

**Application by Gate Burton Energy Park Limited for Gate Burton Energy Park  
The Examining Authority's written questions and requests for information (ExQ1)  
Issued on 12 July 2023**

**WEST LINDSEY DISTRICT COUNCIL (GABE-ISP002)**

Answers to Examining Authority's Questions (ExQ1)

Gate Burton Energy Park EN10131

Deadline 2

Date: 8th August 2023

Preamble:

This document provides the response of West Lindsey District Council (WLDC) to the Examining Authority's questions.

Abbreviations used

<b>A2008</b>	The Planning Act 2008	<b>LoNI</b>	Letter of No Impediment
<b>AC</b>	Alternating Current	<b>LPA</b>	Local planning authority
<b>ALA 1981</b>	Acquisition of Land Act 1981	<b>MMO</b>	Marine Management Organisation
<b>Art</b>	Article	<b>MP</b>	Model Provision (in the MP Order)
<b>AS</b>	Additional Submissions	<b>MW</b>	Mega Watts
<b>BDC</b>	Bassetlaw District Council	<b>NCC</b>	Nottinghamshire County Council
<b>BESS</b>	Battery Energy Storage System	<b>NE</b>	Natural England
<b>BMV</b>	Best and Most Versatile land	<b>NGED</b>	National Grid Electricity Distribution (East Midlands) Plc
<b>BoR</b>	Book of Reference	<b>NPPF</b>	National Planning Policy Framework
<b>CA</b>	Compulsory Acquisition	<b>NPS</b>	National Policy Statement
<b>CPO</b>	Compulsory purchase order	<b>NRMM</b>	Non-Road Mobile Machinery
<b>CTMP</b>	Construction Traffic Management Plan	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>dB</b>	Decibels	<b>OLEMP</b>	Outline Landscape and Ecology Management Plan
<b>dDCO</b>	Draft DCO	<b>PoC</b>	Point of Connection
<b>EA</b>	Environment Agency	<b>PSED</b>	Public Sector Equality Duty
<b>EM</b>	Explanatory Memorandum	<b>PV</b>	Photovoltaics
<b>EMF</b>	Electro Magnetic Field	<b>R</b>	Requirement
<b>ERP</b>	Emergency Response Plan	<b>RR</b>	Relevant Representation
<b>ES</b>	Environmental Statement	<b>SI</b>	Statutory Instrument
<b>ExA</b>	Examining authority	<b>SOAEL</b>	Significant Observed Adverse Effect Level
<b>fCEMP</b>	Framework Construction Management Plan	<b>SoR</b>	Statement of Reasons
<b>foEMP</b>	Framework Operational Environmental Management Plan	<b>SoS</b>	Secretary of State
<b>Ha</b>	Hectares	<b>TA</b>	Transport Assessment

<b>HE</b>	Historic England	<b>TP</b>	Temporary Possession
<b>HSE</b>	Health and Safety Executive	<b>TPO</b>	Tree Preservation Order
<b>Kv</b>	Kilo Volt	<b>WFD</b>	Water Framework Directive
<b>LCC</b>	Lincolnshire County Council	<b>WLDC</b>	West Lindsay District Council
<b>LIR</b>	Local Impact Report		

