



Meeting note

Project name	Gate Burton, West Burton Solar Project and Cottam Solar Project
File reference	EN010131, EN010132 and EN010133
Status	Final
Author	The Planning Inspectorate
Date	09 June 2022
Meeting with	Island Green Power, Low Carbon and Lincolnshire County Council
Venue	Microsoft Teams meeting
Meeting objectives	Discussion on Trial Trenching Requirements
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Position of the Applicants

The Applicants prefaced the discussion with reference to the British Energy Security Strategy and the pressing need for new energy generation infrastructure. They outlined discussions to date with Lincolnshire County Council (LCC) regarding a Written Scheme of Investigation (WSI) and trial trenching approach. The Applicants suggested that the approach had evolved from an initial agreement on a targeted, evidence-led approach, focusing on features identified through desk-based assessment and geophysical survey, into a more generic and costly percentage area-based approach. The geophysical survey results were noted to be of good quality to inform the evidence-led approach. The Applicants explained that LCC did not consider that geophysical survey data would fully identify the extent of archaeology present and therefore LCC required more trenches to be placed in 'blank' areas rather than identified areas of archaeology from the survey. LCC has requested 3+1% of trenching on site which the Applicants do not consider is proportionate to the potential impact of the development which it suggested was approximately 0.07% of the land area subject to the Cottam and West Burton developments. The Applicants suggested that the level of trenching was more consistent with the requirements for a housing development.

It was noted finally, that due to the disagreement regarding the amount of trenching required in blank areas, the Applicant did not have an agreed WSI and could not commence trial trenching in any areas, even where there was agreement regarding the need for such trenching.

The Inspectorate questioned whether cable trenches would be focused within the array sites or at the field margins. The Applicant confirmed that it would generally be in field margins and suggested that work with the greatest potential to interfere with archaeological remains was associated with features such as the battery storage element. The Applicant explained that methods of construction such as concrete footings could be used to avoid impacts but highlighted that these were generally not preferred.

Position of Lincolnshire County Council

LCC confirmed that it had requested 3+1% trenching, which it considered was required in order to ensure that impacts on unknown buried archaeological remains would be avoided. It particularly highlighted the impact of piling on burials. LCC suggested that its approach was proportionate to characterise the baseline to inform decision making. It also highlighted the limitations of magnetometry surveys in the Trent Valley area, which it emphasised was very sensitive archaeologically. LCC stated that the very large sites should not be treated differently from other sites and that their size did not remove the need for comprehensive evaluation.

LCC confirmed that it is broadly content with the draft WSI for trenching in areas of archaeological sensitivity identified by geophysical survey. It stated that there is no need to delay work for these agreed trenching locations. The Applicant welcomed this approach. LCC remained of the view that trenching in blank areas would require further discussion and potentially remain an area of disagreement and a matter for examination.

LCC expressed disappointment that discussions with the Applicant had not commenced until after publication of the Inspectorate's Scoping Opinion. The Applicant responded that the availability of geophysical survey data in March 2022 had dictated the engagement programme.

The Inspectorate questioned whether there were any means of focussing the survey approach for trenching activity in blank areas. LCC suggested that features such as geology and other desk-based/survey data could be used to focus trenching activity but could not fully be relied upon and that staged approaches to trenching were possible, e.g. using soil strip rather than full trial trenching in those areas where archaeological mitigation can be included within the development groundworks methodology.

Those areas of conventional groundwork impacts where traditional archaeological mitigation (excavation, strip map and record, or monitoring) would need less trenching as mitigation can be accommodated in the development groundworks. For areas where ground impacts do not allow for archaeological mitigation during works, sufficient evaluation trenching needs to be undertaken to identify any potentially unknown surviving archaeology across the site to inform mitigation before groundworks commence (either preserved by record or in situ).

The Inspectorate also queried whether some works could be undertaken post-consent drawing on examples such as the Cleeve Hill and Triton Knoll projects. LCC highlighted the need to provide sufficient information on baseline, impacts and mitigation to satisfy the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, however it acknowledged that some works could be undertaken post-consent. The Applicant's legal representative supported this position.

The Inspectorate questioned whether the Applicant had had similar discussions with other host authorities including West Lindsey District, Bassetlaw District and Nottinghamshire

County Councils on this matter. LCC explained that these councils are either represented by LCC's archaeology officers or else defer to LCC. The Applicant stated that there was great variability between local authorities regarding archaeological requirements and it would be helpful to have a consistent National position. The Inspectorate summarised the national policy position on archaeological investigations as set out in the Overarching National Policy Statement (NPS) for Energy (EN-1) and the draft NPS for Renewable Energy Infrastructure (EN-3). It was noted that the NPS do not specify percentage area excavation requirements and emphasise the need for proportionality.

Agreement and Next Steps

Both parties acknowledged that whilst they anticipated that there may be some continued disagreement, their goals are to achieve common ground and move forward. LCC emphasised that provided the Applicant can provide further detail in relation to the impacts of the Proposed Development, this would enable LCC to work with them to develop a targeted survey approach for blank areas.

- LCC agreed that work could commence on trenching of sensitive locations identified by the geophysical survey;
- Applicant committed to provide additional information on specific locations of intrusive works required for the Proposed Development; and
- LCC continues to recommend that the EIA needs to contain sufficient information on the archaeological potential which will be impacted by the development to allow for an appropriate mitigation strategy.

Meeting attendees