

# Gate Burton Energy Park

## EN010131

Applicant Responses to Further Written Questions (ExQ2)  
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# 1. Introduction

1.1.1 This report responds to the Examining Authority's (ExA) second written questions (ExQ2), issued on 12 September 2023 **[PD-009]**. It responds to each of the questions posed to the Applicant. The Applicant has also provided commentary on ongoing discussions with relevant landowners (Q2.5.5 to Q2.5.7). The Applicant has not responded to other questions posed to specific Interested Parties but will review those responses once available and may comment on those at Deadline 5.

1.1.2 Section 2 of this report is tabularised to include the ExA's questions and a response to each question as follows:

- Principle and nature of development (10 questions);
- Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations (4 questions);
- Draft Development Consent Order (4 questions);
- Historic Environment (1 questions);
- Landscape and Visual (3 questions);
- Socio-economic Effects and Land Use (including Agricultural land and BMV) (1 question); and
- Transportation and Traffic (3 questions).

## 2. Principle and nature of development

ExQ	Respondent	Question	Applicant's response
Q2.1.1	The Applicant, Lincolnshire County Council, Nottinghamshire County Council, West Lindsey District Council and Bassetlaw District Council	<p><b>Overall Policy Background</b></p> <p>An updated version of the National Planning Policy Framework was published on 5 September 2023 can all parties comment on the implications for their case, if any.</p>	<p>The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It was written to be a material consideration for decision making on planning applications submitted under the Town and Country Planning Act 1990 (TCPA).</p> <p>The version published on 5 September 2023 makes very few changes to the previous NPPF, published in 2021, with fewer changes than had been anticipated. The Applicant considers that the changes do not change the compliance of the project with the NPPF as assessed in the Planning, Design and Access Statement <b>[REP2-004]</b> or introduce any policy relevant to the Gate Burton project that is materially different to that previously drafted.</p> <p>The changes include the addition of an additional bullet under paragraph 158 that states that: <i>'in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.'</i> Many applications for wind</p>

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			<p>farms in the early 2000s included time limits of 25 years, resulting in the need for new applications in the 2020s to enable projects to continue operating. The NPPF has responded to this by establishing a clear principle of support for extending the life of renewable sites. The Gate Burton Energy Park, like many other renewable energy developments, has set a longer time period of 60 years, recognising that benefits can be delivered far beyond 25 years. The additional policy wording on life extension of sites could also be considered to be supportive of projects with longer timeframes from the outset, provided impacts are acceptable.</p> <p>Other minor amendments have been made, such as amendments to the footnotes on wind energy have also been amended, but no amendments that are considered relevant to the Gate Burton Energy Park DCO.</p>
Q2.1.2	The Applicant	<p><b>Equalities Impact Assessment</b>            Do any of the mitigation measures identified in the Equalities Impact Assessment REP3- 023 need to be secured in the Development Consent Order or associated documentation or are they already so secured? If already secured please signpost where and how they are secured or if not how they can be.</p>	<p>The mitigation measures are already appropriately included in the various associated documents submitted into the Examination, as required, including the Framework Construction Environmental Management Plan (CEMP), Framework Construction Traffic Management Plan (CTMP), Framework Decommissioning Environmental Management Plan (DEMP), Outline Skills, Supply Chain and Employment</p>

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			<p>Plan (SSCEP) and Outline Public Rights of Way Management Plan (PRoWMP).</p> <p>A Table is provided within Appendix A which lists the mitigation and identifies the securing document.</p> <p>These documents are then secured in the DCO through the requirements in Schedule 2. For example, requirement 12 (CEMP), requirement 14 (CTMP), requirement 19 (DEMP), requirement 18 (SSCEP) and requirement 16 (PRoWMP). For each of those documents, the relevant requirement requires that the document to be submitted and approved by the relevant local authority is to be 'substantially in accordance with' the outline versions of those plans that have been available to the Examination.</p> <p>There are only two measures mentioned in the Equalities Impact Assessment [<b>REP3-023</b>] that are not secured: (1) <i>"it is expected that the workers will be integrated into the local economy"</i>; and (2) <i>"the two agricultural jobs lost as a result of the Scheme should be generated again"</i>. Whilst there is an expectation that workers will be integrated into the local economy, and that the two agricultural jobs lost should be generated again, the Applicant does not have any control over these aspects, and</p>

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			<p>therefore it is not appropriate that they are secured. Furthermore, as stated in Chapter 12: Socio-economics [APP-021] the impact of employment loss (14 jobs) in the local economy during the decommissioning phase during the long-term was assessed as a permanent negligible effect, which is <b>not considered significant</b>, and therefore no mitigation is required for this impact.</p>
Q2.1.3	The Applicant	<p><b>Connections across Railway line:</b>            a) Confirm the proposed intentions regarding the method of connecting the Solar panel arrays on the east side of the railway line with the Substation, BoSS and BESS compound area on the western side of the railway line.            b) Given the Railway varies between being in cuttings, at grade and bridged structures on or around the site will this require HDD or overhead cabling. How many crossings are anticipated, have potential crossing locations been identified? Have these been considered in the relevant chapters of the ES including construction effects on nearby residential properties (if HDD is proposed), visual impacts (if overhead cabling proposed) etc.            c) Would the construction of the crossings have any effect on the operation of the rail line? Have Network Rail proposed any particular restrictions which would affect the siting and crossing construction methodology?</p>	<p>a) The Applicant can confirm no overhead lines are proposed and the railway line will be crossed either by HDD or using an existing crossing (culvert, bridge or underpass).</p> <p>b) The Applicant is currently engaged in technical discussions with Network Rail with regards to crossing the railway and is working with Network Rail on clearance and location(s). Network Rail have indicated it considers it feasible for the Scheme to cross the railway, although the exact location(s) and detailed design for the crossings will be confirmed via detailed design post-consent.</p> <p>The ES has assessed the impacts of installation of cables within the site and established Outline Design Principles [REP2-008] and mitigation which is secured within the Framework CEMP [REP2-034] which provides a clear and consistent approach to the control of</p>



ExQ	Respondent	Question	Applicant's response
		<p>d) Are there any proposed mitigation or construction methods that are to be secured and detailed in the Framework Construction Environmental Management Plan in respect of any anticipated effects.</p>	<p>construction activities within the site. The Framework CEMP [REP2-034] includes controls on HDD activities, for example including the location of HDD, operation of plant and equipment and proximity to residential receptors. No overhead cabling is proposed so there would be no visual impacts for the cables crossing the railway.</p> <p>c) There would be no effect on the operation of the railway and the protective provisions at Part 10 of Schedule 15 of the draft DCO operate to protect the interests of Network Rail. These protective provisions are in agreed form, with the exception of provisions relating to compulsory acquisition powers which remain subject to the parties concluding voluntary land negotiations. An Asset Protection Agreement has also been negotiated between the parties and is almost in agreed form, also pending voluntary land negotiations.</p> <p>d) Mitigation relevant to installation of cabling either by HDD or through use of existing culverts, bridges or underpasses and the associated short term use of mobile construction compounds that support cable installation is contained within the Framework CEMP [REP2-034] and within the Outline Design Principles [REP2-009]. Of particular relevance are measures in relation to construction exclusion zones, vegetation buffers, soil management,</p>

ExQ	Respondent	Question	Applicant's response
			noise management, spoil management and dust prevention and pollution control measures.
Q2.1.4	The Applicant	<p><b>Battery Energy Storage System:</b>            At Deadline 3 the Outline Design Principles were updated and which included a change to the number of battery storage containers from 156 to 240, identified as an error. However, Chapter 2 of the ES: The Scheme, includes reference to a maximum of 156 individual enclosures at 2.4.25. Furthermore, document APP-133 – BESS and Substation Description at paragraph 1.2.1 states the BESS will comprise up to 256 individual battery modules/ containers. As Chapter 2 is the basis on which all of the individual chapter assessments in the ES have been undertaken can you confirm:</p> <ul style="list-style-type: none"> <li>a) On what basis All the assessments were undertaken having regard to the BESS ie with 156, 240 or 256 battery containers as the worst case scenario.</li> <li>b) On what basis the area identified on the works plans is sized? is it having regard to the need to accommodate 156, 240 or 256 battery storage units.</li> <li>c) On what basis the indicative site layout plan was designed? is this with regard to 156, 240 or 256 battery storage units.</li> <li>d) On what basis the Unplanned Atmospheric Emissions from Battery</li> </ul>	<p>noise management, spoil management and dust prevention and pollution control measures.</p> <ul style="list-style-type: none"> <li>a) The assessments within the Environmental Statement were initially undertaken based on the assumption of up to 256 containers as stated within paragraph 1.2.1 within Appendix 2A [APP-113]. References to 156 containers within Chapter 2 of the ES [APP-011] are a result of a typo and should read 256 containers. During the development of the design alongside environmental assessment, the number of containers was reduced to 240. The total number of battery containers which form the basis of the assessments set out within the Environmental Statement is 240.</li> <li>b) Work No. 2 in the works plan is sized having regard to the need to accommodate 240 battery storage units.</li> <li>c) The indicative site layout plan is based on 240 battery storage units.</li> <li>d) As stated within 2.1.9 of the <b>Unplanned Atmospheric Emissions from Battery Energy Storage Systems [APP-172]</b> document the assessment was based on the assumption that 5 racks within a single container would be burning at any one time, rather than the total number of storage containers. This is because the spread</li> </ul>

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		<p>Energy Storage Systems [APP-172] was undertaken and any suggested mitigation measures or control needs, including water volumes.</p> <p>The ES chapter 2 description and any other documents that reference the number of battery enclosures should be amended to ensure consistency across the documentation.</p>	<p>of a fire from container to container would be very unlikely due to the distance between containers. Please refer to section 2 of <b>the Unplanned Atmospheric Emissions from Battery Energy Storage Systems [APP-172]</b> document for further information.</p>
Q2.1.5	The Applicant	<p><b>Battery Energy Storage System:</b> Comment on changes to the National Planning Policy Guidance - Renewable and Low Carbon Energy - Battery Energy Storage Systems, paragraph 33 which encourages applicants to consider the guidance produced by the National Fire Chiefs Council. Explaining whether this has any implications for the scheme, if it has been taken into account, and the weight that should be given to the advice.</p>	<p>The National Planning Policy Guidance – Renewable and Low Carbon Energy- Battery Energy Storage Systems was published in August 2023 and consequently is relevant and up to date. The Applicant has reviewed this Guidance and considered in the Frequently Asked Questions regarding the Battery Energy Storage System Technical Note submitted at Deadline 4 [<b>document 8.22</b>].</p> <p>This guidance, along with any other relevant guidance that may supersede it, would be considered in the development of the Battery Safety Management Plan (BSMP) to be submitted to discharge Requirement 6 on the draft DCO [<b>document 6.1</b>].</p> <p>The Outline Battery Safety Management Plan states that the latest guidance will be considered in the development of the final BSMP in</p>

ExQ	Respondent	Question	Applicant's response
			<p>paragraphs 1.1.3 and 1.1.4: <i>'As part of preparation of the BSMP, the Applicant will take into account the latest good practices for battery fire detection and prevention, along with the emergency response plan, as guidance continues to develop in the UK and around the world. 1.1.4 As the operational phase is anticipated to commence no earlier than 2026, references to current measures and guidelines are included here, however the BSMP will be prepared prior to construction of the BESS to take account of prevailing guidance.'</i></p> <p>In terms of the weight to be applied to the NFCC guidance, we consider it can have some weight as a relevant and important matter in decision making on DCOs incorporating an element of battery storage. The PPG is not policy and is not consulted upon in the same way as policy, so would generally have lesser weight than the NPPF, for example. It was also written as guidance for TCPA applications rather than DCO applications. Consequently, we would suggest that the PPG itself should be given 'some weight' rather than 'significant weight'.</p> <p>The PPG (paragraph 034) states that Applicants <i>'are also encouraged to consider'</i> guidance produced by the National Fire Chiefs Council.</p>

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			<p>This is a loose statement; it does not say Applicants 'should' consider the guidance or even less than Applicants 'should comply with it'. The guidance itself was not developed with oversight provided by consultation and may or may not contain guidance that conflicts with best practice when the BESS is developed. Therefore, whilst the Applicant considers it beneficial to <i>consider</i> the guidance issued and other relevant guidance in the final production of the Battery Safety Management Plan (as required by Requirement 6), the weight to be applied to the National Fire Chiefs Council (NFCC) when taking a decision on the DCO application is limited both by the lack of consultation in its production and the way it is referenced in the PPG.</p>
Q2.1.6	The Applicant	<p><b>Cumulative assessment Environmental Statement</b>            In the Environmental Statement Chapter 5 – EIA methodology at 5.8.12 it states 'The long list of cumulative schemes (ES Volume 2: Appendix 16-B [EN010131/APP/3.3] 0 has informed the short list presented with each chapter'. At paragraph 5.8.13 it states 'A short list of cumulative developments is presented in ES Volume 3: Appendix 16-B [EN010131/APP/3.3] of this ES. These are the same reference and identify different lists for the same reference and</p>	<p>The references within ES chapter 5, chapter 8 and chapter 13 have been corrected. The updated chapters have been submitted at Deadline 4.</p>

