

Gate Burton Energy Park

EN010131

Applicant Response to Deadline 4 Submissions
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Prepared for:

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1. Introduction

- 1.1.1 This report provides the Applicant's comments on responses from interested parties to Examining Authority's (ExA) Second Written Questions and other submissions submitted at Deadline 4 (3 October 2023). A total of 37 submissions from Interested Parties were submitted to the ExA at Deadline 4.
- 1.1.2 To avoid excessive repetition, the Applicant has focussed on comments that make points that have not been addressed previously or where the Applicant considers that further clarification may be useful. For similar reasons, the Applicant has not included the full text of every representation in this document and original representations should be referred to understand the Interested Party's position.
- 1.1.3 Table 2-1 summarises the responses to the ExA's Second Written Questions submitted by Interested Parties at Deadline 4 and the Applicant's response to them.
- 1.1.4 Table 3-1 summarises the comments made by 7000 Acres in Deadline 4 submissions and the Applicant's response to them.
- 1.1.5 Table 4-1 summarises the comments made by Roy Clegg submitted Deadline 4 and the Applicant's response to them.
- 1.1.6 Table 5-1 summarises the comments made by other Interested Parties in other Deadline 4 submissions and the Applicant's response to them.

2. Table 2-1: Applicant Comments on Responses to ExA's Second Written Questions

| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| 2.1 Principles and nature of development | | | | |
| 7000 Acres REP4-069 | 2.1.6 | In the Environmental Statement Chapter 5 – EIA methodology at 5.8.12 it states 'The long list of cumulative schemes (ES Volume 2: Appendix 16-B [EN010131/APP/3.3] 0 has informed the short list presented with each chapter'. At paragraph 5.8.13 it states 'A short list of cumulative developments is presented in ES Volume 3: Appendix 16-B [EN010131/APP/3.3] of this ES. These are the same reference and identify different lists for the same reference and the reference is actually to a different matrix. Can these references be corrected. In Chapter 8 at section 8.13 | <p>A complete list of solar industrial schemes being proposed for Lincolnshire is included in Appendix 1 [See Appendix A in REP4-069].</p> <p>It is necessary to add the One Earth Solar Farm Special Purpose Vehicle to this list as that is the 5th solar industrial site currently being located in West Lindsay.</p> <p>The Transmission Entry Capacity (TEC) Register² shows that nationwide there are a total of 131 GW of solar schemes registered with the National Grid. This is nearly twice the 70GW solar generation capacity sought by the Government and takes no account of rooftop solar.</p> <p>The NSIP schemes registered for grid connections on the TEC Register, show 11</p> | <p>A technical note which considers a number of additional cumulative schemes, including One Earth Solar Farm, was submitted at Deadline 4 [REP4-049]. The assessment confirms that the schemes do not introduce any new significant cumulative effects in combination with Gate Burton Energy Park and the conclusions of the ES remain unchanged.</p> <p>A technical note which considers the cumulative impact of solar Schemes on agricultural land in Lincolnshire was submitted at Deadline 2 [REP2-046]. The assessment concludes that even when all DCO applications and TCPA applications in Lincolnshire are considered together, the permanent loss of BMV land comprises 0.0012% of the total BMV land in Lincolnshire. The temporary loss of BMV land comprises 1.16% of BMV land in Lincolnshire. The cumulative impact on agricultural land in the county is therefore negligible.</p> |



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| | | <p>reference is made to a short list by reference to appendix 5-A, such an appendix has not been provided. Can the referencing of the long and short lists be updated and corrected throughout the ES where necessary.</p> | <p>registered for connections to the Cottam, West Burton and High Marnham power stations. There are 35 registered in Lincolnshire as a whole. The 11 schemes in the Gainsborough area would cover circa 23,000 acres, with the 35 Lincolnshire schemes covering circa 71,866 acres of productive farmland, frequently described as the “Breadbasket of England”.</p> <p>These multiple solar NSIP applications and registrations for grid connections demonstrate that there is no centralised control over the schemes, therefore they cannot be responding to National Policy.</p> | <p>All Nationally Significant Infrastructure Project (NSIP) scale solar projects that the Applicant is aware of have also been included in the Joint Interrelationships report [document 8.26], updated at Deadline 5.</p> <p>As to the number of schemes registering grid connections, the Applicant cannot comment on specific schemes, but makes the following general observations. Not all schemes that register grid connections will be consented (for a variety of reasons, commercial and otherwise). Therefore, it does not follow that the number of schemes registering connections or submitting applications means that they are not responding to national policy, or that the national need for solar generation can be adequately met via other schemes. The UK Government Solar Deployment statistics (updated to August 2023) provide that 15.36GW of solar generation is currently deployed in the UK; well short of the target of 70GW which the government aims to reach by 2035. Solar photovoltaics deployment August 2023.xlsx (live.com)</p> |
| REP4-056 | 2.1.6, 2.1.7 and 2.1.8 | <p>Regarding Cumulative Assessment in Environmental Statement and additional/new schemes not identified in the list of cumulative schemes</p> | <p><i>“There are at least two more solar sites not listed in documentation and are in the immediate vicinity. Stow Park (Luminous Energy) sited between Sturton by Stow parish – Westwoods and Marton. One Earth Project which has just been announced – Sept.2023 - and is projected to be sited south of Dunham Bridge (A57) – each side of River Trent. This applicant is</i></p> | <p>A technical note which considers a number of additional cumulative schemes, including One Earth Solar Farm and Stow Park Solar Farm, was submitted at Deadline 4 [REP4-049]. The assessment confirms that due to their location and scale and due to the mitigation incorporated and secured within the Gate Burton Energy Park DCO, the schemes do not introduce any new significant cumulative effects in combination with Gate Burton Energy Park and the conclusions of the ES remain unchanged.</p> |



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| | | | <p><i>connected with Tillbridge Solar via Sunnica project. These both have potential to not only impact land usage but also the construction processes. They should both be considered for cumulative impacts by communities as well as burdens of application approval by West Lindsey DC and Lincolnshire County Council. The additional project of Fosse Green Energy to south of Lincoln will also place an extra burden upon Lincolnshire County Council."</i></p> | |
| <p>2.3 Biodiversity, Ecology and Natural Environment (including Habitats Regulation Assessment)</p> | | | | |
| Environment Agency REP4-063 | 2.3.1 | <p>Electro-magnetic fields and Ecology:</p> <p>At Deadline 3 the Environment Agency confirmed that it would review the EMF effects in respect of Ecology and provide any additional comments by deadline 4. Provide any further comments alongside any notes that may be included in the Statement of Common Ground with the Applicant.</p> | <p>We have reviewed the detail provided within the application documents in relation to electromagnetic fields (EMF) and ecology. The Environmental Statement (ES) does not have any specific reference to EMF and suggests "There are no impact pathways (e.g. habitat loss or degradation), during operation of the Scheme which could affect fish." (ES, Volume 1, Chapter 8: Ecology and Nature Conservation, EN010131/APP/3.1, page 100).</p> <p>Given that the potential impact of EMF on ecology is an emerging issue and not</p> | <p>As requested, a risk assessment has been undertaken for the grid connection corridor and in particular the crossing of the River Trent. This has been submitted into the Examination at Deadline 5 (see Appendix A of document 8.28).</p> <p>The risk assessment concludes that, as per the commitment within the Outline Design Principles [REP4-004] which is secured by Requirement 5 of the Draft DCO [REP4-023], the cable will be installed under the River Trent at a minimum of 5 m below the lowest surveyed point of the riverbed. At this depth the predicted magnetic field value at the riverbed surface is lower than the background geomagnetic field value.</p> |



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| | | | <p>assessed within the ES we would suggest a risk assessment is carried out, centred on the grid connection corridor to fully understand the risks during the operation of the Scheme. As the potential impacts of EMF are dependent on the intensity of the emission, current type, cable characteristics, power transmitted and other surrounding environmental factors a risk assessment would evaluate whether the EMF associated with the proposed development is likely to have any impacts on fish. Atlantic salmon <i>Salmo salar</i> (hereafter salmon), Sea Trout, European Eel, River Lamprey and Sea Lamprey all use the River Trent to complete migratory journeys. The Humber Special Area of Conservation (SAC) lists River Lamprey and Sea Lamprey, and we know that both species use the River Trent to spawn, laying their eggs in suitable gravels upstream of the proposed cable corridor. Research suggests that the strongest effects from EMF will most likely occur during the embryonic or larval stages of species settling on the bottom of the river (Gill and Desender, 2020). Additionally, the behavioural and physiological responses to EMF in salmon have the potential to</p> | <p>Therefore, it is considered that the probability of adverse effects of EMF from cables buried beneath watercourses for the Gate Burton Energy Park Scheme and cumulatively with other schemes, on fish is extremely low, is negligible in the wider context of the watercourses and is therefore not significant.</p> <p>The Applicant has added the potential impact from the presence of EMF to areas of discussion between the parties in the signed Statement of Common Ground (SoCG). Upon satisfactory resolution this will be re-submitted into the Examination.</p> |



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| | | | <p>impact long-distance migrations due to the increased sources of artificial EMF from renewable energy installations within riverine and marine environments (Gillson et al., 2022). The extent of risks to juvenile Lamprey and migratory salmon from EMFs should be explored in a risk assessment to determine whether the risk from the project, or cumulative risk if the project is to share the cable crossing with other projects, is significant enough that it needs to be mitigated.</p> <p>In relation to the signed Statement of Common Ground (SoCG) [REP-013 – paragraph 1.1.5] we would ask that the applicant adds potential impact from the presence of EMF to areas of discussion between the parties so that we may re-issue the SoCG once this issue has a satisfactory resolution.</p> | |
| 2.5. Compulsory Acquisition, Temporary Possession and Other Land or Rights | | | | |
| LCC REP4-054 | 2.5.4 | Re: LCC’s request that a financial contribution be secured through a s.106 to support Lincolnshire Fire and Rescue Service. Request for LCC to confirm the level of contribution sought, whether it | “In respect of the first year of operation to provide the necessary assurance that all the 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 | Following discussions with LCC, the Applicant and LCC have agreed protective provisions for the benefit of Lincolnshire Fire and Rescue service at Part 13 of Schedule 15 of the draft DCO. The form of these protective provisions is similar to that included for the benefit of the East of England Ambulance Service Trust in Part 10 of Schedule 15 of the Longfield Solar Farm Order 2023. Agreement is also recorded in the Draft |



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| | | <p>is a lump sum one off payment or an ongoing commitment, how the figure is calculated and the detail of the service that would be provided for the contribution.</p> | <p>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;</p> <p>Benefits</p> <ul style="list-style-type: none"> • Early engagement to ensure identified standards are being complied with; • Sound developments supported by expertise within the Fire Service such as site infrastructure checks, detection systems , on-going maintenance/safety requirements; • Early development of emergency response plans • Familiarisation for local crews and oversight from Lincs Fire and Rescue Service; | <p>Statement of Common Ground [EN010131/APP4.3H] which will be submitted at Deadline 5.</p> |



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| | | | <ul style="list-style-type: none"> • Development of on-going maintenance and updating of risk information; • Assurance to local residents that monitoring is being undertaken by Fire and Rescue to reduce the risk of a battery fire and if a fire event took place fire crews would be well placed to contain it very quickly as they would be familiar with the site. <p>The Council has been involved in Section 106 agreements for other DCOs Boston Alternative Energy Facility (Decision July 2023) which was significantly more complex than this proposed S106 and was completed by the close of the examination and therefore the Council sees no reason that the S106 agreement outlined above could not be completed by the examination close.”</p> | |
| Mr and Mrs Hill REP4-073 and REP4-074 | 2.5.6 | Confirm the Applicants summary of the current position as set out in its Written Summary of the Applicant’s Oral submissions at the Compulsory Acquisition Hearing (CAH 1) and the post hearing submission found at REP3-024 10.2.1 to 10.2.4 on page 21 is | <p>We agree the Applicant’s summary of the Compulsory Acquisition Hearing (CAH 1) represents their oral submission however we refute the Applicants post-hearing submission.</p> <p>The Applicant states that ‘Mr and Mrs Hill would or should reasonably have been expected to have had regard to sellers</p> | <p>The Applicant is willing to enter into an option for lease of this land and has written to Mr and Mrs Hill to seek to agree commercial terms.</p> <p>The Applicant understands the property was acquired on 26th October 2022 through Auction. The scheme proposals were in the public domain at the time with Statutory Consultation having been completed and the project nearing submission of its application. It was in the Public Domain. It is not for the</p> |



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| | | <p>an accurate reflection of your understanding of the situation and whether you will or are proposing to withdraw your objection. If it is not please confirm your understanding and provide any further comments in relation to the CA of your land interests.</p> | <p>property information and due diligence undertaken by legal advisors, all of which should have provided them with notice of our proposals before they made the decision to acquire it.' However, neither the Auctioneers Legal Pack nor information provided by our Solicitor mentioned cable routes affecting the land in question. Therefore, we purchased the land without the knowledge of a proposed cable route.</p> <p>In light of the above, the Applicants statement that, 'Nonetheless, the purchase took place on notice of the Gate Burton proposals, which indicates those proposals would not interfere with their "long held plans" for the land', is incorrect. Again, we refute this statement.</p> <p>The land at Marton had been used in the past for grazing beef cows. We bought the land on the basis that we wished to re-instate this practice. After purchasing the land we spent 3 months preparing the ground for a sugar beet crop, which has proved successful. This will assist in raising funds to implement the works in relation to the planning permission for two barns and associated access. Once this is</p> | <p>Applicant to speculate why the seller did not disclose details nor why the solicitors didn't pick up the Scheme in any due diligence. The Scheme was in the public domain, including the requirements in respect of Mr and Mrs Hill's land, at the date of purchase.</p> <p>The presence of the cables at a depth of 1.4 meters underground will not impact on the ability to graze beef cows or grow crops or vegetables.</p> <p>Any land disturbed during the construction will be reinstated once the construction is completed, which should limit the impact to during the construction period only. The Applicant wishes to work with Mr and Mrs Hill to ensure any disturbance and/or loss during construction is minimised. However, should there be any loss, associated with the scheme construction, Mr and Mrs Hill will be compensated in line with the compensation legislation and caselaw which seeks to ensure the affected party is put back in the same position, as far as money can do so, before the impacts of the scheme.</p> <p>We have provided plans to Mr and Mrs Hill that demonstrate that it is likely that routes can be taken that avoid the location of the barns as set out in the planning application. This will negate any impact on the proposed development of the barns and allow Mr and Mrs Hill to proceed with their proposed business plans It should be noted by the Examining Authority that should the DCO be confirmed the Applicant</p> |



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| | | | <p>established, the next step in our agricultural business is to raise beef cattle and grow vegetables to sell locally from a future farm shop. Therefore, to realise these plans, we will need buildings and construction on site to house; cattle, hay and straw, animal feed, and produce. Also we will need a work shop and a parking area. We believe the proposed cable route will have a major negative impact on our ability to realise our future plans.</p> <p>We are not proposing to withdraw our objection to the Compulsory Acquisition of our land. To do so would prejudice our ability to realise our agricultural business plans. In addition to the above, we have been in contact with the Applicant's representatives over a period of several months and have engaged with them in good faith. During this period we [redacted]. In light of these circumstances we have been very accommodating to the Applicant's and their representatives.</p> <p>The Applicant requires a permanent easement for the cable route however, if the Application is of a temporary nature, the basis for a permanent easement is not</p> | <p>will undertake to locate the cables away from the current planned location of the barns as far as possible.</p> <p>The Applicant has previously set out why it felt an easement was the preferred option and has confirmed with Mr and Mrs Hill that the easement could be agreed on a time limited (the life of the project) basis. However, the Applicant has also engaged with Mr and Mrs Hill on the basis of a lease as they have requested. Headline terms have been issued by the Applicant to Mr and Mrs Hill.</p> <p>It has been set out to Mr and Mrs Hill why a Wayleave would not be appropriate as it would not give the certainty of rights for the life of the project.</p> <p>The Applicant has reviewed all route options and is confident that the option chosen is the most appropriate. This is further enhanced by the ability to avoid Mr and Mrs Hills barns as proposed in the latest plans.</p> <p>A document setting out the rationale behind the routing of the cable across Mr and Mrs Hill's land, the alternative options considered and the conclusion is presented in document 8.29 submitted at Deadline 5. The report demonstrates that no alternative options would avoid Compulsory Acquisition and most would affect a greater number of landowners (many of whom who are not willing to sell rights/ land by negotiation). There is a compelling case in the public interest for the installation of the cables to support</p> |



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| | | | <p>required. Nevertheless, we have offered to agree a wayleave or lease of the land. The Applicant has refused to negotiate on these terms. We also raised the possibility of the Applicant exploring reasonable alternative parcels of land in the neighbouring vicinity during a meeting on the land in question. The Applicant's representatives dismissed our suggestion.</p> <p>Furthermore, we believe the claims the Applicant is making in terms of energy production and benefit to the nation are highly exaggerated and not credible. The Applicant does not make a compelling case in terms of public interest or benefit and as such any loss of private land by way of Compulsory Acquisition is unnecessary and a breach of our Human Rights. We hope this letter explains our position and that our main desire is to realise our ambitions for our land and new agricultural business.</p> | development of the Gate Burton Scheme and the other NSIP projects that utilise the same corridor. The Applicant continues to work to explore options to obtain rights by negotiation from Mr and Mrs Hill. |
| 2.6. Draft Development Consent Order | | | | |
| MMO REP4-064 | 2.6.3 | Provide without prejudice comments on the draft Marine Licence included at Schedule 9, in the event that the Secretary of State considers it appropriate to include such in any | <p>Regarding "without prejudice" comments:</p> <p>The MMO is grateful for the opportunity provided by the Examiner for the MMO to provide without prejudice comments on the most recent DML [REP3-006].</p> | The Applicant notes the response from the MMO supports its position that the MMO's position on the applicability of the exemption may change in the future. The Applicant's detailed rationale for including the dML is most recently set out in section 5.2 of the Written Summary of Oral Submissions at ISH2 [REP3-026] and is not repeated here. |



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| | | <p>Development Consent Order should one be forth coming, so that I can be best placed to provide the most appropriate Licence in those circumstances. Detail why you consider it is not appropriate to provide for a dML in a scenario where it only becomes effective if particular circumstances arise and which seeks to afford certainty for a NSIP scheme?</p> | <p>However, the MMO’s position remains as set out in our Deadline 3 submission [REP3-046], that we are unable to provide ‘without prejudice’ comments due to our position that an exemption applies to the only marine licensable activity within the DML. As stated in our Deadline 3 response, in certain previous DCOs, when the MMO has disagreed with applicants on a point of principle, we have provided ‘without prejudice’ comments. However, this does not apply to the Gate Burton Energy Park DCO application as the fact that we consider an exemption applies for the only marine licensable activity is fundamental to our position. In addition, for any conditions to be included in a DML they need to be considered necessary. Therefore, as an exemption applies for the only marine licensable activity and the Applicant states there is no significant adverse impact to the marine environment, the MMO does not consider a DML and any subsequent conditions are necessary. Therefore, we would be unable to provide ‘without prejudice’ comments on such conditions.</p> <p>Regarding appropriateness for a DML:</p> | <p>The Applicant can clarify that it is not seeking to disapply the exemption, and the dML has been drafted to apply only if the exemption does not apply (as set out at paragraph 3(1)(b) of Part 1 of Schedule 9 of the DCO). This ensures the Scheme can be delivered without unnecessary delay in having to apply for a separate marine licence for works which have already been subject to a detailed consenting process. The MMO’s submission on this point is therefore flawed.</p> <p>The Applicant is confident that the works described in the dML and the Environmental Statement are consistent. The Applicant has not included a dML because it is unsure if there will be significant effects on the marine environment, it has evidenced via assessment that such effects are unlikely (see further below). Instead, the Applicant has included a dML as works are licensable activities, and the relevant exemption may not be in place or the MMO may have a different view on its applicability at the time it needs to be relied upon, several years in the future. Please refer to Appendix B within the Applicants Responses to Further Written Questions (ExQ2) [REP4-046] which sets out further details as to why the Applicant considers that the inclusion of a Marine Chapter within the ES is not required. Signposting is also provided to outline the locations within the ES and the wider Application where the marine environment is already considered.</p> |



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| | | | <p>The MMO acknowledges the Examiner’s question regarding affording certainty for an NSIP scheme. However, the MMO maintains its position that the activities described in the latest draft DML [REP3-006], “works to lay electrical cables including one 400 kilovolt cable circuit connecting Work No. 4A to Work No. 4C including tunnelling, boring and drilling works for trenchless crossings”, are exempt from requiring a licence under Article 35 of The Marine Licensing (Exempted Activities) Order 2011 (as amended). The Applicant has confirmed that the entry and exit of the bored tunnel will be above mean high water springs and that they do not consider there to be adverse effects on the marine environment, supporting Condition 2 of Article 35 in the 2011 Exempted Activities Order (as amended): ‘Bored tunnels 35.— (1) Article 4 applies to a deposit or works activity carried on wholly under the sea bed in connection with the construction or operation of a bored tunnel. (2) Paragraph (1) is subject to conditions 1 and 2. (3) Condition 1 is that notice of the intention to carry on the activity must be given to</p> | <p>Please also refer to the response to Q3.6.1 of the Examiner’s Third Written Questions submitted at Deadline 5 [document 8.28].</p> |



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| | | | <p>the licensing authority before the activity is carried on. (4) Condition 2 is that the activity must not significantly adversely affect any part of the environment of the UK marine area or the living resources that it supports. (5) But article 4 does not apply to any such deposit carried on for the purpose of disposal'. Therefore, by applying the legislation as it is currently written, the MMO is able to consider the best available evidence to inform its decision and conclude that the inclusion of a DML is not appropriate as the only proposed marine licensable activity is considered exempt and therefore does not require a DML. 6 The MMO note the Applicant's comments in the Issue Specific Hearing 2 (ISH2) [REP3-026] held on 23 August 2023 regarding the possibility that the MMO's position on exemptions may change in the future. However, the MMO is only able to provide advice on the current legislation and apply the regulations as they are currently written. The MMO is not able to disapply an exemption on the basis that it may not apply in future years. In addition, the MMO is not able to predict whether this exemption will apply in the future, and as</p> | |



