

West Burton Solar Project

Draft Statement of Common Ground Lincolnshire Wildlife Trust

Prepared by: Clarkson & Woods
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Contents

<u>1</u>	<u>INTRODUCTION</u>	<u>3</u>
1.1	PURPOSE OF THE DOCUMENT	3
1.2	PARTIES TO THIS STATEMENT OF COMMON GROUND	3
1.3	TERMINOLOGY	3
<u>2</u>	<u>RECORD OF ENGAGEMENT</u>	<u>4</u>
2.1	SUMMARY OF CONSULTATION	4
<u>3</u>	<u>MATTERS AGREED</u>	<u>6</u>
<u>4</u>	<u>MATTERS UNDER DISCUSSION</u>	<u>11</u>
<u>5</u>	<u>MATTERS NOT AGREED</u>	<u>12</u>
<u>6</u>	<u>SIGNATORIES</u>	<u>13</u>
6.1	OVERVIEW	13

Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.
Pre-Examination

Statement of Common Ground Lincolnshire Wildlife Trust

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1 Introduction

1.1 Purpose of the Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared as part of the proposed West Burton Solar Project Development Consent Order (the Application) made by West Burton Solar Project Ltd (The Applicant) to the Secretary of State for Energy Security & Net Zero (the Secretary of State) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) West Burton Solar Project Ltd. as the Applicant and (2) Lincolnshire Wildlife Trust.
- 1.2.2 Collectively, West Burton Solar Project Ltd. and Lincolnshire Wildlife Trust are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the tables in **Sections 3 - 5** of this SoCG:
- "Agreed" indicates where the issue has been resolved.
 - "Not Agreed" indicates a final position, and
 - "Under discussion" indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

2 Record of Engagement

2.1 Summary of Consultation

2.1.1 The parties have been engaged in consultation since the beginning of the proposed development. A summary of the meetings and correspondence that has taken place between West Burton Solar Project and Lincolnshire Wildlife Trust in relation to the Application is outlined in **Table 2.1**.

Table 2.1: Record of Engagement

Date & Form of Correspondence	Summary of Comment/Issues Raised	Summary of Action or outcome
<p>Applicant ecologist contacted LWT on 25/11/21 to request meeting to discuss progress on Scheme and approach to baseline assessment. No meeting took place but written response received from Conservation Officer dated 15/12/21.</p>	<p>LWT provided high-level advice on the expectations for avoidance and mitigation of impact and assessment of baseline conditions. Advice based on Preliminary Ecological Appraisals (PEAs) and generic design information. This document formed part of the consultation package submitted to PINS during the EIA scoping process.</p>	<p>Biodiversity Opportunities Mapping has been considered in the location of grassland, wetland and hedgerow habitat creation in 7.3 Outline Landscape and Ecological Management Plan [APP-311] in order to maximise positive impact.</p> <p>Grassland management practicalities have been discussed therein [APP-311] to maximise diversity.</p> <p>Mitigation for skylark and yellow wagtail has been put forward to reduce displacement effects in paragraphs 9.7.152-9.7.161 of 6.2.9 Environmental Statement - Chapter 9 Ecology and Biodiversity [APP-047].</p> <p>Roadside nature reserves (LNRs) have been considered when designing new accesses – avoiding direct harm as set out in paragraphs 9.7.5-9.7.21 of 6.2.9 Environmental Statement - Chapter 9 Ecology and Biodiversity [APP-047].</p> <p>Fencing permeability has been considered in relation to badgers and other small mammals as set out in paragraphs 9.7.119-9.7.132 and 9.7.202-9.7.213 of 6.2.9 Environmental Statement - Chapter 9 Ecology and Biodiversity [APP-047].</p> <p>Lighting impacts on bats have been considered with mitigation to reduce impacts proposed during construction and operation as set out in paragraphs</p>

Date & Form of Correspondence	Summary of Comment/Issues Raised	Summary of Action or outcome
		<p>9.7.87-9.7.106 of 6.2.9 Environmental Statement - Chapter 9 Ecology and Biodiversity [APP-047].</p> <p>BNG has been discussed comprehensively in 6.3.9.12 Environmental Statement - Appendix 9.12 Biodiversity Net Gain Report [APP-088].</p> <p>Post-construction ecological monitoring and habitat management objectives have been factored into 7.3 Outline Landscape and Ecological Management Plan [APP-311].</p>
<p>Applicant ecologist contacted Head of Conservation on 14/04/22 to discuss progress on Scheme and approach to baseline assessment of the cable routes. Telephone meeting took place 22/04/22.</p>	<p>LWT broadly satisfied with approach to ecological survey and assessment both in relation to array sites and the cable routes. LWT advised that resources were limited at LWT at the current time but would endeavour to put a response in writing in due course. No response received.</p>	<p>No action required as a result of the meeting.</p>
<p>Further request made by applicant ecologist by telephone to LWT for comment on cable route survey methodologies. Email response received 29/06/22</p>	<p>LWT confirmed by email that methods and survey scope were satisfactory.</p>	<p>No action required.</p>

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) West Burton Solar Project Ltd. and (2) Lincolnshire Wildlife Trust in relation to the issues addressed in this SoCG.