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EXQ1	Question to	Question	WLDC Response
Q1.1.1	All	<p><b>Recent Government publications and consultations.</b></p> <p>Can IPs comment on the implications for their cases of the most recent Government publications including:</p> <ul style="list-style-type: none"> <li>• The Department for Energy Security and Net Zero Policy Paper Powering Up Britain, and the complementary papers Powering UP Britain: Energy Security Plan and Powering UP Britain: Net Zero Growth Plan; and</li> <li>• The Department for Energy Security and Net Zero consultation on the revised energy National Policy Statements 'Planning for new energy infrastructure: revisions to National Policy Statements'</li> </ul>	<p>WLDC consider the documents listed to be 'important and relevant' matters for the determination of the application under section 105 of the Planning Act 2008.</p> <p>WLDC has set out its position regarding weight to be applied to cited policy document in its Written Representation and will refrain from full repetition in reply to this question.</p> <p>An overarching reply to the question is that the recent Government publications have been fully considered by WLDC in assessing the application and forming its position on its benefits and disbenefits.</p>
Q1.1.21	Lincolnshire County Council, Nottinghamshire County Council, West Lindsey District Council, Bassetlaw District Council, Environment Agency, Natural England, Historic England, Lincolnshire Wildlife Trust, and any other Interested Party	<p><b>Management Plans</b></p> <p>The Applicant has submitted the following outline management plans:</p> <ol style="list-style-type: none"> <li>i) Outline Battery Safety Management Plan [APP-222]</li> <li>ii) Framework Construction Environmental Management Plan (fCEMP) [APP-224]</li> <li>iii) Framework Operational Environmental Management Plan (foEMP) [APP-225]</li> <li>iv) Framework Decommissioning Environmental Management Plan [APP-226]</li> <li>v) Outline Landscape and Ecology Management Plan (OLEMP)[APP-231]</li> <li>vi) Outline Skills, Supply Chain and Employment Plan [APP-228]</li> <li>vii) Outline Construction Traffic Management Plan [APP-212]</li> </ol>	<p>WLDC have reviewed the outline management plans listed and have the following comments:</p> <ol style="list-style-type: none"> <li>i) <b><u>Outline Battery Safety Management Plan [APP-222]</u></b></li> </ol> <p>WLDC has no material comments to raise on this Management Plan. The Plan has been prepared in a logical and sufficiently detailed manner to inform the primary decision on the DCO. The approach taken appears to accord with current practice.</p> <ol style="list-style-type: none"> <li>ii) <b><u>Framework Construction Environmental Management Plan (fCEMP) [APP-224]</u></b></li> </ol> <p>The structure, scope and current detail within the fCEMP is considered to be sufficient.</p>

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EXQ1	Question to	Question	WLDC Response
		<p>viii) Outline Soil Management Plan [APP-233]                      ix) Outline Public Rights of Way Management Plan [APP-229]                      x) Archaeology Mitigation Strategy Part 1 [APP-227]</p> <p>Comment as appropriate to your interests on any of these outline plans. This should include any potential amendment that may, in your view, be required in order to secure appropriate environmental outcomes and mitigation of effects.</p>	<p>As commented in Q1.1.22 below WLDC requires there to be further clarification about the process when works occur outside of the core hours.</p> <p><b><u>iii) Framework Operational Environmental Management Plan (fOEMP) [APP-225]</u></b></p> <p>WLDC has no comments to make on the fOEMP. The draft document is sufficient for decision making purposes and for securing through the proposed DCO Requirement.</p> <p><b><u>iv) Framework Decommissioning Environmental Management Plan [APP-226]</u></b></p> <p>WLDC has no further comments to make on the fDEMP. The draft document is sufficient for decision making purposes and for securing through the proposed DCO Requirement.</p> <p><b><u>v) Outline Landscape and Ecology Management Plan (OLEMP)[APP-231]</u></b></p> <p>The structure, scope and current detail within the fCEMP is considered to be sufficient for decision making purposes and for securing through the proposed DCO Requirement.</p> <p>WLDC does however maintains concerns around the cumulative approach and impacts upon the successful implementation of the OLEMP (e.g. within the cable corridor). More detail around how projects will be phased and mitigation delivered is required to avoid</p>

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			<p>abortive implementation of measures, which could elongate the time period for when mitigation is delivered.</p> <p><b>vi) <u>Outline Skills, Supply Chain and Employment Plan [APP-228]</u></b></p> <p>The Outline Skills, Supply Chain and Employment Plan (OSSCEP) does not take into account the impact on the loss of agricultural income for local farms and farmers who have been producing for multiple generations. It is likely a 60 year hiatus will end this practice and lead to a loss of employment in farming in West Lindsey. WLDC is concerned as to who will be available in the year 2088, when the scheme is eventually decommissioned, to simply pick up and begin farming the land once again. The impact on agricultural land tenant farmers should also be considered in the wider context of the four proposed solar NSIPs.</p> <p><b>vii) <u>Outline Construction Traffic Management Plan [APP-212]</u></b></p> <p>With regard to the structure, scope and current level of detail of the Outline Construction Traffic Management Plan insofar as it relates solely to the Gate Burton project, WLDC considers the document to be sufficient for decision making purposes and delivery through a DCO Requirement.</p> <p>With regard to the mechanisms used to control construction traffic cumulatively with other projects however, WLDC maintains significant concerns</p>

