



**Application by West Burton Solar Project Limited for West Burton Solar Project  
The Examining Authority's written questions and requests for information (ExQ1)  
Issued on 15 December 2023**

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe D to the Rule 6 letter of 10 August 2023. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library, which provides a link to each document. The Examination Library can be found here: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010132/documents>.

**When you are answering a question, please start your answer by quoting the question reference number.**

If you are responding to a small number of questions, then answers in email or a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please email [WestBurtonSolarProject@planninginspectorate.gov.uk](mailto:WestBurtonSolarProject@planninginspectorate.gov.uk) and include 'West Burton Solar Project' in the subject line of your email.

**Responses are due by Deadline 3: Tuesday 9 January 2024.**



## Abbreviations used:

<b>AP</b>	Affected Person	<b>ES</b>	Environmental Statement
<b>Art</b>	Article	<b>EqIA</b>	Equality Impact Assessment
<b>ALA 1981</b>	Acquisition of Land Act 1981	<b>ExA</b>	Examining authority
<b>ALC</b>	Agricultural Land Classification	<b>ha</b>	Hectare
<b>BDC</b>	Bassetlaw District Council	<b>HSE</b>	Health and Safety Executive
<b>BMV</b>	Best and Most Versatile land	<b>HDD</b>	Horizontal Directional Drilling
<b>BoR</b>	Book of Reference	<b>IAQM</b>	Institute of Air Quality Management
<b>BESS</b>	Battery Energy Storage System	<b>IDB</b>	Internal Drainage Board
<b>CA</b>	Compulsory Acquisition	<b>IEMA</b>	Institute of Environmental Management Association
<b>CCG</b>	Clinical Commissioning Group	<b>IP</b>	Interested Party
<b>CDMP</b>	Construction Dust Management Plan	<b>LA</b>	Local authority
<b>CEMP</b>	Construction Environmental Management Plan	<b>LIA</b>	Local Impact Area
<b>CTMP</b>	Construction Traffic Management Plan	<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>CLLP</b>	Central Lincolnshire Local Plan	<b>LCC</b>	Lincolnshire County Council
<b>CPO</b>	Compulsory purchase order	<b>LIR</b>	Local Impact Report
<b>DAS</b>	Design and Access Statement	<b>MP</b>	Model Provision (in the MP Order)
<b>dDCO</b>	Draft DCO	<b>MP Order</b>	The Infrastructure Planning (Model Provisions) Order 2009
<b>dNPS</b>	Draft National Policy Statement	<b>MWh</b>	MegaWatt Hour
<b>dML</b>	Deemed Marine Licence	<b>NE</b>	Natural England
<b>EM</b>	Explanatory Memorandum	<b>NPPF</b>	National Planning Policy Framework
<b>EMF</b>	Electro Magnetic Field	<b>NCC</b>	Nottinghamshire County Council
<b>ERP</b>	Emergency Response Plan	<b>NPS</b>	National Policy Statement



<b>NSIP</b>	Nationally Significant Infrastructure Project	<b>SI</b>	Statutory Instrument
<b>OBSSMP</b>	Outline Battery Storage Safety Management Plan	<b>SoR</b>	Statement of Reasons
<b>OCEMP</b>	Outline Construction Environmental Management Plan	<b>SoS</b>	Secretary of State
<b>OEMP</b>	Operational Environmental Management Plan	<b>STEP</b>	Spherical Tokamak for Energy Production fusion project
<b>OLEMP</b>	Outline Landscape and Ecological Management Plan	<b>TP</b>	Temporary Possession
<b>OSMP</b>	Outline Soil Management Plan	<b>UKAEA</b>	The UK Atomic Energy Authority
<b>OPROWMP</b>	Outline Public Right of Way Management Plan	<b>USI</b>	Unaccompanied Site Inspection
<b>PA2008</b>	The Planning Act 2008	<b>UKHSA</b>	United Kingdom Health Security Agency
<b>PEIR</b>	Preliminary Environmental Impact Report	<b>WLDC</b>	West Lindsay District Council
<b>PPG</b>	Planning Practice Guidance	<b>WR</b>	Written Representation
<b>PROW</b>	Public Right of Way	<b>WSI</b>	Written Scheme of Investigation
<b>RR</b>	Relevant Representation	<b>ZTV</b>	Zone of Theoretical Visibility



