

# Gate Burton Energy Park

## EN010131

Draft Statement of Common Ground between the Applicant and Lincolnshire County Council  
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Gate Burton Energy Park Limited

Prepared for:

Gate Burton Energy Park Limited

Prepared by:

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## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) Gate Burton Energy Park Limited and (2) Lincolnshire County Council.**

**Lauren McGill, Project Manager on behalf of Gate Burton Energy Park Limited**

**Date:.....**

**Signed.....**

**[NAME] [POSITION] on behalf of Lincolnshire County Council**

**Date:.....**

**Signed.....**

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# 1. Introduction

## 1.1 Introduction

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to accompany an application made to the Secretary of State for the Department for Business, Energy and Industrial Strategy for a Development Consent Order (the Application) under section 37 of the Planning Act 2008 (PA 2008). The Application seeks consent for the proposed Gate Burton Energy Park (hereafter referred to as the Scheme).
- 1.1.2 The Application is submitted by Gate Burton Energy Park Ltd (the Applicant) which is a subsidiary of Low Carbon Ltd ('Low Carbon'). Low Carbon is a privately-owned UK investment and asset management company specialising in renewable energy. The Funding Statement [EN010131/APP/6.7] provides further information on the Applicant and Low Carbon.
- 1.1.3 This SoCG has been prepared by (1) Gate Burton Energy Park Ltd (the Applicant); and (2) Lincolnshire County Council (LCC).
- 1.1.4 LCC is a host local planning authority for the area covered by the Solar and Energy Storage Park and the section of the Grid Connection Corridor that lies to the east of the River Trent. The section of cable route and grid connection works located to the west of the River Trent lie in the area covered by Bassetlaw District Council and Nottinghamshire County Council. Given the different extent and nature of works in the adjoining area, these host authorities are covered by a separate SoCG. The location of the Scheme in relation to the local authority boundaries is provided in Figure 1.
- 1.1.5 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties, where agreement has not been reached (and that is the parties' final position) and where discussions are still ongoing.
- 1.1.6 **This version has been prepared by the Applicant and incorporates comments from LCC provided in writing and discussed in meetings. However, discussions are ongoing on a number of matters and this document is therefore not yet a final, signed Statement of Common Ground.**

## 1.2 The Scheme

- 1.1.7 Gate Burton Energy Park is a proposed solar photovoltaic electricity generating facility. The Application is for development consent to construct, operate, maintain and decommission ground mounted solar photovoltaic (PV) panel arrays, on-site battery storage and associated infrastructure. Associated infrastructure includes, but is not limited to, access provision and an underground 400kV electrical connection of approximately 7.5km to the National Grid Substation at Cottam Power Station. A detailed description of

the Scheme is included in Chapter 2: The Scheme of the Environmental Statement (ES) [EN010131/APP/3.1].

1.1.8 The land within the Order Limits is wholly contained within one site and will comprise of two distinct areas, based on the elements of the Scheme that are proposed in each:

- The **Solar and Energy Storage Park**: is the main area for the Scheme, including the area where the solar panels, Battery Energy Storage System (BESS) and on-site substation would be located. This is an area of 652 hectares.
- The **Grid Connection Corridor**: this comprises of land between the Solar and Energy Storage Park and Cottam Substation for grid connection works. This is an area of 172 hectares.

1.1.9 These areas are shown in Figure 1.

## 1.3 Format of Document and Terminology

1.1.10 Section 2 summarises the issues that are 'agreed', 'not agreed' or are 'under discussion'. 'Not Agreed' indicates a final position where the parties have agreed to disagree, 'Agreed' indicates where the issue has been resolved.

1.1.11 This SoCG is supported by Appendix A, which details the full record of engagement between the parties. Appendix B lists relevant local planning policy documents.

## 2. Areas of Discussion between the Parties

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
<b>1. General principles of the Scheme</b>					
1.0		In principle support for solar development	<p>EN-1- (Overarching national Policy Statement for Energy) confirms the Government’s commitment to the legally binding target to cut greenhouse gas emissions by 80% by 2050, compared to 1990 levels. It also identifies the need to increase dramatically the amount of renewable electricity generation capacity in order to meet the commitments under the EU Renewable Energy Directive and to improve energy security by reducing dependence on imported fossil fuels, decrease greenhouse gas emissions and providing economic opportunities. Solar is noted within the document as being an intermittent renewable technology.</p> <p>EN-3 (National Planning Policy Statement for Renewable Energy Infrastructure) was published in 2011 and covers those technologies which were technically viable at generation capacities of over 50MW onshore and 100MW offshore. Solar PV is not included in the EN-3 because at the time it was published utility scale solar development was not considered to be commercially or technically viable.</p> <p>The revised draft EN-3 states that solar is a key part of the government’s strategy for low-cost decarbonisation of the energy sector and that government expects a five-fold increase in solar deployment by 2035 (up to 70GW). It is also stated that solar farms can be built quickly and - coupled with consistent reductions in the</p>	<p>There is support for the principle of solar development in existing and emerging national government energy and planning policy. Solar development can make a significant contribution to achieving the UK’s renewable energy and carbon reduction targets. Action to achieve the UK’s renewable and carbon reduction targets is necessary and urgent.</p> <p>The Applicant agrees with the position put forward by LCC on policy, including the need for careful consideration of how to manage and mitigate significant adverse effects.</p>	Agreed

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			<p>cost of materials and improvements in the efficiency of panels - large-scale solar is now viable in some cases to deploy subsidy-free.</p> <p>Section 3.10.9 to 3.10.39 of the draft NPS sets out the key considerations and factors that will need to be taken into consideration when selecting sites and these include irradiance and site topography, proximity of site to dwellings, agricultural land classification and land type, accessibility, public rights of way, security and lighting and grid connectivity (section 3.10.9 to 3.10.39 refer). The technical considerations are set out in sections 3.10.40 to 3.10.63) and include capacity of the site, site layout design and appearance, project lifetimes and flexibility. Impacts that will need to be considered are set out in Sections 3.10.64 to 3.10.117 and biodiversity and nature conservation, landscape, visual and residential amenity, glint and glare, cultural heritage, construction including traffic and transport noise and vibration.</p> <p>The GBS would make a significant contribution towards renewable energy generation, providing the electricity to power an equivalent of approximately 156,000 homes. This contribution aligns to key commitments at the national level and within the adopted and emerging National Policy Statements recognising the importance of the Government's commitments to cut greenhouse gases by 80% of 2050.</p> <p>The Council recognises that solar energy development can help meet targets for reducing carbon emissions, reduce reliance on fossil fuels and provide local energy security. They can also provide economic diversification</p>		



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1.1	Relevant Planning Policy Documents	for farmers and landowners and support local employment opportunities. Therefore whilst the GBS, by its nature offers significant positive impacts in terms of the production of clean renewable energy and the transition and movements towards Net Zero, in order to be supported it must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed and/or mitigated through the DCO process.	<p><b>The Central Lincolnshire Local Plan 2023-2043 was adopted April 2023, replacing the Central Lincolnshire Local Plan adopted in 2017.</b> The Relevant Policies are:</p> <ul style="list-style-type: none"> <li>• Policy S5: Development in the Countryside – Specifically Part E: Non-Residential development in the country. Reason for this is because of the criterion to be considered that “The development is of a size and scale commensurate with the proposed use and with the rural character of the location”.</li> <li>• Policy S14: Renewable Energy – Reason: “To consider if the impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety”.</li> <li>• Policy S21: Flood Risk and Water Resources – Reason: majority of the sites are in flood risk zones.</li> <li>• Policy S45: Strategic Infrastructure Requirements – Reason: Relevant for the infrastructure that would be constructed to enable the development to take place.</li> <li>• Policy S48: Walking and Cycling Infrastructure – Reason: “protect, maintain and improve existing infrastructure, including closing gaps or deficiencies in</li> </ul>	The Applicant has identified the planning policy documents listed in <b>Appendix B</b> as being relevant to LCC.	Agreed

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			<p>the network and connecting communities and facilities”, this being relevant to the PROWs.</p> <ul style="list-style-type: none"> <li>• Policy S53: Design and Amenity – Reason: “All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all”.</li> <li>• Policy S54: Health and Wellbeing – Reason: This policy seeks to ensure access to adequate access to nature might run counter to the development essentially “taking away” open green space.</li> <li>• Policy S57: The Historic Environment – Reason: archaeological interest within the sites.</li> <li>• Policy S58: Protecting Lincoln, Gainsborough and Sleaford’s Setting and Character – Reason: “Protect and enhance the landscape character and setting of Gainsborough and the surrounding villages by ensuring key gateways are landscaped to enhance the setting of the town, minimise impact upon the open character of the countryside and to maintain the setting and integrity of surrounding villages”.</li> <li>• Policy S59: Green and Blue Infrastructure Network – Reason: Relevant because of the nature the development itself or the development impacts on PROWs.</li> <li>• Policy S60: Protecting Biodiversity and Geodiversity – Reason: Some of the woodlands near or bordering the order limit might be “irreplaceable habitats”.</li> <li>• Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains – Reason: 10% biodiversity net gain is an ambition that all Development Consent Order projects are working towards as it will become mandatory</li> </ul>		

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			<p>for projects of this size to be comply with biodiversity net gain targets by 2025.</p> <ul style="list-style-type: none"> <li>• Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value – Reason: Relevant because of the development’s proximity to The Cliff to the east with views from and to this designated Area of Great Landscape Value to the east.</li> <li>• Policy S66: Trees, Woodland and Hedgerows – Reason: Relevant because of the hedgerows around the site boundaries but could again be relevant to the Woodland areas nearby.</li> <li>• Policy S67: Best and Most Versatile(BMV) Agricultural Land – Reason: there is BMV land present within the application site.</li> </ul> <p><b>Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies</b>                      The planning policy framework for minerals and waste within Lincolnshire is set out in the adopted Lincolnshire Mineral and Waste Local Plan (2016) Relevant Policies are:</p> <ul style="list-style-type: none"> <li>• Policy DM1: Presumption in favour of sustainable development – Reason: “the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework”.</li> <li>• Policy DM4: Historic Environment – Reason: Potential archaeological interest.</li> <li>• Policy M2: Providing for an adequate supply of sand and gravel.</li> <li>• Policy M11: Safeguarding of Mineral resources.</li> <li>• Policy W1 Future Requirements for new waste sites</li> </ul>		

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			<p>Also of Relevance is the Sturton by Stow and Stow Neighbourhood Plan (2022). Relevant policies are:</p> <ul style="list-style-type: none"> <li>• Sturton by Stow, and Stow Policy 1: Sustainable Development – Reason: Supports developments that get us closer to net zero gas emissions.</li> <li>• Sturton by Stow, and Stow Policy 5: Delivering Good Design – Reason: identical to the above.</li> </ul>		
1.2		Policy and the principle of the Scheme	<p>Local Policy</p> <ul style="list-style-type: none"> <li>• Policy S14: Renewable Energy</li> <li>• Policy DM1: Presumption in favour of sustainable development.</li> </ul> <p>The theme of these policies centres around the desire to support developments that are sustainable/relate to renewable energy. The principle of this development is meeting a nation need for solar/renewable energy, so it should be assessed against these policies. Policy DM1 has no specific tests/criteria beyond developments meeting the standards laid out in the NPPF, but Policy S14 calls for the following specific criteria to be met:</p> <ul style="list-style-type: none"> <li>• The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings and the historic landscape; and highway safety and rail safety; and</li> <li>• The impacts are acceptable on aviation and defence navigation system/communications; and</li> <li>• The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;</li> </ul>	<p>The Applicant considers the principle of the Scheme is supported by local planning policy.</p> <p>Policy LP19 of the Central Lincolnshire Local Plan 2012-2036 (Ref 1-2) and Policy S14 of the Central Lincolnshire Local Plan (Review) (Ref 1-3) makes provision for non-wind renewable energy development where the benefit of the development outweighs the harm caused and it is demonstrated that any harm will be mitigated as far as is reasonably possible.</p> <p>The Applicant considers that the benefits of the development outweigh the harm and any harm has been mitigated as far as is reasonably possible, so the Scheme complies with this policy.</p>	Not agreed