ExQ	Respondent	Question	Applicant's response
		<p>the reference is actually to a different matrix. Can these references be corrected. In Chapter 8 at section 8.13 reference is made to a short list by reference to appendix 5-A, such an appendix has not been provided. Can the referencing of the long and short lists be updated and corrected throughout the ES where necessary. Please also see following questions.</p>	
Q2.1.7	The Applicant	<p><b>Cumulative assessment Environmental Statement</b>          At deadlines 2 and 3, West Lindsey and Bassetlaw Councils identify additional cumulative schemes that have not been included in the cumulative assessment. It is also unclear from the ES cumulative assessments, see above, what the short list of developments are that have been assessed and whether these have been agreed with the local authorities. An overall short list is provided at Appendix 16 A, however it is not clear what the short list of developments are for each of the relevant cumulative assessments and why the list is appropriate for that particular assessment, please explain and clarify. Where additional schemes require assessment, including those referenced by the Host Authorities, the relevant cumulative assessment and summary of significant effects in ES Chapter 16 – assessment of cumulative effects and interactions, should be updated to reflect this.</p>	<p>A detailed description of the methodology used for the assessment of cumulative effects is outlined in Chapter 5: EIA Methodology [APP-014]. The methodology follows the Planning Inspectorate's Advice Note 17 which identifies a four-stage approach:</p> <ul style="list-style-type: none"> <li>• Stage 1 – Establish the NSIPs Zone of Influence and identify long list of 'other developments'</li> <li>• Stage 2 – Identify shortlist or 'other developments' for Cumulative Effects Assessment</li> <li>• Stage 3 – Information gathering</li> <li>• Stage 4 – assessment</li> </ul> <p>As set out in Chapter 5, the criteria for defining the longlist is as follows:</p> <ol style="list-style-type: none"> <li>a) Development currently under construction that meets one of (d) to (i);</li> <li>b) Approved applications which have not yet been implemented (covering the past five years and taking account of those that received</li> </ol>

ExQ	Respondent	Question	Applicant's response
			<p>planning consent over three years ago and are still valid but have not yet been implemented), and meets one of (d) to (i);</p> <p>c) Submitted applications not yet determined meeting one of (d) to (i);</p> <p>d) On the National Infrastructure Planning Programme of Projects and within 10km of the Site;</p> <p>e) Applications for EIA development and within 10km of the Site;</p> <p>f) Development identified in the relevant Development Plan such as Allocated Sites, within 10km;</p> <p>g) Any sites that have been registered or achieved a positive EIA screening opinion, which are within 10km of the Site;</p> <p>h) Other applications for solar development, excluding householder or smallscale roof mounted solar developments, within 10km of the Site; and</p> <p>i) Other schemes that do not meet the above criteria but which a statutory stakeholder specifically requests to be included.</p> <p>Once the long list of cumulative developments was generated it was sent to LCC and NCC on the 01 November 2021. Follow up requests were sent on 30 June 2022 and 12 and 19 October 2022. A response from NCC was received on the 5 April 2022 which noted a number of additional schemes which are part of the 'County</p>

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			<p>Matters' sites/developments, including Sturton Quarry for example. Responses were also received from LCC on several occasions, the most up to date being 17 October 2022. The long list of cumulative developments was also sent to WLDC on 12 October 2022 and BDC on 19 October 2022. No further schemes were requested to be included within the cumulative assessment by either Host Authority.</p> <p>Once the long list was agreed, the short list was generated based on the following criteria:</p> <ul style="list-style-type: none"> <li>a) The scale of the other developments;</li> <li>b) The developments that fall within the ZoI of specialists topics; and</li> <li>c) If there is the potential for any temporal overlap between the Scheme and other developments.</li> </ul> <p>As part of their assessment, each discipline reviewed the short list and identified which of those schemes are relevant to their assessments based on location, scale, receptor and interaction of activities and effects between the schemes. Relevant schemes are listed in each of the discipline chapters. A correction was made to the Socio-Economic list of schemes with that correction described within the Applicant's Response to First Written Questions.</p>



ExQ	Respondent	Question	Applicant's response
			<p>Chapters 6 to 15 of the ES present an assessment of cumulative effects derived from each topics own shortlist of schemes (as described above), based on the shortlist of cumulative schemes presented in ES Volume 3: Appendix 16-A [APP-181] and shown on Figure 16-1 [APP-108].</p> <p>A summary of each topic assessment is presented in Chapter 16 (Table 16-4) [APP-025].</p> <p>At Deadline 2 and 3 Bassetlaw and West Lindsey District Council requested that the following Schemes were included within the cumulative assessment:</p> <ul style="list-style-type: none"> <li>• Stow Park Farm</li> <li>• 23/00656/FUL-Development Site To The North Of Brick Yard Road Gamston Installation of a Solar Farm with an Output of Approximately 45.4MW and Ancillary Works Pending consideration</li> <li>• 22/01713/FUL - Gainsborough Road, Bole Construction and Operation of a Battery Energy Storage System with an Electrical Output Capacity of up to 500MW and Associated Development Including Power Inverter Systems, Electrical Banking Station, Electrical Cabling including Below Ground Cabling to 400KV Switchyard, Welfare Facilities, Internal Access Roads, Site Security</li> </ul>

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			<p>Infrastructure, Lighting, Boundary Treatments, and Landscaping. Pending consideration</p> <ul style="list-style-type: none"> <li>• 22/00707/FUL Former High Marnham Power Station The Construction and Operation of a Solar Photovoltaic(PV) Farm with other Associated Infrastructure Including Sub Stations, Security Cameras, Fencing, Storage Containers, Access Tracks and Landscaping Grant - 05.01.2023</li> <li>• 22/00358/FUL - Gainsborough Road, Saundby Installation of a Solar Farm and Battery Storage Facility with Associated Infrastructure. Grant - 14.07.2022</li> <li>• 21/01552/VOC - Sturton Le Steeple Variation of Condition 2 on P. A. 20/00117/FUL - Extend the Temporary Period of Permission to 40 Years from When the Site Becomes Operational. Grant - 22.02.2022</li> <li>• 21/01147/FUL- Tuxford Road, Skegby Installation of a Solar Farm and Battery Storage Facility with Associated Infrastructure Grant - 16.12.2021</li> <li>• There is also another strategic energy project which is connecting to High Marnham - North Humber to High Marnham   National Grid ET</li> </ul> <p>Additionally, the following Scheme has also been considered following recent discussions with Lincolnshire County Council:</p>

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			<ul style="list-style-type: none"> <li>• One Earth Solar Farm - expected to be submitted to PINS Q1 2025</li> </ul> <p>Two of the Schemes requested by the Host Authorities for consideration were included previously in the short list presented in Appendix 16A (albeit slightly different planning application numbers):</p> <ul style="list-style-type: none"> <li>• 22/00358/FUL - Gainsborough Road, Saundby Installation of a Solar Farm and Battery Storage Facility with Associated Infrastructure (referenced as APP21/01550/SCR in Appendix 16a)</li> <li>• 21/01552/VOC - Sturton Le Steeple Variation of Condition 2 on P. A. 20/00117/FUL - Extend the Temporary Period of Permission to 40 Years from When the Site Becomes Operational (referenced as APP00117/FUL in Appendix 16A).</li> </ul> <p>The reason that the Schemes referenced by the Host Authorities were not considered previously is because for the majority, information associated with the schemes sufficient for cumulative assessment became public after September 2022 which was the final date for consideration within the Environmental Statement, and therefore they weren't included within the long list or short list.</p>

ExQ	Respondent	Question	Applicant's response
			<p>A Technical Note which considers the cumulative effects of the above Schemes acting in combination with the already considered cumulative schemes has been prepared and provided at Deadline 4 (document 8.23).</p> <p>The Technical Note provides the assessment in the same table form as that provided within ES Chapter 16 with each topic setting out relevant schemes and conclusions of their assessment. Based on the nature, scale and location of the additional schemes, no changes are identified to the conclusions of the Environmental Statement Cumulative Assessment.</p>
Q2.1.8	The Applicant	<p><b>Cumulative Assessment</b>          The West Burton and Cottam Schemes have been accepted for examination with the Cottam Scheme Examination commencing recently. Given that the Environmental Information submitted in respect of these schemes is now in the public domain please review your cumulative assessments in respect Gate Burton to ensure that the baseline figures and information used is as up to date and correct as possible. Where there are differences between the figures in the Gate Burton Environmental Statement cumulative assessment and the latest figures from the other schemes please update these in the ES as necessary and comment on any</p>	<p>Now that the ESs are available for Cottam and West Burton and the Tillbridge Preliminary Environmental Information Report (PEIR) has been published, the Applicant has considered whether there have been any changes affecting the assumptions and conclusions made in its cumulative impact assessment.</p> <p>For each technical discipline, a cumulative review has been undertaken to identify whether there are any changes to the conclusions of the submitted cumulative assessments in terms of likely significant effects. The review is provided as a Technical Note which forms Appendix E of the Interrelationships Report (document 8.26) submitted at Deadline 4. Whilst there are a small</p>

ExQ	Respondent	Question	Applicant's response
		<p>impact this may have on the conclusions reached (see also Q2.14.1 and Q2.14.2 below).</p>	<p>number of differences in assumptions that form the basis of a number of the assessments, these differences are discrete, limited and do not affect the overall conclusions of the assessments, and therefore no figures are required to be updated.</p> <p>Review of the now published ES's and the Tillbridge PEIR confirm that the cumulative effects reported within the Gate Burton Energy Park Environmental Statement as submitted remain unchanged.</p>
<p>Q2.1.1 0</p>	<p>The Applicant</p>	<p><b>Cumulative effects</b>          Comment on West Lindsey Districts Council suggestion in REP3-044 that:          a) The Cumulative assessment in the Environmental Statement should assess the different potential combinations of various schemes to provide environmental information on what the likely significant effects would be; and          b) The Environmental Statement has not been updated and needs to be updated to assess the cumulative effects of Tillbridge, but also by implication any new or updated environmental information that has come forward on other schemes that may now be available.</p>	<p>a) The cumulative assessments presented in chapter 6-15 have assessed a scenario whereby the various Schemes come forward at the same time. It is therefore considered that a worst-case scenario has been assessed and therefore an assessment which considers the different potential combinations of various schemes is not required.</p> <p>b) Please refer to the Interrelationship Report submitted at Deadline 4 (document 8.26) which provides an updated cumulative effects assessment, including Tillbridge as well as considering further information available in the West Burton ES and Cottam ES. A number of smaller non DCO schemes have also been considered at the request of West Lindsey and Bassetlaw Council with the results provided in the Deadline 4 Cumulative Technical Note</p>

ExQ	Respondent	Question	Applicant's response
			<p>(document 8.23). Following the review by each of the environment disciplines, no changes in the conclusions of the ES cumulative assessment were identified largely as a result of the location, scale and nature of the additional schemes considered and the limited nature of combined effects on receptors.</p>

### 3. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Respondent	Question	Applicant's response
Q2.5.1	The Applicant	<p><b>Updated Schedule of Negotiations and Powers Sought (clean) REP3-0010:</b>            Provide a tracked changed version of the Updated Schedule of Negotiations and Powers sought as only a clean copy has been provided. Ensure that clean and tracked changed versions of each document is submitted at each deadline.</p>	<p>The tracked change version submitted at Deadline 3 has been resubmitted at Deadline 4 (Revision 4).</p> <p>Updated versions of both tracked and clean Schedule of Negotiations and Powers Sought have also been submitted at Deadline 4 (Revision 5).</p> <p>A further version has been submitted detailing negotiations with parties within the additional area of the Order limits proposed to be included if the Change Request is accepted (Revision 6). This version has been marked 'Change Request' and will only supersede Revision 5 if the Change Request is accepted.</p>
Q2.5.2	The Applicant, Severn Trent Water	<p><b>Severn Trent Water Protective Provisions</b>            A copy of the letter/ communication from Severn Trent Water to confirm that it is satisfied to rely on its statutory rights and therefore the standard protective provisions are satisfactory and no further updates are necessary. STW should confirm they have no objections to the scheme</p>	<p>Severn Trent have confirmed that any 'concerns' with the Scheme may only arise in the event that cables were to cross its sewer pipe, and on the basis that the Scheme does not intend to do so Severn Trent are happy to rely on its statutory powers. If the cables were to dissect, Severn Trent have indicated that they would require a clearance of 300mm in order for the works to then be considered acceptable. The Applicant can reassure that in any event this will be secured through the standard protective provisions at paragraph 6(7) of Part 1 of</p>

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			<p>Schedule which provides that <i>“Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus”</i>.</p> <p>As such, the Applicant considers that Severn Trent's interests are sufficiently protected and no further updates are necessary. Evidence of Severn Trent's confirmation of the same has been submitted at Appendix D.</p>
Q2.5.3	The Applicant	<p><b>Legal Pro forma land agreements with existing landowners</b></p> <p>It was requested that a copy of the draft private agreements or basic proforma of the agreements agreed by the private landowners was to be submitted to further the understanding of the nature of the agreements that applicant has in place without revealing the actual agreements. This would be a useful addition to the information already submitted.</p>	<p>The Applicant acknowledges that this request has arisen in the context of the obligations to decommission and hand back the solar site to existing landowners, including following any compulsory acquisition. The Applicant can confirm the following clauses appear in the private land agreements for the Solar and Energy Storage Park site:</p> <p>Option Agreement:</p> <p><i>“Where the Company has compulsorily acquired the freehold interest in the Land available for Development and/or the Landlord's Property:</i></p> <p>...</p> <p><i>the Company shall transfer the freehold interest back to the Landlord (or its appropriate successor in title) upon the later of:</i></p> <p>(i) <i>the date when the freehold interest in the Land available for Development and/or Landlord's Property is no longer required for the Development and</i></p>