## Index

1.	General and Cross-topic Questions .....	5
2.	Agriculture and Soils.....	10
3.	Biodiversity and Ecology .....	18
4.	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations.....	22
5.	Draft Development Consent Order (DCO).....	27
6.	Health and Wellbeing.....	34
7.	Historic Environment.....	39
8.	Landscape and Visual .....	43
9.	Need, the electricity generated and climate change.....	48
10.	Noise, Vibration and Air Quality .....	51
11.	Other Planning Matters .....	56
12.	Safety and Major Incidents .....	57
13.	Socio-Economic Matters .....	60
14.	Transport and access, highways and public rights of way (PRoW).....	63
15.	Water Environment including Flooding.....	69

ExQ1	Question to:	Question:
<b>1. General and Cross-topic Questions</b>		
1.1.1	All parties	<p><b>Revised Energy National Policy Statements</b></p> <p>On November 22nd the Department for Energy Security and Net Zero published an updated version of the draft National Policy Statements (NPS) (EN1-5) (<a href="https://www.gov.uk/government/policies/national-policy-statements-for-energy-infrastructure">National Policy Statements for energy infrastructure - GOV.UK (www.gov.uk)</a>) which contain some changes to elements, particularly in the Overarching Statement EN-1, regarding the decision-making process for low carbon generation applications in general and including solar generating stations and related connections. These revised draft Statements have also been laid before parliament but are yet designated for the purposes of s104 of the Planning Act 2008.</p> <p>The ExA notes the Applicant intention to provide an updated Planning Statement to Deadline 2 to address the Revised Energy National Policy Statements issued. Do any parties other have any comments on the potential effect of changes in the November 2023 versions of the revised draft Energy NPS on matters related to this application, compared to the March 2023 versions of the Energy NPS?</p>
1.1.2	Applicant	<p><b>Energy National Policy Statements</b></p> <p>Noting that NPS <a href="#">EN-3</a> for Renewable Energy does not refer to solar, the Applicant is asked to please explain why they consider this to be important and relevant to the determination of the Proposed Development, as set out in the Planning Statement <a href="#">[APP-313]</a> at paragraph 5.4.9.</p>
1.1.3	Applicant	<p><b>Energy National Policy Statements</b></p> <p>The Planning Statement <a href="#">[APP-313]</a> at paragraph 5.6.1 sets out that the Applicant expects that the Energy NPS's will be attributed most weight when the application is determined. Please provide reasons for this.</p>
1.1.4	Applicant	<p><b>Operational Lifetime of Proposed Development</b></p> <p>In response to ISH1 discussions <a href="#">[REP1-052]</a>, the Applicant confirms that the dDCO amends the Requirement 21 to require decommissioning to take place within 60 years of the final commissioning date of the Scheme. However, paragraphs 1.1.5 and 2.3.1 of the revised Operational Environmental Management Plan <a href="#">[REP1-038]</a> states that the operational lifetime of the Proposed Development would be 40 years and decommissioning is estimated to be no earlier than 2066. The Applicant is asked to consider the implications of a 60 year operational period update this document accordingly.</p>
1.1.5	Applicant	<p><b>Cumulative Construction Period</b></p> <p>The ES Chapter 4 <a href="#">[APP-042]</a> paragraph 4.5.55 sets out that 5 year sequential worst case scenario for construction has been adopted. The Applicant is asked why this is the case, given that there is potential for</p>