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			<p>The GBS would make a significant contribution towards renewable energy generation, providing the electricity to power an equivalent of approximately 156,000 homes. This contribution aligns to key commitments at the national level and within the adopted and emerging National Policy Statements recognising the importance of the Government's commitments to cut greenhouse gases by 80% of 2050.</p> <p>The Council recognises that solar energy development can help meet targets for reducing carbon emissions, reduce reliance on fossil fuels and provide local energy security. They can also provide economic diversification for farmers and landowners and support local employment opportunities. Therefore, whilst the GBS, by its nature offers significant positive impacts in terms of the production of clean renewable energy and the transition and movements towards Net Zero, in order to be supported it must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed and/or mitigated through the DCO process. In this case the Council do not consider that the benefits of the scheme outweigh the harm that has been identified to the area.</p>		
1.3		Compliance with local planning policy	<p>Policy S14: Renewable Energy supports renewable energy schemes where the direct, indirect, individual and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met:</p> <p>i. The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their</p>	<p>The Applicant considers it has complied with relevant local planning policy as set out in <b>Appendix B of the Planning, Design and Access Statement [REP2-004 and 006]</b></p>	Under discussion

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			<p>settings and the historic landscape; and highway safety and rail safety; and</p> <p>ii. The impacts are acceptable on aviation and defence navigation system/communications; and</p> <p>iii. The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic;</p> <p>Additional matters for solar based energy proposals</p> <p>Proposals for solar thermal or photovoltaics panels and associated infrastructure to be installed on existing property will be under a presumption in favour of permission unless there is clear and demonstrable significant harm arising. Proposals for ground based photovoltaics and associated infrastructure, including commercial large scale proposals, will be under a presumption in favour unless:</p> <ul style="list-style-type: none"> <li>• there is clear and demonstrable significant harm arising; or</li> <li>• the proposal is (following a site specific soil assessment) to take place on Best and Most Versatile (BMV) agricultural land and does not meet the requirements of Policy S67; or</li> <li>• the land is allocated for another purpose in this Local Plan or other statutory based document (such as a nature recovery strategy or a Local Transport Plan), and the proposal is not compatible with such other allocation.</li> </ul> <p>Proposals for ground based photovoltaics should be accompanied by evidence demonstrating how opportunities for delivering biodiversity net gain will be</p>		

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			<p>maximised in the scheme taking account of soil, natural features, existing habitats, and planting proposals accompanying the scheme to create new habitats linking into the nature recovery strategy.</p> <p>Policy S5: Development in the Countryside</p> <ul style="list-style-type: none"> <li>• Policy S53: Design and Amenity</li> <li>• Policy S58: Protecting Lincoln, Gainsborough and Sleaford's Setting and Character</li> <li>• Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value</li> <li>• Policy S66: Trees, Woodland and Hedgerows.</li> </ul> <p>The theme for these policies centres around the promotion of "suitable" developments within the countryside. Specifically, developments should aim to be of a good design and scale that do not detract from the character of an area and not disrupt the availability of amenities within the area or neighbouring areas (agricultural land, woodland, hedgerows, etc.). These policies are the key ones as this development entails a significant shift in both the use of the landscape as well as its overall visual appearance. It is also worth noting that the number of policies relating to this criterion indicate that this should be thoroughly assessed. The Council commissioned AAH Consultants to assist in the consideration and review of the landscape and visual elements of the GBS proposal and have engaged and provided feedback and advice to the Applicants design team on behalf of the Council throughout the pre-application stage. A full copy of their report and comments having reviewed the DCO application documentation is provided in Appendix A and the</p>		

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following assessment is based on those comments and should be read in conjunction with them.

- The Landscape and Visual Impact assessment (LVIA) and the associated figures, appendices and documents provides a thorough analysis of the development. The assessment is detailed and laid out in a logical manner, and the process of assessment is thorough and well explained. It has been carried out to industry best practice and guidance, such as Guidelines for Landscape and Visual Impact Assessment (GLVIA3), by a team of competent Chartered Landscape Architects.
- The LVIA clearly draws a distinction between landscape effects and visual effects, with the main chapter focussing on likely 'significant' effects (major and moderate effects are generally considered 'significant'). The LVIA presents an assessment of "worst case" scenario of the development, based on maximum parameters presented in the Outline Design Principles.
- The study area selection is explained in detail and the radius of the study area ("approximately 2km around the Order limits of the Grid Connection Corridor, 3km west of the Order limits and 5km to the north, east and south") is justified and appropriate. A wider area has been also considered (up to 10km) beyond the main Study Area to include long distance views to the east, associated with the rising land of the ridge AGLV.
- The masterplan has evolved through an iterative process, however there appears in places an over reliance upon planting just to screen proposals, without full attention to the potential impact of screening on this landscape. The LVIA and appendices does not go into detail about the level of care to ensure the design of mitigation enhances the physical landscape, or views from receptors, other than just screening the



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			<p>development. The LVIA identifies significant landscape and visual effects at the four phases of construction, operation (year 1), operation (year 15), and decommissioning.</p> <ul style="list-style-type: none"> <li>• The construction effects appear to be under-estimated in places, including visual impact and the impact of damage or loss of vegetation due to access requirements. However, this has been discussed with the developer team, and additional information on wider highways works and vegetation removal is being investigated to clarify this through the examination process. Recommend limiting vegetation loss along site boundaries for access or sight lines, or along construction access routes as this has the potential to change the character of the local landscape beyond the limits of the development.</li> <li>• Regarding Cumulative effects (Cumulative landscape and visual effects are those that: “result from additional changes to the landscape or visual amenity caused by the proposed development in conjunction with other developments”), the LVIA identifies that there will be adverse cumulative effects with those sites identified to be included within the assessment:                     <ul style="list-style-type: none"> <li>o Only Minor effects were identified at construction;</li> <li>o Moderate effects were identified at operation with the site and West Burton Solar;</li> <li>o Moderate effects were identified for the combined, West Burton Solar Project, Cottam Solar Project, Tillbridge Solar Farm and the Scheme.</li> </ul> </li> </ul> <p>7.5 The cumulative change to the landscape will be considerable, and the combination of two or more sites has the potential to change the local landscape character at a scale that would be “of more than local significance” or would be “in breach of recognised</p>		

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acceptability, legislation, policy or standards". The cumulative impact of the four adjacent NSIP solar sites has the potential to effect the landscape at a regional scale through predominantly a change in land use: from arable to solar, creating an "energy landscape" as opposed to rural/agricultural one at present. This also has the potential to change the character from an agricultural landscape to that of an "energy" landscape when traveling through the area, and the sequential effects of multiple large scale solar sites, of which some are spread over extensive, fragmented redline boundaries, exacerbating the perception of being surrounded by solar development. 7.6 In view of the conclusions from the Council's assessment of the landscape and visual impact of the development negative impacts have been identified for the site some of which may be mitigated by the production of further evidence but the cumulative impact when combined with the other proposed solar farms in this location is negative which results in a conclusion that the scheme would be contrary to Local Plan Policy S.14 and also the other relevant Landscape Policies outlined above.

- Policy S45: Strategic Infrastructure Requirements  
 Policy S45 seeks to ensure that (amongst other matters) development proposals do not severely impact on the safety and movement of traffic on the highway network or that any such impacts can be mitigated through appropriate improvements, including the provision of new or improved highway infrastructure.  
 The Council as Local Highway Authority for Lincolnshire, has been involved in a number of meetings with the Applicant's design team and consultants during the pre-application stage. The Transport Assessment element of

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			<p>the ES examines the conventional road transportation impacts of the proposed development, both during the construction and the operational phases. Having reviewed the application, the primary impact of this development will be during the construction phase. The Council considers that the Transport and Access Chapter is appropriate and provides a reasonable estimate of HGV and car traffic associated with the development during construction and shows that the impact will be within acceptable levels on the highway network. There is also a cumulative assessment which includes the other solar farms proposed in the area, due to their locations different minor roads are used for access, so the cumulative impact is acceptable. The assessment is based on working hours (Winter 08:00-18:00 / Summer 07:00-19:00 ) which mean workers will travel to/from the site outside peak network hours, this will be covered by the proposed requirement in the Draft DCO. Therefore, the project meets the requirements of Policy S45.</p> <ul style="list-style-type: none"> <li>•Policy S48: Walking and Cycling Infrastructure</li> <li>• Policy S54: Health and Wellbeing</li> <li>• Policy S59: Green and Blue Infrastructure Network.</li> </ul> <p>The theme of the above policies relates to the protection, maintenance, and availability of public rights of way, specifically on the grounds that they provide public access to green/natural spaces as well as provide places for exercise, health, and wellbeing. As the land parcel for the development contains PROWs which will be impacted, these policies are relevant .</p>		

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			<p>There are a number of Public Rights of Way in and around the Order limits and whilst these are to be retained and ongoing access maintained, albeit with some temporary diversion, there would nonetheless be a negative impact to the users of the recreational value of various public rights of way as a result of the development with a change of experience from that of woodland and open fields to a more industrial landscape when travelling through the solar park with its associated infrastructure creating a feeling of enclosure rather than the current open landscape views.</p> <ul style="list-style-type: none"> <li>• Policy S21: Flood Risk and Water Resources.</li> </ul> <p>The above policy's relevance is tied to the site's identified areas of flood risk. The theme of the policy regards developments being required to demonstrate:</p> <ol style="list-style-type: none"> <li>a) that they are informed by and take account of the best available information from all sources of flood risk and by site specific flood risk assessments where appropriate;</li> <li>b) that the development does not place itself or existing land or buildings at increased risk of flooding;</li> <li>c) that the development will be safe during its lifetime taking into account the impacts of climate change and will be resilient to flood risk from all forms of flooding such that in the event of a flood the development could be quickly brought back into use without significant refurbishment;</li> <li>d) that the development does not affect the integrity of existing flood defences and any necessary flood mitigation measures have been agreed with the relevant bodies, where adoption, ongoing maintenance and management have been considered and any necessary agreements are in place;</li> </ol>		

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			<p>e) how proposals have taken a positive approach to reducing overall flood risk and have considered the potential to contribute towards solutions for the wider area; and</p> <p>f) that they have incorporated Sustainable Drainage Systems (SuDS)/ Integrated Water Management into the proposals unless they can be shown to be inappropriate. A Flood Risk Assessment (FRA) has been prepared and submitted as part of the DCO application documentation and the FRA concludes that the majority of the development is proposed outside areas with a risk of flooding and where development is proposed in areas susceptible to flooding there may be a requirement for mitigation measures to ensure no detrimental effect to flooding potential within or from the affected watercourses in the catchment once the scheme is operational.</p> <p>The Council, as Lead Local Flood Authority for Lincolnshire concludes that the surface water Flood Risk is appropriately addressed at this outline stage in the ES; and suitable mitigation measures proposed in the CEMP. More detail would be needed on areas of the site which are proposed to be made impermeable and this could be captured by an appropriate requirement. The Draft DCO includes an appropriate requirement to ensure such details are provided.</p> <p>In summary, subject to the development being carried out as proposed within the DCO application documents and further details being agreed as part of subsequent DCO Requirements, the Council as Lead Local Flood Authority for Lincolnshire, is of the view that impacts of this proposal would be neutral.</p>		