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| | | | <p>such the MMO is only able to consider the current exemption criteria, as detailed above, to inform our advice. However, as stated in our previous deadline response [REP3-046], if particular circumstances arise and the legislation changes between now and the time works are required, the Applicant can apply for a standard marine licence. The MMO understand this may incur cost and delay should Article 35 of The Marine Licensing (Exempted Activities) Order 2011 (as amended) change, however the Exemptions were designed to ease regulatory burden and provide scope for activities to be carried out in a streamlined way. As such, the MMO does not follow the practice that exemptions can be disapplied, including for the potential convenience of an operator at a future point in time. Regarding impacts to the marine environment, the MMO notes the Applicant's response in their Deadline 3 Submission – 8.19 Response to Written Representation [REP3-033] that a separate Marine Environment chapter is not being included in the Environmental Statement (ES) as they consider there are no impacts on the marine environment. The MMO also notes that the Applicant has included</p> | |



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| | | | <p>a Water Environment Chapter [APP-018/3.1]. However, the MMO would like to highlight, that if a DML is included, it is standard practice for an ES to include a Marine Environment chapter that states how the Applicant has assessed any potential impacts. The Marine Environment chapter should also assess the impact of the worst-case scenario. Therefore, if the Applicant anticipates that a different methodology to the one described in the DML may be undertaken as a worst-case scenario that may potentially adversely impact the marine environment, the Marine Environment chapter would need to reflect this. The MMO would also expect this to be updated in the methodology. Following this, the MMO requests the Applicant to update the ES to include a Marine Environment chapter. The MMO also requests that the Applicant confirms whether the current methodology described in the DML is the worst-case scenario and if not, the worst-case scenario methodology needs to be provided.</p> <p>Conclusion:</p> | |



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| | | | <p>The MMO maintains its position that the activities as described in the latest draft DML [REP3-006], are exempt from requiring a licence under Article 35 of The Marine Licensing (Exempted Activities) Order 2011 (as amended). As such, the 7 MMO is unable to provide ‘without prejudice’ comments due to our position that an exemption applies to the only marine licensable activity. The MMO requests that the Applicant update the ES to include a Marine Environment chapter that contains an assessment of marine impacts. Further to our email to the Applicant on 15 August 2023 where this was requested, the MMO acknowledges the Applicant’s response signposting to the Construction Environmental Management Plan [REP2-033] and the Operational Environmental Management Plan [REP2-035]. However, the MMO stresses we are yet to see a Marine Environment chapter and would welcome the inclusion of one in the ES. The MMO also requests that the Applicant confirms whether the current methodology is the worst-case scenario and if not, to provide an updated method statement.</p> | |



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| LCC REP4-054 | 2.6.5 | <p>Article 46 and Schedule 16: request for host authorities to comment on Applicant's changes made at deadline 3 (including changes to certain timescales) and whether the changes address concerns raised.</p> | <p>It is noted that Schedule 16 2(2) has an amended timescale of 8 weeks, the Council does not consider that this is a sufficient period of time to enable the discharge of the requirements which could involve a significant amount of information to assess and in respect of Requirement 6 require consultation outside of the Authority so on that basis request that all the requirements are required to be discharged in a 10 week period from date of a completed discharge submission being made. It is submitted that for other recent solar energy DCO scheme 'Longfield' a period of 10 weeks has been secured for the relevant planning authority to discharge the requirements and this precedent should be applied in this case as well. It is particularly important in this case given that the relevant planning authorities may be subject to requirement submissions for multiple DCOs within the host authorities area in a similar time period. In addition, Article 46 (4) should be amended to 10 weeks to fall in line with the suggested change to Schedule 16 2(2) and therefore there would be no need for Schedule 2 (3) as all the requirements would be subject to a 10 week timescale</p> | <p>The Applicant added paragraph 2(3) to Schedule 16 in the updated draft DCO submitted at Deadline 3, to provide a time period of ten weeks in relation to the discharge of Requirement 5 (detailed design approval).</p> <p>The Applicant has now updated paragraph 2 of Schedule 16 in the DCO submitted at Deadline 5 to provide for a ten week time period for all requirements. Article 46(4) has been updated at Deadline 5 as well to align with the ten week time period at paragraph 2 of Schedule 16.</p> <p>The Applicant has updated Schedule 16, paragraph 5(1) in the draft DCO at Deadline 5, to make it clear that a fee shall be payable in relation to the discharge of each requirement.</p> |



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| | | | <p>for decision. In respect of Schedule 16 5(1) it should be made clear that a fee is required for each discharge of a requirement as it currently reads an ‘application’ could include a number of requests to discharge multiple requirements for which only a single fee is payable. Each requirement discharge should attract a fee even if multiple requests to discharge requirements are included in a single ‘application’.”</p> | |
| <p>WLDC REP4-059</p> | <p>2.6.5</p> | <p>As above</p> | <p>“..the changes do not adequately address the concern of WLDC and an objection to the current draft is maintained. The specific points of concerns are set out below:</p> <p>i) Deemed consent WLDC maintains an objection to the deemed consent provision. Reasoning: Due to the scale and potential complexity of the details and their importance to ensure that mitigation for a large scale infrastructure project is assessed and implemented, it is wholly unacceptable to impose a deemed consent provision. Additionally, with the potential cumulative impact of having to process</p> | <p>Deemed approval</p> <p>The Applicant has extended the time periods for decisions for the discharge of requirements throughout Examination in discussions with LCC and WLDC. This is to ensure that reasonable time is available for the decisions to be made before the deemed approval provisions to take effect. However, the inclusion of a deemed consent provision is required to ensure that the nationally needed authorised development will not be held up by the discharge of requirements, in the event that no decision has been made within those reasonable periods. The inclusion of deemed consent provisions is well precedented. For example, in the recent Longfield Solar Farm Order 2023, Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 and The M54 to M6 Link Road Development Consent Order 2022.</p> |



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| | | | <p>subsequent approvals for several similar projects, it is essential that WLDC has sufficient time to make well informed decisions in the public interest.</p> <p>The deemed consent provision also has an impact on WLDC's position with regard to the approval timescales discussed below.</p> <p>ii) Approval timescales WLDC maintains an objection to the deemed consent provision. Should there be no deemed consent provision, WLDC request that the following timescales be specified:</p> <ul style="list-style-type: none"> • Requirement 5 = 13 weeks • Other Requirements = 10 weeks <p>Should there a deemed consent provision be retained, WLDC request that the following timescales be specified:</p> <ul style="list-style-type: none"> • Requirement 5 = 16 weeks • Other Requirements 13 weeks <p>Reasoning: The timescales WLDC considers to be acceptable are influenced by whether a deemed consent provision is included in the DCO. If it is retained, a longer period of time is required to enable WLDC to fulfil its duties in the</p> | <p>The Applicant also notes that the latest version of the DCO submitted for Mallard Pass Solar Farm includes a deemed approval provision at paragraph 2(3) of Schedule 16. Deemed consent provisions are also being sought for Cottam Solar Project and West Burton Solar Project.</p> <p>Timescales</p> <p>The Applicant added paragraph 2(3) to Schedule 16 in the updated draft DCO submitted at Deadline 3, to provide a time period of ten weeks in relation to the discharge of Requirement 5 (detailed design approval). The Applicant has now updated paragraph 2 of Schedule 16 in the DCO submitted at Deadline 5 to provide for a ten-week time period for all requirements. This ten-week period is longer than the eight week discharge period in the Cleve Hill Solar Park Order 2020 and the Little Crow Solar Park Order 2022 and aligns with the ten week time period in the Longfield Solar Farm Order 2023.</p> <p>This period also aligns with the upper limit of the time periods suggested for determining non-material changes from the 'Consultation on operational reforms to the Nationally Significant Infrastructure Project (NSIP) consenting process' (DLUHC, 2023). The Applicant considers this to be reasonable on the basis that much of the information in relation to the requirements is already available in Examination. For example, Requirements 5 to 14 (inclusive)</p> |



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| | | | <p>determination of subsequent applications that relate to EIA development.</p> <p>Consistent with the reasons that WLDC object to the deemed consent provision, it is essential that WLDC has reasonable time to interpret, assess, have regard to consultee representation, negotiate and formally determine complex and technical details that are required in order for the project to be acceptable.</p> <p>During the examination, the applicant has referred to the Longfield Solar Farm DCO to justify the proposed timescales. WLDC considers the example of Longfield Solar Farm to not be comparable or serve as a fair precedent with regard to the provisions within the Gate Burton Energy Park DCO due to the unique cumulative situation with other NSIP solar projects.</p> <p>This matter was discussed during Issue Specific Hearing 1 (Draft DCO) relating to the Cottam Solar Project held on 6 th September 2023. The Lead Member of the Examining Authority, Mr Rory Cridland, who was also the Lead Member for the Examining Authority responsible for the</p> | <p>and 16 to 19 (inclusive) require the final documents to accord with, be substantially in accordance with or in accordance with corresponding outline documents that are already available.</p> <p>The Applicant appreciates the need for the Council to have a reasonable time to consider applications, which is evidenced by the Applicant's willingness to extend the time period from six weeks (in the draft DCO as originally applied for) to now ten weeks. However, a longer time period would not be in accordance with the relevant precedent and would risk unnecessary delay to a nationally significant infrastructure project.</p> |



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| | | | <p>Longfield Solar Farm, stated the following during the Hearing (ref: EV017 Transcript of Recording of Issue Specific Hearing 1 – Part 3 – 6 September 2023, p21) (Appendix 1 to this submission):</p> <p>“00:57:13:03 – 00:57:37:21 Thank you. Just follow up, Mr. Phillips. I think there’s a range of different timescales in various different DCS (sic). I’m aware of that. But think some of the recent ones that I’ve dealt with, I think ten weeks has been around about the time some of them have gone to 13 weeks. I’m not aware of any eight and think Longfield has ten and they didn’t have the same challenges that are posed by some of the local authorities here. So think that’s something that we’ll certainly be bearing in mind.”</p> <p>The comments from Mr Cridland reflect that of WLDC in that Longfield Solar Farm is not an example upon which to set the appropriate timescales for the Gate Burton Energy Park DCO due to the cumulative situation with other solar NSIP projects. Mr Cridland also references that approval timescales have been longer and that 8 weeks is not a period that has been</p> | |



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| | | | <p>evident or justified on other similar projects.</p> <p>Furthermore, an example of the unreasonableness of the timescales being sought by the applicant, WLDC would like to refer to the Planning Inspectorate’s recent consultation on NSIP reform which ran from 25th July 2023 to 19th September 2023. Question 24 of the consultation relates to the proposed options for statutory timescales relating to the determination of non-material changes to DCOs. The options started at 6-8 weeks and ranged up to 10-12 weeks. WLDC consider the approval of DCO ‘requirements’ to be subsequent approvals that require the analysis of complex information that would go far beyond what would comprise a ‘non-material change’. This demonstrates that to restrict the proper assessment of details that are integral to ensuring a DCO is implemented in an acceptable manner (including wide ranging details relating to the design of structures) to the timescales being pursued by the applicant, is wholly unreasonable.</p> | |



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| | | | <p>WLDC also wish to refer to the Mallard Pass solar NSIP, currently also in examination phase, and whose DCO does not have a deemed approval provision.</p> <p>WLDC notes and welcomes the inclusion of a fee provision based on regulation 16(1)(b) of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012.”</p> | |
| 2.8. Human Health and Wellbeing | | | | |
| WLDC REP4-059 | 2.8.1 | <p>Cumulative Health and wellbeing effects: Expand and explain what the ‘wider implications of the Gate Burton scheme cumulatively with the other projects that may occur that are not fully understood’, as referenced in your recent submissions. Clearly identify what areas you consider have not been assessed and are not understood and why.</p> | <p>As set out in WLDC’s Written Representation, WLDC has concerns relating to the adverse impacts upon the culture, mental health, character and way in which local communities engage with, and live within, the district.</p> <p>Policy context</p> <p>The NPPF supports the role of planning to create healthy, inclusive communities and recognises that the design and use of the built and natural environment are major determinants of health and wellbeing. The impact of development on human health and wellbeing is therefore a material consideration in the determination of</p> | <p><u>Impact of the scheme on an agricultural landscape</u> As stated within the Applicants Responses to Written Representation submitted at Deadline 3 [REP3-033], ES Volume 1, Chapter 10: Landscape and Visual Amenity [APP-019/3.1] assesses and describes the effects of the Scheme on the landscape character and the visual amenity. Section 10.11 Residual Effects and Conclusions, states the remaining effects following the establishment of proposed landscape mitigation measures. The assessment concludes 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 areas. However, the assessment concludes that the wider landscape character at national, regional and county / district level will not be significant due to the scale of these landscape character areas and the localised impacts of the Scheme.</p> |



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| | | | <p>planning applications. In addition, the Central Lincolnshire Local Plan was adopted on 13th April 2023. The Local Plan includes policies so that new development within Central Lincolnshire can have a positive impact on health and wellbeing.</p> <p>The Central Lincolnshire Local Plan has produced a Supplementary Planning Document (SPD) to help guide developers and decision makers on the implementation of policy S54 Health and Wellbeing in the Central Lincolnshire Local Plan. S54 sets out a requirement for developers to submit a HIA for non-residential development proposals, 5ha or more.</p> <p>The adopted SPD defines Health as a “state of complete physical, mental and social wellbeing. As well as access to good quality healthcare services and lifestyle choices, there are many factors that affect health and wellbeing. These include the physical and social conditions in which people live, culture, education, housing, transport, employment, crime, income, leisure, and other services. These all influence health in either a positive or negative way, both</p> | <p>The Scheme design has focussed on mitigating by design as a first principle, by sequentially locating infrastructure behind natural screening barriers and therefore reducing the need for additional screening. Where necessary, screening has been targeted to reinforce existing vegetation, followed by additional planting in selected locations. In addition, areas of advanced planting are being considered in a number of locations to ensure planting is effective at screening at an early stage in the project. Further information is available within ES Volume 1, Chapter 10: Landscape and Visual Amenity [APP-019/3.1].</p> <p><u>Impact of the Scheme on communities using highways for recreation and the associated impact on mental health</u></p> <p>The Applicant disagrees that construction traffic associated with the Scheme will discourage the use of rural highways for recreation use. As stated within the Applicants Responses to Written Representation submitted at Deadline 3 [REP3-033] the majority of construction vehicle trips will travel to/ from the main site access on the A156 Gainsborough Road. The Framework CTMP (Appendix 13-E [REP2-020-021/3.3]) includes an HGV routing plan which shows that local roads and nearby villages will be avoided where possible, as well as mitigation to avoid and/or reduce impacts, relating to construction traffic including the delivery of materials during construction.</p> |



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| | | | <p>directly and indirectly. These factors are commonly known as the wider determinants of health.” (page 2).</p> <p>WLDC considers that the application must be examined with a strong focus on the impacts it will have on local residents and visitors to the area with regard to the matters described in the above definition.</p> <p>Key issues of concern to WLDC</p> <p>The local community have a strong connection with agricultural culture of the area, which is reflected in its landscape, land use and the way in which people live. The impact on the landscape will be replaced by large scale utilitarian photovoltaic solar arrays and their associated development. This will result significant change for a period of more than half a century which will degrade the character and culture of the West Lindsey and negatively impact the connection communities have with it.</p> <p>Furthermore, communities are particularly dependent upon the use of adopted highways for recreation and leisure</p> | <p><u>Mental Health</u></p> <p>Chapter 14: Human Health [APP-023/3.1] paragraph 14.8.1 outlines that the Scheme has the potential to affect Human Health and Wellbeing (either positively or negatively), during construction, operation, decommissioning, in the following ways:</p> <ul style="list-style-type: none"> - Access to Healthcare Services and Other Social Infrastructure; - Air Quality, Noise and Neighbourhood Amenity; - Accessibility and Active Travel; - Access to Work and Training; and - Social Cohesion and Lifetime Neighbourhoods. <p>In recognition of the potential for impacts on mental health that could arise from activities on-site and surroundings, there are measures set out in the Framework CEMP [REP4-036], Framework OEMP [REP2-035] and Framework DEMP [REP4-037] to reduce or avoid impacts during the construction and operational phase, respectively. Examples of mitigation measures include:</p> <ol style="list-style-type: none"> 1) Implementation of a communications strategy. This is secured through the Framework CEMP [REP4-036] and DEMP [REP4-037] and will seek to ensure that occupants of affected properties are notified of the timings and duration of works. This will help residents in managing any potential anxiety related to construction activities including timings. 2) The Scheme has been designed to minimise the number and duration of PRoW closures during construction, including along the cable route. If a PRoW is required to be closed, as a |



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| | | | <p>purposes. Due to the intensive agricultural character of the district, public rights of way across field are limited. This results in communities using highways for recreational activities with walkers, dog walkers, cyclists and horse riders all sharing roads with vehicular traffic.</p> <p>The proliferation of construction traffic for 5 years or more will discourage the use of rural highways for recreation use, resulting in a further negative impact upon the wellbeing and mental health of local residents and people using the district for leisure purposes.</p> <p>WLDC do not believe the Applicant's Human Health and Wellbeing chapter within the ES (Doc. Ref. EN010131/APP/3.1) considers the construction and long-term impacts of the cumulative schemes on local residents health and wellbeing who use these roads for recreational purposes. The chapter does not take into account the local amenity impact of the cumulative construction traffic associated with the proposed solar schemes. Whilst it is acknowledged an assessment of access to</p> | <p>worst-case scenario it has been assumed that this would be for no more than six weeks, with short diversions provided. Therefore, these impacts are not considered to have a significant or long-term impacts on active travel. During the operational phase, no routes will be closed, this will ensure that the recreational benefits of active travel on health including mental health are retained which translates into a positive health impact on mental health. Further details are set out in the PRoW Management Plan [APP-229].</p> <p>3) Construction traffic will be managed at peak hours in order to limit any potential disruptions and implications on the wider transport network for existing road users. This includes provision a shuttle bus for at least 55% of construction staff and encouraging HGVs to access the site outside of peak hours secured through the Construction Traffic Management Plan [REP4-014]. This will serve to minimize the potential for disruption and the associated impact on mental health caused by anxiety related to increases in construction traffic.</p> <p>4) In respect of setting and in acknowledgement of the role that this could play in shaping mental wellbeing, vegetation planting has been incorporated into the Scheme design to minimise the visual intrusion of the Scheme as shown on the Indicative Site Layout Plan in ES Volume 2: Figure 2-4 [APP-033/3.2]. Furthermore, areas of advanced planting is being undertaken in a number of locations to ensure planting is effective at screening at an early stage in the project. A Landscape and Visual Impact Assessment has been undertaken to assess the effects on landscape and visual receptors in the vicinity of the Scheme, such as residents and</p> |



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| | | | <p>local health services and work has been undertaken, this does take into account the impact on the mental health that traffic could have on the community.</p> <p>The assessment within the applicant’s ES adopts a 500m buffer from certain receptors to assess impacts on human health, followed by professional judgement. WLDC is not clear on the basis of such a buffer and why it is considered a distance beyond which there will be no impacts upon the health of residents in West Lindsey communities. The use of a buffer appears particularly restrictive in that people will experience impacts whilst moving throughout the area, engaging with a variety of cumulative impacts.</p> <p>Moreover, the applicant suggests that they will potentially work together to minimise any cumulative effects. This does not commit the Applicant to a joint Construction Traffic Management Plan. In absence of any commitment to working collaboratively with the other proposed solar schemes, the local community will be uncertain of how construction traffic will be effectively managed. This may also</p> | <p>recreational users of PRow. The conclusions of this assessment have been presented in Chapter 10: Landscape and Visual Amenity of the ES. Chapter 12: Socio-economics [REP4-010] of the ES also assessed the effects of the Scheme on views and use of PRow during construction.</p> <p>5) With respect to access to local health facilities, it is recognised in the assessment that the current level of patients per GP (within 1km of the Scheme) exceeds the recommended ratio. However, due to the rural nature of the surrounding area, it is unlikely that there would be additional demands placed on these surgeries in particular, with the additional workforce more likely to reside in the more densely populated surrounding area. Assuming a worst case scenario, whereby all 156 construction workers require places at surgeries within the wider Primary Care Network (PCN), this would increase the patient to GP ratio by two, from 1:1887 to 1:889, which although exceeds the recommendation of 1:1,800, does not worsen the current situation to a large extent.</p> <p>6) Lastly, there are a number of positive mental health benefits associated with the employment opportunities associated with the Scheme. As presented in Chapter 12: Socioeconomics, the applicant estimates that the Scheme will support on average 323 full time construction jobs per annum, of which, 207 are likely to be taken by residents within a 60-minute travel area of the Site, providing a wide range of new job opportunities for local residents.</p> |



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| | | | <p>result in conflicting CTMPs which could cause disruption on the local road network meaning that local residents will be deterred from using local roads for leisure activities such as running or cycling.</p> <p>In addition to the uncertainty over traffic management during construction, WLDC accept the Applicant’s cumulative assessment of the solar schemes that will result in adverse impacts on the landscape, which is considered significant. This will affect the way that local residents relate to the area that they live in.</p> <p>Cumulative only considers two worst case scenarios of i) 3 projects at the same time and ii) 3 projects in sequence in relation to the cable corridor only. The assessment does not consider the construction of the main arrays and the impact this may have on the wider population. WLDC considers that it is the impact of the whole project in combination with others that has the potential to affect the health, wellbeing and amenity of local communities. These have not been considered in the ES and the ExA has no evidence before them to</p> | <p><u>Study Area used within Chapter 14: Human Health and Wellbeing</u></p> <p>As stated within Chapter 14, the Study Areas is based on the extent and characteristics of the Scheme and the communities/wards directly and indirectly affected by the Scheme. Based on this, it is determined that Human Health impacts are likely to occur in an area which is composed of the following five wards:</p> <ul style="list-style-type: none"> • Rampton and Sturton wards in Bassetlaw District; and • Lea, Stow and Torksey wards in the West Lindsey District. <p>These five wards have been stated as the Study Area for the Human Health and Wellbeing assessment as these are likely to experience direct impacts from the proposed Scheme, being located within the planned footprint of the development. However, impacts which occur beyond this are also addressed within the assessment itself, as the Human Health and Wellbeing assessment draws upon the findings of supporting chapters to inform its conclusions. These chapters have their own Study Areas for their own individual assessments, which vary in their extent. Each chapter also sets out mitigation measures relevant to their individual disciplines, such as management plans.</p> <p>Each of these chapters also includes a baseline analysis section, which includes a review of the existing surrounding area. As stated in paragraph 14.12.10 “500m” was referred to in relation to the cumulative noise assessment and states that “based on professional judgement, at distances of</p> |



