already been scoped out.</p> <p>LCC reserves its position on this point of adequacy and seeks to assess this further as the design evolves. LCC considers that this should remain flexible and under consideration until the design is finalised.</p>	
5.2	<u>Landscape</u> Cumulative landscape impacts	The cumulative landscape and visual effects of the proposed development are of concern to LCC. Particularly when assessed alongside proposed developments within the study area. The mass and scale of these projects combined would lead to adverse effects upon landscape character and visual amenity over an extensive area. The landscape character of the area may be completely altered, particularly when experienced sequentially.	LCC considers additional information is required with respect to the impact upon, or protection of, existing trees, hedgerows and other important vegetation in order for comment to be made at this stage. These impacts are not limited to the cabling and OnSS development areas, but associated with access and highways works to facilitate the development, such as construction access, particularly from large plant, or access points and associated visibility splays, it is unclear on the landscape and ecology plans as to the extent of vegetation removal proposed, and the LVIA implies little or no vegetation removal is proposed.	LCC is hopeful that the applicant can provide this additional information of LCC to consider and comment upon.
5.3	<u>Landscape</u> Consideration of landscape impacts	LCC notes that the wider highways elements of the scheme do not appear to be	LCC considers that the applicant should consider the wider impacts on landscape arising from the highways elements of the	LCC is hopeful that the applicant can update the LVIA accordingly for LCC to make comment on during the

	from the highway elements of scheme	fully considered in the LVIA beyond increased traffic during construction phases, despite the potential adverse effects on the rural landscape these may have included vegetation loss, urbanisation or visual amenity through any required improvements.	proposals and update the Landscape and Visual Impact Assessment accordingly.	Examination stage.
6.1	<u>Land Use</u> Best and Most Versatile land/Agricultural Land Classification surveys	LCC notes that the cable route corridor has not yet been surveyed in detail for BMV land	A schedule of appropriate requirements will be essential to ensure ALC land surveys are undertaken to the necessary standards. A full record of condition on a plot-by-plot basis should be undertaken including photos pre and post construction  Prior to and post construction, a competent person should be employed to ensure that information on existing agricultural management and soil/land conditions is obtained, recorded and verified by way of a detailed pre and post construction condition survey.	The Council is fundamentally opposed to any further loss of BMV given what is proposed on existing and approved DCOs in the County so is unlikely to reach agreement on any further loss of BMV
6.2	<u>Land Use</u> Soil Management Plan	The Outline SMP sets out the principles and procedures for general good practice mitigation for soil management during the onshore construction works to minimise the adverse effects on the nature and quality of the soil resource. In	The SMP identifies a number of soil based challenges including running sand and drainage issues which will need to be addressed in detail	As above

		populating the document it will be necessary to identify the individual areas of land and the route for soil stripping, trenching, restoration and similar.		
7.1	<u>Economic Growth</u> Construction impacts upon tourism	LCC do not consider that the impacts of the construction phase on tourism have been satisfactorily addressed. The construction period runs for a significant period of time and whilst its impact in an particularly location maybe modest it does not appear that any consideration has been given to the fact that certain locations will be more sensitive to working taking place in the main tourism season than others	LCC request further consideration should be undertaken to identify the locations that are more sensitive(from a tourism perspective) to the impact of working in the holiday season and plan for construction accordingly (April-September)	LCC is hopeful that the applicant can take these impacts into consideration and update the ES accordingly for LCC to comment
7.2	<u>Economic Growth</u> Cumulative impacts	LCC notes that not all of the current NSIP proposals within Lincolnshire have been identified in the submitted documents. Therefore, the fully cumulative impacts are not assessed. LCC is aware of 21 NSIPs in Lincolnshire not 14 as stated in paragraph 313 and whilst it is accepted that this number is growing all the	LCC considers further assessment is necessary to fully assess the cumulative impacts associated with the proposals on the economic growth and tourism.	LCC is hopeful that the applicant can adequately take these cumulative impacts into consideration.



		time as more schemes emerge, 14 significantly underestimates the current number		
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