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		<ul style="list-style-type: none"> <li>• Policy M2: Providing for an adequate supply of sand and gravel.</li> <li>• Policy M11: Safeguarding of Mineral resources.</li> <li>• Policy W1: future Requirements for Waste Sites.</li> </ul> <p>Policy M11 of the LMWLP seeks to protect mineral resources from permanent sterilization by other development. Proposals that are therefore proposed within a mineral safeguarding area must be accompanied by a Minerals Assessment and will only be granted where it can be demonstrated that it would not sterilise a mineral resource. Where this is not the case then proposals will need to demonstrate compliance with a range of criteria.</p> <p>It is noted that the vast majority of the Order limits are outside of the Mineral Safeguarding Areas (MSA), designated in the Minerals and Waste Local Plan. A small section of the chosen Grid Connection Corridor is within the sand and gravel MSA, but the relevant section of the applicants document confirms that “It was also agreed that wherever possible, the route of the Grid Connection Corridor follow existing corridors/linear features (field boundaries), to minimise sterilisation of the MSA for sand and gravel. This has been considered in the final design of the Scheme”. This approach aligns with discussions with the applicant</p> <p>When considering the nature and characteristics of the proposals, the Council is satisfied that there would be negligible impact in terms of any sterilisation of mineral resources.</p> <p>Therefore from a mineral safeguarding perspective the impacts of the proposal are neutral and there are no conflicts with the mineral safeguarding policies.</p>		

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			<p>In respect of Policy W1 this requires the Council to make provision for sites to meet predicted future capacity gaps for waste arisings. Currently there are no waste facilities to process discarded solar infrastructure as it is replaced during the lifetime of the development and at the decommissioning stage. When combined with the other solar projects in the County that may be granted DCO in the next 12 months this will present an issue that will need additional facilities to ensure these products are sustainably disposed of. Therefore, it will be necessary for a requirement to be imposed on any DCO permitted that requires a waste management strategy to be submitted which demonstrates the expected quantity of solar infrastructure that will be discarded during the operational and decommissioning phases and the arrangements to be put in to ensure adequate facilities are available to sustainably dispose/recycle these items in the future.</p> <p>Policy S57: The Historic Environment –to protect potential archaeological assets</p> <p>Policy S57 relate to the theme of limiting the impact developments will have on heritage assets. Specifically, in relation to this development, it stipulates that: “Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.” 12.2 The archaeological evaluation work</p>		

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			<p>has been satisfactorily completed and the mitigation strategy is agreed, so the proposed requirement in the draft DCO for Archaeology will ensure the fieldwork, report and archive deposition are captured in the mitigation strategy. Therefore, there are no negative impacts identified in respect of archaeology and the requirements of Policy S57 are not compromised by the proposed development.</p> <p>Policy S67: Best and Most Versatile(BMV) Agricultural Land</p> <p>Policy S67 requires proposals to protect the best and most versatile agricultural land so as to protect opportunities for food production and continuance of agricultural economy. Significant development resulting in the loss of BMV will only be permitted if the criteria of the Policy is met.</p> <p>The Council commissioned Landscape to produce a report 'Review of Soils and Agricultural Land Classification for Gate Burton' attached at Appendix B which provides a detailed review of the impact of the proposal on the agricultural land affected by the proposal. Whilst the Council acknowledges that the GBS has been designed to remove fields that predominately comprise ALC Grade 3a, BMV land remains within the application site. The vast majority of the land proposed for the Solar PV site comprises grade 3b. However, at least 20% of the principal site and 50% of the corridor site is Grade 3a land which is classed as BMV. The proposed development is likely to have a cumulative or defined negative impact that will result in the loss of agricultural production in the development area generally</p>		



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			<p>and/or the permanent loss of production from mostly medium quality agricultural land.</p> <p>The two main land areas of BMV land are either side of the Lincoln to Gainsborough railway. 13.4 Cable route assessment - it is estimated that 50+% of the cable route will be BMV. However, irrespective of the land quality there will be issues of concern to farmers and landowners including:-</p> <ul style="list-style-type: none"> <li>• Land drainage</li> <li>• Weed burden</li> <li>• Biosecurity for plant diseases</li> <li>• Timeliness of soil stripping and storage. These matters will need to be addressed if the scheme is to proceed.</li> </ul> <p>During the construction phase there will be significant damage to soil structure particularly on heavy clay soils. There is inevitably a lot of trafficking of vehicles on the land to erect the panels and if this work is undertaken when soils are wet, there can be significant damage. Much of this damage can be remedied post construction, but not all and it is possible that long term drainage issues occur on the site due to the construction.</p> <p>During the construction phase many of the areas will suffer soil and water issues. To address this it is recommended that a requirement is imposed on any DCO granted to ensure a Soil Management Plan, both for the site and the cable route is submitted and approved.</p> <p>The loss of any agricultural land can impact upon arable food production with knock- on effects in terms of the associated food production economy and to farm enterprises affected by the development. The Council is of the view that the cumulative negative impacts of the loss of arable agricultural land places pressure on the</p>		

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			<p>function of this important part of the local and wider Lincolnshire rural economy as well as raising questions more generally regarding food security and the carbon footprint impacts as a result of the need to import food due to the consequential changes in land-use. In the case of the GBS whilst the time proposed is for a specified period for a period of 60 years there is an acknowledgement in the application documents that this could be extended beyond the 60 year permission sought. In reality as technology improves the solar infrastructure will be in place for longer than this and therefore the impacts are also much greater as potentially the GBS would result in the permanent loss of the agricultural land and so should not be seen as reversible.</p> <p>There are a number of small(er) and several largescale Solar PV schemes in Lincolnshire, with others planned or proposed. There are five known solar project NSIP schemes; specifically in relation to impacts on agricultural land. The situation is a moving picture as new proposals come forward from time to time. Most of these sites are proposed on farmland. Lincolnshire is very much an agricultural area with substantial areas of land within the Best and Most Versatile category. Whilst much of the non BMV land will be Grades 3b, but this is still considered to be 'moderate' and productive land.</p> <p>In summary, given the overall scale of the project and the loss of agricultural land, a significant proportion of which is classed as BMV, the Council considers this loss to represent a significant negative impact not only within the local area but also when considered in-combination with the loss of land from other potential NSIP scale solar developments that are also being promoted and considered across the County. A county-level alternate</p>		

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			<p>assessment area should be applied which as a minimum should consider scope for connection into the National Grid at the location proposed by the registered NSIP solar projects locally, and with specific consideration of agricultural land impacts. 13.10 Therefore the Council consider that for the reasons set out above and the more detailed report attached at Appendix B there is a negative impact on BMV which is consequently contrary to the requirements of Policy S67.</p>		
			<p>Policy S54: Health and Wellbeing</p>		
			<p>This policy seeks to ensure that where any potential adverse health impacts are identified the developer will be expected to demonstrate how these will be addressed and mitigated.</p>		
			<p>The Council's Director of Public Health is undertaking research into the potential health impacts of large scale solar farms and to identify possible links to the sites of these projects and areas of deprivation. However, this will not be available in time for the submission of the LIR but will be brought to the attention of the Examining Authority if concluded during the examination.</p>		
			<p>In addition the potential health impacts and associated pollution from a battery fire in the schemes Battery Energy Storage System needs to be considered in the assessment of the project. Having reviewed the application documents from a Fire Safety perspective the Council is content that the details appear to satisfy the requirements set out in the County Fire Officer standard response to the pre- application stage of the process. However, without further specific details, e.g. detailed plans etc. the response is based very much on the details within the application documents and note that a</p>		

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			<p>requirement is proposed for details of a fire safety plan to be submitted and approved by the Planning Authority. The Fire Brigade wish to continue to be engaged and views sought during the examination and reserve the right to comment on specific details of the fire strategy including drafting of suitably worded requirements to ensure the correct level of information is available and assessed before any development commences.</p> <p>This also includes any requirement for Hazardous Substance Consent for the battery storage facility if this is considered necessary to be included in the Development Consent Order.</p> <p>Consequently at this time a neutral response in respect of the requirements of Policy S54 health, well being and pollution is identified which will be reviewed as further informal for fire safety measures are provided.</p>		

**2. Landscape and Visual**

2.1	LCC RR, Written Representation and Local Impact Report	<p>The parties agree that:</p> <ul style="list-style-type: none"> <li>• There are no areas of disagreement on the methodology and scope of the Landscape and Visual chapter of the LVIA. For avoidance of doubt this includes agreement on the study areas; viewpoints; methodology for assessment of both individual and cumulative effects (including sequential effects); the sensitivity of receptors; and the level of assessment of the impact on the Areas of Great Landscape Value.</li> <li>• The Scheme would deliver landscape and ecological improvements through mitigation areas and planting. These commitments are secured by the Outline Landscape and Ecological Management Plan and Figure 10-23: Outline Landscape Masterplan. These documents will be refined at the detailed design stage and are subject to appropriately worded requirements.</li> <li>• The Scheme will lead to significant adverse landscape character effects and visual effects. These are reported in the Applicant's Environmental Statement. However, there are some differences in the conclusions reached between the parties as detailed below.</li> </ul>	Agreed
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Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
2.2	LCC RR, Written Representation and Local Impact Report	Impacts at a regional/county level	<p>The parties agree that there will be direct and significant alterations to the local landscape character, where the Gate Burton Energy Park will be located and indirectly on sections of adjoining local landscape character (see ES Volume 1, Chapter 10: Landscape and Visual Amenity <b>[REP 2-010/3.1]</b> Section 10.11 Residual Effects and Conclusions)</p> <p>The development has the potential to transform the local landscape by altering the character on a large scale. This landscape change also has potential to affect wider landscape character, at a regional or county scale, by replacing large areas of agricultural or rural land with solar development, affecting the current openness, tranquillity and agricultural character, that are identified as defining characteristics of the area.</p> <p>However, the assessment concludes that the wider landscape character, including at regional or county level, will not be affected. The Applicant understands that LCC's position is that they agree when considering Gate Burton alone but not when considered in combination with other projects; however, discussions are ongoing on this topic.</p>		Under discussion
2.3	LCC RR	Impact on the Ridge Area of Great Landscape Value	<p>Long range, open and panoramic views across the low lying Till Vale from elevated land to the east, including from within The Ridge Area of Great Landscape Value (AGLV) to the east are also a concern, which while of a long range, would potentially include views down onto large areas of solar development, with larger elements, such as the sub-station, being particularly conspicuous in this low lying landscape.</p>	<p>ES Chapter 10: Landscape and Visual Amenity confirm that views from the Ridge are illustrated in photomontage 7 <b>[APP-080]</b>, C4 <b>[APP-085]</b> and C5 <b>[APP-086]</b>. Photomontage 7 shows that there is no view as it is screened by vegetation, which is confirmed by C5 which is at the top of the cliff. C4 is adjacent to Viewpoint 7 on Tillbridge Lane approximately 9.5km from the site. These views are at a considerable distance and would therefore have a Very Low magnitude of visual effects, with the significance being negligible neutral.</p> <p>The parties agree that the impacts are long range but the Applicant disagrees that views of the Gate Burton Scheme are a concern from the Ridge AGLV and disagrees that the Scheme would be 'particularly conspicuous in the landscape'.</p>	<p>Agreed/Not Agreed as stated</p>
2.4	LCC RR, LIR and WR	Cumulative landscape and visual effects	<p><i>The cumulative change to the landscape will be considerable and the combination of two or more sites has the potential to change the local landscape character at a scale that would be 'of more than local significance'</i></p>	<p>The cumulative impact assessment is contained in <b>ES Volume 3: Appendix 10-H [APP-151/3.3]</b> and summarised in <b>ES Volume 1, Chapter 10: Landscape and Visual Amenity, Section 10.12 [REP2-010/3.1]</b>.</p>	Under discussion