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| | | | <p>demonstrate the magnitude of these impacts.</p> <p>The draft DCO removes the ability for persons to make statutory nuisance claims based upon the being a model provision. WLDC have previously questioned this at ISH1. Whilst a model provision that has been adopted within previous DCOs, the cumulative situation applicable to this project is unprecedented. The ability of residents to seek remedy to perceived harm to their health, wellbeing and amenity as a consequence of the project through statutory nuisance processes would provide them with an additional mechanism to protect themselves and ensure the project is implemented in an appropriate manner.</p> <p>In view of the above, WLDC retain their concerns over the impact to the community's health in the long-term, with a focus on cumulative construction traffic on the local highway and the long-term landscape alterations as a result of Gate Burton and the other proposed solar schemes in the area.</p> | <p><i>greater than 500m, any interaction of noise emissions from multiple developments would be attenuated and so normally no combined effect. The precise scale of noise effects will depend on works taking place at any one time, however, mitigation measures presented in the Framework CEMP [EN010131/APP/7.3] and DEMP [EN010131/APP/7.5] seek to minimise this as far as possible."</i></p> <p>This is also reiterated within Chapter 11: Noise and Vibration in paragraph 11.5. 2, which states that <i>"For the Solar and Energy Storage Park, the wider 500m operational Zone of Influence (Zol) has been used. This is for both the construction and operational noise and vibration assessment as it is considered that receptors further than 500m will experience considerably lower levels of noise and vibration emissions as these will attenuate over distance, resulting in negligible noise and vibration effects from the Scheme. This is confirmed by the modelling output and conclusions in this chapter. This Zol was agreed through a meeting with West Lindsey District Council on 12 April 2022"</i>.</p> <p><u>Commitment to a Joint Construction Traffic Management Plan (CTMP)</u></p> <p>As stated within the Applicants Responses to Written Representation submitted at Deadline 3 [REP3-033] at present there is no certainty that the other schemes will be consented and therefore that a Joint Construction Traffic Management Plan would be required. If they are all consented, they may be subject to different requirements on</p> |



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| | | | | <p>construction traffic or timescales, which may make production of one document across all projects challenging. The Applicant has no authority over the actions of other parties and the DCO for the Gate Burton scheme, if made, would not directly govern their activities. For all these reasons, a firm commitment cannot be made to prepare or agree a Joint CTMP. Notwithstanding the above, it is the Applicant's intention to work with the developers of Cottam, West Burton and Tillbridge projects to develop joint mitigation and this approach has been agreed between the parties as evidenced in the Interrelationships Report and the cooperation agreement entered into. The Framework CTMP for the Gate Burton Energy Park sets out this possibility in paragraph 3.2.6 and 7.6.1 [REP2-020-021/3.3]. A Joint CTMP could support implementation of shared mitigation measures such as joint traffic management, joint consultation with Lincolnshire County Council traffic officers, combined vehicle access and routeing plans, shared use of construction compounds, taking a holistic approach to construction traffic planning and management. In the meantime, the four developers are working closely together to identify further ways to collaborate and reduce impacts on communities and the environment.</p> <p>Cumulative Impact Assessment As stated within the Applicants Responses to Written Representation submitted at Deadline 3 [REP3-033] the cumulative impact of the Scheme along with other proposed solar projects in the local area are considered within Chapter</p> |



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| | | | | <p>16: Cumulative Effects and Interactions [APP-025/3.1]. No significant adverse effects are predicted from traffic for the scheme individually or when considered alongside other schemes (during construction or operation). The Applicant has re-assessed this conclusion in the light of additional information produced for the West Burton and Cottam DCO applications and in the Tillbridge Preliminary Environmental Impact Assessment. This assessment is presented in a Technical Note in Appendix D to the Report on the Interrelationships with other NSIPs report [8.2] submitted at Deadline 1 and includes a review of the A156, A1500, A15 and A631. It concludes that there are no changes to the assessment or conclusions as a result of further information.</p> <p>Furthermore, a technical note was submitted at Deadline 4 [REP4-049] in response to the Examining Authority's Second Written Questions (Q2.1.7) which requested that the additional projects referenced by the Host Authorities are considered within the cumulative assessment for the Scheme. The document confirms that no new or different significant effects arise from the consideration of these projects and there is therefore no change to the submitted Environmental Statement in terms of the cumulative effects.</p> <p>Statutory Nuisance Claims</p> <p>Please see the Applicant's response to the Examining Authority's third written question Q3.6.3.</p> |



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| 2.9. Landscape and Visual | | | | |
| REP4-056 | 2.9.3 | <p>Cumulative assessment – general dimensions</p> <p>Provide a plan identifying the location of each of the other National Strategic Infrastructure Project schemes considered in the cumulative assessments with marked dimensions to provide minimum distances (direct line/ as crow flies rather than by road) between the Gate Burton Solar array site area and:</p> <ul style="list-style-type: none"> • Cottam (each of the elements of the solar array sites) • West Burton • Tillbridge <p>A direct line should be drawn on the plan between the closest point of the Gate Burton solar array site and each of the other sites with the end points marked at each end and a measured distance between the two points provided, to demonstrate the degree of</p> | <p>“Stow Park (Luminous Energy) and One Earth Solar should also be shown on a cumulative assessment map for clarity.”</p> | <p>The location of Stow Park Farm and One Earth Solar Farm is shown within the Additional Cumulative Schemes Technical Note [REP4-049] submitted at Deadline 4 (see Appendix A – Figure 1).</p> |



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| | | separation between the schemes and Gate Burton. | | |
| 2.11. Noise | | | | |
| 7000 Acres REP4-068 and REP4-067 | 2.11.1 | In your recent submission following ISH2 REP3-049 you suggest that the ExA should consider placing limits on Noise and other emissions, but give no indication as to what the figures for these limits should be. Set out the limits that you would suggest would be appropriate and the reasoning to justify the figures you have provided. | <p>Our response will be factored around the Guidance: UK Government Guidance on Noise Published 6th March 2014 Updated 22nd July 2019, where there is clear advice as to what they mean by observed effect levels. It was suggested that the response should be tabled in a noise exposure hierarchy table to clearly understand how the scheme will impact the receptors (residents/workers) who live and work near to this scheme. For the purpose of this response, we refer to the operator’s cycle of sixty years (noise produced by the scheme once operational).</p> <p>Within the applicant’s assessment of noise, Volume 1, Chapter 11 Noise and Vibration Document Reference: EN010131/APP/ 3.1 January 2023, the author identifies the assessment methodology using the NPSE definitions which are referenced in the Government paper. These are referenced as the lowest observed adverse effect level (LOAEL) and the significant observed</p> | <p>Noise effects are defined using the LOAEL and SOAEL descriptors. PPG Noise provides descriptions of these effect levels in the Noise Exposure Hierarchy Table and states:</p> <p><i>“This table summarises the noise exposure hierarchy, based on the likely average response of those affected”.</i></p> <p>So, whilst perception can vary from person to person, national policy guidance clearly sets out the approach to assessing noise effects, which does not consider the subjective response of different people to noise.</p> <p>The approach to define only the LOAEL and SOAEL is in response to the PPG Noise hierarchy table, which requires action to be taken for noise levels exceeding the LOAEL. Where noise levels are below the LOAEL, the PPG Noise hierarchy table states that “No specific measures required”. As such, there is no requirement for defining effect levels below the LOAEL. This approach is consistent with noise assessments from all other DCO applications.</p> <p>The application of BS 4142:2014+A1:2019 when assessing noise impacts is current industry best practice and used in similar DCO applications. The ‘background noise level’ is a specific statistical noise metric that represents the level of noise that is exceeded for 90% of the time. As such there is</p> |



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| | | | <p>adverse effect level (SOAEL). We see no reference to the no observed effect level within this report, as this is the level of noise exposure below which “no effect” at all on health or quality of life can be detected. When does it cross the “no effect observed level”? We know that noise will have no adverse effect so long as this exposure does not affect health by causing a change in behaviour, attitude, or other physiological responses of those affected by it. In other words, it can have no effect or it can have a slight affect that there is a change in quality of life.</p> <p>The applicant used CadnaAr to quantify resultant noise levels (relevant parameters), as well as using BS 4142 to recognise certain acoustic features. Unfortunately, none of this takes into account the receptors perception of sound which is important as they have lived experience of their environment and the sounds which are acceptable to them, both during the day and at night. Therefore, any adjustment to noise changes will result in an altered perception, which probably will impact on their quality of life. If sleep is</p> | <p>no personal interpretation when defining the background noise level.</p> <p>It is a requirement set out in EIA Regulations to describe how the baseline would change throughout the lifespan of the project. It is stated in paragraph 11.7.4 of Chapter 16 [APP-020/3.1] that future noise level are likely to be higher “...due to natural growth of road traffic flows resulting in increased noise in the local area.” However, measured ambient noise data from the 2021 survey are used in the noise assessment.</p> <p>The issue of low frequency noise will be considered throughout the Front-End Engineering Design for the substation and eliminated through design, or appropriately mitigated (isolation and attenuation measures) where appropriate and is secured through the Outline Design Principles [APP-2.3].</p> <p>BS 4142:2014+A1:2019 provides a means to define the ‘rating’ level of noise through a penalty applied due to acoustic features such as tonality, intermittency and impulsivity. The rating noise level of plant is assessed over a one hour period i.e. the typical sound emission. As typical noise emissions from are plant continuous, there is no requirement to apply a penalty for any intermittent features that may occur.</p> <p>As already stated, noise assessments cannot account for subjective response to noise and are based on the average</p> |



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| | | | <p>affected, this will have an adverse effect on both physical and mental health. Also, baseline readings on traffic patterns is difficult, as we know that this varies throughout the day and night. People (the receptors) get used to this noise as familiar background noise over many years. The day time background noise is something everyone tolerates, however in rural areas this is far less than built up urban areas or living next to busy road. However, at night background noise in rural areas is greatly diminished, and therefore this is one of the reasons people move to or live in rural communities. The applicant provided a table Operational Noise Assessment Criteria (Table 11-10) which sets out the rating levels for day-time and night-time with reference to LOAEL and SOAEL. In table 11-11 Summary of Baseline Noise Monitoring results at location references showed day, evening, and night both at ambient and background sound levels. As pointed out, none of this is subjective data i.e., how each person interprets their level of background noise (human hearing vs recorded sound measurements). Why is it considered that in the absence of the scheme, future</p> | <p>response, in accordance with planning policy guidance. The level of noise generated from solar power infrastructure is not of sufficient magnitude to trigger health effects but, given the rural location and low ambient noise levels, is of sufficient magnitude that may cause small changes in behaviour, attitude or other physiological response.</p> <p>An EIA is a planning application covering one scheme and specific effects on sensitive receptors resulting from that scheme. As previously stated, the magnitude of noise emissions is not sufficient enough to result in adverse health effects. This would also be the case when considering other solar farm developments in the area. Noise is not a material concern for solar farm projects unless receptors are located in close proximity to noise generating plant. It follows on that cumulative noise is not a material concern unless specific receptors are located in close proximity to noise generating equipment at neighbouring development. As nearby developments re not in close proximity to each other.</p> |



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| | | | <p>baseline noise environment will be higher than represented by April 2021 measurement ambient sound levels?</p> <p>A concern within the applicant’s submission, is the statement where low frequency can be difficult to predict and similarly hard to identify and resolve. This is worrying as low frequency sound has the ability to travel further than high frequency sounds. There is reference to the steady hum, noise from transformers, invertors and fan noise. These are extraneous noises and need subjective testing before this scheme is even considered. These schemes tend to emit mainly low frequency sounds (tonal frequencies). They suggest the plant will operate continuously. However, if required to be turned off or reduced power when excess grid electricity is being generated, there will be noticeable impulsive/intermittent characteristics from plant noise emissions.</p> <p>Table 11-17 Operational noise effects to receptor reference R1-R22 is worrying for the night-time period and weekends. You will note all effect levels are between</p> | |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <p>LOAEL and SOAEL. These are predicted levels and do not take into account any subjective assessments. Some people are more sensitive to sound variation e.g., people with hyperacusis (see 7000 acres written representation. This will impact quality of life particularly sleep disturbance. Unless one removes the transformers, the invertors, the batteries and fans off site, one still producer of sound, the solar panels cannot be mitigated against (continuous hum). So hence our concerns and objection to these been placed in quiet rural areas in such a large scale. They will impact on people's health and well-being. The cumulative impact needs to be considered and therefore we ask the Secretary of State to insist on a thorough Health Impact Assessment across all the schemes. The applicant states clearly that operational noise emissions from nearby developments will be subject to EIA regulations and therefore designed to achieve operational noise limits that do not contribute to additional noise in the area (i.e., background creep). This is precisely why we would have liked to have seen one Environmental Impact</p> | |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <p>Assessment to cover all the schemes (i.e., all the schemes to be assessed as one). That is the only way to ensure background creep does not occur, nor thresholds for noise exceed to affect health and wellbeing.</p> <p>In reply, as previously stated, this area has natural sounds which in some cases is more prominent than background noise. Again, this is subjective, and has not been taken into account.</p> <p>Therefore, in setting out the limits, subjective baseline thresholds should not be exceeded where quality of life could be affected, that is no effect of change in behaviour, attitude or other physiological response should be observed. Otherwise, there will be consequences on human health and well-being, something that has been expressed in the open forum where mental health impact was mentioned frequently. Please refer to the 7000 acres written representation noise submission.</p> <p>The author of this report is not an expert on sound, but has thirty years of</p> | |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <p>knowledge of the effects of sound on hearing. Continued exposure to noise can cause health issues such as stress, anxiety, raised blood pressure, heart disease and mental health issues especially if there is sleep deprivation. Prolonged exposure to either persistent or intermittent loud noise causes noise induced deafness. With age, people will lose their hearing. This is called presbycusis. Therefore, it is important to protect hearing as much as possible when one gets older</p> <p>(See also REP4-067) which provides a table on Noise effects)</p> <p>Further submissions on Glare in response to Q.2.11.1 [REP4-069]:</p> <p>As 7000 Acres represents a large number of affected local residents, a Statement of Common Ground with the Applicant could be a helpful mechanism for agreeing how noise and glare should be assessed, and how they should be limited. In the absence of a SoCG, the following limits are recommended.</p> | |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | (further comments on Glare are set out in table 3.1 and answered separately) | |
| 2.12. Socio-economic Effects and Land Use (including Agricultural Land and BMV) | | | | |
| LCC REP4-053 | 2.12.2 | Re ExA's question on BMV land and whether the amendments to the Outline Soil Management Plan REP3-013 and REP3-014 provide confidence that the correct ALC will be identified and the soil managed to ensure that any disturbed land will be restored to a similar ALC grade. | <p>"This very issue was discussed in the public inquiry on 3rd October at Uttlesford District Council, for a solar scheme and the restoration potential of the land back to a similar ALC condition to that existed before the development takes place.</p> <p>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.</p> <p>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</p> | As stated within the Decommissioning Environmental Management Plan (DEMP) [REP4-037] to avoid potential damage to soil, the detailed Soil Resource Management Plan will set out measures to manage the reinstatement of any stored soils and minimise soil disturbance and compaction during decommissioning. This will include monitoring requirements which will be discussed and agreed with the relevant planning authority as secured by Requirement 17 of the draft DCO [REP4-022] . |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <p>update any procedures in the light of changes in policy, law and scientific 'progress'.</p> <p>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.</p> <p>So long as this happens and is properly supervised then the SMP should work.</p> <p>However, whether the land will return to the same quality is still an open question, in part because nobody knows. No largescale solar projects have been decommissioned in the UK. Again, the consensus is that it is possible, but not guaranteed. This is based on project such as quarries where topsoils are stripped and</p> | |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <p>then later used/re-used in the restoration/aftercare, but it has been evident on some sites that this has failed in the past.</p> <p>Things have improved in recent years and the solar companies are better equipped.”</p> | |
| <p>WLDC REP4-059</p> | <p>2.12.2</p> | <p>As above</p> | <p>“WLDC note the amendments made to the Outline Soil Management Plan.</p> <p>A key amendment is that the pre-construction soil resource survey results within the grid corridor will be shared with Natural England in advance of preparing the detailed Soil Management Plan.</p> <p>WLDC support the carrying out of additional soil surveys within the grid corridor, however it is unclear how the results of the surveys can be used to influence how the project is implemented. If the results reach a different conclusion, the implications for the delivery of the project and the appropriateness of the grid corridor to host the development is unclear.</p> <p>If there are any doubts about the baseline data, WLDC consider that more certainty</p> | <p>The ALC survey within the grid connection corridor has been undertaken. The updated ALC Report has been submitted at Deadline 5 as Appendix B to the Applicant’s responses to Examiner’s Third Written Questions [document 8.28].</p> |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | must be provided through such surveys prior to the determination of the DCO.” | |
| LCC REP4-054 | 2.12.3 | Re: Written Ministerial Statement 25 March 2015 - Comment on the extent to which the Written Ministerial Statement of 25 March 2015 in relation to BMV is relevant and important to the consideration of the effects of the development on BMV in this case. | “The written ministerial statement has not been withdrawn and is relevant as an extant statement of Government policy” | The Applicant’s position is set out in its response to ExQ2 which was submitted at Deadline 4 [REP4-046] . In summary, the WMS would have very limited weight and the rationale for this is presented in paragraphs 7.13.9-7.13.10 of the Planning, Design and Access Statement submitted at Deadline 2 [REP2-007] . |
| WLDC REP4-059 | 2.12.3 | As above | <p>“The Ministerial Statement states that the National Planning Policy Framework (NPPF) provides strong protections for the natural and historic environment. Local Planning Authorities should therefore take into account the socio-economic and environmental benefits of the best and most versatile (BMV) agricultural land when determining planning applications.</p> <p>With regard to solar energy development, the Minister’s Statement affirms:</p> <ul style="list-style-type: none"> - Local communities have genuine concerns that when it comes to solar farms insufficient weight has been given to these protections and the benefits of high quality agricultural land. | <p>The Applicant’s position is set out in its response to ExQ2 which was submitted at Deadline 4 [REP4-046]. In summary, the WMS would have very limited weight and the rationale for this is presented in paragraphs 7.13.9-7.13.10 of the Planning, Design and Access Statement (PDAS) submitted at Deadline 2 [REP2-007]</p> <p>In particular:</p> <ul style="list-style-type: none"> - The WMS was written to guide decision making on applications determined under the Town and Country Planning Act 1990 rather than the Planning Act 2008 - The WMS is 8 years (published 2015) old and was not published under the same energy context. Eight years ago: |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | <ul style="list-style-type: none"> - Meeting energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. - NPPF requires explanation that BMV land is necessary and that poorer quality land is to be used in preference to land of a higher quality. - Any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence. - every application needs to be considered on its individual merits. <p>The Ministerial Statement therefore clarifies that the protection of agricultural land from solar development is a material planning issue, and that the need case for solar development should not override impacts on the value of agricultural land.</p> <p>WLDC contend that the Ministerial Statement is an ‘important and relevant’ matter in the context of section 105 and should be given significant weight in the determination of the Gate Burton Energy Park application.”</p> | <ul style="list-style-type: none"> - ground mounted solar was not being developed at scale (the first solar NSIP was consented in 2020); - there were no ambitious targets for solar and no strategy aiming for 70GW of solar by 2035. Solar was not anticipated to play the same role in our National Grid as it is now; - energy security was a less prominent issue than it has been since the COVID pandemic and the Ukraine war; and - solar was more expensive than it is today - The WMS is not policy. It was not developed under the rigour required of policy documents and was not subject to consultation. - The WMS was not mentioned in the Planning Statements, ExAs Recommendation Report or Secretary of State’s Decision Letter for Cleve Hill Solar Park (2020) or Little Crow (2022) solar NSIPs. - The ExA for Longfield Solar (2023) did consider the WMS a relevant and important matter but did not conclude that the scheme conflicted with it. Longfield Solar affected a greater proportion of best and most versatile land than the Gate Burton Scheme. <p>Further, the Applicant does not consider the application to conflict with the WMS because it does not involve the unnecessary use of high quality agricultural land and its use</p> |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | | <p>of BMV land is justified. As set out in paragraphs 7.13.14-7.13.26 of the PDAS [REP2-007]:</p> <ul style="list-style-type: none"> - The Applicant has had regard to agricultural land quality in site selection and layout of the development. - The majority of the land within the Order limits (approximately 81%, 668.8 ha) comprises lower grade 3b land and the majority of this land can stay entirely in agricultural production after construction or can continue to have some agricultural use alongside the solar farm use; - The remaining areas of grade 3a land within the Solar and Energy Storage Park would not be economically viable to farm should they be removed from the Scheme but would reduce the benefits associated with the Scheme (by removing a significant number of solar panels); - Permanent infrastructure has been sited to avoid BMV land as far as practicable; - The permanent loss of approximately 2ha of BMV land falls well below the 20ha threshold above which effects are deemed to be significant; and - Agricultural land will not be permanently lost aside from approximately 2 ha and where new woodland and hedgerow planting has established and may be retained by the landowner. |
| 2.13. Transportation and Traffic | | | | |
| REP4-056 | 2.13.1 | Cumulative Assessment – Construction Traffic | “Document Ref 8.1b Technical note on Energy Yield Forecast Methodology - This | The Applicant has considered how the cumulative environmental impact of the construction traffic associated |



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| | | <p>The cumulative assessment in Chapter 13 – Transport identifies the worst case scenario of sequential construction over a five year period. However, when considering the proposed construction periods if they were to be construction sequentially (2 years for West Burton, 2 years for Cottam and 36 months for Gate Burton) this would equate to 7 years as a temporal worst-case scenario. Please explain why this scenario has not been tested and why it is not a temporal worst case.</p> | <p>document sets out the expected degradation of PV panels with replacement on Y30. There is no reference to ensure additional traffic (or waste removal/recycling) assessment at this time. There will be multiple events to replace and remove all of the PV panels which will be akin to destruction/ construction. This has not been addressed.”</p> | <p>with these schemes would be affected if the overall construction period was increased as a result of the schemes coming forward sequentially. In such a scenario, the number of HGV movements and staff Full Time Equivalents (FTE) days needed to deliver the projects would stay the same, and therefore the daily and peak hour trips would be reduced, with them occurring over a longer period of time. We have considered how an increase in duration, but decrease in magnitude, of impact, would affect EIA findings.</p> <p>Traffic is not an impact in itself, it is the effect of traffic which results in environmental impact, in terms of severance, driver delay, fear and intimidation, and pedestrian and cycle amenity. In terms of severance, by reducing the number of daily staff/HGVs that will be travelling to/from the site, the ability for individuals to cross roads will improve due to the greater number of gaps in traffic and therefore reduce the impact of severance. A reduction in the volume of additional daily staff/HGV traffic in the local area caused by the construction of the Scheme would reduce the impact on driver delay. With fewer vehicles on the road, there would be lower levels of congestion on the local highway network which will result in less queuing and delay for general traffic. Reducing the daily number of HGVs travelling to/from the Site will help NMUs travelling in the local area feel safer with a lower presence of large vehicles. Also, by reducing the amount of additional Annual Average Weekday Traffic (AAWT), the impact that the construction of the Scheme will have on fear and intimidation in the local area will decrease.</p> |