ExQ	Respondent	Question	Applicant's response
			<p><i>(ii) sixty (60) years.</i></p> <p><i>The transfer shall be made by the Company to the Landlord in exchange for £1 and shall otherwise be on such terms as the parties may agree (both parties acting reasonably)."</i></p> <p>Draft Lease (appended to Option Agreement):</p> <p><i>"Vacating the Premises at the end of the Term</i></p> <p><i>At the end or sooner determination of the Term, quietly to yield up the Development to the Landlord and to remove from the Development all Equipment (including the removal of hardstandings, roadways, or tracks, if such removal is... not in breach of any planning permission of Planning Agreement relating to the Development)... and make good in no worse condition than as evidenced by the photographic schedule of condition prepared pursuant to clause [ ] of this lease."</i></p> <p>The Applicant has obtained consent from the relevant landowners to share the extent of this information, which the ExA will appreciate is commercially sensitive for all parties. If there are any other specific provisions of the voluntary agreements the ExA would like to see then the Applicant can consider this on a case-by-case basis and only with consent of the landowners.</p>
Q2.5.4	The Applicant, Lincolnshire	<b>Other licences and Agreements</b> Lincolnshire County Council during the recent hearings requested that a financial	The Applicant does not consider such a financial contribution to be necessary to make the Gate Burton Scheme acceptable in planning terms, to be directly

ExQ	Respondent	Question	Applicant's response
	County Council	<p>contribution be secured through a section 106 agreement to support the Lincolnshire Fire Service in undertaking its consideration assessment and monitoring of any Battery safety management regime. See item 8 paragraphs 20-26 of REP3-037.</p> <p>Whilst some attempt has been made to consider the requests against the tests no detail is provided on the scale of the amount that is suggested the contribution should make and to detail the nature of the service it would pay for. Can LCC please add to their submission to confirm the level of contribution sought, whether it is a lump sum one off payment or ongoing commitment. How the figure is calculated and the detail of the service that would be provided for the contribution.</p> <p>Can the applicant consider the principle and initially set out whether such an agreement may be acceptable and can both parties comment on whether such an agreement could be reached within the time frame of the close of the examination.</p>	<p>related to the Scheme or to be fairly or reasonably related in scale and kind to the Scheme.</p> <p>The proposal therefore fails to meet each of the statutory tests for planning obligations set out in Regulation 122 (Limitation on use of planning obligations) of the Community Infrastructure Levy Regulations 2010 and as such cannot constitute a reason for granting planning consent.</p> <p>The environmental impact assessment demonstrates that there are no likely significant effects associated with battery fire safety at the Scheme and that the risk of any fire event occurring is low. There is a host of mitigation measures in place, including:</p> <ul style="list-style-type: none"> <li>(i) A commitment to the BESS incorporating a fire detection and suppression system including adequate water storage, as secured via the Outline Design Principles <b>[REP2-008]</b>;</li> <li>(ii) The Outline Battery Fire Safety Management Plan <b>[APP-222]</b> with detailed commitments on safety requirements for the BESS and firefighting emergency planning.</li> </ul> <p>The Applicant will be legally obliged to comply with these commitments which will be secured via DCO requirement, breach of which is an offence.</p> <p>The environmental impact assessment also considers cumulative fire risk and concludes that cumulative</p>

ExQ	Respondent	Question	Applicant's response
			<p>schemes would not increase the risk or severity of fire events.</p> <p>There is no unacceptable or identifiable risk that the funding sought would mitigate, and given the low risk associated with the Scheme any contribution would not be fairly or reasonable related to the scale or kind of the Scheme. There are also no unique features or risks associated with fire at the Scheme as compared to other solar NSIPs with battery storage. The Applicant notes that the Secretary of State attributed neutral weight in the planning balance to fire and safety risk associated with battery storage systems when granting the DCOs for Longfield Solar Farm and Cleve Hill Solar Farm and it does not appear to have been a factor considered relevant in the Little Crow Solar Farm decision. The Applicant supports the matter being attributed neutral weight for the reasons described above, and therefore concludes that a planning obligation is not required.</p>
Q2.5.5	Mr Ash	<p><b>Comments on Compulsory Acquisition in respect of Mr Ash's land interests</b></p> <p>Confirm the Applicants summary of the current position as set out in its Written Summary of the Applicant's Oral submissions at the Compulsory Acquisition Hearing (CAH 1) and the post hearing submission found at REP3-024 10.1.1 to 10.1.4 on page 21 is an accurate reflection of your understanding of the situation and</p>	<p>The Applicant has continued their correspondence with Mr Ash who has confirmed that he is willing to remove his objection to the compulsory acquisition of rights. He still wishes to take part in the examination process going forward and looks forward to further discussions with the Applicant regarding landscaping and drainage.</p> <p>The Applicant and Mr Ash have submitted a joint statement to this affect.</p>

ExQ	Respondent	Question	Applicant's response
		<p>whether you will or are proposing to withdraw your objection. If it is not please confirm your understanding and provide any further comments in relation to the CA of your land interests.</p>	
Q2.5.6	Mr and Ms Hill	<p><b>Comments on Compulsory Acquisition in respect of Mr Hill and Ms Hill's land interests</b>            Confirm the Applicants summary of the current position as set out in its Written Summary of the Applicant's Oral submissions at the Compulsory Acquisition Hearing (CAH 1) and the post hearing submission found at REP3-024 10.2.1 to 10.2.4 on page 21 is an accurate reflection of your understanding of the situation and whether you will or are proposing to withdraw your objection. If it is not please confirm your understanding and provide any further comments in relation to the CA of your land interests.</p>	<p>The Applicant continues to engage with Mr and Ms Hill and is currently liaising with the other solar developers on how to mitigate the impacts of the proposed schemes.</p>
Q2.5.7	Emma Kimberley and Shaun Kimberley	<p><b>Comments on Compulsory Acquisition in respect of Emma Kimberley and Shaun Kimberley's land interests</b>            Confirm the Applicants summary of the current position as set out in its Schedule of negotiations and Powers sought document REP3-010 page 11 is an accurate reflection of your understanding of the situation and whether you will or are proposing to withdraw your objection. If it</p>	<p>The Applicant believes they have now agreed terms with the Affected Person. The Applicant is waiting for signed HOT's to be returned. The Applicant hopes that once these have been signed the Affected Person will be able to remove their objection.</p>

ExQ	Respondent	Question	Applicant's response
		is not please confirm your understanding and provide any further comments in relation to the CA of your land interests.	

## 4. Draft Development Consent Order (DCO)

ExQ	Respondent	Question	Applicant's response
Q2.6.1	The Applicant	<p><b>Draft Development Consent Order version 4</b>            Provide a tracked changed version of draft Development Consent Order v4 to show the tracked changes between version 3 and version 4, a clean copy only was provided at deadline 3 REP3-006.            Ensure that you provide clean and tracked changes versions at each deadline.</p>	<p>The tracked changed version of the draft DCO to show the changes between version 3 and version 4 provided at Deadline 3 has been also provided at Deadline 4 (Revision 4).</p> <p>Clean and tracked change versions of the draft DCO as amended between Deadlines 3 and 4 have also been provided (Revision 5).</p> <p>Clean and tracked change versions have also been provided showing the changes that would be made if the Change Request is accepted (Revision 6).</p>
Q2.6.2	The Applicant	<p><b>Explanatory Memorandum</b>            A clean copy of the explanatory memorandum was not provided at deadline 3 with only a tracked changed version REP3-007 being provided.            Provide a clean copy and ensure that clean and tracked changed versions of each document is submitted at each deadline.</p>	<p>The tracked changed version of the Explanatory Memorandum provided at Deadline 3 has been also provided at Deadline 4 (Revision 4).</p> <p>Clean and tracked change versions of the document as amended between Deadlines 3 and 4 have also been provided (Revision 5).</p> <p>Clean and tracked change versions have also been provided showing the changes that would be made if the Change Request is accepted (Revision 6).</p>

ExQ	Respondent	Question	Applicant's response
Q2.6.4	The Applicant	<p><b>Article 44 and schedule 9 Draft Marine Licence:</b>            The MMO at deadline 3 REP3-046 reiterate their position that an assessment of marine impacts is necessary to inform the need for any specific conditions to be included in any dML so that any licensed activities are suitably controlled. Provide any further appropriate sign posting to locate any such assessment, provide a proportionate assessment or detail why such an assessment is not required and identify the information upon which an assessment of the necessary conditions could be undertaken.</p>	<p>A technical note which sets out where marine impacts have been assessed in the ES has been prepared and has been submitted at Deadline 4 (see Appendix C of this document).</p>
Q2.6.7	The Applicant	<p><b>Schedule 2 Requirements – Additional Requirement</b>            In NCC's post hearing written submission REP3-038 a detailed additional requirement in relation to traffic associated with cable laying was proposed. Provide a response by way of including the proposed additional requirement, an amended version addressing similar matters or explain why such a requirement does not meet the tests and is not necessary.</p>	<p>The additional requirement sought by NCC is unnecessary as the information sought to be provided is appropriately secured via the Outline Construction Traffic Management Plan, an updated version of which has been submitted at Deadline 4.</p>

## 5. Historic Environment

ExQ	Respondent	Question	Applicant's response
Q2.7.1	Nottinghamshire County Council, Lincolnshire County Council, The Applicant	<b>Updated Archaeological Method Statement</b> Confirm that the suggested amendments to the AMS satisfactorily address the issues previously raised.	The Updated Archaeological Mitigation Strategy submitted at Deadline 3 contained updates to the Roles and Responsibilities section following a request from Lincolnshire County Council. These changes were also agreed with LCC's Archaeological Advisor prior to submission at Deadline 3.
Q2.7.2	The Applicant	In Compulsory Acquisition Hearing 1 a note of action points identified at Action 2 an action for the Applicant to provide a 'Description and explanation of the necessity to retain land within the Order Lands where no development is taking place including the Heritage Buffer and land around Knaith Park.' In the Applicants Post hearing submission on CAH1 at 11.1.1 and 5.6.9 only the land at Knaith Park is directly referenced. The review of the rights sought for Knaith Park and any necessary updates or amendments will be provided at deadline 4 is welcomed. However, the point also covered land within or identified as Heritage Buffer. It was suggested CA was necessary to retain control over the land and to ensure it was managed to support the heritage function and in effect ensure the land continued to contribute to the setting of the historic assets. It was suggested this would be further explained including that this would be required to prevent the erection of buildings,	<b>Plots 3/4 and 3/1</b>  The heritage buffer area that runs across all or parts of three fields around the scheduled monument of Heynings Priory is required to remain free of development in order to conserve an aspect of the setting of that monument that contributes to its heritage value; namely, an understand of the local topography around the site where it sits within a hollow 'bowl'. It also preserves in situ archaeological remains identified through geophysical survey that are likely to have an association with the scheduled monument. The rationale for this is discussed in Paragraphs 7.10.21 to 7.10.23 of Chapter 7: Cultural Heritage [APP-016]. It serves to reduce an otherwise significant effect to a not significant level. This heritage buffer is also utilised for hedgerow planting which contributes to the Scheme's biodiversity net gain (BNG) calculations. The field to the east with the waterbody is also required to facilitate an internal access road around the perimeter of the field.