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			<p><i>or would be 'in breach of recognised acceptability, legislation, policy or standards'</i></p> <p><i>The cumulative impact of four adjacent Nationally Significant Infrastructure Project solar sites has the potential to effect the landscape at a regional scale through predominantly a change in land use from agricultural arable to solar creating an energy landscape as opposed to a rural/agricultural one at present. This also has the potential to change the character from an agricultural landscape to that of an energy landscape when travelling through the area and the sequential effects of multiple large scale solar sites of which some are spread over extensive fragmented red line boundaries exacerbating the perception of being surrounded by solar development.</i></p>	<p>In summary, the cumulative assessment identified at worst minor adverse effects on landscape during construction for the following projects: West Burton Solar Project, Cottam Solar Project, Cottam Power Station demolition, and Stow Park Road Residential Development.</p> <p>During operation, cumulative effects from the Scheme and Cottam Solar Project or Tillbridge Solar Farm are considered Minor adverse.</p> <p>Cumulative effects with West Burton Solar Project are Moderate adverse which is considered significant.</p> <p><b>Cumulative Landscape Effects (with West Burton Solar Farm only)</b></p> <p><i>Overall Effects at Operation: Moderate and Significant</i></p> <p>As a result of proximity between ID9, addition of the Scheme will locally increase influence of solar farms within LLCA 06/LLCA 07 and in the northern extents of LLCA 08 and LLCA 09 around Marton. Addition of the Scheme, albeit with a limited extent of intervisibility will extend large-scale solar farms and reinforce solar use and infrastructure as a landscape component. There will be an increased magnitude of change for LLCA 05 and LLCA 06, in particular, which is assessed as medium magnitude on both and of moderate significance cumulatively.</p> <p><b>Cumulative Landscape Effects (with West Burton, Cottam and Tillbridge Solar Farms)</b></p> <p><i>Overall Effects at Operation: Moderate and Significant</i></p> <p>The Scheme will potentially introduce 4 solar farms within or partially within the 5km study area. At the County and District Landscape Character Area scale all 4 schemes will lie within</p>	

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
				<p>the Trent Valley LCA. Although inter-visibility between the schemes will be limited and views in combination typically dominated by the closest solar farm, others are likely to be visible as a distant but discernible element in the view.</p> <p>The relatively flat nature of the landform (albeit rising to the Willingham ridgeline) is such that no elevated views of the footprint of the solar farms will be obtained. Experience of them as an element influencing landscape character will typically be in sequence through repeated views from footpaths or roads.</p> <p>The scale of addition to the landscape of the Trent Valley LCA assuming each scheme includes mitigation through hedgerow or other planting is such that solar farms will be a notable localised element rather than a key characteristic.</p> <p>The Trent Valley LCA will not be defined by solar farms or become a “solar farm landscape” in which they are the defining characteristic. Locally at the scale of LLCA 06/LLCA 07 and LLCA 08 solar farms will represent a medium magnitude of change through addition and longevity such that effects on landscape character will be of moderate significance.</p>	
2.5	LCC RR	Vegetation removal within the LVIA	<p>LCC stated: <i>it would be beneficial to clarify the extents of any hedgerow removals to ensure the LVIA fully assesses these changes, and also where removed hedgerows may be replanted or potentially translocated. The Outline Landscape Masterplan (Fig 10-24) for example indicates extensive areas as: “Existing hedgerow along proposed cable route and A156 access route. Any hedgerow removal to install cable or enable construction to be replaced. Exact location to be determined”: this doesn’t appear to be fully reflected in the assessment or other plans. Any hedgerow removal has the potential to open up views and change the character of the area by removing a key feature that will take time to replace.</i></p>		Agreed



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			<p>The Applicant responded that the extent of hedgerow and tree removal is shown in <b>Figure 10-21</b> in <b>ES Volume 3 [REP2-017/3.3]</b>. The Outline Landscape Masterplan with proposed mitigation planting is included in <b>Figure 10-23</b> in <b>[APP-095/3.2]</b>. It is acknowledged that the vegetation removal required along the cable corridor is not indicated in the above drawings as the exact location of the cable alignment was not specified at ES stage. However, whilst the exact location of hedgerow removal is not known, the quantum and hedgerows to be affected is known and have been considered in the <b>ES Volume 1, Chapter 10: Landscape and Visual Amenity, Section 10.9 [REP2-010/3.1]</b>. The majority of hedgerow temporarily removed for the cable corridor will be reinstated after construction.</p> <p>The parties agree that the information provided clarifies the extent of hedgerow removal and this is fully assessed in the LVIA.</p>		
2.6	LCC Post-hearing submission	Mitigation Planting	<p>LCC state mitigation planting may cause issues in the eastern part of the site which is more open and is not necessarily a characteristic of the landscape.</p> <p>LCC have concerns the planting may shorten views and change experiences of the landscape.</p>	<p>The Applicant has retained a number of existing panoramic views to the north and south when travelling along Willingham Road. Sections of existing hedgerow screening to either side is also in place providing a range of visual experiences along this road. In summary, the Applicant has looked at the existing pattern of landscape and vegetation and has used that to support the screening proposals. Therefore, it is the Applicant's position that it has achieved an appropriate balance between screening and retaining open views.</p> <p>Discussions are ongoing on the precise location/ nature of LCC's concerns.</p>	Under discussion
2.7	LCC RR	<i>Proposed highways works and accesses</i>	<p>The wider highways elements of the scheme do not appear to be fully considered in the LVIA beyond increased traffic during construction and decommissioning phases, despite the potential adverse effects on the rural landscape these may have, including potential vegetation loss, urbanisation or visual amenity through any required improvements. Highways works are proposed on several publicly accessible roads and lanes as indicated on the Streets, Rights of Way and Access Plans (APP5.3), and the Abnormal Vehicles Route</p>	<p>The Applicant has, post application, continued to engage with Lincolnshire County Council (LCC) in order to address concerns raised by LCC in regard to the vegetation clearance extents required to construct the accesses to both the solar park and the grid connection corridor. The Applicant understood these concerns and, through the use of speed survey information to identify the 85th percentile speed on each road in proximity to the access points, agree junction visibility parameters using Manual for Streets 2 in order to ensure an appropriate balance is achieved between offering</p>	Agreed



Ref.	Docume nt	Subject	Lincolnshire CC Position	Applicant Position	Status
			Access Swept Paths (within 3.3 Environmental Statement Appendix - Chapter 13-Eb Framework Construction Traffic Management Plan) show areas requiring vegetation removal for access to site. It would be beneficial to clarify the extents of the wider highways works and what these works would entail and if further works to existing vegetation are required to facilitate this.	safe access and egress whilst limiting vegetation clearance or existing hedgerow loss.  The Applicant provided a technical note <b>[REP2-045]</b> providing an update on the design of access roads, where vegetation removal could be reduced and any changes proposed. Changes to the accesses were agreed with LCC.  The parties now agree that sufficient information has been provided to resolve the concern raised by LCC.	
2.7	LCC Post-hearing submission	Design Codes	The parties agree that there is no need for a design code for the main buildings, with the controls included in Requirement 5 of the draft Development Consent Order sufficient for detailed design approval.		Agreed
<b>3. Cumulative developments</b>					
3.1	Email exchange with LCC	Cumulative Development Longlist	LCC have confirmed they agree with Cumulative Development Longlist following their comments on adding additional County Matter related developments.	Agreed.	Agreed
<b>4. Cultural Heritage</b>					
4.1	LCC LIR	Cultural Heritage	There are no areas of disagreement with the Applicant regarding Cultural Heritage matters.	Comments noted.	Agreed.

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
4.2	Response to ExQ2	Archaeological Method Statement (AMS)	LCC are in agreement with the AMS.	Comments noted.	Agreed.
<b>5. Mineral and waste</b>					
5.1	LCC LIR	Mineral Safeguarding	There are no areas of disagreement with the Applicant regarding mineral safeguarding and the sterilisation of mineral resources.	Comments noted.	Agreed
5.2	LCC LIR	Waste	Currently there are 10 other large solar projects in the County at various stage of the Development Consent Process creating a potential 5000MW of energy. All the infrastructure required for these projects, if approved, would be constructed during a similar timescale and is expected to be replaced at least once during the operational phase putting significant pressure on the County's waste facilities and consequently an appropriate strategy for sustainably disposing of the waste throughout the operational phase and decommissioning of the project needs to be secured via an appropriately worded requirement.	The Waste and Recycling Section within ES Chapter 15 <b>[APP-024/3.1]</b> confirms the design life and replacement frequency for the main components of the Scheme, including the panels and batteries. It anticipated that replacement of the modules will be considered after 30 years of operation. Recycling routes are generally available for these materials at present. When the time comes for these elements to be replaced, several decades into the future, it is likely that there will be greater opportunities for recycling, not least because the market will have expanded to meet demand as PV installations increase. The Framework OEMP <b>[REP2-035/7.4]</b> submitted at Deadline 2 has been updated to include a commitment to develop an Operational Waste Management Plan.	Under discussion
<b>6. Climate Change and Greenhouse Gas Emissions (GHG)</b>					
6.1	LCC LIR	Climate Change and Greenhouse Gas Emissions	There are no areas of disagreement with the Applicant regarding climate change and GHG emissions.	Agreed	Agreed

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
<b>7. Socioeconomics</b>					
7.1	LCC LIR	Socioeconomics	There are no areas of disagreement with the Applicant regarding the socioeconomic impacts of the Scheme.	Agreed	Agreed
7.2	LCC WR	Community benefits	LCC state they expect <i>"a comprehensive and appropriate package of Community Benefits is secured and delivered to compensate for the identified negative impacts from the proposed development would cause the communities affected by this project."</i>	The Applicant is committed to the provision of a community benefits package. However, community benefits are not material considerations in design making on Development Consent Orders and therefore are not relevant to the Examination.	Agreed
<b>8. Transport and access</b>					
8.1	LCC RR	Transport Assessment and Cumulative Transport Assessment	There are no areas of disagreement with the Applicant regarding the scope and methodology of the Applicant's Transport Assessment (including the cumulative assessment).	Agreed	Agreed
8.3	LCC LIR	Public Rights of Way (PRoWs)	LCC state they have no concerns about the impact on users of the PRoW network from an access perspective.  LCC state there will need to be an appropriate programme for the temporary closure orders and subsequently required extensions for the works proposed that will affect any footpaths impacted during the construction phase to ensure users are kept away from construction traffic.	The Outline Public Rights of Way Management Plan <b>[CR1-033/7.8]</b> describes how footpaths will be managed during the construction phase. A full Public Rights of Way Management Plan, substantially in accordance with the Outline Public Rights of Way Management Plan is required prior to commencement of development by Requirement 16 on the draft DCO.	Under discussion
<b>9. Surface water flooding and drainage</b>					
9.1	LCC RR	Surface water flood risk	There are no areas of disagreement with the Applicant regarding surface water flood risk.	Agreed.	Agreed.
<b>10. Battery and Fire Safety</b>					
10.1	LCC RR	Fire and battery safety	There are no areas of disagreement with the Applicant regarding fire safety aspects of the Scheme.	Agreed.	Agreed.

