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8th August 2023

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 13 and 16 Application by Gate Burton Energy Park Ltd for an Order Granting Development Consent for the Gate Burton Energy Park Notification of Hearings and Notification of Accompanied Site Inspection

Please find below responses from Nottinghamshire County Council to the questions which were published on 12th July 2023.

ExQ1	Question	Response
Q1.1.21	Management Plans The Applicant has submitted the following outline management plans: i) Outline Battery Safety Management Plan [APP-222] ii) Framework Construction Environmental Management Plan (fCEMP) [APP-224] iii) Framework Operational Environmental Management Plan (foEMP) [APP-225] iv) Framework Decommissioning Environmental Management Plan [APP-226] v) Outline Landscape and Ecology Management Plan (OLEMP)[APP-231] vi) Outline Skills, Supply Chain and Employment Plan [APP-228] vii) Outline Construction Traffic Management Plan [APP-212] 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] Comment as appropriate to your interests on any of these outline plans. This should	<p>The solar project is entirely within Lincolnshire. It is only the grid connection corridor that involves works within Nottinghamshire. The traffic impact of the development on the Nottinghamshire highway network is unlikely to be significant, particularly as most of the traffic would be limited to the construction and decommissioning of the solar farm.</p> <p>It is understood that the main construction phase is predicted to last 24 to 36 months between 2025 and 2027. There is an expected daily peak of 25 construction workers for the grid connection corridor who will be transported to and from the solar farm site by minibus. There will also be a daily peak of 16 light goods vehicles and 12 heavy goods vehicles associated with the grid connection that will be split across multiple accesses in both Nottinghamshire and</p>

	<p>include any potential amendment that may, in your view, be required in order to secure appropriate environmental outcomes and mitigation of effects.</p>	<p>Lincolnshire. The HGV route in Nottinghamshire from the A57 would be via the C2 Laneham Road/Rampton Road onto Cottam Road, Outgang Lane, Town Street and Headstead Bank. A 24.6m long lorry (abnormal indivisible load) will be used to transport the cable drums. Accesses to the grid connection corridor would be located on Cottam Road and Headstead Bank. There would also be an HGV crossing on Cow Pasture Lane (South Leverton Byway 16) and access to the grid connection corridor via Cottam Road for LGVs. An emergency access is also proposed on the northern side of Torksey Ferry Road. The West Burton, Cottam, and Tillbridge solar projects are likely to require similar access arrangements. To minimise disruption, it would make sense for all the solar projects to share the same access arrangements. Access via the Cottam railway line and the River Trent should be considered.</p> <p>It is suggested (CTMP para.6.1.2) that the accesses to the grid connection corridor will be retained to facilitate occasional maintenance and repairs. The need for access is likely to be very infrequent and unlikely to involve vehicles as large as the cable drum transporter. If there is a genuine need to retain these accesses, they should be reduced in size suitable for the largest vehicle likely to visit to reduce the possibility of them being used as unintended laybys or areas that would attract fly tipping as they are not likely to be well observed.</p> <p>A Delivery Management System (CTMP para.7.4.4) will be implemented to control bookings of HGV deliveries from the start of the construction period. There is no indication as to how that will be coordinated with the West Burton, Cottam, and Tillbridge solar projects that potentially will require access to the grid connection corridor at the same time. The most practical solution</p>
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		<p>is for the grid connections to each solar project to be carried out in a single operation where they share the same corridor (CTMP para 7.6.1). Volume 1, Chapter 16: Cumulative Effects and Interactions Document Reference: EN010131/APP/3.3 Table 16.4 states that the other schemes are not likely to contribute to the effects on transport and access receptors including on Cottam Road, Headstead Bank, Broad Lane, Cow Pasture Lane, and Town Street. If not properly coordinated, they all might as access is required from single track roads and a narrow byway where vehicles would have limited opportunities to pass. It is not clear whether there is likely to be sufficient temporary accommodation (CTMP 7.5.9) in the suggested residential centres to make the use of a shuttle bus service viable, particularly as employees from the other solar projects may be competing for the same accommodation.</p> <p>NCC are in agreement with the comments of Bassetlaw DC's archaeological advisor but wish to make it clear that NCC's archaeologist (the County Archaeologist) has not been consulted or attended any meetings, as the documentation would appear to suggest. As a relevant authority for heritage and archaeology in Nottinghamshire. NCC would normally expect to be consulted alongside the archaeological advisors for the District Councils and Lincolnshire County Council. If the DCO is granted, we would wish to work alongside colleagues from the District Councils and Lincolnshire County Council on all matters regarding implementation of the proposed archaeological mitigation strategy.</p>
Q1.1.22	Working hours outside regular working hours Are the Local Planning Authoritie(s) (LPAs) satisfied with the Applicant's approach to securing working hours outside of the regular working hours in the fCEMP?	No comment.