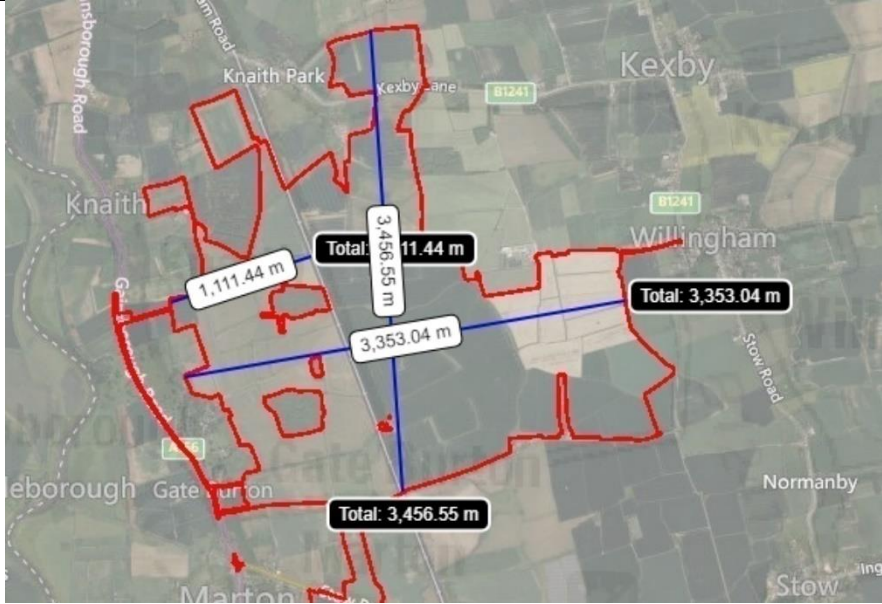
ExQ	Respondent	Question	Applicant's response
		<p>ensure the land remains open etc. This further explanation and mitigation is not directly set out in the statement of reasons or secured within any of the documents. Can the mitigation and management of these areas be clearly set out and shown where and how it is secured and therefore why it is necessary to be the subject of CA and the necessary documentation updated.</p>	<p><b>Plots 5/3, 5/5, 5/6, 5/7, 10/4 and 10,3</b></p> <p>The heritage buffer area to the east of Gate Burton, between the estate and Burton Wood is required to remain free of development in order to conserve an aspect of the setting of the non-designated Gate Burton Park and the Grade II* listed Gate Burton Hall that contributes to their heritage values; namely, a connection to the woodland to the east and views over farmland from within the park. The rationale for this is discussed in Paragraphs 7.10.30 to 7.10.36 of Chapter 7: Cultural Heritage <b>[APP-016]</b>. It serves to reduce an otherwise significant effect to a not significant level. This heritage buffer is also required for hedgerow planting and to facilitate an access road.</p> <p><b>Plot 10/3</b></p> <p>The heritage buffer area in the square area of land to the south of the Solar Energy and Storage Park is required to remain free of development in order preserve in situ archaeological remains that were identified during trial trench evaluation. The rationale for this is discussed in Paragraphs 7.10.87 to 7.10.88 of Chapter 7: Cultural Heritage <b>[APP-016]</b>. It serves to reduce an otherwise significant effect to a not significant level. This heritage buffer is also required to provide ecological mitigation in the form of habitat for ground nesting birds such as Lapwing.</p> <p><b>Plots 2/1, 2/2 and 2/3</b></p>

ExQ	Respondent	Question	Applicant's response
			<p>With regards to Knaith Park, this land is included within the Order limits for other development purposes as described in Work No. 5 including the delivery of landscaping and biodiversity enhancements and delivery of BNG in the form of species rich grassland and is not part of a heritage buffer. Placing solar pV panels in these plots would result in visual effects for Knaith Park and directly adjoining properties and Work No. 1 is not sought here.</p> <p><b>The rationale for CA</b></p> <p>For the reasons outlined above, the Applicant therefore is required to control and manage the land parcels throughout operation to mitigate and enhance the Scheme. The Applicant will effectively exclude landowners from dealing with the land during this period and it is therefore considered appropriate and proportionate for the land to be subject to freehold acquisition. In the unlikely event that compulsory powers need to be exercised, noting that all of this land is under Option and no landowners have objected, this would enable a relevant landowner to make a compulsory acquisition compensation claim which is proportionate to the level of interference with their land interest. If compulsory powers were exercised to acquire the freehold, the Applicant would also be obliged to hand back the land to the landowner in any case, as explained in response to Q2.5.3 above.</p>

ExQ	Respondent	Question	Applicant's response
			<p>In each case, the land is required for the development to which the consent relates, or to facilitate or is incidental to that development, in accordance with s122(2)(a) and (b), as it serves to mitigate and/or enhance the Scheme.</p> <p>There is a compelling case in the public interest in the Applicant being able to deliver the proposed mitigation and enhancements as it is members of the public who will directly benefit from the heritage mitigation, and the wider environment will benefit from the ecological enhancements and delivery of BNG. This public benefit outweighs any private loss that would be suffered by the landowners, noting again that the land is under Option and the landowners have not objected to the powers sought.</p> <p>This approach accords with draft NPS EN-1 which states, at paragraph 4.1.8:</p> <p><i>“Where the use of land at a specific location is required to facilitate the development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.”</i></p>

## 6. Landscape and Visual

ExQ	Respondent	Question	Applicant's response								
Q2.9.1	The Applicant	<p><b>Details of Woodland</b>                      Provide a rough general height of the woodland blocks close to the Substation and BESS compound to include Burton Wood, Quilter's Wood and Long Nursery</p>	<p>As stated within the legend of <b>Figure 10-10A [APP-071]</b> the Zone of Theoretical Visibility (ZTV) has been generated using an assumed height of 10m which is considered an average height of the trees within these woodland blocks.</p>								
Q2.9.2	The Applicant	<p><b>General site dimensions</b>                      Provide approximate dimensions of the maximum width and length of the site and from the site boundaries to the railway line to include the following (I have used the base plan submitted with the draft site inspection itinerary to identify the approximate points):</p> <ul style="list-style-type: none"> <li>• West-East: From the Western boundary starting at a point at the 'Rookery' eastward to Marton Road;</li> <li>• North-south: From the southern boundary where Willingham Road crosses the railway line north to approximately where the base plan has the number 16 on it, and</li> <li>• To the railway line from the main western boundary at the construction compound to the private level crossing.</li> </ul>	<p>The approximate dimensions are as follows and are also shown in the image below:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Approximate Distance</th> </tr> </thead> <tbody> <tr> <td>West-East: From the Western boundary starting at a point at the 'Rookery' eastward to Marton Road;</td> <td>3.4km</td> </tr> <tr> <td>North-south: From the southern boundary where Willingham Road crosses the railway line north to approximately where the base plan has the number 16 on it</td> <td>3.5km</td> </tr> <tr> <td>To the railway line from the main western boundary at the construction compound to the private level crossing</td> <td>1.1k</td> </tr> </tbody> </table>	Location	Approximate Distance	West-East: From the Western boundary starting at a point at the 'Rookery' eastward to Marton Road;	3.4km	North-south: From the southern boundary where Willingham Road crosses the railway line north to approximately where the base plan has the number 16 on it	3.5km	To the railway line from the main western boundary at the construction compound to the private level crossing	1.1k
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To the railway line from the main western boundary at the construction compound to the private level crossing	1.1k										

ExQ	Respondent	Question	Applicant's response
			
Q2.9.3	The Applicant	<p><b>Cumulative assessment – general dimensions</b></p> <p>Provide a plan identifying the location of each of the other National Strategic Infrastructure Project schemes considered in the cumulative assessments with marked dimensions to provide minimum distances (direct line/ as crow flies rather than by road) between the Gate Burton Solar array site area and:</p> <ul style="list-style-type: none"> <li>• Cottam (each of the elements of the solar array sites)</li> <li>• West Burton</li> <li>• Tillbridge</li> </ul>	<p>The requested plan has been prepared and has been submitted at Deadline 4 (see Appendix C of this document). The plan shows the minimum distances from the Gate Burton solar array area to the closest Cottam, West Burton and Tillbridge solar array areas. The Tillbridge distance is based on the Draft Order limits at June 2023. For Cottam, the distance to the closest element is shown on the plan. The distance from the northern boundary of the Gate Burton scheme to the other elements of the Cottam scheme are approximately 6.3km to Cottam 2, 8.3km to Cottam 3b and 9.3km to Cottam 3a.</p>

ExQ	Respondent	Question	Applicant's response
		A direct line should be drawn on the plan between the closest point of the Gate Burton solar array site and each of the other sites with the end points marked at each end and a measured distance between the two points provided, to demonstrate the degree of separation between the schemes and Gate Burton.	

## 7. Socio-economic Effects and Land Use (including Agricultural land and BMV)

ExQ	Respondent	Question	Applicant's response
Q2.12.1	The Applicant	<p><b>Agricultural use of land</b>            Environmental Statement (ES) Chapter 12 – Socio- economic and land use concludes in paragraph 12.10.4 that impacts to agricultural land would be minor and not significant. This is based on the assumption that sheep farming would continue agricultural use of the site underneath the panels as described in paragraph 12.10.3. However, the OLEMP states in paragraph 3.6.10 that the grass beneath the panels will be mowed and the arisings will be sent to green waste as part of the long term management. Furthermore, it was confirmed at the recent ISH3 hearing session one on landscape and land use matters that continued agricultural use of the land beneath the panels by way of sheep grazing is not secured in the application and therefore the conclusions of the assessment to agricultural land are not robust as they rely in part on this mitigation. Can the Applicant update the ES accordingly.</p>	<p>The references to continued agricultural use have been removed from chapter 12, with a revision version submitted at Deadline 4.</p> <p>The conclusion that impacts to agricultural land as a result of the Scheme would be minor and not significant still stand as this is based on the fact that the permanent loss of grade 3a (BMV) land is 2ha which falls considerably below the 20ha threshold which would trigger significant effects. The solar array will not harm the soils (and may benefit them), with the potential for agricultural use to re-commence when the Scheme is decommissioned.</p> <p>The reference to continued agricultural use during the operational phase was included as a potential additional benefit but was not the reason for the conclusion.</p>
Q2.12.3	The Applicant, Lincolnshire County Council, Nottinghamshire County Council,	<p><b>Written Ministerial Statement 25 March 2015</b>            Comment on the extent to which the Written Ministerial Statement of 25 March 2015 in relation to BMV is relevant and important to the</p>	<p>The Applicant's view is that the Written Ministerial Statement (WMS) 25, March 2015 could be a relevant and important matter in this case but would have <u>very</u> limited weight. The rationale behind this view is presented in paragraphs</p>

ExQ	Respondent	Question	Applicant's response
	West Lindsey District Council, Bassetlaw District Council, Natural England	consideration of the effects of the development on BMV in this case.	<p>7.13.9-7.13.10 of the Planning, Design and Access Statement submitted at Deadline 2 <b>[REP2-007]</b>.</p> <p>The Applicant notes that the WMS was not mentioned in the Planning Statements, ExAs Recommendation Report or Secretary of State's Decision Letters for Cleve Hill Solar Park (2020) or Little Crow Solar Park (2022). The ExA for Longfield Solar Farm (2023) did consider the WMS a relevant and important matter but did not conclude that the scheme conflicted with it. The Longfield Solar project contained 34% Best and Most Versatile Land, a significantly higher proportion than is affected by the Gate Burton Solar Park.</p>



## 8. Transportation and Traffic

ExQ	Respondent	Question	Applicant's response
Q2.13.1	The Applicant	<p><b>Cumulative Assessment – Construction Traffic</b>            The cumulative assessment in Chapter 13 – Transport identifies the worst case scenario of sequential construction over a five year period. However, when considering the proposed construction periods if they were to be construction sequentially (2 years for West Burton, 2 years for Cottam and 36 months for Gate Burton) this would equate to 7 years as a temporal worst-case scenario. Please explain why this scenario has not been tested and why it is not a temporal worst case.</p>	<p>The Applicant has considered how the cumulative environmental impact of the construction traffic associated with these schemes would be affected if the overall construction period was increased as a result of the schemes coming forward sequentially. In such a scenario, the number of HGV movements and staff Full Time Equivalents (FTE) days needed to deliver the projects would stay the same, and therefore the daily and peak hour trips would be reduced, with them occurring over a longer period of time. We have considered how an increase in duration, but decrease in magnitude, of impact, would affect EIA findings.</p> <p>The effect of traffic is expressed in terms of severance, driver delay, fear and intimidation, and pedestrian and cycle amenity as well as effects from associated noise and air emissions. In terms of severance, by reducing the number of daily staff/HGVs that will be travelling to/from the Site, the ability for individuals to cross roads will improve due to the greater number of gaps in traffic and therefore reduce the impact of severance. A reduction in the volume of additional daily staff/HGV traffic in the local area caused by the construction of the Scheme would reduce the impact on driver delay. With fewer vehicles on the road, there would be lower levels of congestion on</p>

ExQ	Respondent	Question	Applicant's response
			<p>the local highway network which will result in less queuing and delay for general traffic as well as less associated noise and air quality impacts. Reducing the daily number of HGVs travelling to/from the Site will help NMUs travelling in the local area feel safer with a lower presence of large vehicles. Also, by reducing the amount of additional Annual Average Weekday Traffic (AAWT), the impact that the construction of the Scheme will have on fear and intimidation in the local area will decrease. In conclusion, the level of impact of construction activities would be lower in magnitude than that assessed in the ES, but of a more prolonged duration. The scale of environmental impact reported is sufficiently low that an extension to the duration of that impact would not result in a worsening of environmental impact, particularly because the extension of duration would be coupled by a proportionate reduction in magnitude of impact. Thus, a longer construction period would not represent the worst case. This is the case for all aspects of construction and at all locations where sensitive receptors have been assessed in Chapter 13 of the ES.</p> <p>The Joint Report on Interrelationships (<b>document 8.26</b>) submitted at Deadline 4 provides an overview of the programmes for the four DCO projects in the area, showing that they all aim to start construction between Q4 2025 and Q3 2025. The planned construction dates are driven by</p>

ExQ	Respondent	Question	Applicant's response
			<p>agreements on grid connection dates and whilst programme delays are possible, at present a scenario where schemes are constructed in parallel with no overlap is considered unlikely.</p>
Q2.13.2	The Applicant	<p><b>Cumulative assessment</b>          The cumulative transport assessment identifies the average daily traffic for HGVs and LGVs for West Burton and Cottam in ES Appendix 13-D, Tables 10 and 11. These do not include the construction traffic serving the cable corridor without explanation why, and the figures do not align with those reported in the Cottam and West Burton Transport Assessments. Can the Applicant explain why the figures for the cable route have been omitted from the cumulative assessment and why figures differ between the different project reports or else update the report appropriately.</p>	<p>When the Gate Burton Energy Park ES was drafted both the West Burton and Cottam schemes were at PEIR stage and so the information for these two schemes was still draft. The West Burton and Cottam traffic figures were updated between production of the PEIR and the ES stages which explains the difference between the original traffic figures presented within the Gate Burton Energy Park ES and the latest information (within the West Burton/ Cottam ES and TAs). A technical note using the updated West Burton and Cottam ES traffic figures was provided in Appendix D of the Interrelationship with other Nationally Significant Infrastructure Projects Report <b>[REP-033]</b> to update the cumulative assessment which was carried out within the Gate Burton Energy Park ES. This report has now been superseded by the Joint Report on Interrelationships submitted at D4 <b>[document 8.26]</b> but Appendix D remains unchanged.</p> <p>With regards to the cable route traffic figures, whilst these were available for the Gate Burton Energy Park when the ES was prepared, very limited information (and nothing quantitative in terms of vehicle movements) was available for the cable route corridors for both Cottam and West</p>