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| | | | | <p>In conclusion, the level of impact of construction activities would be lower in magnitude than that assessed in the ES, but of a more prolonged duration. The scale of environmental impact reported is sufficiently low that an extension to the duration of that impact would not result in a worsening of environmental impact, particularly because the extension of duration would be coupled by a proportionate reduction in magnitude of impact. Thus a longer construction period would not represent the worst case. This is the case for all aspects of construction and at all locations where sensitive receptors have been assessed in Chapter 13 of the ES.</p> |
| 7000 Acres REP4-069 | 2.13.1 | As above | <p>Along with the three schemes mentioned, Tillbridge Solar needs to be added to this equation also. Furthermore, to truly consider the worst case scenario in terms of construction traffic, the Applicant and the Examining Authority need to account for the further 7 Solar NSIP's in Lincolnshire as listed on the Planning Inspectorate website which are at various stages in the examination process. The road network across the County will be seriously impacted by the influx of such a significant number of schemes. The cumulative assessment of construction traffic for all 11 of these schemes needs to</p> | <p>West Burton Solar Farm, Cottam Solar Project and Tillbridge were included within the transport cumulative effects assessment presented within Chapter 13: Traffic and Transport [APP-022/3.1]. An updated assessment was presented within the Cumulative Transport and Access Technical Note which was appended to the Interrelationships with Nationally Significant Infrastructure Projects Report [REP-033/8.2] submitted at Deadline 1. This assessment modelled the Gate Burton, West Burton, Cottam and Tillbridge projects under a worse case peak construction scenario. This assessment provided an updated assessment due to the availability of additional information on the Cottam, West Burton and Tillbridge projects since production of the ES. Increased vehicle numbers on all access routes fell well below the IEMA threshold 30% increase in vehicle</p> |



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| | | | <p>be measured to show the worst-case scenario.</p> | <p>numbers with the residual cumulative effect identified as negligible.</p> <p>Furthermore, the Additional Cumulative Schemes technical note [REP4-049] submitted at Deadline 4 considers the North Humber to High Marnham National Grid – The Great Grid Upgrade NSIP as well as One Earth Solar Farm NSIP. The assessment confirms that these schemes do not introduce any new significant cumulative effects in combination with Gate Burton Energy Park and the conclusions of the ES for the Scheme remain unchanged as there will not be any overlap between the peak construction trips associated with Gate Burton Energy Park and the NSIP Schemes.</p> <p>The remaining six solar NSIP’s are outside of the 10km study area, these schemes are described and assessed below. All solar NSIPs have been added to the Joint Report on Interrelationships between NSIPs submitted at Deadline 5, which includes a plan showing the location of the various projects [revised document 8.26].</p> <p>Fosse Green Energy is located 15km to the south of Gate Burton. Whilst some construction traffic originating within a 60-minute catchment area of this scheme may use the A156 within the Gate Burton study area to the north, this is expected to comprise a low proportion of vehicles given that alternative routes e.g. A1, A15 and A46 could also be used. In addition, construction traffic originating to the east, south and west of this scheme would not utilise the highway</p> |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | | <p>network within the Gate Burton study area. As such, this scheme is not expected to result in any cumulative effects with respect to traffic and transport.</p> <p>Beacon Fen is located 43km to the southeast of Gate Burton. Whilst some construction traffic originating within a 60-minute catchment area of this scheme may use the A156 and A1500 within the Gate Burton study area to the north, this is expected to comprise a low proportion of vehicles given that alternative routes e.g. A1, A15 and A46 could be used. In addition, construction traffic originating to the east, south and west of this scheme would not utilise the highway network within the Gate Burton study area. As such, this scheme is not expected to result in any cumulative effects with respect to traffic and transport.</p> <p>Heckington Fen is located 48km to the southeast of Gate Burton. Whilst some construction traffic originating within a 60-minute catchment area of this scheme may use the A156 and A1500 within the Gate Burton study area to the north, this is expected to comprise a low proportion of vehicles given that alternative routes e.g. A1, A15 and A46 could be used. In addition, construction traffic originating to the east, south, and west of this scheme would not utilise the highway network within the Gate Burton study area. As such, this scheme is not expected to result in any cumulative effects with respect to traffic and transport.</p> |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | | <p>Mallard Pass is located 67km to the south of Gate Burton and beyond a 60-minute catchment area of Gate Burton. Therefore, this scheme is not expected to result in any cumulative effects with respect to traffic and transport.</p> <p>Springwell is located 29km to the southeast of Gate Burton. Whilst some construction traffic originating within a 60-minute catchment area of this scheme may use the A156 and A1500 within the Gate Burton study area to the north, this is expected to comprise a low proportion of vehicles given that alternative routes e.g. A1, A15 and A46 could also be used. In addition, construction traffic originating to the east, south and west of this scheme would not utilise the highway network within the Gate Burton study area. As such, this scheme is not expected to result in any cumulative effects in respect to traffic and transport.</p> <p>Temple Oaks is located 52km south of Gate Burton and beyond the 60-minute catchment area of Gate Burton. Therefore, this scheme is not expected to result in any cumulative effects with respect to traffic and transport.</p> <p>Therefore in summary, whilst four of the schemes which are situated within 50km of Gate Burton (Fosse Green Energy, Beacon Fen, Heckington Fen and Springwell) may result in some construction traffic using the highway network (A156 and A1500) within the Gate Burton study area, this would comprise a low proportion of total vehicles given that these vehicles would need to originate within or to the north of the</p> |



| Rep ref | Q.No | Question Summary | Interested Party Response | Applicant Response |
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| | | | | <p>Gate Burton study area to potentially use this network. Furthermore, depending on where these vehicles originate, alternative strategic routes, e.g. A1, A15 and A46 may instead be used, thus avoiding the Gate Burton study area (A156 and A1500). As such, these schemes are not expected to result in any cumulative effects with respect to traffic and transport. The remaining two schemes (Temple Oaks and Mallard Pass) are situated more than 50km to the south of Gate Burton and also would not be expected to result in any cumulative effects with respect to traffic and transport, given that these are situated beyond a 60-minute catchment area of Gate Burton.</p> |
| <p>WLDC REP4-059</p> | <p>2.13.3</p> | <p>Effects on tourism: In terms of 'Tourism' being scoped out of the ES, given the cumulative effects and potential for effects on landscape which may impact visitor numbers what is the Applicants assessment of the effects of the Scheme in combination with other Nationally Significant Solar schemes on the general tourist economy of the wider area and the concerns expressed by the host authorities. Not just on</p> | <p>WLDC acknowledges that this question is directed to the applicant; however, wishes to make the following comments. The impact of the application upon tourism and associated linked industry is a matter that WLDC maintain significant concerns. The applicant has not provided a full assessment of the likely impacts on tourism and falls short of the assessments carried out on adjacent projects; Cottam Solar Project in particular. WLDC consider that there is insufficient information on the likely tourism impacts to enable a robust assessment and judgement against policy to determine the acceptability of the project in this regard.</p> | <p>The Applicant has assessed the impacts of the Scheme on tourism within the technical note presented in Appendix A of this document.</p> <p>The assessment concludes that the impact of the Scheme on visitor expenditure, visitor attractions, recreation facilities and attractions and other tourism and recreation receptors is not significant during the construction and operational phase.</p> |



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| | | specific individual operators within the immediate locality. | | |



3. Table 3-1: Applicant Responses to 7000 Acres Representations Submitted at Deadline 4

| Rep Ref | Summary | Applicant Response |
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| 1. Landscape and Visual Impact | | |
| REP4-066 | <p>Regarding Applicant’s Responses to written representation REP2-073 in its D3 responses [REP3-033] and in particular comments regarding the Study Area/area of search for the LVIA:</p> <p><i>The Applicant has not addressed the issue. The extension of the study area to the East, approximately 10km from the Order Limits of the Scheme, including the Lincoln Cliff, is defined as ‘part of a wider study area’ but not part of the main study area which in turn implies that the degree and scope of analysis of the wider study area has not been analysed with the set same of criteria as the main study area. Can the Applicant please clarify if this is indeed the case? Have two sets of criteria been applied to the different parts of the study area and if so can they explain and justify this difference? The reason for this enquiry is that the AGLV of ‘The Lincoln Cliff’ is a much admired landscape feature and any such impacts as those proposed by the given scheme, need to be understood and examined thoroughly.</i></p> | <p>The landscape and visual impact assessment (LVIA) follows one set of criteria as described in the methodology set out in ES Appendix 10-B LVIA Methodology [APP-145/3.3]. That applies to the main study area and the wider study area.</p> <p>The extent of the study area is a result of desktop and site surveys, defining areas where landscape and visual effects are likely to be significant in order to produce a focused and meaningful assessment. The LVIA confirms that the proposed Scheme may be discernible from locations beyond the main 5km study area but will not result in significant effects at those distances. Considering the elevated nature of the Lincoln Cliff with expansive panoramic views, a wider study area of 10km to east was defined to capture and assess likely landscape and visual effects of the Lincoln Cliff including Tillbridge Lane Viewpoint.</p> |
| REP4-066 | <p>Regarding Applicant’s Responses to written representation REP2-073 in its D3 responses [REP3-033] in particular comments on lack of detail regarding vegetation loss and Applicant’s comment “the ES Vegetation Removal Plan [APP/093/3.2] sets out the extent of the vegetation removal that will take place within the solar and energy storage park site and grid connection corridor, and is secured by the Outline Landscape and Ecological Management Plan [APP-231/7.10]”:</p> | <p>Article 38(4) of the draft DCO [REP4-022] authorises the removal of any hedgerows within the Order limits for the purposes of constructing the authorised development. This is not a carte blanche authorisation in any case because, in exercising this general power, no unnecessary damage must be caused (as per Article 38(2)).</p> <p>Further, the Requirements in Schedule 2 of the DCO operate as a control, specifically Requirement 7 requiring an Outline Landscape and Ecology Management Plan [REP2-038] (“OLEMP”). For example, the OLEMP provides that the extent of vegetation removal is limited by the Outline Design Principles [REP4-004] and is as</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p><i>The Applicant has not addressed the question and has not provided all details of all vegetation to be removed for the Scheme as a whole.</i></p> | <p>set out on Figure 10.21 Vegetation Removal for Solar and Energy Storage Park [REP2-017] (“Vegetation Removal Plan”).</p> <p>All areas of vegetation removal are then shown on the Vegetation Removal Plan. Article 38(5) of the draft DCO grants the power to remove these hedgerows, by reference to Schedule 17 which provides further details on the area, number of hedgerows and extent of removal, and purpose of removal. Details of all vegetation removal have therefore been provided.</p> |
| <p>REP4-066</p> | <p>Regarding Applicant’s Responses to written representation REP2-073 in its D3 responses [REP3-033] in particular mitigation:</p> <p><i>The Applicant has not addressed the issues raised. They have simply reiterated the same design decisions made and described in their documentation. Examples of outstanding questions are:</i></p> <ol style="list-style-type: none"> <i>1. Will mitigation measures be amended to reflect any changes in the LVIA?</i> <i>2. If the mitigation measures fail what alternative measures will be in place?</i> <i>3. Also, the mitigation measures in their own right impact on landscape character. How can the Applicant address this issue?</i> <i>4. Local browsing is a significant issue. How is the Applicant going to overcome establishment of planting in this regard?</i> <i>5. How does planting maintained at a height of 3m mitigate the negative visual effects of 3.5m high panels, 13m high substation and 7.2m high storage buildings?</i> <p><i>Can the Applicant please provide detailed replies to show how these negative effects will be fully mitigated by their proposals.</i></p> | <ol style="list-style-type: none"> 1. Landscape mitigation measures will be amended if changes to the Scheme design will occur as part of the ongoing examination process and at detail design stage (if the Scheme were to receive the DCO). 2. The Outline Landscape and Ecology Management Plan (OLEMP) [APP-231/7.10] includes clear plans for the successful establishment and maintenance of proposed landscape mitigation measures. Failed or defective plants will be replaced with matching species of the same size during the next planting season after failure. 3. The proposed landscape mitigation measures take account of existing vegetation patterns established in the area. They are also guided by the Outline Design Principles [EN010131/APP/2.3] and respond to policy requirements, published landscape character assessment guidance and fieldwork analysis. Section 10.8 Embedded Mitigation, in Chapter 10: Landscape and Visual Amenity [APP-019/3.1] states that the proposed planting design responds to the varied character of the landscape within the Order limits. It will retain open views where tall screening will not be appropriate. The proposed planting / planting enhancement proposals, in particular hedgerows, will lead to an intensification of the presence of hedgerows along local roadsides facing the Scheme, in particular along sections of Willingham Road, Marton Road and Kexby Lane. For the majority of these sections, existing hedgerows and rows of trees (in various conditions and at various heights) are already in place. The maintenance of |



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| | | <p>hedgerow heights to approximately 3m - 3.5m will be noticeable but again, this will not be out of character. Tall hedgerows can be found throughout the study area along various sections of the local road network for example between Willingham by Stow and Fillingham / Ingham. The proposed landscape mitigation will therefore not be uncharacteristic and integrate with the existing local green infrastructure network, improving the ecological and recreational connectivity.</p> <p>4. The Outline Landscape and Ecology Management Plan (OLEMP) [APP-231/7.10] includes instructions how the various types of proposed planting will be protected during the establishment phase. Protection measures include for example biodegradable spiral guards, weld mesh guards, stakes and ties. Regular controls and maintenance of these protected measures have also been proposed in the OLEMP.</p> <p>5. The proposed landscape mitigation measures are not designed to screen all views of the proposed development. A balance between screening and the retention of open views where feasible had to be met. Particular the taller sections of the substation will remain be discernible in the distance. Resulting visual effects have been assessed accordingly in the LVIA.</p> <p>Section 10.8 Embedded Mitigation, in Chapter 10: Landscape and Visual Amenity [APP-019/3.1] lists various offsets of the proposed elements of the Scheme. Offsets from vegetation boundaries range between 5m and 15m. A minimum 3m tall hedgerow above road level will therefore be sufficient to screen views of solar panels being located at 6-7m from an observer (when adding the approximate width of the hedgerow to the offset distance). Observers can include pedestrians, vehicular traffic and people on horses.</p> |
| REP4-066 | Regarding Applicant's Responses to written representation REP2-073 in its D3 responses [REP3-033] in particular biodiversity loss as a result of hedgerow removal: | The Scheme has been carefully designed to minimise the loss of existing hedgerows and trees, as demonstrated by an increase of 37.24% in hedgerow units [APP-230/7.9] . This has been achieved through the retention of the majority of existing |



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| | <p><i>The Applicant has not addressed or answered the main issue or question posed in the written representation by the 7000 Acres group, which is;</i></p> <p><i>By removing vast swathes of existing and mature hedgerow and trees the biodiversity afforded by these features will mean an immediate biodiversity loss.</i></p> <p><i>To then provide new planting which will take many years to establish, does not equate to the loss already experienced.</i></p> <p><i>In addition if plant establishment fails, the statements made by the Applicant in terms of biodiversity net gain, have no credibility.</i></p> | <p>hedgerows, including all those identified as ‘important’, alongside the creation of in the order of 6.52km of new species rich hedgerows and enhancement (plugging gaps and strengthening) to 11.77km of existing hedgerow.</p> <p>The Outline Landscape and Ecology Management Plan (OLEMP) [APP-231/7.10] includes clear plans for the successful establishment and maintenance of proposed landscape mitigation measures. Failed or defective plants will be replaced with matching species of the same size during the next planting season after failure. This will ensure that Biodiversity Net Gain targets will be met.</p> |
| <p>REP4 - 066</p> | <p>Regarding Applicant’s Responses to written representation REP2-073 in its D3 responses [REP3-033] in particular the WR on Mental Health and Wellbeing: “The positive impact of landscape and green space on mental health and wellbeing is explored. Loss of these benefits has a harmful effect. The Gate Burton Scheme (GBS) proposes to infringe the use of Public Rights of Ways (PRoW’s)”:</p> <p><i>The Applicant has not addressed the points raised in the Written Representation. Please can the Applicant show respect for this process and the serious concerns raised by the group on behalf of residents to address these vital points.</i></p> | <p>Chapter 14: Human Health [APP-023/3.1] paragraph 14.8.1 outlines that the Scheme has the potential to affect Human Health and Wellbeing (either positively or negatively), during construction, operation, decommissioning, in the following ways:</p> <ul style="list-style-type: none"> • Access to Healthcare Services and Other Social Infrastructure; • Air Quality, Noise and Neighbourhood Amenity; • Accessibility and Active Travel; • Access to Work and Training; and • Social Cohesion and Lifetime Neighbourhoods. <p>As stated in paragraph 14.9.1 “<i>Embedded mitigation measures are incorporated and secured into the Scheme as set out in the respective ES chapters to reduce other construction, operational and decommissioning effects (such as noise and vibration, air quality, transport and access and socio-economics and land use) which in turn will mitigate the effects on the local community and existing facilities from a Human</i></p> |



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| | | <p><i>Health and Wellbeing perspective.</i>” This includes in respect of potential impacts on mental health.</p> <p>In terms of disruption during the construction and operational phase and in recognition of the potential for impacts on mental health that could arise from activities on-site and surroundings, there are measures set out in the Framework CEMP [REP4-036], Framework OEMP [REP2-035] and Framework DEMP [REP4-037] to reduce or avoid impacts during the construction and operational phase, respectively.</p> <p>Examples of mitigation measures include: Implementation of a communications strategy secured through the Framework CEMP [REP4-036] and DEMP [REP4-037] will seek to ensure that occupants of affected properties will be notified of the timings and duration of works. This will help residents in managing any potential anxiety related to construction activities including timings.</p> <p>The Scheme has been designed to minimise the number and duration of PRoW closures during construction, including along the cable route. If a PRoW is required to be closed then, as a worst-case scenario, it has been assumed that the PRoW would be closed for no more than six weeks, with diversions provided, and therefore are not considered to have a significant or long-term impact on use of these routes for active travel. During the operational phase, no routes will be closed, this will ensure that the recreational benefits of active travel on health including mental health are retained which translates into a positive health impact on mental health. Further details are set out in the PRoW Management Plan [APP-229].</p> <p>Construction traffic will be managed at peak hours in order to limit any potential disruptions and implications on the wider transport network for existing road users, including providing a shuttle bus for at least 55% of construction staff and</p> |



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| | | <p>encouraging HGVs to access the site outside of peak hours secured through the Construction Traffic Management Plan [REP4-014].</p> <p>This will serve to minimize the potential for disruption and the associated impact on mental health caused by anxiety related to increases in construction traffic.</p> <p>In respect of setting and in acknowledgement of the role that this could play in shaping mental wellbeing, vegetation planting has been incorporated into the Scheme design to minimise the visual intrusion of the Scheme as shown on the Indicative Site Layout Plan in ES Volume 2: Figure 2-4 [APP-033/3.2]. Furthermore, areas of advanced planting is being undertaken in a number of locations to ensure planting is effective at screening at an early stage in the project. A Landscape and Visual Impact Assessment has been undertaken to assess the effects on landscape and visual receptors in the vicinity of the Scheme, such as residents and recreational users of PRow. The conclusions of this assessment have been presented in Chapter 10 of the Environmental Statement. Chapter 12: Socio-economics [REP4-010] of the ES also assessed the effects of the Scheme on views and use of PRow during construction.</p> |
| REP4-066 | <p>Regarding Applicant’s Responses to written representation REP2-073 in its D3 responses [REP3-033] in particular tranquillity and WR comment that “Peace and quiet is experienced by residents at the site. The GBS will disturb this peace”:</p> <p><i>The Applicant does not address the points raised. Please can the Applicant describe how it will properly protect the Tranquillity of the landscape afforded and enjoyed by residents in the immediate and surrounding area of the Gate Burton Scheme?</i></p> | <p>In terms of the impact of the Scheme on tranquillity experienced by nearby residents, during the construction phase, construction works, temporary construction compounds have been located so they are not in close proximity to sensitive receptors. The Framework Construction Environmental Management Plan [REP4-036] includes measures to ensure the construction works are as least disruptive to residents as possible. This includes a Scheme for the provision of monthly reporting of information to local residents to advise when potential noisy works are due to take place.</p> <p>In terms of the operational phase, the distance between noise sources and receptors has been maximized as far as reasonably practicable. Measures to minimise potential</p> |