3 Matters Agreed

3.1.1 **Table 3.1** below details the matters agreed with Lincolnshire Wildlife Trust.

Table 3.1

Sub-topic	Stakeholder Comment	Applicant Response
Cable route survey scope and assessment methodologies.	LWT confirmed by email that it in principle it had no major concerns with the various ecological surveys and methods proposed. LWT supported the views of Nottinghamshire Wildlife Trust in their initial response in regards to LWSs and clerk of works.	No further action necessary – matter agreed.
Ecological enhancement	<p><i>This and all subsequent comments in Table 3.1 taken from consultation response dated 15/12/21:</i></p> <p>The general principles for achieving ecological enhancement on solar projects listed in paragraph 3.4.5 of the Pre-Application Technical Information are supported by LWT.</p>	No further action necessary – matter agreed.
Ground nesting birds	<p>LWT call for optimal bird habitat of sufficient size to be incorporated into layout plans as mitigation in the form of species-rich grassland among arrays which would provide additional, higher quality foraging habitat.</p> <p>Due to the principal potential ecological impact identified by the PEA being the available nesting territory for ground nesting birds such as skylark and yellow wagtail, LWT are pleased to see specific mention of the intention to provide land for skylark plots as mitigation within the proposed developments.</p>	<p>It is considered common ground as large scale creation of diverse grassland types under/between solar panels and within buffer zones will provide optimal foraging habitat for ground nesting birds.</p> <p>The proposals also include several areas of open, undeveloped land within the Order Limits with the intention of being managed specifically for the benefit of nesting skylark, yellow wagtail and lapwing.</p> <p>Mitigation for skylark and yellow wagtail has been put forward to reduce displacement effects as set out in paragraphs 9.7.152-9.7.161 of 6.2.9 Environmental</p>

Sub-topic	Stakeholder Comment	Applicant Response
		<p>Statement - Chapter 9_Ecology and Biodiversity [APP-047].</p>
Fencing	<p>LWT note that the type of security fencing proposed would be permeable for brown hare and for badgers and would be keen to see reasonable evidence of this.</p>	<p>No further action necessary – matter agreed.</p> <p>Fencing permeability has been considered in relation to badgers and other small mammals as set out in paragraphs 9.7.119-9.7.132 and 9.7.202-9.7.213 of 6.2.9 Environmental Statement - Chapter 9_Ecology and Biodiversity [APP-047].</p> <p>In addition, Clarkson and Woods have conducted ecological monitoring of over 100 operational sites and regularly encounter brown hare and badgers within the fenced area. This is evidenced through our regular report entitled ‘Solarview’ which can be provided separately.</p>
Hedgerows and Trees	<p>LWT agree, based on the information available, that the principal existing ecological value (including wildlife corridor functionality) within the sites is constituted by the vegetation and drainage features of the land parcel boundaries. LWT support recommendations for hedgerow and tree retention; hedgerow enhancement with diverse, native and locally occurring species; the periodicity and method of hedgerow management and the minimum widths recommended for buffer zone creation.</p>	<p>It is considered common ground taking into account the proposed significant enhancement of hedgerows through the planting of new trees (approximately 13.7ha) and hedgerows at boundaries (as can be seen within 7.3 Outline Landscape and Ecological Management Plan [APP-311] and focuses on the gapping up of currently defunct hedgerows, creation of new hedgerows (approximately 7.1km) at boundaries where none exist, planting around Public Rights of Way and where landscape and visual impact mitigation is required. In addition, limited opportunities for the replanting of old, removed field boundaries where appropriate have been pursued.</p>

Sub-topic	Stakeholder Comment	Applicant Response
Habitat Creation and Management	<p>LWT support the creation of an extensive network of species-rich meadow with the ongoing site management and note that this would help realise significant biodiversity net gain. LWT support the options for species-rich grassland management and the guidance provided for establishment of species-rich grassland habitat. LWT support the requirement of a 'shade cut' to enable less frequent cutting of the remainder of grassland.</p> <p>LWT strongly support the concept of establishing a habitat mosaic within each site that would comprise structural grassland and scrub mosaic.</p> <p>LWT would recommend using 'flowering lawn' mixes in all of the 'shade cut' strips rather than 'pollen and nectar' mixes. These would be lower maintenance with a lower carbon / chemical footprint and would incorporate only native species.</p> <p>LWT support the concept of linear pond creation in the form of deepened swales and agree that this would be a key opportunity for Biodiversity Net Gain.</p>	<p>This is considered common ground. Habitat creation and ongoing management of retained, enhanced and newly created habitats have been discussed in 7.3 Outline Landscape and Ecological Management Plan [APP-311] to maximise diversity.</p>
Rivers	<p>LWT see a significant opportunity to enhance river water quality for wildlife and people through creation of extended buffers and a large-scale reduction in the cultivation of soil and probable agrochemical soil inputs.</p>	<p>No further action necessary – matter agreed.</p>
Badgers	<p>LWT agrees generally with the measures for badger mitigation proposed in the PEAs. The advice in the PEAs to avoid buried fencing to benefit badgers is supported,</p>	<p>Perimeter fencing is not considered to be a barrier to badger movement given their propensity for digging (the fencing will not be buried).</p>