ExQ	Respondent	Question	Applicant's response
			<p>Burton at their PEIR stages and hence a cumulative assessment for this element of the two schemes was not possible.</p> <p>Whilst a recent technical note has been produced to consider cumulative effects of the various solar parks based on the latest information available (as above), the West Burton ES and Cottam ES quote the following with respect to the cable route:</p> <p>“As there will only be around 18 arrivals and departures per access per day over a short, 90-day period, a detailed assessment has not been undertaken. It is unlikely that the addition of these trips will trigger the need for further assessment in line with the IEMA guidelines (10% change in traffic flows on sensitive road or a 30% on non-sensitive road). If the thresholds are breached, it would mean that baseline traffic flows are very low. This, in itself, would mean that the effects of traffic flows in relation to the construction of the Grid Connection Route would not be significant”.</p> <p>As such, neither the West Burton or Cottam ES included a quantitative assessment of construction vehicle trips associated with the cable route corridors which could otherwise be incorporated as part of the above cumulative assessment.</p> <p>Nonetheless, the findings of the cumulative assessment are not expected to change, given that cable route traffic is expected to constitute a very low proportion of traffic associated with the schemes.</p>

ExQ	Respondent	Question	Applicant's response
Q2.13.3	The Applicant	<p><b>Effects on tourism</b>            In terms of 'Tourism' being scoped out of the ES, given the cumulative effects and potential for effects on landscape which may impact visitor numbers what is the Applicants assessment of the effects of the Scheme in combination with other Nationally Significant Solar schemes on the general tourist economy of the wider area and the concerns expressed by the host authorities. Not just on specific individual operators within the immediate locality.</p>	<p>The Applicant's <b>EIA Scoping Report [APP-109]</b> contained no specific reference to an assessment of effects on tourism as no specific receptors, such as visitor attractions, had been identified within the defined study areas to justify such an assessment being needed. The <b>Scoping Opinion response [APP-110]</b> received did not request that such an assessment was required.</p> <p>From a landscape perspective, the Scheme will be one of potentially four solar farms within or partially within the 5km study area. At the County and District Landscape Character Area scale all four schemes will lie within the Trent Valley LCA. Inter-visibility between the schemes will be limited and views in combination will be typically dominated by the closest solar farm, whilst others are likely to be visible as a distant element. The relatively flat nature of the landform is such that no elevated views of the solar farms will be visible. Assuming each scheme includes mitigation through hedgerow planting, the scale of impacts to the landscape will be localised rather than a key characteristic of the landscape. The Trent Valley LCA will not be defined by solar farms or become a 'solar farm landscape' in which they are the defining characteristic and so will not impact on visitor numbers or the tourist economy of the wider area.</p>

ExQ	Respondent	Question	Applicant's response
			<p>In respect of recreational walking generally, as set out in the Public Rights of Way (PRoW) Assessment in <b>Chapter 12: Socio-Economics and Land Use [APP-021]</b>, there are no long distance footpaths, and only one footpath which is located within the Solar and Energy Storage Park, with few others located within close proximity of the Scheme. None of these PRoWs are recognised as national trails or promoted recreational walking routes and as such that are likely to be used for tourism as opposed to local recreational journeys. From a cumulative perspective, <b>Chapter 12: Socio-Economics and Land Use [APP-021]</b> also concludes that cumulative effects to PRoWs are not anticipated to be significant. In general, it is considered unlikely that the area experiences a high volume of tourists on the basis that there are limited visitor attractions in the wider area beyond the defined study area. Those visitors that do visit the area would likely be visiting attractions such as Sundown Adventureland or Sunny Down Farm, both located in Rampton for which access is unaffected by the Scheme and there would be no effects arising on these in respect of noise, vibration, visual or traffic and transport impacts that could reasonably deter visitors from using these.</p> <p>Therefore, it is on this basis that overall, effects on tourism are not expected to be significant.</p>

# Appendices

- Appendix A – Equality Impact Assessment Mitigation Table
- Appendix B – Response to the Marine Management Organisation
- Appendix C – Cumulative Assessment: Distances to other Nationally Significant Infrastructure Projects
- Appendix D – Correspondence with Severn Trent

## Appendix A – Equality Impact Assessment Mitigation Table



# Gate Burton Energy Park

## EN010131

EqlA Mitigation Table  
Document Reference: EN010131/APP/8.18  
October 2023

APFP Regulation 5(2)(a)  
Planning Act 2008  
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Prepared for:

Gate Burton Energy Park Limited

Prepared by:

AECOM Limited

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# 1. Introduction

- 1.1.1 This technical note has been prepared in response to the Examining Authority's Second Written Question Q2.1.2 which states:

*Equalities Impact Assessment*

*Do any of the mitigation measures identified in the Equalities Impact Assessment REP3- 023 need to be secured in the Development Consent Order or associated documentation or are they already so secured? If already secured please signpost where and how they are secured or if not how they can be.*

- 1.1.2 An additional column has been added to Table 7-2 below (which is included in the **Equalities Impact Assessment [REP3-023]**) to signpost where and how the mitigation is secured, and if not, the reasons for this.
- 1.1.3 In summary, there are only two measures mentioned in the Equalities Impact Assessment **[REP3-023]** that are not secured: (1) *"it is expected that the workers will be integrated into the local economy"*; and (2) *"the two agricultural jobs lost as a result of the Scheme should be generated again"*. Whilst there is an expectation that workers will be integrated into the local economy, and that the two agricultural jobs lost should be generated again, the Applicant does not have any control over these aspects, and therefore it is not appropriate that they are secured. Furthermore, as stated in **Chapter 12: Socio-economics [APP-021]** the impact of employment loss (14 jobs) in the local economy during the decommissioning phase during the long-term was assessed as a permanent negligible effect, which is not considered significant, and therefore no mitigation is required for this impact.

**Table 1-2: Summary of potential equality impacts of the Scheme.**

Impact	Disproportionately/ Differentially Affected Protected Characteristic Groups											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured	
	Age	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity				Marriage and civil partnership
<b>Beneficial</b>	<b>Consultation</b>														
	Inclusive community consultation	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	All groups including those with protected characteristics who are traditionally under-represented have been targeted through accessible engagement. This includes young people, people of minority ethnic background and disabled people.	<u>Action to enhance benefit:</u> Ongoing engagement outside of statutory consultation with stakeholders including Parish Councils and those with land interests.	This mitigation is included in the <b>Framework CEMP (latest version has been submitted at Deadline 4)</b> through a commitment to setting up a Community Liaison Group which is secured by Requirement 12 in the <b>draft DCO [REP3-006]</b>

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Collaborative consultation with nearby developers		✓					✓			✓		Some protected characteristic groups may have had disproportionate concerns, for example relating to traffic impacts, due to the simultaneous development of multiple solar farms in close proximity.	<u>Action to enhance benefit:</u> Development of a combined Construction Traffic Management Plan (CTMP) where practicable.	This mitigation is secured by Requirement 14 in the <b>draft DCO [REP3-006]</b> . A <b>Framework CTMP (the latest version has been submitted at Deadline 4)</b> has been prepared that will be developed into a detailed CTMP.

**Construction**

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured	
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership				
Beneficial	✓	✓	✓	✓								<p>Employment generation, and skills, training, and education development during construction</p>	<p>Young people, disabled people, women and some ethnic minority groups who experience disproportionately higher levels of unemployment may experience positive effects of employment opportunities and skills and training development.</p>	<p><u>Action to enhance benefit:</u>            An Outline Skills, Supply Chain and Employment Plan (OSSCEP) [APP-228/7.7] has been developed to maximise the benefits of employment generation and skills development and training for the local economy and community.</p>	<p>This mitigation is secured by Requirement 18 in the <b>draft DCO [REP3-006]</b>. An <b>Outline Skills, Supply Chain and Employment Plan (OSSCEP) [APP-228/7.7]</b> has been developed.</p>

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Adverse	Increased traffic movements on the local road network during construction	✓	✓				✓			✓		Children, older people, disabled people, and pregnant women can be more vulnerable to the negative impacts of increased traffic flows, including road safety concerns, as well as consequent increases in noise and vibrations and worsened air quality, both of which can particularly be caused by large vehicles such as HGVs.	Planned mitigation: Development of a Framework Construction Environmental Management Plan (CEMP) [APP-224/7.3] and Framework Construction Traffic Management Plan (CTMP) [APP-167/3.3].	This is secured by Requirement 12 and Requirement 14 in the <b>draft DCO [REP3-006]</b> .  A Framework CEMP and Framework CTMP have been prepared. The latest versions have been submitted at Deadline 4.



**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Noise, vibration, and air quality impacts on residential properties, commercial premises, and community facilities during construction	✓	✓	✓				✓			✓		Children are more vulnerable to the effects of increased noise and vibration, and decreased air quality, than the population overall. Older people, disabled people and pregnant people may also be more vulnerable to noise exposure due to physiological and psychological vulnerabilities, as well as potentially spending more time at home than the population overall.	<u>Planned mitigation:</u> Development of a Framework Construction Environmental Management Plan (CEMP) [APP-224/7.3].	This is secured by Requirement 12 in the <b>draft DCO [REP3-006]</b> .  A Framework CEMP has been prepared. The latest version has been submitted at Deadline 4.

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

**Impact**

Age

- Children
- Young People
- Older People
- Sex
- Ethnicity
- Religion
- Disability
- Transgender
- Sexual Orientation
- Pregnancy/ Maternity
- Marriage and civil partnership

Overview of Potential Effects

Planned Mitigation/  
Actions

Where the  
mitigation is  
secured

Diversions to PRowWs during construction

✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓

The diversions provided to the PRowWs may be less accessible, or more unsafe, compared to the existing routes due to extensions, lack of signage or poor quality. This could cause negative impacts for frequent users or those with mobility issues such as older people, disabled people and people with young children/pushchairs.

Planned mitigation:  
Development of an Outline Public Rights of Way Management Plan [APP-229/7.8].

This is secured by Requirement 16 in the **draft DCO [REP3-006]**.  
  
An Outline Public Rights of Way Management Plan [APP-229/7.8] has been prepared.

**Operation**

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age	Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children Young People Older People Sex Ethnicity Religion Disability Transgender Sexual Orientation Pregnancy/ Maternity Marriage and civil partnership			
Employment generation during operation	✓ ✓ ✓ ✓	Young people, especially those from ethnic minority groups who experience disproportionately higher levels of unemployment may experience positive effects of employment opportunities and skills and training development.	<u>Action to enhance benefit:</u> An Outline Skills, Supply Chain and Employment Plan (OSSCEP) has been developed to maximise the benefits of employment generation and skills development and training for the local economy and community.	This mitigation is secured by Requirement 18 in the <b>draft DCO [REP3-006]</b> . An <b>Outline Skills, Supply Chain and Employment Plan (OSSCEP) [APP-228/7.7]</b> has been developed.

Beneficial

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership	Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
Positive contribution to climate change		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Those from protected characteristic groups are disproportionately at risk from the negative effects of climate change. The positive contribution of the Scheme to the climate is likely to have positive effects for all groups.	<u>Action to enhance benefit:</u> Replacement of degraded PV Panels to maintain performance.	This is secured by Requirement 12 in the <b>draft DCO [REP3-006]</b> .  A Framework CEMP has been prepared. The latest version has been submitted at Deadline 4 which includes “ <i>conducting regular maintenance of the Scheme to optimise efficiency</i> ”.

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Generation of more affordable energy supply	✓	✓	✓	✓			✓				✓	Those from certain protected characteristic groups are disproportionately likely to be on low incomes and experience socio-economic disadvantage. More affordable energy supplies will have positive effects for these groups.	N/A	
<b>Adverse</b> Noise, vibration, and air quality impacts on residential properties, commercial premises, and community facilities during construction	✓	✓	✓				✓				✓	Children are more vulnerable to the effects of increased noise and vibration than the population overall. Older people, disabled people and pregnant people may also be more vulnerable to noise exposure due to physiological and psychological vulnerabilities, as well as potentially spending more time at home than the population overall.	<u>Planned mitigation:</u> It is predicted that the operational noise at all receptors will not exceed Significant Observed Adverse Effect Level (SOAEL) alongside embedded mitigation measures such as use of quiet plant. There are	This should refer to “ <i>construction noise</i> ” rather than “ <i>operational noise</i> ”.  This secured by Requirement 12 in the <b>draft DCO [REP3-006]</b> .

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

**Impact**

Age

- Children
- Young People
- Older People
- Sex
- Ethnicity
- Religion
- Disability
- Transgender
- Sexual Orientation
- Pregnancy/ Maternity
- Marriage and civil partnership

Overview of Potential Effects

**Planned Mitigation/  
Actions**

**Where the  
mitigation is  
secured**

no predicted detrimental  
air quality impacts.