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| | | adverse effects associated with the operational phase are outlined in the Framework OEMP [REP2-035] . |
| 2. Glint and Glare | | |
| REP4-066 | <p>Regarding Applicant’s Responses to written representation REP2-076 in its D3 responses [REP3-033] re glint and glare:</p> <p><i>The Applicant has chosen to discount EN-3 3.10.97, without clearly explaining why.</i></p> <p><i>The Applicant has chosen to use the FAA/Sandia Guidance and then dismisses it when inconvenient. The difference in exposure between the pilot and ATC roles are based on the time of exposure. If the Applicant wishes to disapply inconvenient sections of the FAA guidance then they should propose an alternative means of assessing glare.</i></p> <p><i>Slow moving mobile receptors should be treated as static receptors, as the period of exposure is likely to be more than 1 minute. It is noted that selectively applying the Sandia model to other NSIPs has not been challenged previously. This is why it has “stood the test of peer review”!</i></p> <p><i>A realistic glare assessment would apply the ATC criteria to all upstairs windows. A higher viewing point will require higher screening</i></p> <p>[Regarding applicant’s following comment: “Having checked the image date on google Earth whilst performing the Visibility Assessment, it was found that the images were taken in November 2021. Furthermore, a site visit was conducted in November 2022 to ensure that the images represented the current scenario. Therefore, potential seasonal variance has been taken into account through this, although this is not typically required for glint and glare as impacts only occur between the end of</p> | <p>3.10.97 is taken into consideration as the entire fields, where the solar panels are located, are assumed to have no gaps between the panels and for the entire field to be as reflective as solar panels. Therefore, the frames and supports are taken into consideration through this worst-case approach.</p> <p>The FAA guidance is used for aviation receptors and is followed thoroughly when assessing aviation receptors. The 2-mile approach is assessed for pilots (as per guidance) and the ATC is assessed as a singular point (as per guidance). Any impacts upon ATC (green/yellow/red glare) are considered High. Whilst yellow/red glare impacts upon pilots approach are High and green glare impacts are considered Low. This conforms with the impact specification laid out by the FAA and is also the industry standard method that has been peer reviewed many times.</p> <p>All upper floor windows have been assessed within the visibility assessment to determine if the residential receptor has any views of the Scheme where glint and glare is possible. Should the impact upon the receptor be Medium or High (20 hours or more per year) then mitigation has been proposed to ensure that these impacts are at least brought down to a Low and acceptable impact. Again, this is an industry standard approach that has been verified through many peer reviews.</p> <p>Where there are cases of minor portions of vegetation being removed by the Scheme (access tracks etc), it has been considered.</p> <p>A further note which is important, is the fact the glint and glare model assumes that the sun is shining 100% of the time during the day with no variance in weather. Therefore, all glare impacts are majorly overstated with an extreme worst-case scenario assessed as part of the model.</p> |



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| | <p>March and October (as shown on the glare results submitted alongside the glint and glare report).”] <i>No account has been taken of vegetation removed by Gate Burton.</i></p> | |
| <p>3. BESS, Fire and Battery Safety</p> | | |
| <p>REP4-066</p> | <p>Regarding Applicant’s Responses to written representation REP2-074 in its D3 responses [REP3-033] on thermal runaway:</p> <p><i>The Failure Modes and Effects Analysis (FMEA) and Hazard Mitigation Analysis (HMA) should be published by the Applicant. An outline FMEA (a Failure Modes and Criticality Analysis (FMECA) would be more relevant) and HMA can be produced using the BESS Design Principles, so does not need to wait for the final design.</i></p> <p><i>The current drainage scheme does not take account of the enormous volumes of water required to cool a thermal runaway. The storage lagoon will fill with contaminated water and overflow into the environment.</i></p> <p><i>The Applicant’s Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS) - EN010131/APP/3.3 only addresses a 100kWh battery fire and yet they state that each battery enclosure will include a total of 3,727 kWh of storage capacity. Scenarios of a single enclosure and multiple enclosures suffering a thermal runaway should be assessed. It should be borne in mind that a thermal runaway can be triggered at much lower temperatures than a fire, between 130°C and 200°C, depending on the cell design. Therefore, a thermal runaway in a single cell is highly likely to spread within an enclosure. A thermal runaway always being contained in a single 100kWh battery is not credible.</i></p> | <p>The Failure Modes and Effects Analysis (FMEA) and Hazard Mitigation Analysis (HMA) is dependent on the final design for the BESS and therefore it is appropriate for this to be carried out at detailed design stage. Any outline analysis would be subject to change dependant on the final design. As set out in the Applicant’s responses to written representations that was submitted at deadline 3 [REP3-033] if the BESS system supplied differs from the specification considered for risk assessments and consequence modelling, then a full safety audit must be repeated for the new BESS system specification. These studies must be completed and signed off before construction commences.</p> <p>Regarding the drainage scheme and containment of firefighting water, the Applicant reiterates that the exact fire safety measures that will be in place will be decided at the detailed design stage. Figure 1 at Appendix B of the Applicant’s note on Frequently Asked Questions about the BESS [REP4-048] provides an indicative site layout, showing safety measures that might be included and are envisaged in the Applicant’s Outline Battery Safety Management Plan [APP-222/7.1] and Surface Water Drainage Strategy (see Appendix 9-C of the Environmental Statement [APP-139/3.3]). This includes the potential location of lagoons and drainage systems beneath the BESS modules which could be in place to deal with fire water in the event of an incident. The principal of a lagoon water storage scheme is that water used for fire suppression or alternatively (depending on the model of batteries installed) cooling of adjacent units, is that the water will be collected within the lagoon and then re-used by the fire services. As such there is no reason why the lagoon should overflow into the environment and water supply should be plentiful even in the instance of a prolonged event. The re-used water would return to the lagoon each</p> |



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| | <p><i>Fire suppression systems do not prevent thermal runaways, only copious amounts of water to cool the site for many hours will suffice. Therefore, two or more enclosures going into thermal runaway and producing lethal emissions is a foreseeable event and should be modelled.</i></p> <p><i>Work No. 2 currently shows spacing of 3m.</i></p> <p><i>The Applicant makes a number of comments in their response. Rather than promises, the Outline Battery Safety Management Plan [ENO1013/APP/7.1] should be updated to reflect current guidance and best practice.</i></p> | <p>time it is used and later (i.e. after the incident is dealt with) would be treated as required. Water used for firefighting purposes will be dealt with following the management plan detailed in the “Protocol for the disposal of contaminated water and associated wastes at incidents 2018” jointly issued by the Environment Agency, Northern Ireland Environment Agency, Water UK and the Chief Fire Officers Association.</p> <p>As to the modelling in the Applicant’s Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS), the Applicant refers back to its response in [REP3-033], namely emissions from a 100kWh battery can be applied to the Gate Burton BESS as the BESS at Gate Burton is a series of isolated battery systems. As such, a fire would take time to spread from one unit to another. It is therefore unlikely that there would be many alight at any one time. The amount of pollutant available to release to the atmosphere is fixed, and once it is burned, there is no further emission. As such the smaller fire assessed in the independent study is representative of the hourly emission rate at Gate Burton as only a small proportion of the total number of batteries could be burning at one time.</p> <p>As to the likelihood of fire spreading or two or more enclosures going into thermal runaway, as set out in the note on Frequently Asked Questions about the BESS [REP4-048], the Applicant will liaise with Lincolnshire Fire and Rescue Service (LFRS) to develop a defensive firefighting strategy as part of its Emergency Response Plan, allowing a cabinet to burn but ensuring separation between cabinets is more than sufficient to facilitate cooling of the surrounding cabinets and hence prevent fire spread.</p> <p>For further information on fire suppression, the use of water and spacing between cabinets, please see the Applicant’s note on Frequently Asked Questions about the BESS [REP4-048].</p> |



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| | | <p>Regarding updates to the outline battery safety management plan, this document outlines the key fire safety provisions proposed to be included in the design of the proposed BESS. However, this will be replaced with a Battery Safety Management Plan prior to commencement of construction which will be take into account the latest good practices for battery fire detection and prevention, along with the emergency response plan, as guidance continues to develop in the UK and around the world.</p> |
| <p>REP4-066</p> | <p>Regarding Applicant’s Responses to written representation REP2-079 in its D3 responses [REP3-033] on BESS needs case including BESS as associated development, BESS efficiency, National Policy Statements and rooftop solar; the following points are made (numbering below is the applicants to match the points made with the responses):</p> <ol style="list-style-type: none"> 1. Reassert their view that the BESS is not Associated Development 2. Reassert view that the load factor for solar is 11% and state that benefits have been over-simplified. They consider information on the number of dwellings to be misleading. <p><u>3. Curtailment</u></p> <ol style="list-style-type: none"> 1. <i>The Applicant acknowledges the point raised in the 7000 Acres WR, that there will be large amounts of curtailed energy in the future, according to National Grid (FES).</i> 2. <i>The Applicant restates the point made by National Grid that there must be “strategic whole-system thinking”. While 7000 Acres also agrees with this principle, it is not clear where the Applicant has applied such thinking.</i> 3. <i>The Applicant notes the dependency on future solutions to manage curtailment, such as electrolyzers, but fails to address the point that such technologies are unlikely to be deployed at scale, quickly enough to avoid</i> | <ol style="list-style-type: none"> 1. The Applicant disagrees for the reasons previously asserted. 2. The load factor has not been disputed by the Applicant and the Applicant disagrees that benefits have been oversimplified. The number of dwellings served is not the way in which the benefits of the scheme are assessed under policy nor has it been the focus of the Application. It was provided only to allow an understanding of the quantum of electricity generated and the Applicant maintains that this has been done openly and clearly. 3. <u>Curtailment</u> First, the Applicant confirms that its Grid Connection offer with National Grid allows for all electricity generated at the Proposed Development to be exported to the grid: there are no local curtailment clauses included in that contract, other than standard clauses present in all connection agreements which allow National Grid to instruct the Proposed Development effectively to ‘switch off’ in the event of a significant fault or unavailability of transmission infrastructure on the local transmission network, until that fault is cleared. Secondly, the Applicant points to its Application documents regarding the relationship between ensuring system adequacy and security of supply, and minimising curtailment. Section 7.1 of the Statement of Need [APP-004] describes that, according to Government’s Energy White Paper (2020), meeting a possible doubling of |



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| | <p><i>the scheme facing a significant proportion of its operational lifetime where it is subject to curtailment.</i></p> <p><i>4. The Applicant has not commented on the point raised by 7000 Acres during the Issue Specific Hearing, that the volume of curtailment annually, through the 2030's is expected to be in the order of 40-60TWh per year, i.e. curtailing massively more energy per year, than the proposed scheme is anticipated to deliver over its lifetime, further putting into context the insignificance of the scheme's contribution to the energy system or decarbonisation.</i></p> <p><u><i>4. National Policy with regard to efficient land use</i></u></p> <p><i>1. The Applicant notes that the Draft EN-3 (2023) refers to a solar farm requiring between 2 and 4 acres per MW, however the Applicant fails to note that the same document goes on to state that a "typical 50MW solar farm will... cover between 125 and 200 acres". The scheme proposed by the Applicant is 10x the "typical" size foreseen by the NPS. The fact that a particular number of acres per MW installed is referred to in Draft EN-3 as being "typical" for the installation of solar, does not imply its deployment at unlimited scale.</i></p> <p><i>2. The point being made by 7000 Acres is not that the acres / MW is atypical, but the size of the scheme overall consumes an atypical volume of land. Consuming any land at this scale comes with significant responsibility and requires thorough oversight.</i></p> <p><i>3. In terms of Land Use, the Applicant has failed to address the competition land faces (and crop land in particular faces) from other demands, including for direct decarbonisation measures.</i></p> | <p>electricity demand by 2050 "would require a four-fold increase in clean electricity generation with the decarbonisation of electricity increasingly underpinning the delivery of our Net Zero target."</p> <p>Figure 7-2 of the Statement of Need [APP-004] shows National Grid's projections of installed generation capacity in the UK by 2030 and 2050. Not only is renewable generation capacity expected to increase between now and 2030, but so is flexible capacity (shown as orange in that Figure).</p> <p>A significant increase in UK electricity generation capacity is required to meet growing demand and deliver security of supply under different weather conditions. Because the weather is uncontrollable, more capacity is needed to ensure that demand can be met even when renewable output is low.</p> <p>7000 Acres point to curtailment as a disbenefit of the scheme and cites misleading numbers from National Grid's Future Energy Scenarios document. The Applicant addresses these incorrect statements in two parts.</p> <p>First, put simply, without the build out of large capacities of renewable generation, the UK may not be able to meet demand at times of low renewable output, potentially causing:</p> <ul style="list-style-type: none"> • Power cuts (contrary to Government's aim to ensure security of supply) • Price spikes (contrary to Government's aim to shield consumers from volatile energy markets), and/or • Stand-by fossil fuel assets to generate (contrary to Government's aim to decarbonise the electricity system by 2035) <p>The alternative approach, i.e. building out large capacities of renewable generation, meets Government's aims and provides opportunities for market approaches to manage curtailment and:</p> <ul style="list-style-type: none"> • Use curtailed energy to support security of supply when demand is high |



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| | <p>4. <i>The Applicant argues that the scheme is “temporary” in nature, but with an operational life of at least 60 years, there is still the need to ensure land is responsibly used and managed. 5. The Applicant has continually failed to consider how large scale ground mounted solar may impede direct decarbonisation measures necessary, such as planting 30,000 – 70,000 hectares of trees per year, as stated by the UK Climate Change Committee.</i></p> <p>5. Rooftop Solar: reassert position that need could be met by rooftop solar.</p> | <ul style="list-style-type: none"> • Keep consumer costs down by capturing and storing energy when it is abundant (therefore cheap) and releasing it when it is needed • Displace stand-by fossil assets by using stored energy as a low-carbon “peaking” energy resource, further supporting Government’s aim for the electricity system to be operating with net zero carbon emissions from 2035. <p>Section 8.7 of the Statement of Need [APP-004] describes four ways of diversifying renewable generation sources to maintain adequacy and minimise curtailment. One of these is the development of Energy Storage Systems.</p> <p>Many different technologies are anticipated to be used for energy storage in the future, and National Grid’s FES discusses in detail the prospect of electrolysed hydrogen offering an effective inter-seasonal storage solution (e.g. p192 of FES (2023) nationalgrideso.com/document/283101/download).</p> <p>The Applicant has included a proposal for a Battery Energy Storage System (BESS) as Associated Development to the main solar development. One of the benefits of the BESS is that it will be able to work as part of the Proposed Development, and other energy storage systems elsewhere connected to the UK’s electricity system, to reduce curtailment, both specifically at the Proposed Development, and as an additional benefit, more widely (see further the Applicant’s Note on Frequently Asked Questions regarding the BESS [REP4-048]).</p> <p>Secondly, 7000 Acres have misrepresented the level of curtailment in National Grid’s FES pathways.</p> <p>Data from FES(2023) Table FL.18 shows that average curtailment in the years 2031 – 2040 ranges from 31TWh (‘Leading the Way’) to 46.8TWh (‘System Transformation’) however a deeper dive into the data (via Table ES1 of the same report) shows that curtailment of solar generation is anticipated to be much lower, with an average annual curtailment 2031-2040 ranging from 2.4TWh - 2.7TWh.</p> <p>In summary, future curtailment, if/when it occurs, would be a ‘good’ problem for the UK power sector to have. It would show that large capacities of renewable generation</p> |



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| | | <p>have been built out to deliver low-carbon supplies to meet peak demand, delivering security of supply, meeting carbon reduction targets and reducing wholesale costs of energy. Further, the market signals associated with curtailment, will drive the development of consumer and/or supply side flexibility to make efficient use of abundant resource and drive further security of supply, decarbonisation and affordability benefits for consumers across the whole energy system.</p> <p>4. The impact of the project has been assessed over the 60 year lifetime of the project and the use of the word ‘temporary’ in Application documents does not affect the conclusions of this assessment. The project is temporary because the DCO contains a time limit so by definition is not permanent.</p> <p>5. The Applicant has no more points to be made on rooftop solar and refers to its previous comments in [REP3-033] (see page 83-84).</p> |
| 4. Climate Change and Carbon Emissions | | |
| REP4-066 | <p>Regarding Applicant’s Responses to written representation REP2-079 in its D3 responses [REP3-033] on estimated emissions, assumptions made on replacement rates for panels, assumptions made on how laden HGVs will be when carrying waste from the scheme.</p> <p><u>On assumptions made to calculate GHG emissions for the construction and operation period (as set out in REP3-033):</u> <i>The Applicant should:</i></p> <ul style="list-style-type: none"> • <i>add a list of their assumptions to Chapter 6: Climate of the EIA [APP-015/3.1].</i> • <i>include a sensitivity analysis to show the carbon savings if components are changed at a higher or lower rate than assumed.</i> | <p>As stated within [REP3-033] the methodology along with key assumptions and limitations to calculate lifecycle greenhouse gas emissions from the scheme is presented in Chapter 6: Climate Change of the ES [APP-015].</p> <p>Explanation why a sensitivity analysis to show the carbon savings if components are changes at a higher or lower rate is not required:</p> <p>Assumed component replacement rates are described in paragraph 6.4.29 of Chapter 6: Climate Change of the ES [APP-015/3.1]. The quantitative impacts from the replacement of PV modules, inverters, BESS cells and transformers account for a large majority of emissions during the operational phase of the Proposed Development, as discussed in paragraph 6.10.17 and shown in Table 6-21 of Chapter 6. It is clear that increasing or decreasing the replacement rates for BESS cells and other components would have a corresponding impact on operational emissions and therefore on the overall GHG impact of the Proposed Development, but the magnitude of the</p> |



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| | <p>• <i>the Applicant assumes that 30% of matter will go to landfill. A sensitivity analysis should be included to show the effect if higher or lower amounts of material are recycled.</i></p> <p><i>There is no explanation for the difference of 28% in yield, shown in b. i. As shown in the 7000 Acres document - The role of Solar in Energy Provision and Decarbonisation page 24, the solar yield in the UK is considerably lower than most of the world. What is the source for the 28% difference? A word search of the Applicant’s Chapter 6: Climate of the EIA [APP015/3.1] shows only one reference to 28%, in Table 6-22, concerning decommissioning plans. A clear explanation should be provided to show why there is only a 28% difference in yield.</i></p> <p><u>On maintenance during operation:</u></p> <p><i>If the BESS is used for “grid balancing”, i.e. energy arbitrage, the batteries will be subject to higher degradation due to frequent charging and discharging cycles. Therefore the replacement figure of 250% is likely to be an underestimation. A 10-year battery life is more likely, resulting in a 600% replacement rate. The analysis should include a sensitivity analysis to show the best (250%) and worse (600%) cases.</i></p> <p><u>On “HGVs may not be 100% laden when carrying waste away from the scheme” and Applicant’s comment that “An assumption that HGVs would be 100% laden was assumed as no additional data was available. Assuming a 50% laden rate was used this would have only a very marginal impact on overall emissions”:</u></p> | <p>scheme’s net GHG impact means that a quantitative sensitivity analysis is not required; it is clear that even a 600% replacement rate for BESS cells would not affect the overall net beneficial impact of the Proposed Development.</p> <p>Explanation why a sensitivity analysis if higher or lower amounts of material are recycled is not required:</p> <p>Paragraphs 6.4.17 and 6.4.18 discuss the assumptions around waste disposal and recycling for materials during over the lifetime of the Proposed Development. A highly conservative assumption of 30% landfilling has been made. The Applicant does not consider that it is necessary to carry out a sensitivity analysis for higher or lower recycling rates. First, emissions from waste management are very low as a proportion of the overall GHG impact of the scheme, so any variation could have only a marginal impact on emissions and would not affect the scheme’s overall net benefit. Secondly, landfill rates are likely, in reality, to be much lower than assumed, particularly during the decommissioning phase which will take place after the point when the UK must achieve net zero emissions. The recycling and/or reuse of valuable materials and components means that emissions from the waste management sector, whether from landfill or recycling, are likely to be extremely low. The overall emissions from waste management shown in Chapter 6: Climate Change of the ES [APP-015/3.1] is very likely to be an overestimate. The emissions from the transport of waste materials away from site are also very likely to be an overestimate, since the emissions presented in the ES are based on current HGV emissions factors, while during the decommissioning phase all road transport in the UK will require to have been effectively decarbonised in line with UK Government policy.</p> <p>Explanation for the 28% difference in yield:</p> <p>The embodied carbon of the PV modules is derived from an Environmental Product Declaration (EPD) for a representative PV module, similar to those to be installed within the Proposed Development. This EPD provided an upstream embodied emissions figure of 0.00784 kg CO₂e per kWh of electricity generated. The EPD goes</p> |



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| | <p><i>It would be helpful to provide a sensitivity analysis for all calculations, showing a worse case as well as what the Applicant choses as their example.</i></p> <p><u>On increased emissions resulting from increased import of crops as a result of loss of agricultural land die to the Scheme and Applicant’s comment that it has not accounted for this in its calculation of GHG emissions:</u></p> <p><i>Why not? Importing crops will result in GHG emissions. In addition, there is no consideration of using the land for other renewable projects, such as the growing of biofuels.</i></p> | <p>on to describe the test conditions in China under which this value was established. Data in the EPD around the length of test and total power generated enabled a representative annual yield figure of 1,182 kWh/kWp/year to be calculated. This annual yield figure is 28% higher than the 922 kWh/kWp/year yield figure estimated by the Applicant for the Gate Burton site. This lower yield figure at the Gate Burton site relative to the test site in China means that the embodied emissions value for the PV modules must be increased by 28% from 0.00784 kg CO₂e/kWh to 0.01005 kg CO₂e/kWh to account for this difference. The Applicant acknowledges that the corresponding data in paragraph 6.4.6 of Chapter 6: Climate Change of the ES [APP-015/3.1] are incorrect as they relate to a earlier (and higher) anticipated yield figure of 970 kWh/kWp/year. All other data in the chapter including gross and net GHG impacts, and overall evaluations of significance, remain unaffected by this.</p> <p>Explanation why the increased import of crops hasn’t been accounted for in the GHG emissions:</p> <p>As stated within [REP3-033] importing crops hasn’t been accounted for in the GHG emissions calculations as this is not considered as a direct impact of the project and it is not possible to assess how any lost agricultural productivity would be replaced and whether it would be from import or other local farmland.</p> |
| <p>5. Biodiversity, Ecology and Natural Environment (including Habitats Regulation Assessment)</p> | | |
| <p>REP4-066</p> | <p>Regarding Applicant’s D3 response to written reps [REP3-033] on whether utility scale solar farms increase biodiversity, Natural England’s 2016 report that “no experimental studies specifically designed to investigate the in-situ ecological impacts of solar PV developments were found in the peer reviewed literature”, and the Applicant’s response that “Since [2016] there is an increasing body of evidence from monitoring of operational solar farms that shows wide ranging benefits for biodiversity”:</p> <p><i>“Once again, the Applicant states an opinion without supporting evidence.</i></p> | <p>The following are a few examples of recent publications that demonstrate solar farms can deliver benefits for biodiversity. The principles of good design, habitat creation and management have all been applied to the Gate Burton scheme.</p> <p>Solar Energy UK (2023) Solar Habitat: Ecological trends on solar farms in the UK: Solar-Habitat-Report-2023.pdf (solarenergyuk.org)</p> <p>Solar Energy UK (2022) Natural Capital Best Practice Guidance. Increasing biodiversity at all stages of a solar farm’s lifecycle: Natural-Capital-Best-Practice-Guidance.pdf (solarenergyuk.org)</p> |