Sub-topic	Stakeholder Comment	Applicant Response
	<p>however LWT would be grateful for evidence that badger gates are unnecessary.</p>	
<p>Otter and Water Vole</p>	<p>LWT agree with the scope for surveying otter and water vole. LWT agree that any mitigation for otter and water vole would relate to protection of river banks and margins from disturbance and damage by buffering and avoidance of pollution events and expect these to be built into CEMPs for each phase.</p> <p>LWT support the minimum watercourse buffers proposed and wider buffering where habitat is most suitable or field signs are detected as a reasonable approach.</p> <p>LWT see strong opportunities to enhance wet boundaries with native vegetation and to maintain high lit levels in the majority of watercourse sections to maintain and enhance herbaceous riparian and aquatic habitat.</p>	<p>No further action necessary – matter agreed.</p>
<p>Great Crested Newt (GCN)</p>	<p>LWT note the survey scope for GCN and did not express any concerns with the scope or methodologies implemented. LWT acknowledge that Natural England will be consulted concerning GCN and accept that the Low Impact Class Licence approach may be valid if sufficient populations are deemed to be taken closer to suitable habitats. LWT support the ‘Opportunities for Enhancement and Biodiversity Net Gain’ given in the PEAs with respect to GCN and would add pond creation within flood risk zones especially where these would be in close proximity to existing breeding habitat.</p>	<p>No further action necessary – matter agreed.</p>

Sub-topic	Stakeholder Comment	Applicant Response
Reptiles	LWT are supportive of the general measures proposed within the PEA for reptile mitigation.	No further action necessary – matter agreed.
Bats	LWT accept the assumption that arrays generally have a neutral effect on foraging and commuting bats with the potential to offer enhancement where commuting and foraging habitat can be better connected and invertebrate populations can be better supported in an arable context. LWT support general recommendations given in the PEA for mitigation by buffering field boundaries and through lighting design.	No further action necessary – matter agreed.
Invasive Species	LWT would support aggressive non-native invasive species control generally across all sites where encountered.	It is considered common ground. Although no invasive species have been observed to date, 7.17 Outline Ecological Protection and Mitigation Strategy [APP-326] will describe precautionary measures to be taken to avoid the accidental spread of these species. This includes a briefing for all construction staff on the issue to ensure vigilance for these species, as well as inspections of proposed working locations at watercourses and ditches by an ecologist prior to commencement.

4 Matters Under Discussion

4.1.1 **Table 4.1** below details the matters under discussion with Lincolnshire Wildlife Trust.

Table 4.1

Sub-topic	Stakeholder Comment	Applicant Response
Locally Designated Sites	With regard to accessibility, Draft EN-3 outlines that 'Applicants will need to consider the suitability of the access routes to the proposed site for both the construction and operation of the solar farm with the former likely to raise more issues.' LWT highlight this as being especially relevant to Roadside Nature Reserves and Local Wildlife Site designations on road verges within the vicinity of the proposed schemes.	<p>The process of finalising the Cable Route Corridor has meant that none of the LWSs will be directly affected by the cable installation. This is ensured by avoiding crossing/making incursions into the LWSs when siting either the trench(es), access routes, compounds or jointing bays and adopting a suitably wide buffer (e.g. >30m) where there is a lack of physical barriers (hedgerows or roads).</p> <p>As set out in Section 9.5 of 6.2.9 Environmental Statement - Chapter 9_Ecology and Biodiversity [APP-047], 7.17 Outline Ecological Protection and Mitigation Strategy [APP-326] provides precautionary measures in relation to using HDD in proximity to LWSs, and to ensure potential indirect pollution or dust deposition effects from the cable installation works in proximity to these sites are mitigated.</p>

5 Matters Not Agreed

5.1.1 There are no matters “not agreed” with Lincolnshire Wildlife Trust.

6 Signatories

6.1 Overview

6.1.1 The above SoCG is agreed between West Burton Solar Project Ltd. (the Applicant) and Lincolnshire Wildlife Trust as specified below.

Duly authorised for and on behalf of **West Burton Solar Project Ltd.**

Name:	
Job Title:	
Date:	
Signature:	

Duly authorised for and on behalf of **Lincolnshire Wildlife Trust**

Name:	
Job Title:	
Date:	
Signature:	