A Framework CEMP  
has been prepared.  
The latest version has  
been submitted at  
Deadline 4 which  
includes *“the potential  
use of quieter  
equipment will be  
explored by the  
principal contractor”*

**Decommissioning**

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Employment generation during decommissioning	✓	✓	✓	✓								Young people, disabled people, women and some ethnic minority groups who experience disproportionately higher levels of unemployment may experience positive effects of employment opportunities and skills and training development.	<u>Action to enhance benefit:</u> An Outline Skills, Supply Chain and Employment Plan (OSSCEP) has been developed to maximise the benefits of employment generation and skills development and training for the local economy and community.	This mitigation is secured by Requirement 18 in the <b>draft DCO [REP3-006]</b> . An <b>Outline Skills, Supply Chain and Employment Plan (OSSCEP) [APP-228/7.7]</b> has been developed.

**Beneficial**

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured		
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership					
Adverse				✓	✓		✓									
	Long-term unemployment loss following decommissioning											Workers belonging to protected characteristic groups who are employed by the Scheme will face unemployment post-decommissioning.	<p><b>Planned Mitigation:</b>            It is expected that the workers will be integrated into the local economy and find new employment once the Scheme is finished. Furthermore, the two agricultural jobs lost as a result of the Scheme should be generated again.</p>	<p>Whilst there is an expectation that workers will be integrated into the local economy, and that the two agricultural jobs lost should be generated again, the Applicant does not have any control over these aspects, and therefore it is not appropriate that they are secured. Furthermore, as stated in <b>Chapter 12: Socio-economics [APP-021]</b> the impact of employment loss (14 jobs) in the local economy during the decommissioning phase during the</p>		



**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Increased traffic movements on the local road network during decommissioning	✓	✓					✓		✓			Children, older people, disabled people, and pregnant people can be more vulnerable to the negative impacts of increased traffic flows, including road safety concerns, as well as consequent increases in noise and vibrations and worsened air quality, both of which can particularly be caused by large vehicles such as HGVs.	<u>Planned mitigation:</u> Development of a Framework Decommissioning Environmental Management Plan (DEMP) [APP-226/7.5] and Decommissioning Worker Travel Plan (DWTP).	long-term was assessed as a permanent negligible effect, which is not considered significant, and therefore no mitigation is required for this impact.  This secured by Requirement 19 in the <b>draft DCO [REP3-006]</b> .  A <b>Framework DEMP</b> has been prepared [APP-226] which includes “ <i>The final Decommissioning</i> ”

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

**Impact**

Age

- Children**
- Young People**
- Older People**
- Sex
- Ethnicity
- Religion
- Disability
- Transgender
- Sexual Orientation
- Pregnancy/ Maternity
- Marriage and civil partnership

Overview of Potential Effects

**Planned Mitigation/  
Actions**

**Where the  
mitigation is  
secured**

*Traffic Management Plan (DTMP) will be developed by contractor prior to decommissioning in consultation with the appropriate Local Planning Authorities (LPAs). This will include a Decommissioning Worker Travel Plan (DWTP) to utilise sustainable modes of transport for journeys to and from the site."*

**Disproportionately/ Differentially Affected Protected Characteristic Groups**

Impact	Age											Overview of Potential Effects	Planned Mitigation/ Actions	Where the mitigation is secured
	Children	Young People	Older People	Sex	Ethnicity	Religion	Disability	Transgender	Sexual Orientation	Pregnancy/ Maternity	Marriage and civil partnership			
Noise, vibration, and air quality impacts on residential properties, commercial premises, and community facilities during decommissioning	✓	✓	✓				✓			✓		Children are more vulnerable to the effects of increased noise and vibration, and decreased air quality, than the population overall. Older people, disabled people and pregnant people may also be more vulnerable to noise exposure due to physiological and psychological vulnerabilities, as well as potentially spending more time at home than the population overall.	<u>Planned mitigation:</u> Development of a Framework Decommissioning Environmental Management Plan (DEMP).	This secured by Requirement 19 in the <b>draft DCO [REP3-006]</b> .  A <b>Framework DEMP</b> has been prepared [APP-226].
Diversions to PRoWs during construction		✓	✓				✓			✓		The diversions provided to the PRoWs may be less accessible compared to the existing routes due to extensions, lack of signage or poor quality. This could cause negative impacts for those with mobility issues such as older people, disabled people and people with young children/pushchairs.	<u>Planned mitigation:</u> Development of an Outline Public Rights of Way Management Plan [APP-229/7.8].	This is secured by Requirement 16 in the <b>draft DCO [REP3-006]</b> .  An Outline Public Rights of Way Management Plan [APP-229/7.8] has been prepared.

## Appendix B – Response to the Marine Management Organisation

# Gate Burton Energy Park EN010131

Response to MMO re. Marine Chapter in ES  
Document Reference: EN010131/APP/8.18  
October 2023

APFP Regulation 5(2)(a)  
Planning Act 2008  
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Prepared for:  
Gate Burton Energy Park Limited

Prepared by:  
AECOM Limited

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# 1. Introduction

- 1.1.1 The Development Consent Order (DCO) application for Gate Burton Energy Park (the Scheme) was submitted on 27 January 2023 and accepted for Examination on 22 February 2023.
- 1.1.2 The Scheme comprises the construction, operation, maintenance and decommissioning of a solar photovoltaic (PV) electricity generating facility and energy storage facility with a total capacity exceeding 50 megawatts (MW) and export connection to the National Grid. The Scheme will be located within the 'Order limits' (the land shown in ES Volume 2: Figure 1-1 [EN010131/APP/3.2]). The area subject to the Application comprises the Solar and Energy Storage Park and the Grid Connection Corridor (as shown on ES Volume 2: Figure 1-2 [EN010131/APP/3.2]). Figures 1-1 and 1-2 are included within Appendix A.
- 1.1.3 This technical note has been prepared in response to a request raised within submissions from the Marine Management Organisation (MMO) which were submitted at Deadline 2 and then at Deadline 3 to update the Environmental Statement (ES) to include a Marine Chapter, and also in response to Written Question Q2.6.4.
- 1.1.4 The relevant text included within the Deadline 2 submission **[REP2-063]** from the MMO dated 4<sup>th</sup> August is as follows:

*"The MMO have not had sufficient time to review the Environmental Statement in its entirety, due to the late-stage engagement with the MMO by the applicant to this project. Whilst the MMO did receive the Section 42 notice, the MMO was unable to be consulted on the ES due to the applicant not accepting the MMO's fee estimate for our discretionary advice in pre-examination. The MMO also received the Rule of 6 letter later than the registration date. However, the MMO has had consideration of the following chapters of the ES when providing the below response:*

- *Chapter 2 – The Scheme [APP-011];*
- *Chapter 3 – Alternatives and Design Evolution (and appendices) [APP-012];*
- *Chapter 9 – Water Environment [APP-018];*
- *Chapter 15 – Other Environmental Topics [APP-024]; and*
- *Chapter 17 - Summary of Significant Environmental Effects [APP-026].*

*The MMO can see no direct reference within the Environmental Statement to the impacts of the proposed works on the marine environment. The MMO recommend PINS request this. It is standard practice for an environmental statement to include a marine environment chapter and the environmental statement should be updated to include this chapter.*

*It is acknowledged that the applicant has provided a water environment chapter which concludes that there are no significant impacts of the proposed*

*works on the water environment. However, the MMO would expect a marine environment chapter to be provided in an environmental statement for a DCO application which includes an application for a draft deemed marine licence.*

*The MMO note that the activities listed in the dML are not mentioned specifically within the scope of the works assessed in the Environmental Statement.”*

- 1.1.5 A subsequent request was included within the MMO’s Deadline 3 submission **[REP3-046]** dated 1<sup>st</sup> September. The relevant text is as follows:

*“Therefore, as set out in our Deadline 2 response [REP2-063], the MMO reiterates that we can see no direct reference within the Environmental Statement (ES) or any supporting documents provided by the Applicant, to the impacts of the proposed works on the marine environment. It is standard practice for an environmental statement to include a marine environment chapter and the ES should be updated to include this chapter. The Environmental Statement Marine Environment Chapter should assess the impact of the worst-case scenario.”*

- 1.1.6 The Written Question to which this relates is below:

- 1.1.7 “Q2.6.4 Article 44 and schedule 9 Draft Marine Licence:

*The MMO at deadline 3 REP3-046 reiterate their position that an assessment of marine impacts is necessary to inform the need for any specific conditions to be included in any dML so that any licensed activities are suitably controlled. Provide any further appropriate sign posting to locate any such assessment, provide a proportionate assessment or detail why such an assessment is not required and identify the information upon which an assessment of the necessary conditions could be undertaken.”*

- 1.1.8 The purpose of this technical note is to set out why the Applicant considers that inclusion of a Marine Chapter within the Environmental Statement is not required.

## 2. Response

- 2.1.1 At the Scoping stage the Applicant considered the requirement for a specific Marine Chapter which would typically consider impacts on the following aspects:

- Physical Processes;
- Benthic Ecology;
- Fish and Shellfish;
- Marine Mammals;
- Ornithology;
- Marine Archaeology;
- Shipping and Navigation;
- Commercial Fisheries; and
- Other Sea Users.

- 2.1.2 Based on a review of the potential impacts of the Scheme on physical processes, benthic ecology, marine mammals, marine archaeology, shipping and navigation, commercial fisheries and other sea users, it is considered that because of committed mitigation which includes the use of Horizontal Directional Drilling (HDD) to install the 400kV cables beneath sensitive watercourses (including the River Trent) and the associated Avoidance Area either side of the River Trent as secured by the **Outline Design Principles [REP2-009]** this means that there will be no disturbance, and therefore no impact on these aspects; they are therefore scoped out of the EIA, with the exception of Fish and Ornithology. It is also noted that the commitment to HDD the 400 kV cables is now at a minimum of 5m beneath the River Trent (increased from 2m at application) following discussions with the Canal and River Trust.
- 2.1.3 Fish and Ornithology are assessed in **Chapter 8: Ecology and Nature Conservation**. Other impacts relating to the marine environment including the tidal nature of the River Trent were included within **Chapter 9: Water Environment** including a full WFD assessment for the Scheme (**Appendix 9-A [EN010131/APP/3.3]**). Given the relevant aspects are considered and assessed within ES Chapter 8 and ES Chapter 9 and importantly that relevant mitigation is secured within the DCO (as set out in Table 1 below), there is no requirement for a separate stand-alone marine chapter.
- 2.1.4 Table 1 outlines the locations within the Environmental Statement and the wider Application where the marine environment is considered.

**Table 1. Documents submitted and associated contents.**

No.	Document Title	Document Reference	Document Date	Comments
1	Environmental Statement - Non-Technical Summary	EN010131/APP/3.4	January 2023	Provides a summary of the development and a summary of each technical chapter.
2	Chapter 8: Ecology and Nature Conservation - Fish	EN010131/APP/3.1	January 2023	<p><b>Baseline</b></p> <p>Atlantic salmon <i>Salmo salar</i> are known to use the River Trent as a migratory route. European Eel <i>Anguilla Anguilla</i> are recorded in Padmoor drain and are likely to be present both in this watercourse and its tributaries and other connected water bodies. Eel also make use of ditches and standing waterbodies.</p> <p>Lamprey Petromyzontidae, are also recorded in the River Trent.</p> <p><b>Mitigation</b></p> <p>Avoidance of key fish migration timings wherever possible e.g., avoiding key fish migration seasons (April to June for European eel; September to November for Atlantic salmon).</p> <p>Fish rescue and/or translocation during drain-down of watercourses or water bodies, and during the installation of culverts or over-pumping for open trenching through watercourses/ditches.</p> <p><b>Assessment</b></p> <p>The construction of the Scheme will avoid ditches and watercourses which support fish where possible, and these will be retained and suitably buffered (see Section 8.9). The construction of the Scheme will be offset (&gt;10 m) from any peripheral watercourses, as detailed in the embedded design mitigation. These offsets will prevent disturbance to aquatic habitats supporting fish.</p> <p>Where watercourses and ditches are culverted, culverts will be designed to allow continued connectivity and fish passage along the watercourse, with a natural bed and no drop inlet or outlet. Where watercourses are open-cut for cable crossings, impacts will be temporary and habitats will reinstate within two years, with aquatic species re-colonising naturally from adjacent habitats; however, fish rescue may be required during construction where de-watering or over-pumping is required.</p> <p>he construction of the Grid Connection Corridor and any internal access across the Order limits, where this crosses watercourses, will utilise non-intrusive methods to avoid physical disturbance to the watercourse therefore avoiding disturbance to species, habitat loss and direct mortality for aquatic species. No impact pathways, either directly or indirectly, that would impact upon fish species.</p>
	Chapter 8: Ecology and Nature Conservation			<p><b>Baseline</b></p> <p>Non-breeding (wintering and passage) birds.</p> <p><b>Mitigation</b></p>