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| | <p><i>There are no solar industrial sites of this size in the UK, so what body of evidence can the Applicant provide? If the Applicant can show “an increasing body of evidence” it should be produced, if not the Applicant should remove their claim.”</i></p> | <p>Wychwood Biodiversity and Naturesave Insurance (2022) Realising the Biodiversity Potential of Solar Farms – A Practical Guide: Realising the Biodiversity Potential of Solar Farms (naturesave.co.uk)</p> <p>Bennun, L., van Bochove, J., Ng, C., Fletcher, C., Wilson, D., Phair, N., Carbone, G. (2021). Mitigating biodiversity impacts associated with solar and wind energy development. Guidelines for project developers. Gland, Switzerland: IUCN and Cambridge, UK: The Biodiversity Consultancy: 2021-004-En.pdf (iucn.org)</p> <p>H. Montag, G Parker & T. Clarkson. 2016. The Effects of Solar Farms on Local Biodiversity; A Comparative Study. Clarkson and Woods and Wychwood Biodiversity: The Effects of Solar Farms on Local Biodiversity (helapco.gr)</p> <p>BRE (2014) Biodiversity Guidance for Solar Developments. Eds G E Parker and L Greene: National-Solar-Centre---Biodiversity-Guidance-for-Solar-Developments--2014-.pdf (bregroup.com)</p> |
| <p>6. Human Health and Wellbeing</p> | | |
| <p>REP4-065</p> | <p>Regarding Applicant’s D3 response to written reps on Human Health and Wellbeing [REP3-033]:</p> <p><i>We object that their responses only refer to the summary provided and not the full written representation. This clearly lacks respect of our input and time taken to prepare and highlight the issues this scheme and others will do to our rural community around Health and Wellbeing. We would appreciate if you could provide the name of the author of the Health and Wellbeing document Vol 1, Chapter 14 Human Health and Wellbeing Document Reference: EN010131/APP/3.1 January 2023 and the author to the responses written representation of Health and Wellbeing EN010131/APP/[8.19]</i></p> | <p>Representations are summarised in response documents to prevent documents becoming long and unwieldy. Full representations are available on the PINS website.</p> <p><u>Assessment Methodology</u> The Applicant respectfully disagrees with the inference that it has not undertaken a Health Impact Assessment. The assessment of effects on human health set out in Chapter 14: Human Health and Wellbeing [APP-023] of the Environmental Statement (ES) was undertaken utilising the NHS London Healthy Urban Development Unit’s (HUDU) Rapid Health Impact Assessment Matrix Tool (2019). This constitutes widely recognised guidance in the assessment of impacts on human health, used by both local planning authorities and developers in determining planning applications. At the time of writing the ES, this was considered by the Applicant to provide a robust assessment methodology for the preparation of Human Health and Wellbeing Impact Assessments suitable to the Project. A methodology needed to be selected on the</p> |



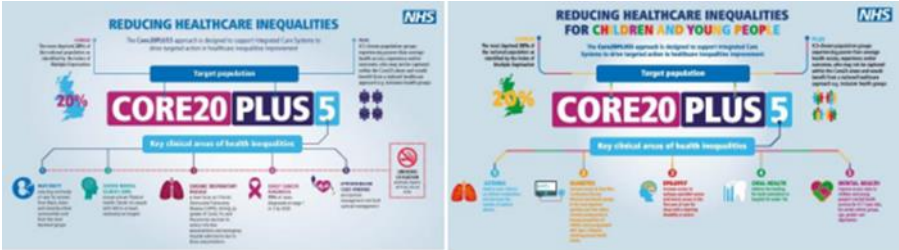
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| | <p><i>We disagree on the robustness of the methodology. Reading the full written representation presented would show further evidence as to why this is the case. This would have highlighted the need to present issues around the physical, mental health and the social determinants of health which are not answered in this response. Qualitative data is essential, and given that the new Census ONS data 2021 is available, with also access to PHE fingertips and other recognised data sources, an attempt to understand the wider issues have not been fully evaluated to understand the health implications in our region. Had a Health Impact assessment been requested, this would have brought the applicant into contact with Lincolnshire Public Health and perhaps the new Lincolnshire Integrated Care System where rich data would have provided some areas where the applicant/applicants in the case of the cumulative impact, where the outcome assessed in the operator’s cycle may not have been reported as neutral as was frequently the case. Hopefully we have managed to show that is not the case. What we mean by operation is the sixty-year cycle and not the operation during construction and decommissioning. At the open hearings, we have concerns as to how many people talked about the affect this scheme and the others would have on their mental health. In paragraph 14.9.1, this has not provided sufficient embedded mitigation in respect of potential impacts on mental health. As previously stated, noise and vibration, air quality, transport and access during construction and decommissioning are transient and therefore it is important to highlight health in the context of the operators cycle which has the potential to harm people. The HUDU (Rapid Health Impact Assessment Matrix) applies only to urban development. Noise and light pollution is still a huge concern, as rural countryside is generally quieter with little to no light pollution. We covered noise in a separate document which for some reason has no comments attached. We all know that motion sensors when windy, come</i></p> | <p>basis that there was no consolidated methodology or practice for the assessment of effects on human health. In addition, the assessment also utilised the Health and Wellbeing checklist of the Wales Health Impact Assessment Support Unit (WHIASU), this having been identified as exemplar guidance by the relevant statutory consultee, UK Health Security Agency (UKHSA) in their scoping opinion response, as detailed below. On this basis, a Health Impact Assessment has been completed using this tool and was submitted in the DCO application as Chapter 14 of the ES.</p> <p>In regard to the contention that the guidance is suitable only for urban contexts, the Applicant respectfully disagrees with this on the basis of the Tool being widely applied in England in a range of development contexts, rural and urban. Most pertinently given the location of the scheme within Bassetlaw, the checklist within NCC’S Spatial Planning and Health Framework, which reflects the Tool, makes no distinction on where it can and cannot be applied stating only that “developers should utilise the checklist when assessing development proposals and plans”. The North Northamptonshire Joint Planning and Development Unit also released a Northamptonshire Rapid Health Impact Assessment Tool for Planning in August 2019, which states that “this Rapid Health Impact Assessment (HIA) tool has been produced to enable an assessment of the likely health impacts of spatial planning related proposals- including specific development proposals or planning applications”.</p> <p>The Toolkit is also utilised in local guidance for assessing impacts on health arising from development proposals prepared by various other local planning authorities across England, covering less urban/rural contexts. The outcomes of the scoping opinion process provide justification for it forming the basis of the approach adopted to assess impacts on health. In its Scoping Opinion response, the Office for Health Improvement and Disparities (OHID, formerly Public Health England) and the UK Health Security Agency (UKHSA) acknowledged that the Human Health and Wellbeing assessment warranted a chapter in its own right, giving focus to public health and taking into consideration the impact on the surrounding</p> |



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| | <p><i>on and off, and animals which will have to roam on perimeter fences, will set these off.</i></p> <p><i>With regards to deprivation, we highlighted that this scheme and the others will indirectly impact on the poorest two neighbouring wards in Gainsborough which were deliberately not identified, yet the response states clearly when considering deprivation, this was based on the extent and characteristics of the Scheme and the communities/wards directly and indirectly affected by the scheme. Now that they are aware of the 2 wards, please could they provide how they intend to mitigate against this?</i></p> <p><i>We believe that there should have been a Health Impact assessment. This would help to assess whether these schemes have the potential to worsen health and wellbeing and particularly widen health inequalities which has not been adequately identified within the Equality Impact Assessment provided. We do believe that the Secretary of State would have insisted on this Health Impact Assessment had the schemes been lumped into one. We are aware there could be possible further schemes pending which would increase solar farms beyond those already planned. The seriousness of this now poses a huge health issue in our area. In our written representation, we clearly demonstrated concerns around this, an ageing population, issues around social care provision in rural communities with a potential shift of younger people migrating out because of industrialisation of our farming land (includes working age who move out of rural areas due to job losses e.g., agricultural), issues around worsening mental health which is a real concern in rural areas, with loss of our way of life and rural landscapes which are essential to prevent this. This is similar to grief and loss experienced in bereavement, which then affects both physical and mental health. There is a real concern that these schemes will fragment and further marginalise our society, break down established networks, leaving</i></p> | <p>communities. OHID and UKHSA recommended that this section should: summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Assessing impacts using the Toolkit aligns with these recommendations and no concern was raised by the statutory consultee regarding the use of the Toolkit approach in assessing impacts.</p> <p>Nottinghamshire County Council (NCC) in its scoping opinion response refers to The Nottinghamshire Spatial Planning and Health Framework. Their response recommended the use of the checklist contained within it “to enable the potential positive and negative impacts of the planning application on health and wellbeing to be considered in a consistent, systematic and objective way...”. The checklist, provided at Appendix 2 of the Framework, is identical to the NHS HUDU Tool and Paragraph 6.8 confirms that the checklist is based upon it. NCC’s scoping opinion therefore provided direct corroboration of the Applicant’s choice of assessment approach which it took forward in the assessment itself. In respect of other scoping opinion responses, no concerns with the proposed approach to the assessment were raised. All responses received were reflected in the development of the assessment of effects presented in the ES.</p> <p>It is recognised that this methodology is termed a ‘Rapid Health Impact Assessment’. However, the aspect of the Tool which has been used in the assessment of effects for the Project relates to the assessment criteria only. The overall assessment process followed in the assessment of effects on human health and wellbeing in Chapter 14 of the ES is equivalent in detail and rigour to that undertaken for the assessment of all other effects within the ES. This is on the basis of it having been through a scoping process, with potential impacts based on preliminary information identified and statutory consultation on those initial findings has been undertaken. The approach used by the Applicant in its assessment of health impacts set out in Chapter 14 of the ES has also been used to inform the Human Health and Wellbeing impact assessment methodology on similar recent Nationally Significant</p> |



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| | <p><i>a more vulnerable ageing population with real risk of increasing loneliness and social isolation. The PHE paper, “An evidence summary of health inequalities in older populations in coastal and rural areas”, provides evidence that indicates that mental health is an issue in rural areas as well as neurological issues e.g., Multiple Sclerosis which is classified as one of the disabled conditions. It lists the main drivers of inequalities to include social exclusion and isolation. Fuel poverty and financial difficulties are a real issue in rural communities. It is well recognised that green space benefits the rural population and the very reason for people to retire to rural areas, therefore there tends to be an increase of an ageing population in rural areas as a result. Please refer to the 7000 acres written representation on Health and Wellbeing for further references to this. A major driver of health inequality in rural areas is exclusion, marginalisation, and lack of social connection. This can be felt by certain groups such as LGBT, those divorced or living alone. Figures from a study on Gainsborough and surroundings referenced in the written representation paper, carried out by West Lincolnshire CCG (2017), showed that the number of pensioners living alone was high at 28.6%. Living within our community are patients with a disability e.g., Learning Disability, many of these disabilities benefit from the open spaces and should be identified and mitigation put in place. Another potential health inequality is our Military Veterans, many who have chosen to live rurally to cope with Post Traumatic Stress Disorder as part of their mental health rehabilitation. Military veterans have a higher addiction to alcohol and drugs and this needs to be contextualised as a health inequality concern. Lincolnshire is a County with military links, we have a higher number of veterans living in our rural communities. They benefit from the open spaces and rural landscape. It is therefore a concern that the applicant has not considered what health inequalities exist as a result of their scheme, and the impact their decisions might have on this, especially on health outcomes over</i></p> | <p>Infrastructure Projects (NSIPs) both locally and across the country. This includes the Boston Alternative Energy Facility in Lincolnshire (granted consent in July 2023), Longfield Solar Farm (consented July 2023) and East Anglia One North Offshore Wind Farm (consented in March 2022) amongst others. These schemes are also located outside of a built environment urban area, thereby demonstrating the appropriateness of this methodology for this context within Environmental Statements.</p> <p><u>Study Area used within Chapter 14: Human Health and Wellbeing</u> As stated within Chapter 14, the Study Areas is based on the extent and characteristics of the Scheme and the communities/wards directly and indirectly affected by the Scheme. Based on this, it is determined that Human Health impacts are likely to occur in an area which is composed of the following five wards:</p> <ul style="list-style-type: none"> • Rampton and Sturton wards in Bassetlaw District; and • Lea, Stow and Torksey wards in the West Lindsey District. <p>These five wards have been stated as the Study Area for the Human Health and Wellbeing assessment as these are likely to experience direct impacts from the proposed Scheme, being located within the planned footprint of the development. However, impacts which occur beyond this are also addressed within the assessment itself, as the Human Health and Wellbeing assessment draws upon the findings of supporting chapters to inform its conclusions. These chapters have their own Study Areas for their own individual assessments, which vary in their extent. Each chapter also sets out mitigation measures relevant to their individual disciplines, such as management plans.</p> <p>Each of these chapters also includes a baseline analysis section, which includes a review of the existing surrounding area. As stated in paragraph 14.12.10 “500m” was referred to in relation to the cumulative noise assessment and states that “based on</p> |

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| | <p><i>population health groups and how this will affect the Core20plus5 which is NHS England’s approach to reduce health inequalities both in adults, children and young people. Engagement with these groups is essential. These are two examples. In fact, engagement should be targeted to the groups most affected than carried out more generally. The most likely to respond are the affluent and articulate. This is the problem with the Equality Impact Assessment carried out by the applicant. There has not been enough rigor. (we reserve the right to submit a paper challenging their submitted Equality Impact Assessment)</i></p>  <p><i>Article 8 Human Rights: Right to respect for private and family life. It is recognised that this right might be restricted under certain legitimate aims such as national security. This should be balanced by the legitimate protection of health and morals. The latter point is important as there is a feeling that financial greed has become the driver where investors are placing their claims over society and its right, especially rural communities, under the umbrella of climate change. It is stated that interference around this legitimacy must be necessary (not just reasonable), however, it should be “proportionate”, that is, not more than is needed to achieve the aim desired. What is taking place in this area is already way over what any community should endure (cumulative effect), and this would not meet the FREDA principles particularly around fairness and autonomy.</i></p> | <p>professional judgement, at distances of greater than 500m, any interaction of noise emissions from multiple developments would be attenuated and so normally no combined effect. The precise scale of noise effects will depend on works taking place at any one time, however, mitigation measures presented in the Framework CEMP [REP4-035/7.3] and DEMP [REP4-037/7.5] seek to minimise this as far as possible.”</p> <p>This is also reiterated within Chapter 11: Noise and Vibration [APP-020] in paragraph 11.5. 2, which states that “For the Solar and Energy Storage Park, the wider 500m operational Zone of Influence (ZoI) has been used. This is for both the construction and operational noise and vibration assessment as it is considered that receptors further than 500m will experience considerably lower levels of noise and vibration emissions as these will attenuate over distance, resulting in negligible noise and vibration effects from the Scheme. This is confirmed by the modelling output and conclusions in this chapter. This ZoI was agreed through a meeting with West Lindsey District Council on 12 April 2022”.</p> <p><u>Mitigation Measures and Mental Health</u></p> <p>Chapter 14: Human Health [APP-023/3.1] paragraph 14.8.1 outlines that the Scheme has the potential to affect Human Health and Wellbeing (either positively or negatively), during construction, operation, decommissioning, in the following ways:</p> <ul style="list-style-type: none"> - Access to Healthcare Services and Other Social Infrastructure; - Air Quality, Noise and Neighbourhood Amenity; - Accessibility and Active Travel; - Access to Work and Training; and - Social Cohesion and Lifetime Neighbourhoods. <p>In recognition of the potential for impacts on mental health that could arise from activities on-site and surroundings, there are measures set out in the Framework CEMP [REP4-036], Framework OEMP [REP2-035] and Framework DEMP [REP4-037] to reduce or avoid impacts during the construction and operational phase, respectively.</p> |



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| | <p><i>We request an urgent hearing to discuss Human Health and Wellbeing to highlight concerns as to this application.</i></p> <p><i>The author of the 7000-acre Written Representation is a retired General Practitioner who has worked in the Lincoln area for 30 years, and served as an executive on both the West Lincolnshire and Lincolnshire CCG, and is the Lincolnshire ICB clinical lead in the West locality which includes Lincoln and Gainsborough and surrounding areas, and also has 23 years' experience in Ear Nose and Throat working at Lincoln County Hospital.</i></p> | <p>Examples of mitigation measures include:</p> <p>1) Implementation of a communications strategy. This is secured through the Framework CEMP [REP4-035/7.3] and DEMP [REP4-037/7.5] and will seek to ensure that occupants of affected properties are notified of the timings and duration of works. This will help residents in managing any potential anxiety related to construction activities including timings.</p> <p>2) The Scheme has been designed to minimise the number and duration of PRoW closures during construction, including along the cable route. If a PRoW is required to be closed, as a worst-case scenario it has been assumed that this would be for no more than six weeks, with short diversions provided. Therefore, these impacts are not considered to have a significant or long-term impacts on active travel. During the operational phase, no routes will be closed, this will ensure that the recreational benefits of active travel on health including mental health are retained which translates into a positive health impact on mental health. Further details are set out in the PRoW Management Plan [APP-229/7.8].</p> <p>3) Construction traffic will be managed at peak hours in order to limit any potential disruptions and implications on the wider transport network for existing road users. This includes provision a shuttle bus for at least 55% of construction staff and encouraging HGVs to access the site outside of peak hours secured through the Construction Traffic Management Plan [REP4-014/3.3]. This will serve to minimize the potential for disruption and the associated impact on mental health caused by anxiety related to increases in construction traffic.</p> <p>4) In respect of setting and in acknowledgement of the role that this could play in shaping mental wellbeing, vegetation planting has been incorporated into the Scheme design to minimise the visual intrusion of the Scheme as shown on the Indicative Site Layout Plan in ES Volume 2: Figure 2-4 [APP-033/3.2]. Furthermore, areas of advanced planting is being undertaken in a number of locations to ensure</p> |



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| | | <p>planting is effective at screening at an early stage in the project. A Landscape and Visual Impact Assessment has been undertaken to assess the effects on landscape and visual receptors in the vicinity of the Scheme, such as residents and recreational users of PRow. The conclusions of this assessment have been presented in Chapter 10: Landscape and Visual Amenity of the ES. Chapter 12: Socio-economics [REP4-010/3.1] of the ES also assessed the effects of the Scheme on views and use of PRow during construction.</p> <p>5) With respect to access to local health facilities, it is recognised in the assessment that the current level of patients per GP (within 1km of the Scheme) exceeds the recommended ratio. However, due to the rural nature of the surrounding area, it is unlikely that there would be additional demands placed on these surgeries in particular, with the additional workforce more likely to reside in the more densely populated surrounding area. Assuming a worst case scenario, whereby all 156 construction workers require places at surgeries within the wider Primary Care Network (PCN), this would increase the patient to GP ratio by two, from 1:1887 to 1:889, which although exceeds the recommendation of 1:1,800, does not worsen the current situation to a large extent.</p> <p>6) Lastly, there are a number of positive mental health benefits associated with the employment opportunities associated with the Scheme. As presented in Chapter 12: Socioeconomics, the applicant estimates that the Scheme will support on average 323 full time construction jobs per annum, of which, 207 are likely to be taken by residents within a 60-minute travel area of the Site, providing a wide range of new job opportunities for local residents.</p> <p>In terms of disruption during the construction and operational phase and in recognition of the potential for impacts on mental health that could arise from activities on site, and surroundings, there are measures set out in the Framework Construction Environmental Management Plan (CEMP) [REP4-035/7.3], Framework</p> |



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| | | <p>Operational Environmental Management Plan (OEMP) [REP2-035/7.4] and Framework Decommissioning Environmental Management Plan (DEMP) [REP4-037] to reduce or avoid human health and wellbeing related impacts during the construction and operational phase, respectively.</p> <p>There are also a number of mitigation measures embedded into the assessments which inform the Human Health and Wellbeing assessment. As stated in paragraph 14.9.1, “Embedded mitigation measures are incorporated and secured into the Scheme as set out in the respective ES chapters to reduce other construction, operational and decommissioning effects (such as noise and vibration, air quality, transport and access and socio-economics and land use)”. This will in turn mitigate the effects on the local community and existing facilities from a Human Health and Wellbeing perspective.</p> <p>The applicant will work with the Local Authorities to ensure that the local community is affected as little as possible, whether that be targeting contractors with social value commitments during construction or wider community benefit initiatives.</p> |
| 7. Risk Management | | |
| <p>REP4-070 (also repeated by Mr Cort in REP4-077)</p> | <p>Can GBEP confirm if they have carried out Quantitative and Qualitative Risk Analysis for the project? If they have can they please share the procedure that they have applied and the resultant Risk Register that they have created, including proposed mitigations and expected results. </p> <p>It is necessary to be aware of the objectives of both internal and external stakeholders and to understand their concerns and perceptions of risk. Stakeholder analysis is a key input into the identification of risk. In terms of external stakeholder risk, was a demographic survey carried out, as you need to understand the population to assess their risks?</p> | <p>As any reasonable and prudent developer would, the Applicant keeps risk registers for the project. Risk registers contain commercially sensitive information and are designed as internal project management tools. The Applicant does not therefore consider it appropriate to share these and is unaware of any other solar developer being required to share the risk register(s) for any other nationally significant infrastructure project.</p> <p>The Applicant notes that the applicant for Cleve Hill Solar project submitted a risk register relating to the Medway Estuary and Swale Strategy (MEASS) as an appendix to another submission, on the basis that this risk register mentioned Cleve Hill. However, this was a risk register for MEASS, and the applicant did not submit any risk register for the Cleve Hill Solar Park itself.</p> <p>The Applicant does not consider that the risk register is an important or relevant matter as the relevant environmental risks have already been assessed as part of the application. For example, Chapter 15 of the Environmental Statement [APP-024] includes an assessment of major accidents and disasters. The assessment concluded</p> |



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| | | <p>that the risk of such events occurring is low for the Scheme and significant effects on the environment are therefore not anticipated. However, minimising the risk of major accidents during construction, operation and decommissioning will be addressed through appropriate risk assessments as required in the Framework CEMP [REP4-035], OEMP [REP2-035] and DEMP [REP4-037]. The implementation of those plans are secured via Requirements 12, 13 and 19 of the DCO respectively.</p> |