Q1.1.25	Cumulative effects assessment 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?	No comment.
Q1.2.3	Construction Road Traffic Emissions 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])?	No comment.
Q1.2.4	fCEMP Mitigation measures Are the relevant Local Authorities and Statutory Bodies content that the mitigation 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?	No comment.
Q1.4.1	Local Plan Policies Are the Local Plan policies identified in table 6-1 of ES Chapter 6 (Climate Change) [APP015] 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?	No comment.
Q1.6.16	dDCO - Article 9 - Power to alter layout etc of streets Article 9 (2) allows for the undertaker to alter the layout of any street. Can the Applicant confirm why such a wide power is necessary and whether additional schedules cannot be used to identify the traffic routes or streets that may be affected. Can the relevant Highway Authorities comment on the breadth of this power and whether it raises any issues for them.	Article 9(4) prevents the exercise of the powers conferred by Article 9(2) without the consent of the street authority. To obtain that consent Nottinghamshire County Council would require the submission of detailed designs and specifications for approval, the payments of fees to cover design approval and works inspection, and for appropriate street works licences to be obtained or for agreements to be entered into in accordance with the Highways Act 1980 before issuing street works permits in accordance with the Traffic Management Act 2004 and Traffic Management Permit Scheme

		(England) Regulations 2007. The powers conferred by the DCO should not and nor is it necessary to circumvent existing statutory procedure.
Q1.6.30	dDCO – Article 46 (and Schedule 16) 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.	The undertaker should comply with the statutory notification periods where such notification periods exist such as contained in the Nottinghamshire County Council Permit Scheme Order 2020 and obtain all necessary licences, agreements, and permits as applicable before commencing street works. An application if submitted six weeks prior to commencement would not comply with statutory notification periods and may not allow sufficient times for approvals to be granted as required by Article 9(4).
Q1.6.36	dDCO – Schedule 2 Requirements Can the relevant Local Authorities and Historic England (HE) confirm they are satisfied with Requirement 11 and that it safeguards archaeological interests.	NCC are in agreement with the comments of Bassetlaw DC’s archaeological advisor but wish to make it clear that NCC’s archaeologist (the County Archaeologist) has not been consulted or attended any meetings, as the documentation would appear to suggest. As a relevant authority for heritage and archaeology in Nottinghamshire. NCC would normally expect to be consulted alongside the archaeological advisors for the District Councils and Lincolnshire County Council. If the DCO is granted, we would wish to work alongside colleagues from the District Councils and Lincolnshire County Council on all matters regarding implementation of the proposed archaeological mitigation strategy.
Q1.7.1	Heritage Assets 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?	NCC have checked plan 7.2 that accompanies the ES Vol 1 and can confirm that the Nottinghamshire non-designated Heritage Assets of the built environment are correctly identified. The comments of Bassetlaw DC are noted in respect of questions 1.7.1 – 1.7.5, 1.2.22 and 1.6.36. NCC are in agreement with the comments of Bassetlaw DC’s archaeological

		<p>advisor but wish to make it clear that NCC's archaeologist (the County Archaeologist) has not been consulted or attended any meetings, as the documentation would appear to suggest. As a relevant authority for heritage and archaeology in Nottinghamshire. NCC would normally expect to be consulted alongside the archaeological advisors for the District Councils and Lincolnshire County Council. If the DCO is granted, we would wish to work alongside colleagues from the District Councils and Lincolnshire County Council on all matters regarding implementation of the proposed archaeological mitigation strategy.</p>
Q1.7.2	<p>Archaeological surveys 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])?</p>	See response to Q1.7.1.
Q1.7.3	<p>Archaeological Mitigation Strategy (AMS) 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?</p>	See response to Q1.7.1.
Q1.7.4	<p>Roles and responsibilities and implementation of AMS 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>	See response to Q1.7.1.
Q1.7.5	<p>Variations to scheme design in the AMS Paragraph 7.7.1 of the AMS [APP-227] sets out a procedure for addressing changes to the scheme</p>	See response to Q1.7.1.

	<p>design. However, this does not make it clear the process for and authority to agree or approve such changes. “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.” 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>	
Q1.7.6	<p>Outline Design Principles (ODP) Heritage Setting Buffer. The ODP includes a Heritage Setting Buffer described in the following terms “No built infrastructure is to be located within the heritage setting buffer, as shown within ES Volume 2: Figure 2-4 Only landscaping and biodiversity enhancement is to be located within this area, as set out within the Outline LEMP [APP-231].” Given the direct reference to Figure 2-4 [APP-033] to identify the location of the Heritage Setting Buffer how is this to be secured as this is not identified as a certified document? If not, why not?</p>	<p>NCC can confirm that the ‘heritage buffer zone’ is in Lincolnshire and does not affect Nottinghamshire/Bassetlaw. However, NCC do consider if the Burton Wood redline excluded area could be extended to take in A14 (the Heritage Buffer Zone).</p>
Q1.8.6	<p>EMF 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>	<p>No comment.</p>
Q1.9.3	<p>Design principles The National Infrastructure Strategy (November 2020) states that: “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”. 1) Comment on the desirability of implementing the following</p>	<p>No comment.</p>