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			<p>regarding the lack of detail on how such impacts will be controlled. A detailed explanation of these concerns are set out in WLDC's Local Impact Report (REP-053) and Written Representation.</p> <p>The summary position of WLDC is that it wishes the applicant to provide, within the Outline Construction Traffic Management Plan, the measures to be adopted in event two or more projects are being constructed simultaneously. The approach should then be replicated in the control document for each cumulative project to enable communities to understand the traffic related activities in the area and how developers have sought to minimise impacts during the construction phase.</p> <p><b>viii) <u>Soil Management Plan [APP-233]</u></b></p> <p>As set out in WLDC's Local Impact Report (REP-053) and Written Representation, the methodology applied by the applicant in carrying out desktop assessments are considered to be inadequate.</p> <p>Due to the lack of robustness, an uncertainty remains in the baseline assessment, which flows through the EIA to the Soil Management Plan control document.</p> <p>The desktop assessments were undertaken for 13.3 ha of land within the solar farm itself and for the whole of the grid connection corridor, bringing the total desk assessment to 145 ha, which is 18% of the 824 ha of agricultural land within the Order Limits. Soil surveys were undertaken for the remainder of the site but only at a density of one auger bore per two hectares.</p>

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			<p>Natural England's TIN 049 Agricultural Land Classification: protecting the best and most versatile agricultural land and its Guide to assessing development proposals on agricultural land specify a survey density of one bore per hectare therefore agreement with Natural England's Soil Specialist should be sought.</p> <p>The soil information provided by these surveys is essential for the preparation of a Soil Handling and Management Plan to ensure the land is restored to its original condition, in line with Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.</p> <p>The level of soil detail is insufficient for an ALC assessment and production of a robust Soil Handling and Management Plan.</p> <p><b>ix) <u>Outline Public Rights of Way Management Plan [APP-229]</u></b></p> <p>WLDC has no comments to make on the Outline Public Rights of Way Management Plan. The draft document is sufficient for decision making purposes and for securing through the proposed DCO Requirement.</p> <p><b>x) <u>Archaeology Mitigation Strategy Part 1 [APP-227]</u></b></p> <p>WLDC has no comments to make on the Archaeology Mitigation Strategy Part 1.</p>



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EXQ1	Question to	Question	WLDC Response
Q1.1.22	Local Planning Authorities	<p><b>Working hours outside regular working hours</b></p> <p>Are the Local Planning Authority(ies) (LPAs) satisfied with the Applicant's approach to securing working hours outside of the regular working hours in the fCEMP?</p>	<p>The CEMP states that the core working hours within the summer will be 07:00 to 19:00 Monday to Friday and 09:00 to 13:00 on Saturdays. Whereas within the winter the core working hours will be 08:00 to 18:00 Monday to Friday and 9:00 to 13:00 on Saturdays. The applicant states that there will be no Sunday or Bank Holiday working throughout the year.</p> <p>The CEMP also states <i>"Some works activities may need to occur out of these hours/times due to activities requiring to be undertaken continuously such as horizontal direction drilling (HDD) and cable jointing). Where work outside of times is necessary prior notification will be provided to the local planning authority (LPA)."</i></p> <p>WLDC welcomes that the applicant will notify the local planning authority where work outside of times is planned, however WLDC request that working outside of these hours will be exceptional and agreed in advance with WLDC.</p> <p>WLDC also requests that when works which were unplanned exceed the core working hours, WLDC are notified the morning after. The notification should include the following information in order for WLDC to feedback to residents affected:</p> <ul style="list-style-type: none"><li>• What works occurred?</li><li>• Why they were unplanned?</li><li>• What time did the works finish?</li><li>• What measures will be put in place to ensure it will not occur again?</li></ul>