	- Birds			<p>The Scheme design retains and avoids direct and indirect impacts to the majority of habitats of value to wintering birds, including woodland, grassland margins, scrub and hedgerows within the Solar and Energy Storage Park.</p> <p>Whilst the Scheme design retains habitats of greatest value to wintering birds, measures to ensure incursion into these habitats does not occur will be put in place, e.g. security fencing, which will be implemented at an early stage to protect retained habitats from incursion during construction.</p> <p><b>Assessment</b></p> <p>The construction of the Scheme will lead to the loss of arable habitat, although the amount of permanent habitat loss within the Order limits has been minimised as far as reasonably practicable to ensure the majority of wintering birds are not affected. Hedgerows and woodland areas will be retained and new habitats will be created.</p> <p>There will be no fragmentation of habitats used by non-breeding (wintering) birds as the majority of hedgerows will be retained. Connectivity across the Order limits will be improved with the creation of new hedgerows.</p> <p>Best practice construction methods, as detailed in the Framework CEMP [EN010131/APP/7.3], secured through the DCO, will include implementation of measures to minimise noise, lighting and vibration disturbance, which will in turn remove any potential disturbance to wintering birds in retained habitats.</p> <p>There will be no species mortality during construction of the Scheme. Therefore, there are no impact pathways that could affect wintering birds during construction of the Scheme.</p>
3	Chapter 9: Water Environment	EN010131/APP/3.1	January 2023	There are considered to be no significant residual effects for surface water, groundwater or flood risk during the construction, operation and decommissioning phases of the Scheme.
4	Appendix 9-A: Water Framework Directive Assessment	EN010131/APP/3.3	January 2023	<p>The WFD assessment includes a general study area (Zone of Influence) of approximately 1km from the Order limits boundary has been considered in order to identify water bodies that are hydrologically connected to the Scheme, and potential works associated with the Scheme, that could cause direct impacts.</p> <p>This assessment has considered the potential impacts and associated mitigation of the Scheme in relation to the WFD quality elements of the Trent from Carlton-on-Trent to Laughton Drain, Tributary of the Till, Marton Drain, and Seymour Drain surface water bodies and the Lower Trent Erewash groundwater body.</p> <p>The assessment demonstrates that the Scheme is compliant with the objectives of the WFD: it would not cause deterioration in status of the water bodies and would not prevent the water bodies achieving future Good Ecological Status.</p>
5	7.3 Framework	REP2-033	August 2023	Refer to Table 3-3 Ecology and Biodiversity. In particular :

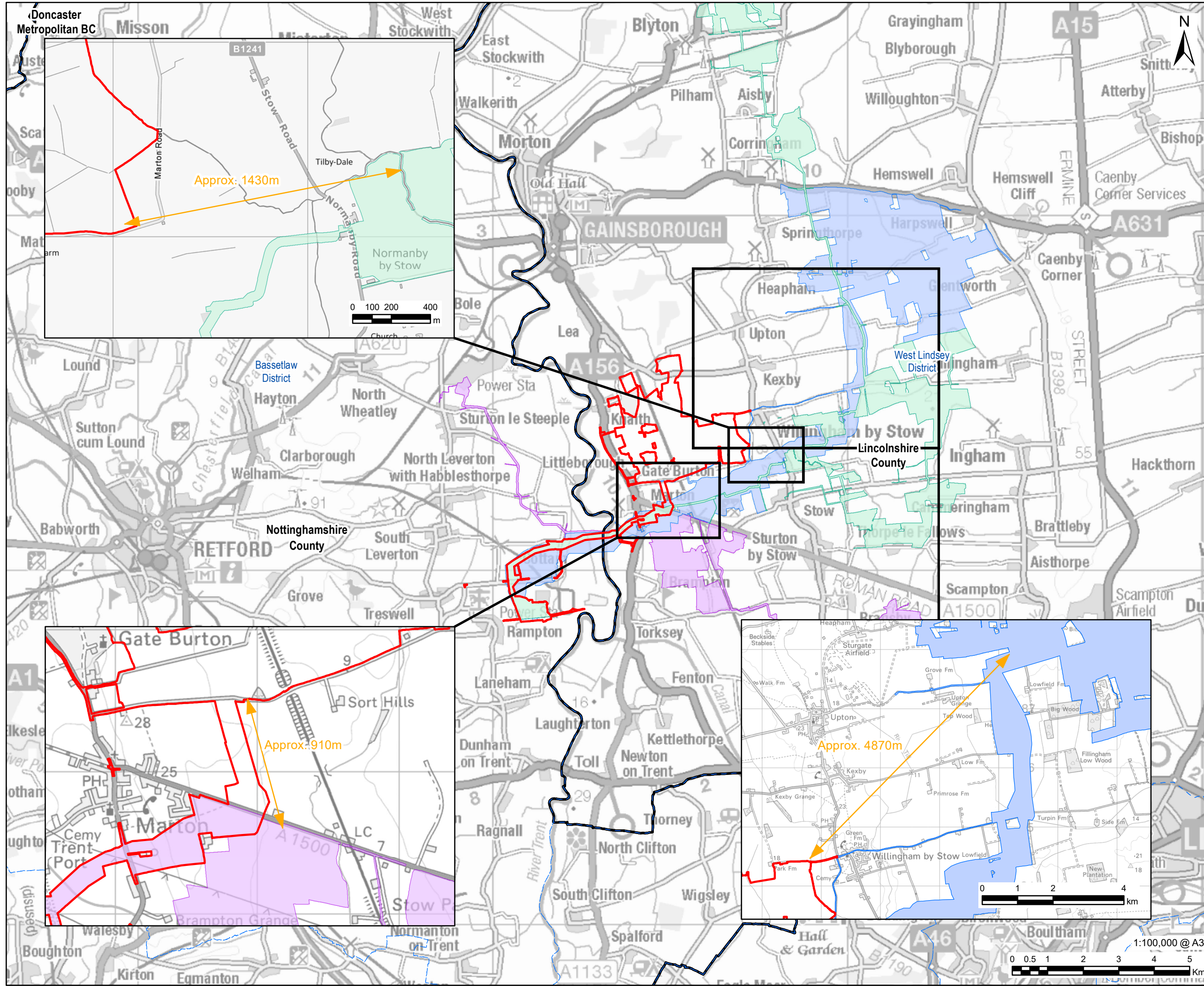
	<p>Construction Environmental Management Plan (submitted at Deadline 2)</p>		<p><b>“Habitats – Coastal and Floodplain Grazing March – within the Grid Connection Corridor Crossing:</b> <i>The crossing of the River Trent will be undertaken using HDD methods to lay cabling, with a sufficient setback and Avoidance Area’s in ES Volume 2: Figure 2-5 [EN010131/APP/3.2] to prevent impacts to Coastal and Floodplain Grazing Marsh either side of the River Trent. As such, launch and exit pits will be located outside of this habitat, which is considered sufficient to mitigate for potential hazards such as chemical and soils spills into watercourses and avoid potential direct impacts to the River Trent, Coastal and Floodplain Grazing Marsh and protected species using them (such as Otter, which use the river for commuting and foraging).”</i></p> <p><b>“Habitats – Running Water within and adjacent to the Order limits: Grid Connection Corridor Crossing:</b> <i>The construction of the Grid Connection Corridor across avoidance areas will be undertaken using HDD methods to lay cabling. This will avoid impacts to watercourses, including the Coastal and Floodplain Grazing Marsh either side of the River Trent, with launch and exit pits located outside of this habitat. This method is considered sufficient to mitigate for potential hazards such as chemical and soils spills into watercourses and avoid potential direct impacts to the River Trent, Coastal and Floodplain Grazing Marsh and Otter, which use the river for commuting and foraging.”</i></p> <p>Refer to Table 3-4 Water Environment. In particular:  <b>“Grid Connection Corridor: HDD in avoidance areas:</b></p> <p>a) <i>A set of avoidance areas (as shown on ES Volume 3: Appendix 2-B (Figure 1) [EN010131/APP/3.3] have been assigned along within the Grid Connection Corridor where watercourses would be crossed by a HDD methodology rather than intrusive, open-cut techniques.</i></p> <p>b) <i>Launch and exit pits will be sited outside the avoidance areas, and a minimum of 10m from watercourses (measured from the centre line of the watercourse as discussed above with the exception of the River Trent) and a minimum of 16m from the toe of flood defences. Each pit would be a maximum of 5m length x 5m width x 3m depth.</i></p> <p>c) <i>A shoring system appropriate to the ground conditions would be used as appropriate to minimise water ingress into the pits. This may be timbers, sheet piling, or a modular system and would be chosen based on suitability for the site conditions. The ingress of any groundwater will be carefully managed through design of the send or receive pit, shoring method, and a pumping and treatment system. Excessive ingress of water would make the pit unsafe and thus it is important that ingress is minimised and that a suitable system of managing that water is implemented.</i></p> <p>d) <i>The maximum depth of drilling will be under the River Trent and would be up to a maximum of 25m beneath the bed. For all watercourses the depth of drilling beneath the watercourse bed would be a minimum of 2m, in keeping with IDB requirements.</i></p> <p>e) <i>In addition to the control and management measures for site runoff and spillage risk noted above, the methodology of the drilling, or other trenchless techniques, would include measures to minimise the risk to the environment.</i></p>
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				<p><i>f) A site-specific hydraulic fracture (frac-out) risk assessment would be developed prior to construction following further investigation of specific ground conditions at the crossing locations, and appropriate mitigation developed in line with best construction practice.</i></p> <p><i>g) Once the cable is installed beneath the watercourse the pits and any cable trenches will be backfilled to the original ground level and seeded to reduce the risk of runoff and fine sediments entering the watercourse.”</i></p>
<b>6</b>	Outline Design Principles (submitted at Deadline 4)	REP2-009	September 2023	<p>Refer to Work No4. In particular:</p> <p><i>“HDD will be used to install the 400kV cables beneath watercourses within the avoidance areas (as shown in Figure 1 (within Appendix A of this report). This will include the crossing of the WFD designated River Trent (approximate NGR SK 83100 80985), Marton Drain (approximate NGR SK 83693 81149) and Seymour Drain (approximate NGR SK 82087 80693). The HDD depth will be a maximum of 25m below the bottom of the river bed and a minimum of 5m below the lowest surveyed point of the riverbed in order to prevent risk of any scour exposing cable.”</i></p>

- 2.1.5 The Scoping Report was issued to the Planning Inspectorate on 12<sup>th</sup> November 2021. The Inspectorate consulted the 'consultation bodies' listed in Appendix 1 of the Scoping Opinion which included the MMO. No comments were received from the MMO.
- 2.1.6 The Applicant therefore considers that the relevant impacts relating to the marine environment are already assessed in the Environmental Statement and therefore, there is sufficient information available to inform a Deemed Marine Licence (DML) if required.



## Appendix C – Cumulative Assessment: Distances to other Nationally Significant Infrastructure Solar Projects



**PROJECT**  
Gate Burton Energy Park

**CLIENT**  
 Gate Burton ENERGY PARK

**CONSULTANT**  
AECOM Limited  
Sunley House  
4 Bedford Park  
Surrey, CR0 2AP, UK  
www.aecom.com

- LEGEND**
- Order Limits
  - County Boundary
  - District Boundary
  - Cottam Order Limits
  - Tillbridge Draft Order Limits (June 2023)
  - West Burton Order Limits\*

**NOTES**  
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\*Based on the ExA second written questions, the measurements shown indicate the distances between the proposed solar PV areas based on the Gate Burton, Cottam and West Burton applications and the Tillbridge Preliminary Environmental Information Report (PEIR).

**ISSUE PURPOSE**  
Applicants Response to the ExA Second Written Questions

**PROJECT NUMBER**  
60664324

**FIGURE TITLE**  
Cumulative Assessment

**FIGURE NUMBER**  
Figure 1

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## Appendix D – Correspondence with Severn Trent

## Mawdsley, Edwin

---

**From:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Sent:** 03 October 2023 10:47  
**To:** Lauren McGill  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686

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ST Classification: OFFICIAL PERSONAL

Hi Lauren,

Apologies, I was on AL yesterday.

Yes I can confirm that is acceptable.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : [REDACTED]

Email: [REDACTED]@severntrent.co.uk

---

**From:** Lauren McGill [REDACTED]@lowcarbon.com>  
**Sent:** 02 October 2023 16:12  
**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

**Caution:** This is an external email originating outside Severn Trent. Think before you click on links or open attachments.

Hi Mike,

Apologies to chase again, we are hoping to get this confirmed and ready to submit for tomorrow.

Do you have any comments on the below or would you be happy for us to submit that wording appending our emails?

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Lauren McGill [REDACTED]@lowcarbon.com>  
**Sent:** Friday, September 29, 2023 4:48 PM  
**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

Hi Mike,

Thank you very much for the below. Would you be willing to make a submission confirming you have no objection to Gate Burton Energy Park on this basis?

We would like to respond to the Inspector's questions with the below wording and would like to append your email below. Could you please let me know if you're happy with this?

*“Severn Trent have confirmed that any ‘concerns’ with the Scheme may only arise in the event that cables were to cross its sewer pipe, and on the basis that the Scheme does not intend to do so Severn Trent are happy to rely on its statutory powers. If the cables were to dissect, Severn Trent have indicated that they would require a clearance of 300mm in order for the works to then be considered acceptable. The Applicant can reassure that in any event this will be secured through the standard protective provisions at paragraph 6(7) of Part 1 of Schedule 15 which provides that “Nothing in sub-paragraph (6) authorises the undertaker to execute the placing, installation, bedding, packing, removal, connection or disconnection of any apparatus, or execute any filling around the apparatus (where the apparatus is laid in a trench) within 300 millimetres of the apparatus”.*

*As such, the Applicant considers that Severn Trent’s interests are sufficiently protected and no further updates are necessary. Evidence of Severn Trent’s confirmation of the same has been submitted at Appendix [X].”*

Thank you

**Lauren McGill**  
Project Development Manager

M [REDACTED]

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**From:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Sent:** Friday, September 29, 2023 2:26 PM  
**To:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686

**This message originated from outside your organization**

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ST Classification: OFFICIAL PERSONAL

Hi Lauren,

Thank you for your email. My colleague passed me your email regarding your deadline early next week.