	<p>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> <ul style="list-style-type: none"> o 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. o A 'design review panel' to provide informed 'critical-friend' comment on the developing sustainable design proposals; o 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; o An outline, including timeline, of the proposed design process, including consultation with stakeholders and a list of proposed consultees. <p>2) What qualifications and experience should the Design Champion have? 3) How might the above measures be secured? and: 4) Are any further measures needed? and 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 post-consent approvals (including the discharge of requirements) in relation to achieving good design?</p>	
Q1.9.10	<p>Residential Visual Amenity assessment: Can Lincolnshire County Council confirm that it agrees that the Residential Visual Amenity Threshold (RVAT) was not reached and therefore a RVAA was not necessary to carry out as stated at 10.6.28 of the Landscape and Visual Amenity Chapter of the ES [APP-019]. Can Nottinghamshire County</p>	<p>NCC defer to BDC/Lincolnshire Archaeology for advice.</p>

	Council confirm whether they agree with this position.	
Q1.9.11	Zone of theoretical visibility and viewpoints. Can Lincolnshire County Council and Nottinghamshire County Council confirm that they are satisfied with the ZTV work and conclusions and that they are satisfied with the identification of viewpoints that have been assessed including the additional viewpoints LCC01-LCC10 referred to in the ES.	NCC defer to BDC/Lincolnshire Archaeology for advice.
Q1.11.1	Sensitive Receptors 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?	NCC defer to BDC/Lincolnshire Archaeology for advice.
Q1.11.2	Noise and Vibration Assessment 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.	No comment.
Q1.12.13	Tourism Although paragraph 12.6.20 of Chapter 12 Socio Economic and Land Use [APP-021] of the ES refers to, "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 socioeconomic receptors as explained above), which have been grouped as follows: economic impacts, local amenities and land use impacts, and tourism impacts." There is little further commentary on the potential effects on tourism. 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. 2) Can the Host Local Authorities comment on its position in respect of the effects on Tourism?	No comment.

Q1.13.1	<p>Transport Assessment (TA) methodology conclusions and CTMP and CEMP 1) Do NCC and LCC as Local Highway Authorities agree with the methodology and conclusions of the TA [APP-166] and as reported in the ES Chapter 13 Transport and access [APP-022]? 2) If not, please identify where issues arise and the reasons. 3) Do NCC and LCC agree with the mitigation and output from the CTMP and CEMP will adequately address any residual effects and are they satisfied these are appropriately secured through the dDCO?</p>	<p>Nottinghamshire County Council as local highway authority is satisfied with the methodology and conclusions of the TA [APP-166] and as reported in the ES Chapter 13 Transport and Access [APP-022]. There is insufficient detail at this time to determine whether coordination proposals between solar projects would sufficiently mitigate the cumulative impacts of construction traffic in relation to the grid connection corridor and the requirement for access via minor roads. It is recommended that a method of coordination between projects is a conditional requirement. Ideally the grid connections would be completed in a single operation where the cable route is shared as well as access to it.</p>
Q1.13.2	<p>Abnormal Loads 1) Are NCC and LCC as local Highway authorities satisfied with the arrangements for abnormal loads set out in the Framework CTMP [APP-167 & APP-168]? 2) If not, please identify where issues arise and the reasons?</p>	<p>The police and roads and bridge authorities will require advanced notification for approval of each abnormal load under the Road Vehicle Authorisation of Special Types Order 2003. The suitability of each vehicle and the proposed routes will be considered following the County Council being advised of such notification. However, they should be considered as part of the DCO in relation to the coordination of construction traffic outlined in the framework CTMP.</p>
Q1.13.3	<p>Travel Plan Chapter 13 Transport and Access [APP-022] of the ES, paragraph 13.6.68, sets out that no travel plan will be provided for the construction or operational phases. 1) Are NCC and LCC satisfied with this conclusion? 2) If not, please identify where issues arise and the reasons?</p>	<p>There would be limited opportunities to access the site by sustainable modes. The proposed construction worker shuttle bus is welcomed. It is not clear whether there is likely to be sufficient temporary accommodation (CTMP 7.5.9) in the suggested residential centres to make the use of a shuttle bus service viable or how construction workers will reach local centres if accommodation must be found further afield. Travel planning provisions are not considered necessary post construction due to the limited need for access to the grid connection corridor. Sustainable travel would be unlikely to be practical in any event due to the need to transport equipment.</p>

Should you require any further assistance in relation to any of these matters please do not hesitate to contact me.

Yours faithfully

Nina Wilson
Principal Planning Officer
Nottinghamshire County Council

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