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EXQ1	Question to	Question	WLDC Response
Q1.1.25	Local Planning Authorities	<b>Cumulative effects assessment</b> Do the LPAs agree with the developments identified in the cumulative assessments within each aspect chapter? If not, identify any additional developments which should have been included and explain why they should be included?	Stow Park Solar Farm submitted an EIA Screening request in June 2023 and has subsequently been determined by WLDC as EIA development. Stow Park is situated approximately 1800m from Gate Burton and therefore construction traffic is likely to share the same haul routes. Therefore WLDC feel this should be included within the cumulative effects assessment.
Q1.2.2	West Lindsey District Council Bassetlaw District Council	<b>Non-Road Mobile Machinery (NRMM) emissions</b> ES Chapter 15 (Other Environmental topics) [APP-024] states “Emissions from NRMM will be temporary and localised and will be controlled through best-practice mitigation measures such as ensuring all vehicles switch off engines when stationary i.e. no idling vehicles. For that reason, construction phase NRMM emissions would not be significant and, therefore, these emissions have not been modelled nor are required to be considered any further in this assessment.” Are the Relevant Local Authorities satisfied with this conclusion and that NRMM are scoped out?	WLDC makes no comments on the decision of the Competent Authority to scope-out impacts from NRMM.
Q1.2.3	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council Nottinghamshire County Council	<b>Construction Road Traffic Emissions</b> Are the relevant Local Authorities satisfied that construction phase traffic emissions have been scoped out of the Air Quality Assessment (see paragraph 15.3.31 ES Chapter 15 (Other Environmental topics) [APP-024])?	WLDC makes no comments on the decision of the Competent Authority to scope-out air quality impacts from construction phase traffic emissions.
Q1.2.4	West Lindsey District Council, Bassetlaw District Council,	<b>fCEMP Mitigation measures</b> Are the relevant Local Authorities and Statutory Bodies content that the mitigation	WLDC feel that the mitigation measures identified within the fCEMP are generally acceptable to address any air quality impacts. WLDC also acknowledge that

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	Lincolnshire County Council, Nottinghamshire County Council, Natural England, Environment Agency	measures identified in the fCEMP are sufficient to address any potential air quality effect and are sufficiently secured through the DCO? And are sufficient to address any dust effects on Ancient Woodland?	there is a 15m exclusion zone around woodland habitats which WLDC deemed to be acceptable.
Q1.4.1	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council, Nottinghamshire County Council	<b>Local Plan Policies</b> Are the Local Plan policies identified in table 6-1 of ES Chapter 6 (Climate Change) [APP-015] up to date and relevant and have there been any updates or changes (in particular with regard to draft policies) that the relevant Local Authorities would wish to draw attention to?	The Central Lincolnshire Local Plan Proposed Submission Draft March 2022 policies listed in table one are up to date and relevant to the Scheme. It should be noted that the Central Lincolnshire Local Plan – was adopted April 2023.
Q1.6.30	Appropriate consenting Authorities	<b>dDCO – Article 46 (and Schedule 16)</b> In relation to Article 46 and Schedule 16 can the ‘consenting authorities’ as defined at 46(7) provide comment on the substance of the article and procedures set out in schedule 16 and identify if any issues arise with regard to ability to respond to such applications, periods for compliance, resourcing, appeals procedure etc.	<p>WLDC strongly objects to the Schedule 16 as currently drafted. The 6 week approval period currently required by Article 46.2 does not adequately reflect the usual timescale for EIA development which is 16 weeks.</p> <p>WLDC object to this deemed approval provision. The justification relied on the by the applicant is one of efficiency (Explanatory Memorandum at 6.16.1) do not cite any unique or specific reason why such a provision should be included.</p> <p>WLDC object to the requirement under Article 46.3.(2) that further information must be requested in 10 working days. The relevant determining authority will need to sufficiently assess the information in order to identify whether further information is required.</p> <p>WLDC submit that the usual fee provision (see the Longfield DCO), which has been excluded without any justification given by the applicant, is reinstated in Schedule 16.</p>

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EXQ1	Question to	Question	WLDC Response
			A detailed explanation to WLDC's objections to the drafting of Article 16 is set out in WLDC's Post Hearing Submission and Written Statement. s
Q1.6.36	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council, Nottinghamshire County Council, Historic England	<b>dDCO – Schedule 2 Requirements</b> Can the relevant Local Authorities and Historic England (HE) confirm they are satisfied with Requirement 11 and that it safeguards archaeological interests.	WLDC raises no objection to the wording of Requirement 11.
Q1.7.1	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council , Nottinghamshire County Council, Historic England	<b>Heritage Assets</b> Are the relevant Local Authorities and HE satisfied that the Applicant has identified all relevant designated and non-designated heritage assets including any archaeological interest?	WLDC is satisfied that the Applicant has identified all relevant designated and non-designated heritage assets including any archaeological interest
Q1.7.2	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council , Nottinghamshire County Council, Historic England	<b>Archaeological surveys</b> Are the relevant local authorities and HE satisfied that the Archaeological surveys are sufficient and that any identified gaps due to restricted access etc are sufficiently explained or justified. (eg paragraph 3.6.3 Appendix 7-A in Cultural Heritage Desk Based Assessment [APP-117]) ?	WLDC is satisfied that the archaeological surveys are sufficient.
Q1.7.3	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council , Nottinghamshire	<b>Archaeological Mitigation Strategy (AMS)</b> Can the relevant Local Authority and HE confirm whether the AMS part 1 [APP-227] and Part 2 fully secure the appropriate mitigation required to address the impacts of the Proposed Development?	WLDC have reviewed the Environmental Statement submitted by the applicant and have not identified any gaps.