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
10.2	LCC RR	Hazardous Substance Consent	<p>LCC <i>“Request to continue to be engaged and views sought during the examination and reserve the right to comment on specific details of the fire strategy including drafting of suitably worded requirements to ensure the correct level of information is available and assessed before any development commences. This also includes any requirement for Hazardous Substance Consent for the battery storage facility if this is considered necessary to be included in the Development Consent Order.</i></p> <p>Following engagement with the Applicant on this matter, LCC confirm agreement with the approach outlined by the Applicant in relation to HSC.</p>	<p>In order to reach a conclusive view on whether the BESS will fall within Schedule 1 of P(HS)R and require HSC under the P(HA)A, details regarding the design of the BESS, what they are made of, and how they are to be arranged, must first be known. It is not practically possible for the Applicant to obtain HSC prior to these details being known. Once it is clear whether the plans for BESS identify substances beyond the permitted thresholds, expected at the detailed design stage, it may become necessary for the Applicant to obtain HSC. If HSC becomes required, the Applicant will notify the HSA within a ‘reasonable period’ prior to the construction and operation of the Scheme.</p> <p>The Applicant assured Lincolnshire County Council that works in relation to the BESS must not commence until a battery safety management plan (BSMP) has been submitted to and approved by the relevant planning authorities. This must be substantially in accordance with the Outline Battery Safety Management Plan <b>[APP-222/7.11]</b> and is secured by requirement 6 of Schedule 2 of the draft DCO. As BESS technology involves, the Applicant will continue to assess the extent to which HSC needs to form part of the final BSMP and engage with Lincolnshire County Council, the HSE and other stakeholders (as appropriate) to demonstrate that the proposed substances can be stored safely.</p>	Agreed
10.3	LCC response to First Written Questions	Outline Battery Safety Management Plan (OBSMP)	LCC state further information is required to bring the OBSMP to the required standard and also for the need to produce an emergency response plan.	The design of the BESS is controlled by requirements 5 and 6 of Schedule 2 of the DCO <b>[REP2-027]</b> . These requirements prohibit the construction of the BESS until the design details and battery safety management plan have been submitted and approved. LCC have not raised any	Under discussion

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				<p>concerns with these requirements.</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.</p> <p>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>[REP4-004/2.3]</b>;</li> <li>(ii) The Outline Battery Fire Safety Management Plan <b>[APP-222/7.1]</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>	
10.4	LCC Post-hearing submission and LCC response to ExQ2	S106 Agreement with Lincolnshire Fire and Rescue Service	<p>Post hearing submission: <i>To enable the Fire and Rescue Service to undertake the necessary monitoring to ensure the BESS is in accordance with draft requirement 6(5) a financial contribution is required via a Section 106 Agreement to the Fire Service so that it has sufficient resources in places to under the monitoring of the BESS connected to this project and potential 9 other BESS connection to other solar NSIP projects that are in the pipeline and if consented are likely to be in construction in similar timeframes and require this initial and on-going maintenance.</i></p> <p>Response to ExQ2: <i>In respect of the first year of operation to provide the necessary assurance that all the</i></p>	<p>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 related to the Scheme or to be fairly or reasonably related in scale and kind to the Scheme. 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 Applicant has subsequently shared draft Protective Provisions and parties are now in agreement on this matter.</p>	Agreed

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			<p><i>correct systems and measures are in place would involve 21 days of Fire Service time. At a current rate of £765 per day this equates to £16,665 in the first year. In subsequent years it would be necessary for an annual review of the site to take place which would be £1530 per annum (2 days work site visit and assurance report). An appropriate mechanism would need to be in place for the subsequent visits after the first year of operation which could incorporate an obligation to enable such annual visits to take place and a charge made for these visits at an index linked rate of £1530. In the first year the offer from the Fire Service would be an initial site visit 1 day; Capturing of risk information for development of technical rescue plans – 10 days; and Subsequent site visits 10 days;</i></p> <p>LCC have reviewed the draft Protective Provisions provided by the Applicant, and have confirmed they are in agreement.</p>		
<b>11. Principles of Solar Development and Amount of Electricity Generated</b>					
11.1	Oral representation at the PM	Generation capacity and capacity of the BESS	The are no areas of disagreement with the Applicant regarding the generation capacity of the Scheme and capacity of the BESS	Agreed	Agreed.
<b>12. Land use and soils</b>					
12.1	LCC LIR LCC WR	Generation capacity and capacity of the BESS	<i>The Proposed Development is likely to have a cumulative or defined negative impact that will result in the loss of agricultural production in the development area generally and/or the permanent loss of production from mostly medium quality agricultural land.</i>	<p><b>Solar and Energy Storage Park</b></p> <p>In respect of proposed Solar and Energy Storage Park, Chapter 12 of the ES [APP-021/3.1] sets out that 12% of the land falls into ALC subgrade 3a, which is BMV quality. 1% of land within the Solar and Energy Storage Park is Grade 3a land but will not be taken out of agricultural use, meaning</p>	<p><b>BMV Land:</b></p> <p>Total of 12% is agreed:</p>

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			<p><i>The loss of arable land of up to 20% within the main development site and up to 50% of the required land for the corridor route which is classed as best and most versatile agricultural land would have a cumulative or defined negative impact that will result in the loss of agricultural production in the area generally and/or the permanent loss of agricultural production from mostly medium quality agricultural land.</i></p> <p>LCC agree with the Applicant's assertion that a total of 12% of the Scheme is categorised as BMV land (ALC subgrade 3a). LCC are not in agreement with the acceptability of the loss of any BMV land.</p>	<p>11% of the site is Grade 3a land affected reversibly by the Scheme. The ALC survey within the Solar and Energy Storage Park is based on site based soil surveys and is considered accurate. It is not correct that at least 20% of the Solar and Energy Storage site is BMV land.</p> <p>As set out in Chapter 12 [APP-021/3.1], approximately 2 ha is expected to be permanently lost as a worst case scenario. There will be a change of agricultural enterprise from mostly arable cropping or bioenergy cropping to grassland, which can be available for sheep grazing.</p> <p>In respect of the "loss" of BMV land, within the Solar and Energy Storage Area the area is 2 ha, which is a minor impact. This is a worst case scenario as in reality it is likely that the battery storage and substation area can also be returned to agricultural land following decommissioning. Policy S67 is mostly concerned with the loss of BMV resources, which in this case are minor.</p> <p>The introductory text to S67 sets out that proposals should protect BMV agricultural land "so as to protect opportunities for food production and the continuance of the agricultural economy". BMV land is not lost, and continued agricultural use is possible through grazing. Future alternative enterprises can resume after decommissioning. There is no planning policy nor Government requirement or incentive for agricultural land to be used for food production, or at any level of intensity, nor for any particular type of enterprise. A farmer could grow grass, intensively or as biodiverse unintensified hay meadows, or grow arable crops, intensively or organically, or use the land for bio-energy crops or for agrienvironmental benefit. Therefore, the reduced production</p>	<p><b>Acceptability of agricultural land loss:</b> Not agreed</p>



Ref.	Document Subject	Lincolnshire CC Position	Applicant Position	Status
			<p>as a result of the proposals does not harm national policy, nor S67.</p> <p>In March 2023, the Government published Powering Up Britain: Energy Security Plan, which is clear on the Government’s stance on the suitability of agricultural land for solar development. The document states on page 48 (our emphasis):</p> <p><i>‘Ground-mounted solar is one of the cheapest forms of electricity generation and is readily deployable at scale. The Government seeks large scale ground-mount solar deployment Powering Up Britain – Energy Security Plan 38 across the UK, looking for development mainly on brownfield, industrial and low and medium grade agricultural land. Solar and farming can be complementary, supporting each other financially, environmentally and through shared use of land. We consider that meeting energy security and climate change goals is urgent and of critical importance to the country, and that these goals can be achieved together with maintaining food security for the UK.’</i></p> <p>In this strategy, the Government makes it clear that low and medium agricultural land is one of the locations the government is looking for, for large scale ground mounted solar development. The Solar and Energy Storage Park meets this criterion and is in a supported location. The Government also makes it clear that ground mounted solar can be complementary to farming.</p> <p>Both national policy and S67 reference the use of BMV land. Neither references any perceived harm as a result of “the production from mostly medium quality agricultural land” (i.e. non-BMV land), as referenced in LCC 13.2.</p>	



Ref.	Document Subject	Lincolnshire CC Position	Applicant Position	Status
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**Cable Corridor**

The ALC of the cable route corridor has been estimated. The corridor is relatively wide to allow for finalisation of the route corridor, particularly cognisant of the shared corridor areas and the need to finalise all corridors within this area. Therefore, the amount of agricultural land that will be disturbed within the corridor will be significantly less than the area recorded in the ES. As set out in the ES Appendix 2-B “Grid Connection Construction Method Statement”, section 1.1.15 **[APP-114/3.3 and as amended]**, the worst case scenario is a 25m width construction corridor and a 1.42m wide trench.

**Cumulative Impacts**

In terms of the Scheme having a negative cumulative impact on BMV with other Schemes an assessment of the maximum impact that all existing and proposed solar schemes (both Town and Country Planning and Development Consent Order) in Lincolnshire may have on best and most versatile agricultural land has been undertaken. This assessment is presented in a Technical Note submitted at Deadline 2 **[REP2-046/8.11]**. This Technical Note demonstrates that even if all solar schemes considered were consented and constructed, they would still occupy just over 1% of the BMV land in Lincolnshire. Given that no DCO projects except Little Crow are yet consented in Lincolnshire and the majority are in the early stages of development, in reality far fewer projects than assessed in the Technical Note may be developed. As Schemes develop they tend to reduce in size and particularly reduce areas of BMV land in line with policy, so this figure is also likely to be less than predicted for each scheme that is constructed. The Scheme boundaries in places also include grid connection corridors where

Ref.	Docume nt	Subject	Lincolnshire CC Position	Applicant Position	Status
				<p>agricultural uses will continue. There is also the potential for agricultural use to continue on each site alongside solar development. Therefore, even the figure of just over 1% is likely to be a significant overestimate.</p> <p>The parties disagree on the acceptability of the Scheme's impact on agricultural land.</p>	
12.2	LCC LIR	GCC	<p>LCC estimate that 50+% of the cable route will be BMV and identify issues of concern for farmers and landowners relating to the following:</p> <ul style="list-style-type: none"> <li>• Land drainage</li> <li>• Weed burden</li> <li>• Biosecurity for plant diseases</li> <li>• Timeliness of soil stripping and storage.</li> </ul>	<p>As stated in the Appendix 12-C Agricultural Land Classification Report <b>[APP-162/3.3]</b> it was estimated that 43% of land within the grid connection corridor is BMV land. In terms of land drainage, weed burden, biosecurity and timeliness of soil stripping and storage there are measures included within the Outline Soil Management Plan <b>[REP-030/7.12]</b> to control these aspects.</p> <p>The Applicant completed an ALC survey of the Grid Connection Corridor and submitted the report to the Examination at Deadline 5. This survey shows that 38% of the land is classified as BMV land (including the additional area to the south of Torksey Ferry Road included in the Order limits through the Change Request). This is less than 50% and the impact will be temporary during the construction period.</p>	Under discussion
12.3	LCC LIR	Soils	<p>During the construction phase there will be significant damage to soil structure particularly on heavy clay soils. There is inevitably a lot of trafficking of vehicles on the land to erect the panels and if this work is undertaken when soils are wet, there can be significant damage. Much of this damage can be remedied post construction, but not all and it is possible that long term drainage issues occur on the site due to the construction.</p>	<p>It is not accepted that during construction there will be significant damage to soil structure. The machinery involved in the installation of the Solar PV Arrays is generally small, usually tracked, and by following the Outline Soil Management Plan <b>[REP-030/7.12]</b> will normally only be working on the land when soil conditions are suitable for being trafficked.</p>	Not agreed

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
12.4	LCC LIR LCC Response to ExQ2	Soil Management Plan	<p>LCC LIR: <i>the construction phase many of the areas will suffer soil and water issues. To address this it is recommended that a requirement is imposed on any DCO granted to ensure a Soil Management Plan, both for the site and the cable route is submitted and approved.</i></p> <p><i>In responding to ExQ2 (Q 2.12.2; amendments to the Outline Soil Management Plan) LCC stated: If any soil stripping work is done in line with the Soil Management Plan (SMP) and properly supervised by a suitably qualified person, then temporary soil stripping for laying cables should be fine. Long term storage of topsoil adjacent to induction and transformer sites or the tracks, it is less certain that the soil will be able to be returned to the same grade of land after 60 years.</i></p> <p><i>The consensus forming is that towards the end of the life of the project a suitably qualified and independent soil scientist/agricultural officer needs to prepare/review the plan for the re-instatement and particularly review the soil management plan at that time, say year 58/9 just before decommissioning to update any procedures in the light of changes in policy, law and scientific 'progress'.</i></p>	<p>The panels are usually carried out to the panel area by agricultural-sized tractors and trailers and will not result in significant damage to soil structure.</p> <p>The installation of cables will involve a narrow trench, but with the soils reinserted will not result in significant damage to soils. Heavy clay soils, as per the example below, are not damaged if works are carried out when soil conditions are suitable.</p> <p>There are measures included within the Outline Soil Management Plan [REP-030/7.12] to prevent long term drainage issues on site post construction such as improvements via soil bursting in the event that soils become compacted. Reinstatement of the land and return of the soils in a like for like condition is subject to the controls and commitments set out within the Outline Soil Management Plan, secured via Requirement 17.</p> <p>This matter remains under discussion.</p>	Under discussion