4. Table 4-1 Applicant Responses to Roy Clegg’s Submissions submitted at Deadline 4

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| 1. Decommissioning | | |
| REP4-087 | <p>Should the solar farm fail, for any reason, resulting in liquidation of the solar farm owner, who then becomes financially liable for the decommissioning of the solar farm?</p> <p>Will the ExA confirm that if the Scheme is approved it will be conditioned by the provision of an Agreement between the Landowner and the Applicant in respect of their joint legal responsibility to the approved decommissioning plans of the Scheme?</p> <p>Will the ExA ensure that the incumbent solar farm operator and/or incumbent landowner absolve any commitment they have in decommissioning through contract exchange, or for whatever reason, be unable to continue and enter liquidation? An up-to-date Agreement between all the parties involved in decommissioning should be maintained by the ExA.</p> <p>Will the ExA ensure that financial due diligence is undertaken to ensure that there will be no financial burden as a result of decommissioning the Scheme, on the public and especially the local community. The financial risk must be dealt with by the incumbent landowner and the asset owner.</p> <p>Will the ExA also agree to identify the specific start date, and completion date of decommissioning the Scheme?</p> | <p>The Applicant has submitted a Funding Statement [REP4-033] into Examination. This document sets out the corporate structure of the Applicant, the estimated costs of the project and the funding available for the Scheme. The Applicant maintains that this document provides sufficient reassurance that there is available funding for the delivery of the Scheme, including decommissioning.</p> <p>As previously submitted into Examination orally and in writing, decommissioning is sufficiently secured by Requirement 19 of Schedule 2 of the Order. Prior to decommissioning, the Applicant must submit a decommissioning environmental management plan (“DEMP”) to the relevant local planning authority for approval. The DEMP must be substantially in accordance with the Framework DEMP [APP-226] which will be a certified document pursuant to Schedule 13 of the Order. A breach of a requirement of a DCO is an offence pursuant to section 161 of the Planning Act 2008. Therefore, if the Applicant were to decommission the Scheme without preparing, submitting and having the DEMP approved, then this would amount to an offence which is a sufficient deterrent to ensure compliance.</p> |



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| | <p>Will the ExA also identify the period in the Scheme from cessation of exporting of electrical power from the site to the start date of decommissioning?</p> | |
| <p>2. Fire and Battery Safety</p> | | |
| <p>REP4-078 and REP4-079</p> | <p>In the applicants Environmental Statement 1.2.8. it is noted that the Fire Suppression system to be used is the Novec1230 extinguishment system. It will be useful to note that in the Liverpool BESS, fire was theoretically protected by a suppression system that failed to activate and would not have had any effect anyway, as the investigator states: Although there was a fire suppression system in the container, the speed of propagation indicated that this hadn't activated. The McMicken explosion was an object lesson in this. The installed "clean agent" system operated correctly, as designed, on detection of a hot fault in the cabin. There was no malfunction in the fire suppression system, but it was completely useless because the fire was not a conventional fuel-air fire, it was a thermal runaway event. Only water will serve in thermal runaway. Indeed, in the McMicken explosion the "Novec 1230" clean agent arguably contributed to the explosion by creating a stratified atmosphere with an air/Novec 1230 mixture at the bottom and inflammable gases accumulating at the cabin top. This begs the question is the applicant still confident about using a suppression system?</p> | <p>The Applicant's Outline Battery Safety Management Plan (OBSMP) [APP-222] provides that fire detection and suppression measures will include "electrical fire suppression equipment such as NOVEC 1230, StatX powder fire suppression, or other contemporary system". The Battery Safety Management Plan to be completed prior to construction commencing will take into account latest good practices including consideration of any new or updated guidance that has been published since the OBSMP was written. This ensures that the latest guidance is considered in the development of the final BSMP. The Applicant will also develop an Emergency Response Plan in collaboration with Lincolnshire Fire and Rescue Service.</p> <p>Please see the Applicant's note on Frequently Asked Questions about the BESS [REP4-048] which provides further details on the measure that would be in place to suppress a fire. This highlights that the exact fire suppression measures will depend on the design of the BESS and also discusses the use of water as a fire suppression agent.</p> |

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| |  <p>BESS Failure Event Database Click and enlarge the display <i>[note no hyperlink]</i> to read the Database, which is a public resource for documenting publicly available data on battery energy storage failure events from around the world. Showing 65 failure events from the about 2010 which also includes significant failures in transporting and storage of Lithium-ion batteries</p> | |
| REP4-085 | <p>In Response to Applicant’s responses submitted at deadline 3 to Roy Clegg submissions [REP3-033]</p> <p>At this stage, it should be possible to confirm that the applicant will build their own water supply or provide tanks or bring supplementary water supplies on site. Any of these options will affect the infrastructure on the site and information should have previously been determined by the applicant.</p> <p>To suggest that LFRS could bring supplementary water supplies to the site in an acceptable incident response time frame is unacceptable!</p> <p>It is also unacceptable that the validation of water supplies by an independent Fire Protection Engineer should minimise the requirement for direct FRS intervention in a thermal runaway incident. Will the Applicant</p> | <p>Please see the Applicant’s note on Frequently Asked Questions about the BESS [REP4-048] which provides further details on water supply. In summary, the Applicant intends to meet the water requirement of 1900 litres per minute for at least 2 hours (as advised by Lincolnshire Fire and Rescue Service) by incorporating two water storage tanks within its indicative scheme design for the BESS site. These will hold 228,000 litres of water for use in an emergency. In order to fill the on-site water tanks, the Applicant intends to either connect into Anglian Water’s water main located in the A156, or use a water tanker to bring the water to site. The tanks will be filled with water before the Scheme is commissioned and water levels topped up periodically as required.</p> <p>Further, Figure 1 at Appendix B of the Applicant’s note on Frequently Asked Questions about the BESS [REP4-048] provides an indicative site layout, showing safety measures that might be included and are envisaged in the Applicant’s Outline Battery Safety Management Plan [APP-222] and Surface Water Drainage Strategy (see Appendix 9-C of the Environmental Statement [APP-139]). This includes the</p> |



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| | <p>determine specifically, the legislation referred to and the amount of additional capacity.</p> <p>Cases of fires in solar projects are becoming common place and a few have been identified in the WR's. Below is a response that should also not be noted.</p> <p>Fire Fighting and Tactical Response by West Yorkshire Fire & Rescue Authority to a 49.9 MW/99.9 MWh BESS, Solar Project.</p> <p>The risks of vapour cloud, thermal runaway and explosion are unfortunately very real and are becoming more common as we see an increase in the number of BESS installations rise.</p> <p>There is currently no definitive or 'preferred' way of putting out a lithium ion/lithium iron fire. There are in effect two main options, one being to let it burn, the other being to use significant amounts of water for a protracted period.</p> <p>In this case, should the let it burn approach be taken, it may create a chain reaction from one unit to the next. Therefore, even in this case, there is a high possibility that attending crews will require large amounts of water to protect the exposure risks and disperse the vapour cloud (to ensure it remains below the explosive thresholds). This is likely to continue for the period of multiple hours whilst the unit(s) burns itself out. There are minimal alternative options, however due to the amounts of water we would use the Environment Agency will need to consider the impact of run off into the local water. Due to the risk involved in these types of energy storage systems, we would deploy minimum staff into the risk area for the shortest amount of time to place ground monitors, with a view that two or three of these would be used to apply water from multiple sides (where possible).</p> | <p>potential location of lagoons and drainage systems beneath the BESS modules which could be in place to deal with fire water in the event of an incident. The principle of a lagoon water storage scheme is that the water used for fire suppression or alternatively (depending on the model of batteries installed) cooling of adjacent units, will be collected within the lagoon and then re-used by the fire services. Therefore, the water used in firefighting could be collected and re-used multiple times.</p> <p>Regarding the requirement for direct fire service intervention in a thermal runaway incident, please refer to the Applicant's note on Frequently Asked Questions about the BESS [REP4-048]. BESS design continues to evolve but it is not anticipated that firefighting techniques will involve direct jets of water onto equipment but will instead be limited to containment and cooling of the adjacent units to prevent the fire from spreading and that the BESS would be designed to ensure this. Unless there are immediate threats to life safety or similar threats, recent BESS fire test research recommends monitoring BESS equipment with thermal imaging devices and monitor BESS control data, if necessary, consider a defensive fire attack by performing exposure cooling (boundary cooling) on adjacent equipment to limit the spread of the fire. The Applicant will liaise with Lincolnshire Fire and Rescue Service (LFRS) to develop a defensive firefighting strategy as part of its Emergency Response Plan for the specific BESS design installed.</p> <p>Regarding the extract from the Firefighting and Tactical Response by West Yorkshire Fire and Rescue, and in particular the amount of water needed for a battery fire and runoff of this water, please refer to the first paragraph of this response.</p> <p>As to the specific questions raised, the Applicant's answers are as follows, but please generally see the Applicant's answers on contaminated water and other safety concerns in its note on Frequently Asked Questions about the BESS [REP4-048].:</p> |



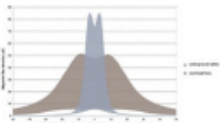
| Rep Ref | Summary | Applicant Response |
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| | <p>Guidance suggests that lithium ion/lithium-ion batteries should be doused with significant amounts of water, and ideally subject to full submersion of the batteries for a period of 24 hours. Taking a two-ground monitor attack for 24 hours, would apply 5,472,000 litres of water (to confirm that is approx. 5.5 million litres). The runoff of these tactics would likely have a significant impact on the surrounding area, we recommend the Environment Agency consider this impact.</p> <p>There are many questions raised in the WR'S submissions which have been unanswered by the Applicant:</p> <p>Will the penstock valve be able to automatically detect contaminated fire runoff water and rainwater and then divert either to an appropriate channel?</p> <p>How will the runoff water be contained, tested /treated and discharged to the SuDS?</p> <p>If the lagoon is already full of rainwater how will the contaminated fire water, be disposed of?</p> <p>If a fire occurs in a battery, will the site be shut down and will it shut down until such time as the contaminated water has been filtered and disposed of to ensure that a further fire can be satisfactorily and safely dealt with?</p> <p>In the event of a fire and shut down of the solar farm will the developer be confident of continuing and is there a risk of failure and closure of the solar farm permanently?</p> | <p>1. Will the penstock valve be able to automatically detect contaminated fire runoff water and rainwater and then divert either to an appropriate channel?</p> <p>Answer: The precise system for managing contaminated water would be dealt with at the detailed design stage. An automatic system will be installed that allows rainwater to exit the bund under normal conditions but closes in the event of a fire or if the fire suppression system is otherwise activated. This would isolate the water to ensure that any firewater is captured for analysis. The final design of the system would be agreed at the detailed design stage. This trapped firewater may then be reused as firefighting water as required. This approach follows the management plan detailed in the "Protocol for the disposal of contaminated water and associated wastes at incidents 2018" jointly issued by the Environment Agency, Northern Ireland Environment Agency, Water UK and the Chief Fire Officers Association.</p> <p>2. How will the runoff water be contained, tested /treated and discharged to the SuDS?</p> <p>Answer: The exact fire safety measures that will be in place will be decided at the detailed design stage. Figure 1 at Appendix B of the Applicant's note on Frequently Asked Questions about the BESS [REP4-048] provides an indicative site layout, showing safety measures that might be included and are envisaged in the Applicant's Outline Battery Safety Management Plan [APP-222/7.1] and Surface Water Drainage Strategy (see Appendix 9-C of the Environmental Statement [APP-139/3.3]). This includes the potential location of lagoons and drainage systems beneath the BESS modules which could be in place to deal with fire water in the event of an incident. this intention of a lagoon based system is that a combination of positive drainage and swales/infiltration basins around the perimeter of the BESS act as a natural barrier to runoff or collecting runoff into a storage lagoon. The</p> |



| Rep Ref | Summary | Applicant Response |
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| | | <p>trapped water would be captured for analysis and then if appropriate reused as firefighting water. Water used for firefighting purposes will be dealt with following the management plan detailed in the "Protocol for the disposal of contaminated water and associated wastes at incidents 2018" jointly issued by the Environment Agency, Northern Ireland Environment Agency, Water UK and the Chief Fire Officers Association.</p> <p>3. If the lagoon is already full of rainwater how will the contaminated fire water, be disposed of?</p> <p>Answer: As above, an automatic system will be installed that allows rainwater to exit the bund under normal conditions but closes in the event of a fire or if the fire suppression system is otherwise activated. Therefore, the lagoon will remain drained under normal conditions, ready to be filled in the event of an incident.</p> <p>4. If a fire occurs in a battery, will the site be shut down and will it shut down until such time as the contaminated water has been filtered and disposed of to ensure that a further fire can be satisfactorily and safely dealt with?</p> <p>Answer: This would be detailed in the emergency response plan agreed with LFRS. For example, LFRS might wish for batteries in any adjacent containers or racks to be safely discharged in the event of a fire to minimise any additional risk which would be in contravention to an automatic shutdown.</p> <p>With regards to follow-up actions to any fire, the Applicant would carry out a review and include any recommendations from that review into the emergency response plan and battery safety management plan if required. Any decision on shutting down the BESS system or continuing to operate would be taken in liaison with LFRS. This would include a review and risk assessment on any trapped water.</p> |



| Rep Ref | Summary | Applicant Response |
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| | | <p>When preparing the Emergency Response Plan and Battery Safety Management Plan, the Applicant would take into account the latest good practices for battery safety as guidance continues to develop in the UK and around the world.</p> <p>5. In the event of a fire and shut down of the solar farm will the developer be confident of continuing and is there a risk of failure and closure of the solar farm permanently?</p> <p>Answer: The response to a fire and any potential shut down will depend on the exact circumstances and conditions of the incident. The response would be in line with the Applicant's Emergency Response Plan, as agreed with LFRS. More generally speaking, where fires have occurred on solar farms, the damage has tended to be quite localised and any fire would result in the affected area being isolated while an investigation is undertaken and remediation actions are planned. Solar PV farms are modular and only events that affect the main connections such as the substation would affect a sizable portion of a project.</p> <p>It is standard practice for operators of solar PV farms to obtain insurance against such events and therefore it is hard to see a scenario where a fire would result in risk of failure and closure.</p> |
| 3. Electromagnetic Fields | | |
| REP4-083 | The desk studies undertaken in Environmental Statement Volume 3 Appendix 8-E: Aquatic Baseline Report 2.5.1, identifies species which are protected, but the references used, do not take account of the effect of EMF on the species noted. | To provide further evidence on the potential impacts of EMF on important aquatic receptors, a risk assessment has been undertaken for the grid connection corridor and in particular the crossing of the River Trent. This has been submitted into the Examination at Deadline 5. |

| Rep Ref | Summary | Applicant Response |
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| | <p>An Electromagnetic Field is a circular vector field that radiates out centrally from its stronger central core with a magnetic influence on moving electric charges, electric currents, and magnetic materials. The electromagnetic fields will not be mitigated or stopped by covering them over or burying to a revised depth. In effect the EMF will at its core be distanced 2.9 metres and have an effective band width across the River Trent estimated at 12 metres.</p>  <p>7. and 8. The diagram [note no hyperlink], when enlarged will show the effect of EMF field strength set against underground and overhead cables and lateral core So how do you mitigate? Revert to using overhead cable lines for water crossings and other buried large power lines on site.</p> | <p>The risk assessment concludes that, as per the commitment within the Outline Design Principles [REP4-004] which is secured by Requirement 5 of the Draft DCO [REP4-023], the cable will be installed under the River Trent at a minimum of 5 m below the lowest surveyed point of the riverbed. At this depth the predicted magnetic field value at the riverbed surface is lower than the background geomagnetic field value.</p> <p>Therefore, it is considered that the probability of adverse effects of EMF from cables buried beneath watercourses for Gate Burton Energy Park and cumulatively with other schemes, on fish is extremely low, and will be negligible in the wider context of the watercourses and is therefore not significant.</p> |
| REP4-081 | <p>In Response to Applicant’s responses submitted at deadline 3 to Roy Clegg submissions [REP3-033]</p> <p>5. The AC-ELF exposures of EMF from underwater cabling is more concerned and concerning when associated with water as opposed to ground based Radio Frequency emissions from G4, G5 mobile transmissions. The buried depth of the cable will have little or no impact on EMF unless the cabling is buried to about 10 metres. The Applicant has provided no information to support their claim that the design and burial of the cable will impact of the transmitted EMF. Moreover, the EMF transmission across the River Trent will be about 10 metres in width, with fish species capable of transiting through a small area.</p> | <p>As set out in Chapter 8: Ecology and Nature Conservation of the ES [APP-017/3.1] and detailed in Table 8-1, a combination of desk-based research and field surveys were used to determine the ecological baseline conditions, including those for the aquatic environment. These data then informed the assessment presented in Chapter 8: Ecology and Nature Conservation.</p> <p>To provide further evidence on the potential impacts of EMF on important aquatic receptors, a risk assessment has been undertaken for the grid connection corridor and in particular the crossing of the River Trent. This has been submitted into the Examination at Deadline 5.</p> <p>The risk assessment concludes that, as per the commitment within the Outline Design Principles [REP4-004] which is secured by Requirement 5 of the Draft DCO</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p>6. It is not clear what the comprehensive aquatic desk study has revealed or informed the ecological appraisal and impact appraisal.</p> <p>7. The Applicant has not provided any meaningful information to suggest that there will be no significant adverse effects on the aquatic life</p> | <p>[REP4-023], the cable will be installed under the River Trent at a minimum of 5 m below the lowest surveyed point of the riverbed. At this depth the predicted magnetic field value at the riverbed surface is lower than the background geomagnetic field value.</p> <p>Therefore, it is considered that the probability of adverse effects of EMF from cables buried beneath watercourses for Gate Burton Energy Park and cumulatively with other schemes, on fish is extremely low, and will be negligible in the wider context of the watercourses, and is therefore not significant.</p> <p>It should also be noted, that the proposed crossing location on the River Trent is tidally-affected. As such it unlikely to be used for spawning by Atlantic salmon, brown/sea trout, sea lamprey, or river lamprey, all of which typically spawn in clean gravels within freshwater reaches that occur a significant distance upstream of the proposed crossing. The proposed crossing location will also not be used for spawning by European eel, which spawn thousands of kilometres away within the Sargasso Sea. The proposed crossing location is more likely to be a corridor through which species will be transiting to suitable spawning and/or maturation habitat rather than a habitat in which the species will reside for any significant periods of time.</p> |
| REP4-082 | <p>The Applicant has stated that the design of the buried cables is effective mitigation against any perceived or potential impacts on important ecological features is satisfied that there is no potential for significant adverse effects on the flora and fauna contained in the WR's. What the applicant has failed to do, is identify and specify the design of the cables and demonstrate how they will provide effective mitigation against the effects of EMF on Flora and Fauna at the site.</p> | <p>The design of the cables is set out in ES Volume 3: Appendix 2-B Grid Connection Construction Method Statement [APP-111/3.3] and the Response to the UKHSA submitted at Deadline 4 which was subsequently accepted by the UKHSA (see Appendix A to the Deadline 4 Applicant Letter) note [REP4-001].</p> <p>As set out in the previous responses, the risk assessment, submitted at Deadline 5, concludes that the cables being buried to a depth of at least 5 m is sufficient to mitigate any significant effects on aquatic receptors.</p> |



5. Table 5-1: Applicant Responses to representations submitted by other Interested Parties at Deadline

| Rep Ref | Summary | Applicant Response |
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| 1. Design Parameters of the Gate Burton Scheme | | |
| REP4-075 | <p>Regarding Design Principles and Applicant’s Response to First Written Questions Q.1.9.2: <i>“The project has taken a multi-disciplinary, iterative approach to the design of the scheme and the project is considered to represent good design. The design has been influenced by engagement with key environmental stakeholders, local planning authorities and the community. This is shown in the relative lack of Relevant Representations criticising the design of the Scheme.”</i></p> <p>The lack of criticism of the design is most likely due to the lack of detail provided by the applicant in the descriptions contained within the Scheme documents ie Table 2.1 Design Parameters Maximum height of Solar PV Panel above ground level (AGL). The maximum height of the highest part of the PV Panel will be 3.5m AGL. Indicative slope and orientation of the PV Tables from the horizontal. The PV Tables will slope towards the south, at a fixed angle of 5 to 45 degrees from horizontal. Indicative footprint. Approximately 80m length x up to 9m wide per PV table. Indicative separation distance between rows of PV Tables. 2m at the closest point and 15m at the furthest point. This means that applying simple geometry the PV Tables can be any size between 5m and 9m tall and 80m long. That is not design information that the general public can use to generate comments, but indicative parameters, hence the lack of RR’s criticising the scheme design.</p> | <p>As stated within Chapter 2: The Scheme [APP-011/3.1] the design of the Scheme is an iterative process, based on environmental assessments and consultation with statutory and non-statutory consultees. Chapter 3: Alternatives and Design Evolution [APP-012/3.1] describes this process further, including options that have been considered and discounted or amendments made to the Scheme design in response to the environmental studies and consultation feedback.</p> <p>A number of the design aspects and features of the Scheme cannot be confirmed until the tendering process for design and construction has been completed. For example, enclosure or building sizes may vary within the DCO Parameters, depending on the applicant selected and their specific configuration and selection of plant.</p> <p>Use of design parameters is therefore adopted to present a likely worst-case assessment of potential environmental effects of the Scheme that cannot yet be fixed. Wherever an element of flexibility is maintained, the likely worst-case impacts are reported in this ES.</p> <p>The EIA has therefore been undertaken adopting the principles of the ‘Rochdale Envelope’, as described in the Planning Inspectorate Advice Note 9 (Ref 2-1). This involves assessing the maximum (and where relevant, minimum) parameters for the Scheme where flexibility needs to be retained.</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p>In addition, the ‘relative lack of Relevant Representations criticising the design of the Scheme’ is also due to the lack of meaningful and informative consultation with the communities. There have been many occurrences of unanswered questions and misleading information which has therefore discouraged and disabled residents and communities to make Relevant Representations in this regard.</p> <p>Indicative PV Panel colour. The PV Panels will be dark blue, grey, or black in colour. So what colour is the design based upon?</p> <p>PV Mounting Structure. Will be galvanised steel or anodised aluminium poles. So what is the design based upon?</p> <p>A Power Conversion Unit comprises an inverter, a transformer, and switchgear, which can be grouped together or distributed throughout the Site. So what is the design based upon?</p> <p>Type of transformer. Transformers may be standalone units or pre-assembled with inverters and switchgear to form a single contained unit (i.e. enclosed). Colour of transformers. Typically finished in a colour in keeping with the prevailing surrounding environment, often with a grey or green painted finish. So what configuration and what colour is the design based upon?</p> <p>Type of switchgear. The switchgear may be an individual standalone unit within its own enclosure or may be pre-assembled with transformers and inverters to form a single contained unit. Colour of switchgear. Typically finished in grey. So what configuration and what colour is the design based upon?</p> | <p>Table 2-1 sets out the parameters that have been assessed within this ES.</p> <p>Each technical chapter within the ES has assessed the design considered to be the likely worst-case scenario for that discipline to determine significance of effect.</p> <p>The process for detailed design is set out in Requirement 5 (detailed design approval) of Schedule 2 of the draft DCO. Following that process, the Applicant would work with the relevant local planning authorities (LPAs) to incorporate that detail into the design.</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p>BESS Compound will include up to a maximum of 156 battery storage containers, battery inverters, transformers and switchgear and access tracks. (We are now informed that there will be 240 BESS containers.) Indicative dimensions BESS to be installed in compound with a maximum footprint up to 200m x 180m. (Has this been increased to accommodate the greater number of BESS containers?) Maximum dimensions of one container: up to 4.5m in height, 12.5m by 2.5m footprint. Colour Typically finished in white, green or grey. So what configuration and what colour is the design based upon?</p> <p>Control building and Office Maximum parameters: 20m by 20m footprint and 6m in height, adjacent to the BESS Compound.</p> <p>The plot plan indicates only one access road running adjacent to an area that contains a potential hazard. (You should always provide two escape routes as a minimum.) So is this in accordance with good design practice and Health and Safety guidelines?</p> <p>Before proceeding with this examination the applicant should finalise these and similar design criteria and the results should become conditions if the proposal is approved.</p> | |
| <p>2. Landscape and Visual Impact</p> | | |
| <p>LCC REP4- 052</p> | <p>Technical Memorandum in response to the Applicant’s Valued Landscape Technical Note [REP3-030] submitted at deadline 3.</p> <p><i>“...while we generally agree with the statement within paragraph 3.2.2 that the “landscape character of the study area including the physical location of</i></p> | <p>Comment noted. The Applicant’s response within the Valued Landscape Technical Note [REP3-030] as submitted at Deadline 3 remains unchanged.</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p><i>the Scheme is rural but not out of the ordinary”, it has been read that the Valued Landscape Technical Note is taking the entirety of the DCO redline area and LVIA study area (some 3km west and 5km to the norther, east and south of the order limits) as the baseline for this judgment. This may be considered to dilute the value rating of higher value landscape character areas, specifically WLDC AGLV. Whereas, the area that LCC judge to be a “valued landscape” is aligned with the WLDC AGLV boundary, not the entirety of the study area.</i></p> <p><i>The landscape of the site and surrounding landscape to the west of the railway line clearly is of a higher value to that located to the east, which aligns with the WLDC AGLV designation. This is evident on site, with this western area being more intimate in character; well-structured vegetation and woodland cover with stronger field boundaries; in good condition with evidence of positive maintenance; reduction in visual detractors; having a general sense of tranquillity. It is clearly different in character than adjacent areas to east, which is a much more open landscape with much larger scale arable fields and less vegetation cover.</i></p> <p><i>This higher landscape value to the west of the railway line is acknowledged and reflected in the applicants LVIA in the assessment of Local Landscape Character Areas (LLCA) in this area (LLCA 01 and LLCA 02 which both lie within the AGLV) assessed as being of higher value:</i></p> <ul style="list-style-type: none"> <i>- LLCA 01 Gate Burton Estate: Assessed as High Value; and</i> <i>- LLCA 02 Ancient Woodland Ridge: Assessed as Medium Value.</i> <p><i>The Valued Landscape Technical Note correctly references the Landscape Institute Technical Guidance Note 02/21: Assessing landscape value outside national designations (TGN 02/21) as a resource to guide judgements on</i></p> | |