It sounds like the only 'concerns' re this proposal would be in the event of cables crossing a sewer pipe. With this in mind I can confirm STW would be happy to rely on our Statutory powers and would only need involvement should cables dissect. Should they do so we would just need clearances as outlined in my last email for us to consider them acceptable.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : [REDACTED]

Email: [REDACTED] <[\[REDACTED\]@severntrent.co.uk](mailto:[REDACTED]@severntrent.co.uk)>

---

**From:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Sent:** 26 September 2023 12:45  
**To:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

**Caution:** This is an external email originating outside Severn Trent. Think before you click on links or open attachments.

Hi Mike,

I've had a look on Land Registry and it appears that the sewage works near where the sewage pipes in question are, are owned by Severn Trent, rather than Anglian Water. I would therefore assume that the nearby apparatus also belongs to Severn Trent.

Given that it would appear you have assets in this area, the Examining Authority would like to see something from Severn Trent stating you are happy to rely on Gate Burton's standard protective provisions included within our DCO which I have previously sent you, or your own form of words either stating that protective provisions are not needed as you can rely on your statutory powers, or another form.

I'm not sure what form this should take, whether you'd prefer to rely on our standard protective provisions or if you'd rather rely on your own statutory powers or own protective provision wording?

It was mentioned several months ago that Severn Trent wouldn't need to rely on our standard protective provisions as you have your own statutory powers you can rely on, but it would be good to get this confirmed.

Thank you

**Lauren McGill**  
Project Development Manager

M [REDACTED]

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**From:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Sent:** Tuesday, September 26, 2023 11:01 AM  
**To:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686  
**This message originated from outside your organization**

---

ST Classification: OFFICIAL PERSONAL

Hi Lauren,

With regards to cables, generally they need to be 300mm clear of the sewers; whether above or underneath and running perpendicularly across the pipes.

I'm afraid we don't have specific area plans available and our sewer records are all we have that show where assets are, albeit only as a guide and accuracy cannot be guaranteed so some on site investigations would be needed.

Copies of our sewer records can be obtained from our partners at [www.digdat.co.uk](http://www.digdat.co.uk) if you do not already have these. I can confirm that this area is right on STW's boundary so STW do not cover the entire area. Additionally it is completely out of STW's area for clean water.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : 07889 631426

Email: [REDACTED]@severntrent.co.uk

---

**From:** Lauren McGill [REDACTED]@lowcarbon.com>

**Sent:** 13 September 2023 14:07

**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>

**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

**Caution:** This is an external email originating outside Severn Trent. Think before you click on links or open attachments.

Hi Mike,

Thank you, I've had a look at the agreement - as you mentioned below this relates to erecting a building which we don't intend to do, we would be laying an underground 400 kV circuit underneath or over the top of the Severn Trent pipelines. You mentioned that a formal agreement wouldn't be needed for any non structural works. Does this extend to the laying of cables too?

I believe there are Severn Trent pipelines on our cable route, but I cannot confirm this as the plans online are unclear. Could you please send through a plan of Severn Trent's boundary?

Thank you

**Lauren McGill**

Project Development Manager

M

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**From:** Asset.Protection <Asset.Protection@severntrent.co.uk>

**Sent:** Friday, September 8, 2023 12:20 PM

**To:** Lauren McGill [REDACTED]@lowcarbon.com>

**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686

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---

ST Classification: OFFICIAL PERSONAL

Hi Lauren,

Thank you for your email.

If there would be any structural work (ie the construction of a permanent building) within proximity of a public sewer then either a diversion of the pipe under Section 185 would be needed or a formal agreement would be needed to build within the protective strip. I've attached a copy of the agreement would consist of for your information.

Any non structural works (ie roads, walls etc) would not need anything formal but we'd still expect to be contacted so we can ensure that the pipe/s would not be adversely affected by the works.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : [REDACTED]

Email: [REDACTED]@severntrent.co.uk

---

**From:** Lauren McGill [REDACTED]@lowcarbon.com>

**Sent:** 01 September 2023 15:26

**To:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>

**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

**Caution:** This is an external email originating outside Severn Trent. Think before you click on links or open attachments.

Hi Mike,

Just to follow on from my email below, I wanted to direct you to our standard protective provisions included within our draft DCO. If you follow the below link and go to Part 1 of Schedule 15 you'll see the protective provisions there. <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010131/EN010131-000863-EN010131%206.1%20Draft%20Development%20Consent%20Order%20-%20V3%20Clean.pdf>

These are our standard protective provisions there to protect electricity, gas, water and sewerage assets. If we do need an agreement in place with you, could you please let me know if you have your own bespoke agreements/protective provisions or if you'd want to comment on our standard ones?

Have a good weekend

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Lauren McGill [REDACTED]@lowcarbon.com>

**Sent:** Thursday, August 31, 2023 3:43 PM

**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>

**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

Good afternoon Mike,

Thank you for the below. If I understand this correctly, this means we will need an agreement in place if we do any works within your protective strips/easements, but not if we are outside of these because your statutory rights will cover this?

According to the utility searches we have carried out, it appears that Anglian Water provide the potable water in the vicinity of our Order Limits (attached) but Severn Trent provide the sewage, is this correct? We're struggling to find the boundaries between Anglian Water and Severn Trent as this isn't clear online.

If I am understanding the utility searches correctly, there are some sections of our cable route (the narrow corridor shown on the attached) where we will need to take our cable over or under your infrastructure, which I anticipate will require crossing agreements and a suitable working methodology. However, I don't believe that there are any Severn Trent assets in the main solar farm itself. Could you please confirm if this is correct based on our Order Limits attached?

On this basis are you happy that your previous response is sufficient and can we forward this onto the Planning Inspectorate, or is more work required to work on our cable crossings?

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Sent:** Wednesday, August 30, 2023 12:44 PM  
**To:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686  
**This message originated from outside your organization**

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ST Classification: OFFICIAL PERSONAL

Hi Lauren,

Thank you for your email.

Our Statutory Rights mean that no structures can be built within a certain protective strip. Should there be works proposed within, ie that would require the relaxation of that statutory clearance, then STW would still require agreements etc. Due to these Rights, whether STW make representations to the Local Planning Authority or not, these clearances must still be met.

If there are no works within the protective strips/easements then STW would have no concerns.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : [REDACTED]

Email: [REDACTED] <[\[REDACTED\]@severntrent.co.uk](mailto:[REDACTED]@severntrent.co.uk)>

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**From:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Sent:** 22 August 2023 17:46  
**To:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

You don't often get email from [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>. [Learn why this is important](#)

**Caution:** This is an external email originating outside Severn Trent. Think before you click on links or open attachments.

Good evening,

As you may be aware, our solar DCO project, Gate Burton Energy Park, is now in Examination.

As mentioned below, you are willing to rely on your statutory rights to avoid the need for bespoke protective provisions. Could you please confirm if you are happy for me to submit the below email from yourselves to the Planning Inspectorate to show your willingness to rely on these statutory rights?

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Sent:** Tuesday, March 28, 2023 3:54 PM  
**To:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686  
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ST Classification: OFFICIAL PERSONAL

Hi Lauren,

Thank you for your email.

At this stage we've not had our legal team working on protective provisions as we can rely on our statutory rights surrounding protection of public assets. It would only be if there were any complications or relaxations being sought that we may need to involve them.

Should you require any further information, please do not hesitate to contact me.

Kind regards,

**Mike Shapland**

Senior Evaluation Technician

Asset Protection

Asset Strategy & Planning

Chief Engineer, Severn Trent Water

Mobile : [REDACTED]

Email: [REDACTED] <[\[REDACTED\]@severntrent.co.uk](mailto:[REDACTED]@severntrent.co.uk)>

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**From:** Lauren McGill [REDACTED] <[\[REDACTED\]@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>  
**Sent:** 17 March 2023 11:40  
**To:** Asset.Protection <[Asset.Protection@severntrent.co.uk](mailto:Asset.Protection@severntrent.co.uk)>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

Good morning,

I was wondering if you have an update on the below?

You may have seen that Gate Burton Energy Park has now been accepted by the Planning Inspectorate for examination and you should have been notified about this. Please let me know if you have any questions.

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Lauren McGill [REDACTED]@lowcarbon.com>  
**Sent:** Friday, November 11, 2022 4:19 PM  
**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686

Good afternoon,

Thank you for the general precautions whilst working around Severn Trent assets.

Our solicitors have been working on a set of standard protective provisions which detail how Gate Burton Energy Park will protect your assets that are in the same area as our proposed solar development. I have attached these standard protective provisions.

If you have solicitors working on your behalf regarding protective provisions, could you please send these onto them? If they have any questions, our solicitors details are:

**Pinsent Masons**

**Contact:** Amy Stirling

**Email:** [REDACTED]@pinsentmasons.com

**Mobile number:** 07827 986702

**Contact:** Toby Yeates

**Email:** [REDACTED]@pinsentmasons.com

**Mobile number:** [REDACTED]

Please don't hesitate to get in contact with Amy or Toby if you have any questions

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Lauren McGill [REDACTED]@lowcarbon.com>  
**Sent:** Friday, November 4, 2022 3:31 PM  
**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Subject:** Re: Gate Burton Energy Park - Severn Trent - J-221104-20686  
Thank you very much for this Mike  
**Lauren McGill**  
Project Development Manager

M [REDACTED]

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**From:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Sent:** Friday, November 4, 2022 11:01 AM  
**To:** Lauren McGill [REDACTED]@lowcarbon.com>  
**Subject:** RE: Gate Burton Energy Park - Severn Trent - J-221104-20686  
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ST Classification: OFFICIAL PERSONAL

Dear Lauren,

Thank you for your email. I have attached a copy of our general precautions where working in the vicinity of public sewers. With regards to structures we require the below clearances.

- Up to and including 299mm diameter - We require 3m no build zone/protective strip, either side of the pipe (6m across the diameter).
- Sewers from 300mm diameter to 999mm diameter - We require 5m no build zone/protective strip, either side of the pipe (10m across the diameter).
- 1000mm diameter or greater - We require 7.5m no build zone/protective strip, either side of the pipe (15m across the diameter).

If there would be any cabling that would intersect with any public sewers please let us know.

Should you require any further information, please do not hesitate to contact us.

Kind regards

Mike Shapland

Asset Protection

Severn Trent Water

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**From:** Customer Services <enquiries@severntrentsearches.com>  
**Sent:** 03 November 2022 09:32  
**To:** Asset.Protection <Asset.Protection@severntrent.co.uk>  
**Subject:** FW: Gate Burton Energy Park - Severn Trent

Good morning, please can you assist with the below?

Thank you

Kind Regards

Corina Mann

Customer Service Senior Advisor

Severn Trent Searches

Tel: 0115 971 3550



How did you rate our customer service today? Please click [here](#) and give us your feedback now on how we dealt with your enquiry.

---

**From:** Lauren McGill [REDACTED] [@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>

**Sent:** 01 November 2022 14:56

**To:** Customer Services <[enquiries@severntrentsearches.com](mailto:enquiries@severntrentsearches.com)>

**Subject:** Re: Gate Burton Energy Park - Severn Trent

Good afternoon,

I do apologise, the email below was sent in error (I was drafting a separate email and then when I found your email address I accidentally sent you the below email - not sure how that happened!)

Please ignore the below email. I was instead emailing to introduce myself as the Project Manager for a proposed solar DCO project - Gate Burton Energy Park, near Gainsborough in Lincolnshire. We are currently in the final stages of preparing our DCO to submit in early Q1 2023. Construction, should we get consent, is due to start in 2025. I have attached a plan of our proposed development and a screenshot of the boundary of our proposed site including the cable route.

We have conducted utility searches and I can see that you have assets in the vicinity of our site. It would be worth having a discussion on these to see if you have any queries or concerns?

I look forward to hearing from you

Thank you

**Lauren McGill**

Project Development Manager

M [REDACTED]

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**From:** Lauren McGill [REDACTED] [@lowcarbon.com](mailto:[REDACTED]@lowcarbon.com)>

**Sent:** Tuesday, November 1, 2022 2:41 PM

To: [enquiries@severntrentsearches.com](mailto:enquiries@severntrentsearches.com) <[enquiries@severntrentsearches.com](mailto:enquiries@severntrentsearches.com)>

Subject: Gate Burton Energy Park - Severn Trent

Good afternoon,

orning Tom,

I've been passed your details by our contacts at EDF – apologies for emailing out of the blue but I urgently need to open discussions with Uniper regards our proposed development at the old Cottam Power station in Gainsborough (RLB/map attached).

As you can see our cable routes specifically are likely to cross existing Uniper assets, we and our consultants have carried out linesearches etc but EDF have advised we do need to engage with you directly to discuss availability of As-Laid plans, assets depths etc if you have these. I'm also sure given the proximity you may want to meet with myself and our construction teams/planning consultants to gain assurance of our proposed approach and experience in these type of works.

If you could respond back I'd really appreciate it Tom, hopefully we will speak soon.

**Lauren McGill**

Project Development Manager



M [REDACTED]

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