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	County Council, Historic England		
Q1.7.4	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council, Nottinghamshire County Council, Historic England	<p><b>Roles and responsibilities and implementation of AMS</b></p> <p>Are the relevant Local Authorities and HE satisfied that the dDCO and AMS sets out sufficient controls in respect of overseeing the monitoring and mitigation of the archaeological impact including the Archaeological Clerk of Works (ACoW) and the approval/ decision making processes?</p>	WLDC are satisfied with the control mechanisms.
Q1.7.5	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council, Nottinghamshire County Council, Historic England	<p><b>Variations to scheme design in the AMS</b></p> <p>Paragraph 7.7.1 of the AMS [APP-227] sets out a procedure for addressing changes to the scheme design. However, this does not make it clear the process for and authority to agree or approve such changes. <i>“The review will identify any changes to previously identified impacts and will identify the requirement for an appropriate mitigation response in consultation with the Archaeological Advisor to the relevant Local Planning Authority. The Archaeological Mitigation Strategy will be updated and submitted to the Archaeological Advisor to the relevant Local Planning Authority.”</i></p> <p>Can the relevant Local Authority confirm that they are content that this suitably safeguards any effects that may arise from potential changes to the scheme design?</p>	Gate Burton would be consented based on the design parameters within the design envelope within the application. Therefore, any changes which are not currently accounted for within the Scheme Design would require the applicant to submit a written application to WLDC, then WLDC would review the design change application to ensure the changes were appropriate and no further impacts are identified.
Q1.8.4	West Lindsey District Council and Bassetlaw District Council	<p><b>Study Area</b></p> <p>Are the relevant Local Authorities satisfied that the study area for the Human Health and well-being effects (Rampton and Sturton wards in Bassetlaw District; and Lea, Stow and Torksey</p>	WLDC can confirm they are satisfied with the study area for Human Health and well-being effects insofar as they relate to the Gate Burton scheme in solus.

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		wards in the West Lindsey District) is appropriate?	The wider implications of the Gate Burton scheme cumulatively with other projects that may occur over a wider areas are not fully understood.
Q1.8.6	West Lindsey District Council, Basset law District Council, Lincolnshire County Council, Nottinghamshire County Council, UK Health Security Agency, Nottinghamshire Healthcare NHS Foundation Trust	<p><b>EMF</b></p> <p>Are the relevant Local Authorities and Health Authorities satisfied that the Applicant suggests EMF impacts have been scoped out given the justification at paragraph 14.8.2 of the ES? If not please explain the basis of your concerns?</p>	WLDC makes no comments on the decision of the Competent Authority to scope-out impacts from EMF.
Q1.9.3	Applicant, West Lindsey District Council, Basset law District Council, Lincolnshire County Council , Nottinghamshire County Council.	<p><b>Design principles</b></p> <p>The National Infrastructure Strategy (November 2020) states that: <i>“All infrastructure projects to have a board level Design Champion in place by the end of 2021 at either the project, programme or organisational level, supported ... by design panels”</i>.</p> <p>1) Comment on the desirability of implementing the following measures to ensure that good quality sustainable design and integration of the proposed development, particularly the solar panels, BESS and substations, into the landscape is achieved in the detailed design, construction and operation of the projects.</p>	<p>WLDC recognise and support the requirement for a ‘Design Champion’ advocated by The National Infrastructure Strategy. The value of such a role is to establish good design principles and objectives at the start of an infrastructure project to ensure that they are embedded its evolution.</p> <p>With regard to approach adopted by the Gate Burton scheme, WLDC adopts a neutral position in its views for the reasons explained in response to the questions below.</p> <p>WLDC recognise the NIS requirements and how these can aid the development of well-designed projects. Embedding design principles and objectives at an early stage in a project can help guide a scheme to minimise its environmental effects. The approach also has</p>