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			<p><i>Soil testing would be necessary to ensure that subsoil and topsoil are not mixed or unnecessarily disturbed. And any restoration should be signed off having been ALC tested (if necessary). Of course things will change going forward, policy, procedures and energy matters as well as soil priorities, but as things stand today it is possible. It should be captured by an appropriately worded requirement and possibly by Section 106 Agreement to provide a level of certainty that this will be done.</i></p> <p><i>So long as this happens and is properly supervised then the SMP should work to manage to soil structure particularly on heavy clay soils. There is inevitably a lot of trafficking of vehicles on the land to erect the panels and if this work is undertaken when soils are wet, there can be significant damage. Much of this damage can be remedied post construction, but not all and it is possible that long term drainage issues occur on the site due to the construction.</i></p>		
12.5	LCC LIR	Cumulative impact and temporary loss of agricultural land	<p><i>The loss of any agricultural land can impact upon arable food production with knock on effects in terms of the associated food production economy and to farm enterprises affected by the development. The Council is of the view that the cumulative negative impacts of the loss of arable agricultural land places pressure on the function of this important part of the local and wider Lincolnshire rural economy as well as raising questions more generally regarding food security and the carbon footprint impacts as a result of the need to import food due to the consequential changes in land-use. In the case of the GBS whilst the time proposed is for a specified period for a period of 60 years there is an acknowledgement in the application documents that this could be extended beyond the 60 year permission</i></p>	<p>Comment noted. It is agreed that some agricultural land will be taken out of arable production temporarily for 60 years. Land affected permanently by the development (such as construction of the substation) will be limited to small areas. ES Chapter 12 [APP-021/3.1] includes a breakdown of permanent and temporary losses for the different types of land use within the proposed development (including the Grid Connection Corridor), broken down by ALC area (ha) and percentage. Further detail is provided in the Further Information on Agricultural Land Technical Note submitted at Deadline 2 [REP2-046/8.11]. It should be noted that a large proportion of the land affected for the Gate Burton Energy Park is farmed for crops used to produce bioethanol or biomass and is not actually reaching the food chain.</p>	Not agreed

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			<p><i>sought. In reality as technology improves the solar infrastructure will be in place for longer than this and therefore the impacts are also much greater as potentially the GBS would result in the permanent loss of the agricultural land and so should not be seen as reversible.</i></p> <p><i>The Council considers this loss to represent a significant negative impact not only within the local area but also when considered in combination with the loss of land from other potential NSIP scale solar developments that are also being promoted and considered across the County.</i></p>	<p>Reference is made in the NPS EN-3 and policy S67, to protecting against loss of BMV, and to recognising the economic and the benefits of BMV. In respect of food production, there is no policy or initiative or requirement for agricultural land to be used for food production. There is also no policy requiring a justification for the use of poorer quality land (subgrades 3b, 4 and 5).</p> <p>If LCC's concern is related to the use of BMV land for food production, the implications of the use of BMV land for the Scheme are limited.</p> <p>In respect of the loss of yield, the following analysis provides an estimation of the reduction of yield if it was assumed that the BMV land within the site is retained for agriculture and non-BMV land is utilised elsewhere for the solar panels displaced. Therefore, the reduction of yield should poorer quality land be used in preference is the difference between the yields of BMV land and non-BMV land, rather than the difference between a crop and no crop.</p> <p>Taking wheat as the highest yielding arable cereal crop and taking high yields to represent subgrade 3a and average yields to represent subgrade 3b, with figures from the Pocketbook for Farm Management (2023), the difference in yield is between 10.0t/ha and 8.6t/ha. Taking that incremental difference of 1.4t/ha, and applying it to the full 80.4 ha of BMV within the site, that would be a reduction of production of 112 tonnes (80.4 ha x 1.4t/ha = 112.5t).</p> <p>In reality the incremental increase is likely to be less than this, but this is a worst case analysis, for the purposes of</p>	

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
				<p>attempting to quantify. The implications of using non-BMV land in preference.</p> <p>To put that quantum (112t) in context, in 2022 the UK produced 15.5 million tonnes of wheat, a significant part of the just over 24 million tonnes of cereals produced in the UK (Defra “Cereal and Oilseed production in the United Kingdom 2022”, published 21 December 2022).</p> <p>In terms of the time limit of the DCO, the Applicant has updated the draft DCO at Deadline 1 to amend Requirement 19 to ensure that decommissioning must take place no later than 60 years following the date of final commissioning of the authorised development. Therefore, the Scheme cannot continue indefinitely and is therefore temporary. The Scheme is also reversible after its lifetime and in that respect is a long term, temporary use.</p>	
12.6	LCC LIR	Assessment area	<p><i>A county level alternative assessment area should be applied which as a minimum should consider scope for connection into the National Grid at the locations proposed by the registered NSIP solar projects locally, and with specific consideration of agricultural land impacts.</i></p> <p>LCC agree with the scope of the Applicant’s assessment provided in the Further Information on Agricultural Land document submitted at Deadline 2.</p>	<p>A county-wide assessment of the cumulative impact of all solar projects on agricultural land in Lincolnshire was provided in Further Information on Agricultural Land <b>[REP2-046/8.11]</b>. This report takes into account all NSIP and other solar proposals. The collective amount of permanent BMV loss involved in the proposals is less than 8 ha, which is 0.0012% of BMV land in the county. The temporary loss of agricultural land equates to 1.16% of BMV land in the County. These figures will be significant over-estimates as they assume that all schemes proposed are constructed; that proposed schemes do not reduce in size throughout their development; and that no agricultural use continues on affected land (in cable corridors in particular agricultural uses will continue after construction). Even with this over-estimate, the percentage of BMV land affected is negligible.</p>	Agreed

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
				The parties agree that this assessment meets LCC's requirements for information but disagree on the acceptability of the loss of agricultural land for the Gate Burton Scheme and cumulatively with other projects.	
12.7	LCC Post-hearing submission	Continued agricultural use	LCC state sheep grazing proposed as a continued agricultural use " <i>cannot be afforded any meaningful weight and is not an apt tool to mitigate landscape effects from change in land use away from arable/agricultural use. The Applicant's assertions that the land would remain in agricultural use, albeit not arable, should therefore be rejected and the assessment should instead be based upon a total loss of the whole application site away from agricultural use.</i> "	<p>The Applicant confirms that:</p> <ul style="list-style-type: none"> <li>The assessment was based on a worst case scenario that no agricultural uses continue.</li> <li>There is no commitment for sheep grazing or any other agricultural use to continue on the Solar and Energy Park area because the management of the land may vary over time and depend on the demand for sheep grazing; therefore it is not certain that this would occur.</li> <li>However, agricultural uses <u>could</u> continue on the site and the Applicant has provided some high-level information on how the mechanism works on other similar schemes in the response to Q1.12.9 A of the ExA's first written questions [REP2-041/8.6]. No landowner is forced to use his/ her land for agriculture or any particular produce; but the ability to continue some agricultural use does make the reversible loss of agricultural land very different to cases where the land was lost to housing for example.</li> </ul>	Under discussion
<b>13. Draft Development Consent Order (dDCO)</b>					
13.1	LCC LIR, email correspondence and oral representations	Schedule 2 (Requirements)	<b>Requirement 6:</b> <i>LCC considers it should be the discharging authority for this Requirement. The only outstanding matter between LCC and the Applicant relates to the monitoring of this Requirement on an ongoing basis and the mechanism for a monitoring fee to be paid to LCC in this regard.</i>	<p><b>Requirement 6:</b> The dDCO submitted at Deadline 2 [REP2-027/6.1] included LCC as the discharging authority, however no monitoring fee was included.</p> <p><b>Requirements 10 and 11:</b> Comments noted, agreed with thanks.</p>	<p><b>R6:</b> Agreed</p> <p><b>R10 and 11:</b> Agreed</p>



Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			<p>LCC confirm agreement with the updates submitted at Deadline 2 regarding LCC as the discharging authority.</p> <p><b>Requirements 10 and 11:</b> LCC is content with the existing drafting of these provisions.</p> <p><b>Requirement 19:</b> <i>LCC is grateful that the Applicant has agreed to reconsider the wording of Requirement 19 and agrees that 19(2) should be re-worded to remove reference to the trigger point being the Applicant “deciding” something. Instead, the provision should refer to the decommissioning environmental management plan being required to be submitted to the relevant authority no less than 12 months prior to the expiration of 60 years from the date of final commissioning.</i></p> <p>LCC consider the updated wording:  <i>“No later than 12 months prior to the date the undertaker intends to decommission the authorised development, the undertaker must notify the relevant planning authority of the intended date of decommissioning”</i> should be deleted and replaced with wording to the effect that the decommissioning environmental management plan must be submitted to the relevant planning authority no less than 12 months prior to the expiration of 60 years from the date of final commissioning and in any event no later than 12 months prior to the decommissioning of any part of the development. The decommissioning plans shall be implemented as approved.</p> <p>Following further discussions with the Applicant, LCC’s position on Requirement 19 is not agreed. It’s LCCs view</p>	<p><b>Requirement 19:</b> The intention for Requirement 19(2) is for it to act as a notification provision, following a suggestion made by the ExA at ISH2 on the draft DCO. If the DEMP is submitted at a time which the relevant planning authority considers too close to the intended decommissioning date to allow a decision to be made by that date, then the relevant planning authority is protected by Requirement 19(6) which provides that no decommissioning works can be carried out until approval is given. This approach also aligns with the requests proposed by WLDC (who is the relevant planning authority for this purpose as per LCC’s requested amendments to Requirement 1) and offers more flexibility/certainty than other energy DCOs.</p> <p>The references to “in part” were removed following comments from WLDC however at D3 WLDC have also suggested clarifying the position with regards decommissioning in part. There is no current intention to decommission the site in part however to provide assurance in this regard we will add the words “any part of” before “authorised development” in Requirement 19(2). This will make clear that any intention to part decommission the site will trigger the notification provisions. This change will be made in the draft DCO submitted at Deadline 4.</p>	<p><b>R19:</b> Not agreed</p>



Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
			that the trigger for time periods as drafted remains too uncertain.		
13.2	Email correspondence	Item 4 – Article 9 Power to alter layout, etc., of streets	<p>LCC consider that Article 9 requires amendment to ensure clarity regarding the reference to “consent of Street Authority”.</p> <p>Following clarification provided by the Applicant that LCC would be the Street Authority for any street it is the Highways Authority, LCC confirmed agreement with Article 9.</p>	Comments noted. A revised Draft Development Consent Order was submitted at Deadline 3 <b>[REP3-006/6.1]</b> to reflect this change.	Agreed
13.3	Email correspondence	Schedule 16 – fees provision	<p>LCC state the Applicant has failed to provide any clear reasoning as to why the model provision in relation fees has not been included within the dDCO contrary to the guidance within Appendix 1 to Advice Note 15.</p> <p>LCC confirmed agreement with the updated fees provision inserted at Deadline 3.</p>	Comments noted. A fees provision was inserted at Deadline 3 <b>[REP3-006/6.1]</b> .	Agreed.
13.4	Email correspondence	Schedule 16 –time periods	<p>LCC considers that 10 weeks would be a reasonable period having regard to the 13-week period permitted under the Town and Country Planning Act 1990 regime for approval of reserved matter applications.</p> <p>LCC confirm agreement with the 10 week period for discharge of requirements (applicable for all requirements).</p>	The draft DCO was updated at Deadline 3 <b>[REP3-006/6.1]</b> to provide that 10 weeks will apply for the purposes of Requirement 5 (and all other requirements). Schedule 16 states “ <i>where an application has been made to the relevant planning authority</i> ” rather than by reference to a “valid” application. However the Applicant’s position is that the existing wording is sufficiently certain because in the event that certain documents were not submitted to LCC, the application in relation to those documents could not be said to have been ‘made’ and therefore the time period would not begin to run. If LCC wanted to request further information, the process for this is established under paragraph 3 of Schedule 16. The wording and approach is consistent with other made DCOs.	Agreed

Ref.	Document	Subject	Lincolnshire CC Position	Applicant Position	Status
<b>15. Ecology and Biodiversity</b>					
15.1	LCC WR	Biodiversity Net gain	LCC agree the Scheme will provide significant Biodiversity Net Gain benefits through creation of mitigation and enhancements.	Comments noted. Agreed with thanks	Agreed
<b>16. Changes to the Order limits</b>					
16.1		Change request	LCC are content with the Applicant's proposed changes to the Order limits, the rationale for the changes and the information provided.	Comments noted. Agreed with thanks.	Agreed

DRAFT

## 3. References

Ref 1-1: Ministry of Housing, Communities and Local Government (MHCLG) (2021) National Planning Policy Framework, Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

Ref 1-2: Lincolnshire County Council, "Central Lincolnshire Local Plan 2012-2036," Lincolnshire County Council, Lincoln, 2017. Available at: <https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2017/>

Ref 1-3: Lincolnshire County Council, "Central Lincolnshire Local Plan Review (March 2022)", Lincolnshire County Council, Lincoln, 2022.