| Rep Ref | Summary | Applicant Response | | | | |
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| | <p><i>landscape value and subsequently ‘Valued Landscapes’. TGN 02/21 clarifies that: “A ‘valued landscape’ is an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes.”</i></p> <p><i>TGN 02/21 goes on to provide further guidance, and of note is the statement that: “The character and quality of landscapes across England are variable and what may be defined as reaching the ‘valued landscape’ threshold/criteria in one part of the Country may be considered to be an ‘everyday landscape’ in another.”</i></p> <p><i>Therefore, we judge that the WLDC AGLV that would be impacted by the development would be a ‘Valued Landscape’ in NPPF terms. It contains multiple qualities that clearly distinguish and elevate it above the adjacent and wider, more every day, landscape in this part of Lincolnshire, particularly the more open landscape to the east. This area has demonstrable valuable physical attributes that elevate it from the more ordinary landscape to the east, which is reinforced by the local designation as an AGLV.”</i></p> | | | | | |
| 3. Land Use and Agricultural Land | | | | | | |
| REP4-056 | <p><i>“Rep2-056 – See Pages 34 and 35 - Whilst it is noted that the table inserted is in response to the impact on tenant farmers it does raise questions regarding the use of the crops and anaerobic digestion (AD). All the 4 farms in question do have crops used either exclusively or rotationally for AD.</i></p> <p><i>Department for Energy, Security & Net Zero has recently (this year) published a report which states; “Biomass is already a key component of our energy supply, with bioenergy generating 11% of total electricity supply in 2022. But its future potential is extraordinary: it is a renewable source that can be used across all three energy sectors (transport; heat; and electricity), as well as non-energy sectors.” The use of crops for biomass is not unusual. This is</i></p> | <p>Solar energy production is more efficient than alternative forms of energy production gained from cropping the land.</p> <p>The Applicant notes the following energy outputs for crops compared to solar, using information available on the Forestry Research website (Potential yields of biofuels per ha p.a. - Forest Research):</p> <table border="1" data-bbox="1144 1225 1731 1369"> <thead> <tr> <th data-bbox="1144 1225 1601 1332">Fuel</th> <th data-bbox="1601 1225 1731 1332">Energy per ha p.a. (MWh/ha.a)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1144 1332 1601 1369">Miscanthus (@25% moisture content)</td> <td data-bbox="1601 1332 1731 1369">63</td> </tr> </tbody> </table> | Fuel | Energy per ha p.a. (MWh/ha.a) | Miscanthus (@25% moisture content) | 63 |
| Fuel | Energy per ha p.a. (MWh/ha.a) | | | | | |
| Miscanthus (@25% moisture content) | 63 | | | | | |



| Rep Ref | Summary | Applicant Response | | | | | | | | | | | | | |
|---|---|--|--------------------------------------|----|-------------------------------|------|-----------------------------|----|-------------------------|----|--------------------------|----|---|-----|--|
| | <p><i>something which is already in operation and there is a local biomass AD plant on A15, within 12 miles of the proposed solar site.</i></p> <p><i>What will the impact be on this plant? Has this even been considered? Land which is already being used for renewable energy should not be removed from use in order to industrialise our area with solar panels. Removing this land (as well as the other thousands of acres) will put the biomass AD targets at risk; Biomass is completely renewable in every sense of the word."</i></p> | <table border="1"> <tr> <td>Wheat straw (@ 20% moisture content)</td> <td>13</td> </tr> <tr> <td>Biodiesel (from rapeseed oil)</td> <td>11.3</td> </tr> <tr> <td>Bioethanol (from sugarbeet)</td> <td>33</td> </tr> <tr> <td>Bioethanol (from wheat)</td> <td>17</td> </tr> <tr> <td>Biogas (from sugar beet)</td> <td>44</td> </tr> <tr> <td>Solar based on Gate Burton Scheme details</td> <td>382</td> </tr> </table> | Wheat straw (@ 20% moisture content) | 13 | Biodiesel (from rapeseed oil) | 11.3 | Bioethanol (from sugarbeet) | 33 | Bioethanol (from wheat) | 17 | Biogas (from sugar beet) | 44 | Solar based on Gate Burton Scheme details | 382 | <p>The figure provided for solar yield is based on the average predicted yield from the scheme of 449,800MWh per annum divided by 1,176 acres, being the area covered by Work Number 1 (the solar panels and balance of solar system plant). The electricity generated by the Scheme will depend on the final layout of the Scheme and the detailed technology choice.</p> <p>This would provide a significant contribution to the decarbonisation of the electricity grid. Electricity generated by the Scheme will be low cost, predictable and will not be reliant on volatile fossil fuel markets, thus the Scheme will support British energy security of supply and affordability, as well as reducing electricity costs for consumers. The Scheme will also incorporate a Battery Energy Storage System (BESS), which can store electrical energy when it is not needed and release it when it is needed. Electricity storage of this nature enables further decarbonisation of the National Grid and increases security of supply as more renewable energy facilities are connected to the grid.</p> |
| Wheat straw (@ 20% moisture content) | 13 | | | | | | | | | | | | | | |
| Biodiesel (from rapeseed oil) | 11.3 | | | | | | | | | | | | | | |
| Bioethanol (from sugarbeet) | 33 | | | | | | | | | | | | | | |
| Bioethanol (from wheat) | 17 | | | | | | | | | | | | | | |
| Biogas (from sugar beet) | 44 | | | | | | | | | | | | | | |
| Solar based on Gate Burton Scheme details | 382 | | | | | | | | | | | | | | |
| 4. draft Development Consent Order and protective provisions | | | | | | | | | | | | | | | |
| REP4-055 | <p><i>"The dDCO does not make reference to generating capacity. This can only be for one reason – the applicant expects there to be uplift in the future, by some means. The only restriction will come in the form of a certified document. This is not appropriate since the documentation is assumptive.</i></p> | <p>As set out by the Applicant in its responses to the Examining Authority's first written questions [REP2-041], the level of generation is not sought to be capped. The Applicant has based its Application on the design parameters which are secured in the draft DCO on the basis of current technology and current supply chain, although</p> | | | | | | | | | | | | | |



| Rep Ref | Summary | Applicant Response |
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| | <p><i>The DCO should have restriction for generation capacity. There is precedence. See DCO for Burbo Bank Extension Offshore Wind Farm Order 2014.</i></p> <p><i>The applicant seeks to include and then exclude solar from differing forms of generation Orders. Quite simply, either solar is electricity generation and subject to Orders or it is not. To pick and choose whether something is using gas, wind or nuclear to generate electricity is incorrect. It is simply generation.”</i></p> | <p>there is a possibility that this develops between the draft DCO being granted and the Scheme being constructed. Ultimately if the parameters secured under the draft DCO are found to be acceptable, then increased renewable energy output from the solar PV panels within the confines of those parameters would be of additional benefit.</p> |
| REP4-056 | <p><i>“There is a limit of 60 years proposed. Should a minimum period also be proposed? There is a clause within Burbo Bank and multiple offshore renewable energy DCO’s for the inclusion of abatement of works abandoned or decayed. This would prevent inoperable solar sites becoming derelict prior to the expected decommissioning date. Abatement of works abandoned or decayed:</i></p> <p><i>8.—(1) Where Work No. 1(a) and Work No. 2 or any part of them are abandoned or allowed to fall into decay, the Secretary of State may, following consultation with the undertaker, issue a written notice requiring the undertaker at its own expense to repair and restore or remove Work No. 1(a) and Work No. 2 or any relevant part of them, without prejudice to any notice served under section 105(2) of the 2004 Act.</i></p> <p><i>(2) The notice may also require the restoration of the site of the relevant part(s) of Work No. 1(a) and Work No. 2 to a safe and proper condition within an area and to such an extent as may be specified in the notice.</i></p> | <p>Please see the Applicant’s response to the Examining Authority’s third written question Q3.6.2.</p> |



| Rep Ref | Summary | Applicant Response |
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| | <p><i>(3) If the undertaker fails to comply in any respect with a notice served under this article within the period of 30 days beginning with the date of service of the notice, the Secretary of State may take whatever steps the Secretary of State considers appropriate to achieve the result required by the notice, and any expenditure incurred by the Secretary of State in doing so shall be recoverable from the undertaker."</i></p> | |

Appendix A - Tourism Assessment Technical Note

1. Introduction

- 1.1.1 This technical note has been prepared in response to West Lindsey District Council's (WLDC) response to the Examining Authority's (ExA) Second Written Question 2.13.3 submitted at Deadline 4 **[REP4-059]**.
- 1.1.2 The ExQ2 2.13.3 wording is below:
- 1.1.3 'Effects on tourism'**
- 1.1.4 *In terms of 'Tourism' being scoped out of the ES, given the cumulative effects and potential for effects on landscape which may impact visitor numbers what is the Applicants assessment of the effects of the Scheme in combination with other Nationally Significant Solar schemes on the general tourist economy of the wider area and the concerns expressed by the host authorities. Not just on specific individual operators within the immediate locality.'*
- 1.1.5 WLDC's response is below:
- 1.1.6 *'WLDC acknowledges that this question is directed to the applicant; however, wishes to make the following comments. The impact of the application upon tourism and associated linked industry is a matter that WLDC maintain significant concerns. The applicant has not provided a full assessment of the likely impacts on tourism and falls short of the assessments carried out on adjacent projects; Cottam Solar Project in particular. WLDC consider that there is insufficient information on the likely tourism impacts to enable a robust assessment and judgement against policy to determine the acceptability of the project in this regard'.*
- 1.1.7 This technical note should be read in conjunction with the Applicant's response to ExQ2 2.13.3 submitted at Deadline 4 within the **Applicant Responses to Further Written Questions (Examining Authorities Question 2) [REP4-046]** which states:
- 1.1.8 *'The Applicant's EIA Scoping Report [APP-109] contained no specific reference to an assessment of effects on tourism as no specific receptors, such as visitor attractions, had been identified within the defined study areas to justify such an assessment being needed. The Scoping Opinion response [APP-110] received did not request that such an assessment was required. From a landscape perspective, the Scheme will be one of potentially four solar farms within or partially within the 5km study area. At the County and District Landscape Character Area scale all four schemes will lie within the Trent Valley LCA. Intervisibility between the schemes will be limited and views in combination will be typically dominated by the closest solar farm, whilst others are likely to be visible as a distant element. The relatively flat nature of the landform is such that no elevated views of the solar farms will be visible. Assuming each scheme includes mitigation through hedgerow planting, the scale of impacts to the landscape will be localised rather than a key characteristic of the landscape. The Trent Valley LCA will not be defined by solar farms or become a 'solar farm landscape' in which they are the defining characteristic and so will not impact on visitor numbers or the tourist economy of the wider area. In respect of recreational walking generally, as set out in the*

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

- 1.1.9 The aim of the technical note is to assess the likely impacts of Gate Burton Energy Park on tourism and recreation during the construction and operational phases. Respective study areas for the assessment are set out in each section.

Construction

- 1.1.10 During the three-year construction period of the Scheme, activities at the Site will require temporary construction workers and associated traffic, construction traffic and the presence of construction equipment. The Scheme's potential effect on temporary visitor accommodation provision was assessed in **Chapter 12: Socio-Economics and Land Use [REP4-010]**. The potential changes to landscape views and construction traffic impacting the desirability and accessibility of tourism and recreation routes and centres could both impact the prosperity of the local tourism economy.

Visitor Expenditure

- 1.1.11 In **Chapter 12: Socio-Economics and Land Use [REP4-010]** the potential impact on the hotel, bed and breakfast and inns accommodation sector from the displacement of visitors in the construction phase due to accommodation required to host construction workers has been assessed. This considers a 60-minute drive time radius as the impact area. The assessment concludes that there will still be capacity within a 60-minute drive time of the Site and so no visitor displacement is expected as a result of the Scheme. In addition, a cumulative assessment of the effects on accommodation found that there would be no additional visitor displacement as a result of the construction of three additional nearby DCO solar schemes during the Gate Burton Energy Park construction period. Therefore, it is anticipated that there will be no effect on visitor expenditure as a result of the Scheme.

Visitor Attractions

- 1.1.12 The potential changes to landscape views and traffic during construction of the Scheme could impact on desirability of and access to visitor attractions in the local area. The immediate surroundings of the Scheme are host to a small number of regionally important tourism destinations, as identified in Nottinghamshire's and West Lindsey's visitor economy strategies. Research suggests that within 5km of the Site (**Chapter 10: Landscape and Visual Amenity [REP2-010]** study area), there are four tourism attractions: Sundown Adventureland, North Leverton Windmill; Gainsborough Model Railway; and the Landmark Trust Chateau. As the tourism destinations mentioned are identified as regionally important, sensitivity of visitor attractions to change is considered to be medium.
- 1.1.13 The landscape and visual amenity assessment assesses that some receptors could negatively visually impacted by construction of the Scheme, which could impact desirability of visitor attractions. However, a **Framework Construction Environmental Management Plan [REP4-035]**, and an **Outline Landscape and Ecology Management Plan [REP2-037]** have been prepared which outline measures to limit visual impacts such as planting of new hedgerows and trees which will take place in advance of construction. Therefore, it is not expected that construction will impact upon the use, desirability and importance as visitor attractions. In respect of traffic, **Chapter 13: Transport and Access [REP4-012]** concludes that construction traffic impacts will have a negligible impact on the highway network due to the temporary nature of construction trips and the minimal anticipated levels of additional traffic movements. Therefore, construction traffic is not likely to impact access to attractions and overall, the anticipated impact magnitude on visitor attractions is considered to be low. As a result, the likely effect on visitor attractions during construction is assessed as minor adverse, which is not significant.

Recreation Facilities and Attractions

- 1.1.14 Construction of the Scheme could also impact desirability of recreational facilities and attractions in the local area. **Chapter 10: Landscape and Visual Amenity [REP2-010]** identifies the River Trent as a recreational body of water used for boating activities within the 5km study area. Boat users on the River Trent could be visually impacted by construction of the Scheme. In addition, formal recreational facilities for activities such as golf, cricket, and flying have been identified within 5km of the Site, including Lincoln Golf Club, East Drayton Sports Cricket Club and Retford Model Flying Club. Due to the regional significance of the River Trent, and the separation of the Scheme from the recreational facilities listed, the sensitivity of recreational facilities and attractions to change is assessed as medium.
- 1.1.15 **Chapter 10: Landscape and Visual Amenity [REP2-010]** details that the visibility of the Scheme from the River Trent will be limited considerably by intervening vegetation along the river embankment and by intervening vegetation located between the river and the Scheme. Intermittent views of the construction works along the A156 and the construction compound are likely to be experienced along a section of the river between Knaith in the north and Gate Burton in the south. However, mature bands of trees along field

boundaries as well as vegetation along the eastern embankments will screen the majority of views. In addition, there will be limited visual effects on other recreational facilities due to their distance from the Scheme and screening provided by intervening vegetation and landform. The magnitude of impact for boat users along the River Trent and users of other recreational facilities is therefore assessed as low as intervening vegetation, topography and/or built structures will quickly screen views towards the Scheme from recreational facility users. Therefore, the effect on recreation facilities and attractions during construction is assessed to be minor adverse, which is not significant.

Other Tourism and Recreation Receptors

- 1.1.16 As a result of the identified direct impacts on tourism and recreation receptors arising from the construction of the Scheme, there are likely to be secondary impacts on local businesses that are reliant on tourism. Thus, the maximum minor adverse effect on the desirability and access of tourist attractions and recreation facilities (see assessment of 'visitor attractions' and 'recreation facilities and attractions') could lead to a proportional maximum minor adverse effect on the local tourism industry and economy during the Scheme's construction, which is not significant.

Operation

- 1.1.17 The Scheme is expected to have a 60-year operational lifetime, during which the Scheme is likely to have a degree of impact on tourism and recreation in the study area. During the Scheme's operational lifetime, any potential impacts on tourism and recreation would be expected to arise from change in landscape context and the potential subsequent reduction in desirability of the local area to visitors.

Visitor Attractions

- 1.1.18 Potential changes to landscape views and traffic during operation of the Scheme could impact on desirability of and access to visitor attractions in the local area. Within 5km of the Site, locally important tourism attractions will only in a minimal number of instances directly impacted by the Scheme due to embedded mitigation and physical separation from attraction sites. These are attributed with a low sensitivity with regard to tourism impacts due to their local level of importance. Whilst many of the local attractions within the Scheme's area of visual influence (identified in **Chapter 10: Landscape and Visual Amenity [REP2-010]**) are likely to be negligibly affected by the operation of the Scheme, those that are reliant on their landscape setting as an intrinsic part of their value may be impacted to a greater extent, such as on their surrounding landscape character and serenity.
- 1.1.19 The landscape and visual amenity assessment assesses impacts to receptors during year 1 of operation and year 15. The **Outline Landscape and Ecology Management Plan [REP2-037]** outlines measures to limit visual impacts during operation such as planting of new hedgerows and trees. Therefore, it is not expected that operation will impact upon the use, desirability and importance as visitor attractions. Further, in regard to access, **Chapter 13:**

Transport and Access [REP4-012] concludes that the Scheme is expected to attract a low level of vehicle trips during the operational phase, i.e. up to 15 vehicle arrivals and 15 vehicle departures daily, and therefore operational traffic impacts have been scoped out of the ES. As such, the anticipated impact magnitude of effect on visitor attractions is low, and as a result the likely effect on is minor adverse, which is not significant.

Recreation Facilities and Attractions

- 1.1.20 During the operational lifetime of the Scheme, impacts could occur to recreational facility users in the local area. These are only anticipated as a result of change to landscape setting for some recreational waterway users and recreational facility users. **Chapter 10: Landscape and Visual Amenity [REP2-010]** concludes that the magnitude of visual effects along the River Trent will be very low and their effect negligible, as a result of intervening woodland and vegetation, built structures and topography. Additionally, formal recreational facilities for activities such as golf, cricket, and flying identified within 5km of the Scheme are also anticipated to experience no more than a low magnitude visual impact due to similar reasons.
- 1.1.21 Given the regional significance of the River Trent and the separation of recreational facility receptors from the Scheme, the sensitivity of users to change is assessed as medium. The magnitude of impact is assessed as low due to anticipated planting and intervening vegetation, limiting visual impacts. Therefore, the effect on recreation facilities and attractions in the study area is anticipated to be minor adverse, which is not significant.

Other Tourism and Recreation Receptors

- 1.1.22 The development of the Scheme will have a long-term impact on the landscape character of some tourism and recreation receptors.
- 1.1.23 This could therefore have a secondary impact on local businesses that are reliant on tourism. Thus, the maximum long-term minor adverse effect on the desirability of local tourist attractions and recreation centres in the local area could lead to a proportional maximum long-term minor adverse effect on the local tourism industry and economy during the Scheme's operational lifetime, which is not significant.

2. Summary

- 2.1.1 In summary, the impact of the Scheme has been assessed on visitor attractions, recreation facilities and attractions and other tourism recreation receptors during the construction and operation of the Scheme. The assessment concludes that the effect is **not significant**.