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		<ul style="list-style-type: none"> <li>○ A Design Champion to advise on the quality of sustainable design and the spatial integration of energy infrastructure structures, buildings, compounds, security fences, landscape, heritage, woodland, new landscape features, public rights of way and visual amenity.</li> <li>○ A 'design review panel' to provide informed 'critical-friend' comment on the developing sustainable design proposals;</li> <li>○ An approved 'design code', 'design guide' or 'design approach document' (as approved in the Hinkley Point C Connector Project) to set out the approach to delivering the detailed design specifications to achieve good quality sustainable design;</li> <li>○ An outline, including timeline, of the proposed design process, including consultation with stakeholders and a list of proposed consultees.</li> </ul> <ol style="list-style-type: none"> <li>2) What qualifications and experience should the Design Champion have?</li> <li>3) How might the above measures be secured? and:</li> <li>4) Are any further measures needed? and</li> <li>5) In the opinion of the Local Authorities and other statutory parties, would the implementation of any or all of the above measures assist in determining</li> </ol>	<p>significant value during pre-application consultation in informing stakeholder of the design principles in a transparent manner.</p> <p>As the purpose of the NIS requirements is to inform a project from the outset, WLDC considers that the omission of this approach would make it extremely challenging to apply it retrospectively to inform secondary approvals. Much of the value will have been lost, as the Gate Burton scheme has progressed to this examination stage based upon the design approaches applied by the developer. The scope of the DCO, if granted, would be framed around these principles and proposed parameters. As a consequence, the post-consent approvals should not be revisiting the design approach and parameters; it is there to ratify further details at a stage where it is more feasible for the developer to confirm them.</p> <p>WLDC's position is that the determination of the DCO should be based on the approach and information provided at this stage. If such matters are deemed unacceptable by the Secretary State, then the application should be refused. Attempts to remedy an unacceptable position by seeking to apply a higher level of design requirements through Requirements would not be appropriate.</p> <p><b><i>Design champion</i></b></p> <p>WLDC questions the value in the introduction of a Design Champion at this stage. The application has been assessed and works plans derived from a set of design principles and parameters. The determination of the DCO must be based upon whether the design is</p>

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		post-consent approvals (including the discharge of requirements) in relation to achieving good design?	<p>acceptable or unacceptable at this stage. The consideration of Requirements will be based upon the EIA, the scope of other application documents, the management plans and works plans. Secondary consents through Requirements should be based upon the scope of the application consented and is not an opportunity to impose added information or ideas. Whilst WLDC would support a design champion role, it questions the impact such an approach would have at this stage.</p> <p><b><i>Design review panel</i></b></p> <p>WLDC would support this approach, however this would again require embedding into the project at an early stage in order to realise it's full effectiveness.</p> <p><b><i>Design code</i></b></p> <p>WLDC would support this approach, however such codes should be in place at the start of the project and be subject to non-statutory and statutory consultation. As above, WLDC questions how effective this approach would be at this stage and what the design coding criteria/metric would comprise.</p> <p><b><i>Outline, including timeline, of the proposed design process.</i></b></p> <p>As stated above, the scope for design change post-consent will be limited. Obliging the applicant to consult widely on design principles that have effectively been approved through the grant of a DCO would have limited influence on the final design.</p>



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			<p><b>1. What qualifications and experience should the Design Champion have?</b></p> <p>‘Design’ in the context of infrastructure development can be far reaching and encompassing various technical impacts. WLDC considers that it is unlikely that there is a suitable person to advice on all aspects of a project’s design. Minimising impacts can relate to technical engineering design (e.g. the parameters of equipment/plant, the areas required for compounds) across to ecological mitigation measures.</p> <p><b>2. How might the above measures be secured?</b></p> <p>Should the measures be deemed necessary, WLDC considers that delivery through a DCO Requirements would be an appropriate mechanism.</p> <p><b>3. Are any further measures needed?</b></p> <p>WLDC do not identify any further measures.</p> <p><b>4. In the opinion of the Local Authorities and other statutory parties, would the implementation of any or all of the above measures assist in determining post-consent approvals (including the discharge of requirements) in relation to achieving good design?</b></p> <p>WLDC questions the effectiveness of the proposed measures in assisting post-consent approvals at this stage. As stated above, the purpose of a ‘Design Champion’ is to inform the projects evolution from the outset in an iterative manner. Imposing this approach solely for the purpose of post-consent approval is likely to have limited impact on the final implemented design.</p>