Ref 1-4: Lincolnshire Minerals and Waste Local Plan including the Core Strategy & Development Management Policies Plan adopted in June 2006 and the Site Locations Plan adopted in December 2017. Available at: <https://www.lincolnshire.gov.uk/planning/minerals-waste>

Ref 1-5: Lea Neighbourhood Development Plan, made January 2018. Available at: <https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Final%20Lea%20Neighbourhood%20Development%20Plan.pdf>

Ref 1-6: Sturton by Stow and Stow Neighbourhood Development Plan, made July 2022. Available at: <https://www.west-lindsey.gov.uk/sites/default/files/2022-04/Sturton%20by%20Stow%20and%20Stow%20Neighbourhood%20Plan%20Final%20Approved%20Version.pdf>

Ref 1-7: Philippot, M. Alvarez, G. Ayerbe, E. Van Mierlo, J. and Messagie, M. (2019) Eco-Efficiency of a Lithium-Ion Battery for Electric Vehicles: Influence of Manufacturing Country and Commodity Prices on GHG Emissions and Costs. Batteries 5 (1) 2019. Available at: <https://www.mdpi.com/2313-0105/5/1/23>

Ref 1-8: NREL (2021) Life Cycle Greenhouse Gas Emissions from Electricity Generation: Update. Available at: <https://www.nrel.gov/docs/fy21osti/80580.pdf>

## Appendix A: Record of Engagement

Date	Correspondence	Topics discussed and outcomes
15/09/2021	LCC HER email	Data order
15/09/2021	LCC HER email	Data order update
15/10/2021	Meeting with LCC, CAM, AECOM, LW	AECOM provide introduction to Applicant and project team, overview of Scheme, programme, and consultation process. LCC advise initial engagement with Officers including Heritage, Sustainability and LLFA officers.
19/10/2021	LCC (FT) and AECOM (JW)	Request for contact detail for the appropriate archaeological advisor for LCC. Advised - Ian Marshman
20/10/2021	AECOM (JW) and LCC (IM)	Email to introduce heritage lead and discuss approach to consultation. Response stating that LCC were determining who would assigned to the project.
20/10/2021	LCC Members Briefing	PowerPoint presentation on Scheme. Members raise queries and issues, with LC and project team responding. LC proposed to arrange visit to operational solar park for members.
27/10/2021	LCC (IG) and AECOM (JW) phone call	Email requesting that initial contact be made with Ian George until projects assigned.
05/11/2021	LCC (IG) and AECOM (JW) phone call	Initial conversation to discuss approach to consultation and archaeological evaluation.
08/11/2021	LCC (IG) and AECOM (JW) email	Sent WSI for geophysical survey for comment.
23/11/2021	LCC (IG) and AECOM (JW) email	Email from Ian saying that Jan Allen and Matt Adams will be overseeing the project on behalf of LCC. In addition Matt Adams will be representing Bassetlaw County Council / NCC.
03/12/2021	LCC (MA and JA) and AECOM (JW) email	Email received with comments on geophysical survey WSI
08/12/2021	Meeting with LC, LCC and AECOM	Meeting to discuss heritage, need for geophysics survey, engagement with LCC and NCC, and scoping report.
21/01/2022	LCC (MA) and AECOM (JW) Email	Email to confirm scope of the geophysical survey WSI>

15/02/2022	Meeting with LCC, LC and AECOM	Overview of concept masterplan and design development to date in relation to cultural heritage
02/02/2022	LCC (MA) and AECOM (JW) phone call	Call to discuss the potential embedded design strategies that could be deployed to avoid impacts to archaeological deposits within the Grid Connection Corridor
15/02/2022	Meeting with LCC (MA, JA and SG) and AECOM (JW)	Meeting to introduce the project and discuss the assessment process. Minutes taken by Heritage team.
30/02/2022	Meeting with OB (LCC) JS and RW (AECOM)	Viewpoint walkthrough discussion, and summary of individual viewpoint review.
01/03/2022	Meeting with LCC (JA and MA) and AECOM (JW)	Meeting to provide update on geophysical survey, methodology for trial trenching and expectations for the mitigation strategy.
01/03/2022	Meeting with LCC, WLDC, NCC, BDC and AECOM	Meeting with representatives of Lincolnshire CC & West Lindsey DC, Nottinghamshire CC & Bassetlaw DC to discuss the selected viewpoints and proposed photomontage locations as well as the concept landscape masterplan.
10/03/2022	Email with LCC and AECOM	Initial response from Lincolnshire CC to the meeting on 10/03/2022.
22/03/2022	Meeting with LCC, BDC, NCC, LC and AECOM	Meeting to discuss Transport Scoping including trip generation, site accesses, traffic surveys and EIA methodology.
24/03/2022	Email with LCC and AECOM	Further response from Lincolnshire CC on viewpoint locations and other information.
28/03/2022	Email with LCC and AECOM	Submission of viewpoint from AECOM to Lincolnshire CC.
30/03/2022	Meeting with AHH (OB) on behalf of LCC and AECOM	Meeting with AAH (Oliver Brown) on behalf of Lincolnshire CC to discuss the items raised in the Lincolnshire CC response received on the 24/03/2022 including additional viewpoint locations.
01/04/2022	Email with LCC and AECOM	Submission of AECOM meeting minutes to Lincolnshire CC.
11/04/2022	Email from AB (AECOM) to NM (LCC) and WLDC	Request for comments on Draft SoCC.
19/04/2022	Email from IF (LCC) to CB (AECOM)	Agreement that the proposed study area for the collision data review is acceptable.
25/04/2022	Email from NM (LCC) to AB (AECOM)	Comments from LCC on Draft SoCC.

26/04/2022	Email from IF (LCC) to CB (AECOM)	Comments that the cumulative assessment is undertaken
09/05/2022	LCC Members Briefing	PowerPoint presentation on Scheme. Members raise queries and issues, with LC confirming it will respond to specific questions following meeting.
18/05/2022	LCC and NCC minerals meeting	Meeting to discuss comments on the EIA Scoping Opinion and approach to the Mineral Safeguarding Assessment. It was agreed with the councils that no full technical assessment would be expected
14/06/2022	Meeting with WLDC, BDC, LCC and AECOM	Meeting to discuss scope of arboricultural assessment.
20/06/2022	Email from NM (LCC) to GB	Requesting USB stick.
21/06/2022	Email between LCC (JA and MA) and AECOM	Scope of Works for trial trench evaluation submitted to LCC via email detailing the approach to evaluation trenching within the Site.
21/06/2022	Email with LCC (JA) and AECOM	Email received providing guidance on the requirements of the WSI.
23/06/2022	Email from GB to NM (LCC)	Confirming arrangement of USB stick to be sent to address with all materials including technical and consultation documents.
11/07/2022	Email from NM (LCC) to GB	Confirming receipt of USB stick.
21/07/2022	Meeting with NM (LCC), AL and AB (AECOM)	Discussion around landscape, battery storage, fire risk, cumulative impacts and context of SoCG.
27/07/2022	Email between LCC (JA) and AECOM	Call received to request permission to share Gate Burton heritage baseline reports with external projects as examples of good practice.
04/08/2022	Meeting with AAH (OB) on behalf of LCC and AECOM	Meeting with AAH (Oliver Brown) on behalf of Lincolnshire CC to discuss site photography taken from additional viewpoints in order to determine which of these shall become photomontages.
05/08/2022	LCC response to Section 42 consultation	Response to Statutory Consultation.
05/08/2022	Email from LCC to GB	Email enclosing LCC's response to Section 42 consultation.
05/08/2022	Meeting with LCC (JA and MA)	Meeting to discuss the results of the geophysical survey within the connection corridor and present methodology for trial trench evaluation within corridor. Provide update on the trial trenching

within the main site and organise site monitoring visit. Follow up email received confirming acceptance of WSI.

09/08/2022	Email from LCC to GB	Email from LCC sending additional information to support reasoning for questions set out in climate change section of their Section 42 consultation response.
09/08/2022	LCC response to Section 42 consultation	Additional Section 42 consultation response to support reasoning for questions set out in climate change section.
16/08/2022	Meeting with LCC (JA and MA)	On-site monitoring visit to review progress of trial trenching.
09/09/2022	Email between LCC (JA) and AECOM	Email agreeing design of trial trenching within Grid Connection Corridor.
14/09/2022	Meeting with LCC (JA) and AECOM	On-site monitoring visit to review progress of trial trenching
27/09/2022	LCC HER	Email update of HER data after 12 month review.
03/10/2022	Meeting with AECOM and LCC	Project update meeting on updated scheme layout, changes to the order limits and PPA
19/10/2022	Meeting with AECOM and LCC	Project update meeting on PPA, targeted consultation and technical engagement.
19/10/2022	Email between LCC and AECOM	Meeting request from AECOM to Lincolnshire CC.
19/10/2022	Email with LCC and AECOM	Draft Cultural Heritage Desk-based Assessment, Gazetteer of known heritage assets, Aerial Photo and LiDAR Analysis report and Geophysical Survey report submitted to LCC for information
21/10/2022	Meeting with Hist Eng, LCC (JA and MK) and AECOM	On-site visit to view the settings of Heynings Priory and Gate Burton Hall and to discuss the proposed embedded design strategies.
21/10/2022	Email between AECOM and LCC	Request for Trent Vale LCA from AECOM to Lincolnshire CC (Receipt of those on 24.10.22).
04/11/2022	Email between AECOM and LCC Highways	Inquiry email to arrange a meeting with LCC highways team to discuss the access proposals.
08/11/2022	Email with LCC and AECOM	Further follow-up with Lincolnshire CC on proposed meeting with AAH.
08/11/2022	Email between LCC Highways and AECOM	Email communication confirming availability for the 09/11/2022
09/11/2022	Meeting with AECOM and LCC Highways	<p>Meeting to discuss the following:</p> <ul style="list-style-type: none"> <li>• Details of the access arrangements and access designs to facilitate construction and operation.</li> <li>• Discussion around the level of information required by the Local Authority in respect</li> </ul>

- to the Design as we approach the Development Consent Order Application.
- Discussion in relation to the abnormal load turning manoeuvres at local junctions away from the immediate site vicinity.
  - Outline matters to be included in the Statement of Common Ground between Low Carbon and Lincolnshire County Council in respect to access design.