ExQ1	Question to:	Question:
		the cumulative schemes Gate Burton, West Burton and Cottam to be constructed over a 7 year period, noting their anticipated construction timeframes?
1.1.6	Applicant	<p><b>Solar PV Panels</b></p> <p>The Applicant explains in the ES Chapter 4 <a href="#">[APP-042]</a> at paragraph 4.5.5, that due to the rapidly developing range of technologies for PV panels, the generating capacity, technology type and size of the individual panels are not specified in the DCO application. Rather, the maximum total surface area of all PV panels is limited to the area shown on the Works Plan <a href="#">[APP-008]</a> for Work No. 1. Nonetheless, the indicative landscape section <a href="#">[APP-284]</a> and illustrative site layouts <a href="#">[REP1-022]</a> have been produced suggesting dimensions and suggested positions for the solar PV Modules. The Applicant is asked to please:</p> <p>a) Give an indication of how many panels would be present in the indicative site layout;</p> <p>b) Comment on the implications for improvements in technology on the effect for the output from the generating station and the input to the national grid (addressing any cap that may be imposed) should more efficient panels be installed;</p> <p>c) Comment on whether there would be a reduction in land take visual effects or number of solar arrays should more efficient panels be introduced or whether this would be used to increase output;</p> <p>d) If so, is this consistent with the offer in relation to the grid connection and could the Battery Energy Storage System accommodate an increased load?</p>
1.1.7	Applicant	<p><b>Mitigation</b></p> <p>The ES Chapter 22, Table 22.1 <a href="#">[APP-060]</a> does not provide a management plan by which to secure mitigation, it states that mitigation is secured through Chapter assessments or detailed design. However, some of this mitigation, for example, the standoff distance of at least 3m between the perimeter security fencing and array structure, and noise louvres providing at least 10dB noise reduction around the conversion units, is not included in the Concept Design Parameters <a href="#">[APP-322]</a> or the Project Description. It is also not included in Requirement 5 of the dDCO <a href="#">[APP-017]</a> which secures approval of detailed design. Can the Applicant please explain how these mitigation measures are secured or why they do not need to be secured?</p>
1.1.8	Applicant	<p><b>Cumulative Assessment</b></p> <p>The ES Chapter 23 <a href="#">[APP-061]</a> does not summarise the cumulative effects of the Proposed Development although significant adverse cumulative effects are concluded, for example, waste during decommissioning.</p>

ExQ1	Question to:	Question:
		Can the Applicant please provide such a summary table for significant cumulative effects.
1.1.9	Local Authorities (LAs)	<p><b>Cumulative Assessment</b></p> <p>Do the LAs agree with the identified cumulative developments assessed within each aspect chapter? If not, can they please identify which cumulative developments have been omitted from which assessments and explain why they consider that they should be included.</p>
1.1.10	Applicant	<p><b>Cumulative Assessments: other projects</b></p> <p>Concerns are raised by Interested Parties about the cumulative effects of solar development, including with reference to the area considered. In this regard, the Written Representation (WR) submitted by 7000 Acres <a href="#">[REP1A-021]</a> sets out that a 5km search area is insufficient due to the size and regional nature of the multiple solar NSIP schemes in the area.</p> <p>Reference is also made in the WR submitted by West Lindsay District Council (WLDC) <a href="#">[REP1A-004]</a> to the Stow Park Solar Farm and the One Earth Solar Farm.</p> <p>The Applicant is asked to please set out how the cumulative effects of solar development proposals in the surrounding area, other than those referred to in the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects <a href="#">[REP1-057]</a>, been considered?</p>
1.1.11	Applicant and Interested Parties	<p><b>Government Net Zero Commitment</b></p> <p>Provide a summary of the effect on, and the implications for, the Government's Net Zero and climate change commitments should the Proposed Development in isolation, or in conjunction with others, not be implemented.</p>
1.1.12	Applicant and Interested Parties	<p><b>Battery Energy Storage Systems</b></p> <p>It has been suggested in the Written Representation (WR) made by 7000 Acres <a href="#">[REP1A-021]</a> that there is currently insufficient evidence for the ExA to conclude that an energy trading Battery Energy Storage System (BESS) would be Associated Development, or an aim in itself. It is also suggested that the Applicant has not provided evidence why a BESS of this size is required, why its capacity should be uncapped, and why it needs to trade energy with the National Grid.</p> <p>The Applicant is asked to please respond to the points raised, where relevant providing evidence to support its position.</p>
1.1.13	Lincolnshire County Council	<p><b>Development Plans</b></p>