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EXQ1	Question to	Question	WLDC Response
			<p>This would be due to the design principles and parameters having been considered at the DCO decision stage, and the EIA providing the scope within which the final design should sit within.</p> <p>Furthermore, as drafted, the DCO imposes only 6 weeks on the LPAs to determine DCO Requirements (Schedule 16). This time period would be wholly inadequate to allow the consideration of submitted details by a design panel.</p> <p>Should the Secretary of State consider the design of the project to be unacceptable or consider that the design could be improved to minimise effects further, the view of WLDC is that application should be refused.</p>
Q1.9.12	Applicant, West Lindsey District Council, Lincolnshire County Council	<p><b>Assessment of Likely Significant Effects</b> The assessment includes reference to an Area of Great Landscape Value (AGLV) however has any consideration been given as to whether any part of the Order Lands or study area is or contributes to a 'valued landscape' as a specific area? If so, what conclusions have been reached and why? What are the views of the Relevant LPAs as to whether any of the area constitutes a 'valued landscape'?</p>	<p>WLDC contend strongly that the Area of Great Landscape Value (AGLV) is of significant value and must be considered as a 'valued landscape' in the determination of the application.</p> <p>WLDC has provided detailed reasons behind its objection to the impact of the scheme on the AGLV within the Local Impact Report (REP-053) and Written Representation. To avoid duplication verbatim, the reasons are summarised below.</p> <p>The AGLV is protected by Policy S62 in the adopted Central Lincolnshire Local Plan, which comprises the statutory development plan for the West Lindsey District and must be given significant weight as an 'important and relevant' matter as part of the determination of the application under section 105 of the Planning Act 2008. The Local Plan was adopted</p>

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EXQ1	Question to	Question	WLDC Response
			<p>as recently as April 2023, and thus the purpose and importance of policy S53 has been confirmed and remains a key policy.</p> <p>The applicant recognised the AGLV as a constraint in the early stages of its site selection process, however it has continued to promote a project that has direct negative impacts upon it (circa. 9.92% of the AGLV is located within the Order Limits). These impacts and the decision that such harm is acceptable has not been adequately assessed or justified by the applicant.</p> <p>Whilst paragraph 5.9.14 of NPS EN-1 states that local landscape designation should not be used in themselves to refuse consent, WLDC's position is that the Gate Burton scheme is unable to draw benefit from this policy, due to solar development being a technology to which NPS EN-1 applies. As a consequence, local landscape designations remain a high sensitivity for solar farm development and paragraph 5.9.14 cannot be used to circumvent proper assessment and significant weight given to the harm projects cause to valued local landscapes such as the AGLV protected by statutory policy S62.</p> <p>WLDC maintains a strong objection to the proposal due to its failure to accord with statutory policy S62.</p>
Q1.11.1	West Lindsey District Council, Basset law District Council, Lincolnshire County Council, Nottinghamshire County Council.	<p><b>Sensitive Receptors</b> Do the Host Authorities agree with the identified Zones of Influence and the Sensitive Receptors set out in table 11-2 and the locations set out in Figure 11-1 [APP-096] are representative of the nearest Sensitive Receptors?</p>	<p>WLDC agrees that the identified Zones of Influence and Sensitive Receptors set out in table 11-2 and locations set out in Figure 11-1 are acceptable.</p> <p>The study area is 300m from the red line boundary for the construction noise and 500m for operation noise.</p>

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EXQ1	Question to	Question	WLDC Response
			<p>The construction traffic study area is 50m either side of construction traffic routes. The size of these study areas is acceptable.</p> <p>The study area for construction vibration is not explicitly defined but is thought to be the same as for construction noise, which should be sufficient for identifying potential impacts.</p>
Q1.11.2	West Lindsey District Council, Bassetlaw District Council, Lincolnshire County Council, Nottinghamshire County Council.	<p><b>Noise and Vibration Assessment</b></p> <p>Please state whether the Host Authorities agree with the assessment methodology and conclusions set out in ES Chapter 11 (Noise and Vibration [APP-020]). If not please explain where you disagree and why.</p>	<p>WLDC set out its concerns regarding noise and vibration in its submitted Local Impact Report (REP-053).</p> <p>The construction phase assessments are generally considered to be acceptable, however, clarifications are required on the following points:</p> <ul style="list-style-type: none"> <li>• No information is provided in the impact assessment to confirm what the construction noise LOAEL and SOAEL values are for sensitive receptors affected by the grid connection corridor (the cabling route covered by activities NGA4 and NGA5 in the ES);</li> <li>• Calculation assumptions for the construction noise predictions, for example, whether hard or soft ground attenuation is assumed;</li> <li>• It is implied that the construction noise predictions do not include reductions from screening or construction noise barriers as these are not stated as embedded mitigation measures; and</li> <li>• How many or which sensitive receptors would be affected by construction vibration levels exceeding the LOAEL or SOAEL. This information is required to confirm the scale of construction vibration impacts.</li> </ul>