09/11/2022	Email from AAH on behalf of LCC	Response from AAH on behalf of Lincolnshire CC re proposed meeting
10/11/2022	Meeting with AAH (OB) on behalf of LCC and AECOM	Update meeting to discuss matters raised at Statutory Consultation.
11/11/2022	Meeting with LCC Highways and AECOM	Meeting to discuss details of access arrangements and design, the level of design detail required by LCC, abnormal load turning manoeuvres and outline matters to be included in the SoCG in respect of access design.
16/11/2022	Meeting with LCC and AECOM	Project update meeting with Lincolnshire CC
29/11/2022	Meeting with Lincolnshire Fire and Rescue Service (LFRS), Low Carbon, AECOM and Lithiumionsafety Ltd	Engagement meeting with LFRS to discuss design and access elements for the BESS and substation compound.
09/12/2022	Email from EL (AECOM) to IF (LCC)	Email providing details of accesses used for construction and operation, standards used to design accesses, numbers and types of vehicles using each access and predicted vegetation clearance.
09/12/2022	Email from LCC Highways to AECOM	Confirmation of receipt of documents from previous email.
12/12/2022	Meeting with LCC and AECOM	Meeting to discuss the results of the trial trench evaluation and to identify preliminary mitigation responses where required
14/12/2022	Project update meeting with LCC (NM) and AECOM	Project update meeting including details of project updates, draft PPA and Targeted Consultation
03/01/2023	Email with LCC and AECOM	Draft fieldwork report for trial trench evaluation and geoarchaeological assessment report sent to LCC



05/01/2023	Meeting with LCC and AECOM	Meeting to discuss the results of the trial trench evaluation fieldwork report and the proposed final mitigation strategies for the Solar and Energy Storage Park
11/01/2023	Meeting with LCC and AECOM	Project update meeting with LCC and AECOM. LCC confirmed that it may be best to split the LCC and WLDC SoCG as otherwise issuing drafts may be delayed by multiple internal sign off processes at the two local authorities. AECOM agreed to action this split.
11/01/2023	Email from EM to NM	Email providing a summary of responses from the Applicant to LCC on issues raised on climate change and greenhouse gas emissions. Also provided draft figures on ALC grading.
12/01/2023	Meeting with LCC and AECOM	Meeting to discuss the proposed mitigation strategies for the Grid Connection Corridor
12/01/2023	Meeting with LCC, Climate Change Consultants and AECOM	Engagement meeting with LCC, their climate change consultants and AECOM to discuss responses raised during statutory consultation
01/11/2022 to 17/01/23	Email and phone discussions between EM, AL (AECOM) and NM (LCC)	PPA terms discussed and agreed. PPA signed 17 Jan 2023.
17/01/2023	Email from JW (AECOM) to MA and JA (LCC)	Email from AECOM providing a copy of the draft Archaeological Mitigation Strategy.
18/01/2023	Email from JH (AECOM) to IF (LCC)	Email chasing response to proposed accesses sent on 9 Dec 2022.
18/01/2023	Email from IF (LCC Highways) to JH (AECOM)	Comments from LCC Highways regarding proposed accesses and framework CTMP.
19/01/2023	Email from JH (AECOM) to IF (LCC Highways)	Response from JH to the comments provided by IF. Attached a copy of Colletts Report.
21/02/2023	Meeting with LCC (NM and ES) and AECOM (EM and ES)	Meeting to discuss general project updates since submission.
12/03/2023	LCC RR	LCC RR submitted to PINS (published 17/04/2023).
15/03/2023	Meeting with LCC (NM and ES) and AECOM (AL and EM)	General project update meeting.

19/04/2023	Meeting with LCC (NM and ES) and AECOM (AL and EM)	Project update meeting to discuss RR, Examination procedure and the draft SoCG.
17/05/2023	Meeting with LCC Highways and AECOM	Meeting to discuss access design and junction visibility optimisation
23/05/2023	Email from EM (AECOM) to NM (LCC)	Email providing LCC with a Technical Note regarding Hazardous Substance Consent.
15/06/2023	Meeting with LCC, AHH and AECOM	Meeting to discuss LVIA issues raised in LCC's RR.
22/06/2023	Meeting with LCC (NM and ES) and AECOM (AL and EM)	Meeting to discuss general project updates, LIR, RR and Examination procedure.
05/07/2023	Meeting with LCC (NM and SH), AECOM (AL and EM), Low Carbon (JHB and LM) and Pinsent Masons (AS)	Meeting to discuss the draft Development Consent Order and the SoCG.
06/07/2023	Email from NM (LCC) to AS (Pinsent Masons)	Email provided LCCs comments on dDCO Schedule 2 (Requirements).
18/07/2023	LCC LIR	LCC LIR submitted to the Examination.
19/07/2023	Email from AS (Pinsent Masons) to NM and SH (LCC)	Email to flag Applicant's updates to the dDCO made at Deadline 1.
08/08/2023	LCC WR	LCC Written Representation submitted to the Examination.
31/08/2023	Meeting with LCC (NM and ES) and AECOM/Arup (EM and AL)	Project update meeting to discuss general updates and ongoing discussions.
20/09/2023	Meeting with LCC (NM and ES) and AECOM/Arup (EM and AL)	Project update meeting to discuss general updates and ongoing discussions.
21/09/2023	Email correspondence between AL (Arup) and NM (LCC)	Email correspondence following up on discussions regarding schedules and requirements of the draft DCO.

22/09/2023	Meeting with Gate Burton Energy Park Host Authorities and Low Carbon (JHB, LM), AECOM/Arup (EM, WB, RH and AL)	Meeting to discuss and consult on proposed Order limit changes to the Gate Burton Energy Park.
17/10/2023	Email from AL (Arup) to NM (LCC)	Email to flag the modification order for a Public Right of Way within the Order limits.
18/10/2023	Email from NM (LCC) to AL (Arup)	Email attaching briefing note from LFRS. .
20/10/2023	Meeting with LCC (NM and ES) and AECOM (EM and RH)	Project update meeting to discuss general updates and ongoing discussions.
30/10/2023	Email from JHB (LC) to NM (LCC)	Email to suggest a voluntary agreement can be made with LFRS.
30/10/2023	Email from NM (LCC) to JHB (LC)	Email to confirm approach regarding voluntary agreement is agreeable.
01/11/2023	Email from NM (LCC) to JHB (LC)	Email setting out requested sums in respect of voluntary agreement.
01/11/2023	Email from EM (AECOM) to NM (LCC)	Email attaching updated draft SoCG.
10/11/2023	Email from NM (LCC) to EM (AECOM)	Email providing initial comments on draft SoCG
13/11/2023	Meeting with LCC (NM and ES) and AECOM (EM and AL)	Meeting to discuss draft SoCG and confirm agreement/disagreement on matter under discussion.
13/11/2023	Email from AL (Arup) to NM (LCC)	Email setting out outstanding actions following meeting to discuss SoCG.
14/11/2023	Email from NM (LCC) to AL (Arup)	Email to confirm agreement on matters under discussion following meeting and further points for clarification.
14/11/2023	Email from NM (LCC) to JHB (LC)	Email to confirm matters relating to LFRS are now agreed.
14/11/2023	Email from NM (LCC) to TY (PMs)	Email to provide Council's comments in relation to wording in the dDCO regarding PRowWs.

14/11/2023	Email from NM (LCC) to AL (Arup)	Email providing feedback from LCC PRow Officer
14/11/2023	Email from NM (LCC) to AL (Arup)	Email providing comments in relation to Design Panel's on other Schemes.

# Appendix B: West Lindsey District Council and Lincolnshire County Council Relevant Policy Documents

- Central Lincolnshire Local Plan (CLLP) 2012-2036 (covering West Lindsey), adopted 24 April 2017 (Ref 1-2);
- Central Lincolnshire Local Plan Review (CLLP Review) (March 2022) (covering West Lindsey) (Ref 1-3);
- Lincolnshire Minerals and Waste Local Plan including the Core Strategy & Development Management Policies Plan adopted in June 2016 and the Site Locations Plan adopted in December 2017 (Ref 1-4);
- Lea Neighbourhood Development Plan, made January 2018 (Ref 1-5); and
- Sturton by Stow and Stow Neighbourhood Development Plan, made July 2022 (Ref 1-6).

# Appendix C: Figure 1 The Order Limits and Local Authority Boundaries

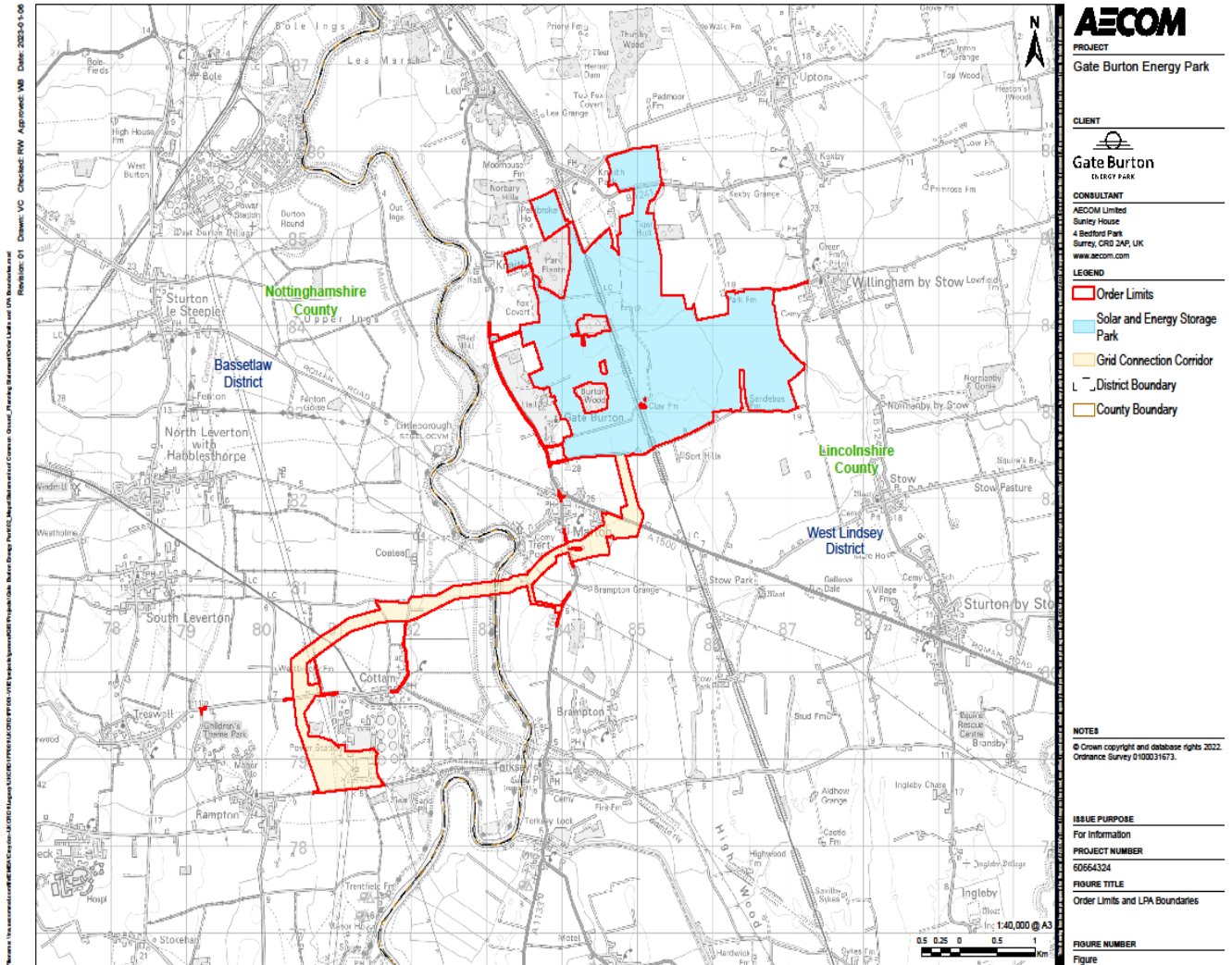


Figure 1 - The Order Limits and Local Authority Boundaries