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EXQ1	Question to	Question	WLDC Response
			<p>The operation phase assessment follows the BS 4142 methodology until the rating level is calculated, after which the rating level is compared against sound levels representing the LOAEL and SOAEL. The reasons for this are that the background sound levels measured in the study area are low and that the rating levels from the site are low. The operation phase assessment concludes that there are exceedances of the LOAEL (30 dB L<sub>Ar,T</sub> minimum at night) but not the SOAEL (45 dB L<sub>Ar,T</sub>), meaning there are no significant effects. It is agreed that the predicted rating levels are below the SOAEL, however, the context of the local area is not considered. Table 11-17 shows that the rating level is more than 10 dB above the background sound level at several sensitive receptors (R2, R3, R4, R10, R11, R12, R15, R18 and R19), which cannot be ignored. In a rural area, changes of this magnitude are likely to be perceptible to local residents, who may perceive that the character of the local area is changing. Further information on contextual factors is required to confirm the significance, which may include reference to daytime impacts. It is also noted that the background sound levels presented in Table 11-17 are not the lowest values as stated in the table heading, but the average values derived in Appendix 11-C.</p> <p>Additionally, it is noted that a requirement of BS 4142 assessments is to discuss uncertainty risks when assessing impacts resulting from industrial or commercial sound. No information relating to uncertainty is included in the ES, although it is acknowledged that several assumptions are declared and a sensitivity test for inverters is provided in Appendix 11-D.</p>

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Q1.12.13	Applicant, West Lindsey District Council, Basset law District Council, Lincolnshire County Council, Nottinghamshire County Council.	<p><b>Tourism</b></p> <p>Although paragraph 12.6.20 of Chapter 12 Socio Economic and Land Use [APP-021] of the ES refers to <i>"Criteria for receptor sensitivity and impact magnitude have been set out below (Table 12-3 and Table 12-4) (although specific sensitivity values are not attributed to socioeconomics receptors as explained above), which have been grouped as follows: economic impacts, local amenities and land use impacts, and tourism impacts."</i></p> <p>There is little further commentary on the potential effects on tourism.</p> <ol style="list-style-type: none"> <li>1) Can the Applicant either signpost the assessment of the effect on tourism or provide further evidence with regard to effects on tourism and comment on the Relevant Representations many of which refer to the potential for adverse effects on tourism.</li> <li>2) Can the Host Local Authorities comment on its position in respect of the effects on Tourism?</li> </ol>	<p>WLDC hold significant concerns about the short and long-term harm that the Gate Burton scheme will have on the tourism sector, and these impacts must be given significant weight in the planning balance.</p> <p>The visitor economy is a significant and growing sector within West Lindsey. Lincolnshire's visitor economy is worth £2.4bn (STEAM data Lincolnshire County Council), with the sector supporting 30,000 jobs and a far reaching supply chain across the county. The impact of Covid lockdowns has been severe. Lincolnshire has experienced a 52% reduction in all tourism spending (STEAM data 2020).</p> <p>Forecasts have predicted that it will take a timescale of up to 2025/26 for businesses in the sector to recover to pre-Covid levels, based on the assumption that no material externalities will compromise this recovery.</p> <p>The construction phase will result in disruption and a degradation to the environmental attributes of the West Lindsey District, which will materially reduce its attractiveness as a destination for visitors. Traffic delays will affect the ability of visitors to travel to and within the district, and construction traffic will conflict with the recreational activities both in terms of use of rural road networks and the attractiveness of the landscape and environment (noise, disturbance, visual impacts etc).</p> <p>During the operational phase of the Gate Burton project, the harm to the landscape will impact upon the reasons people visit West Lindsey, degrading their experience of the area, and having a consequential</p>

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<b>EXQ1</b>	<b>Question to</b>	<b>Question</b>	<b>WLDC Response</b>
			impact upon visitor numbers and the contribution the sector makes to the local economy.  Further details regarding the potential impact on Tourism are set out in WLDC's Written Representation.