ExQ1	Question to:	Question:
	(LCC) and West Lindsay District Council (WLDC)	The Central Lincolnshire Local Plan (CLLP) was adopted in April 2023. Following its adoption, can WLDC please provide an update in respect of the progress of other local plan documents which may be relevant to the proposal.
1.1.14	Lincolnshire County Council (LCC)	<b>Local Policy</b> Please explain why it is considered that relevant policies of the Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies include DM1, DM4 etc. in the Local Impact Report <a href="#">[REP1A-002]</a> . These appear to relate to minerals and waste matters rather than other forms of development.
1.1.15	Applicant	<b>Bassetlaw Local Plan</b> The Applicant is asked to address the fact that at Appendix D of the Planning Statement <a href="#">[APP-313]</a> Policy ST51 the Bassetlaw Local Plan is referred to twice with different text for each.
1.1.16	Applicant	<b>Neighbourhood Plans</b> Noting the references to relevant Neighbourhood Plan policies contained in the LIRs, the Applicant is asked to review those referred to in the Planning Statement <a href="#">[APP-313]</a> in terms of whether all those of relevance have been included.
1.1.17	Applicant	<b>Neighbourhood Plans</b> The Applicant is asked to explain which part(s) of the Proposed Development lie in each relevant Neighbourhood Plan area.
1.1.18	7000 Acres	<b>Neighbourhood Plans</b> Your Relevant Representation (RR) <a href="#">[RR-001]</a> states that there is a failure to consider neighbourhood plans. Noting the reference to neighbourhood plan policy provisions at Appendix D of the Planning Statement <a href="#">[APP-313]</a> 7000 Acres is asked to provide further explanation of this concern.
1.1.19	Applicant	<b>Comparable Scale Infrastructure</b> Noting the proposed heights of PV panels above ground level, and sub-station heights, please can the Applicant provide, if available, reference to a comparable solar farm with regard to height, massing of associated infrastructure, and manoeuvrability of panels?
1.1.20	Applicant	<b>Site Selection and consideration of alternatives</b>



ExQ1	Question to:	Question:
		With reference to the approach to alternative and design evolution set out in the ES Chapter 5 <a href="#">[APP-043]</a> , the Applicant is asked to please respond to the comments made by WLDC in their WR <a href="#">[REP1A-004]</a> relating to the <i>absence from the methodology of a clear set of objectives or principles to guide the decision making process to ensure the final shortlisted site is consistent with the design, planning and environmental objectives for the project.</i>
1.1.21	Applicant	<p><b>Site Selection and Viability</b></p> <p>Noting the significantly sized 15km search area set out in the ES Chapter 5 <a href="#">[APP-043]</a> , the Applicant is asked to comment on the implications of this for scheme viability, noting that because the further a solar farm is from the point of connection, the less efficient transmission to the grid becomes and the connection becomes significantly more costly.</p>
1.1.22	Applicant and Nottinghamshire County Council (NCC)	<p><b>Sturton Le Steeple Quarry</b></p> <p>NCC in their Local Impact Report (LIR) <a href="#">[REP1A-006]</a> at 5.4 express concerns in in relation to the cable routing not prejudicing the re-opening of the Sturton le Steeple Quarry. Noting the references to the Quarry at Table 3.10 of their Statement of Common Ground <a href="#">[REP1-068]</a> (SoCG), the Applicant and NCC are asked to review any possible impacts and update the SoCG accordingly.</p>
1.1.23	Applicant and NCC	<p><b>West Burton A Spherical Tokamak for Energy Production, (STEP) fusion project</b></p> <p>NCC in their LIR <a href="#">[REP1A-006]</a> at Section 6 refer to the West Burton A and STEP Project - potential impact of solar developments. They note that the West Burton A site has been selected by the UK Atomic Energy Authority (UKAEA) as a base for the development of the UK's first Nuclear Fusion Plant, with the potential to yield significant quantities of low carbon energy, generate employment opportunities and encourage investment in the region. The Spherical Tokamak for Energy Production, (STEP) fusion project is a long-term initiative which is not expected to be commissioned until 2040 with development consent to be gained between 2024 and 2032.</p> <p>NCC notes that the Applicant has not yet met with representatives of UKAEA to discuss the respective projects and expresses concerns. Specifically, NCC refers to the importance of ensuring that the cable route for the West Burton Solar Project does not sterilise development land or detract from future development plans.</p> <p>a) The Applicant is asked to please indicate how intend to secure appropriate consultation with EDF (as the landowner), UKAEA and the relevant local authorities over the final cable routeing?</p>

ExQ1	Question to:	Question:
		<p>NCC also refer to their wishes to develop a master plan for the area to ensure that they work collaboratively with private sector partners (including solar farm promoters) to maximise the potential for clean and green energy development within the Trent Valley and that developments are sequenced correctly to best achieve the long-term objectives.</p> <p>b) NCC is asked to please provide details of the master plan they refer to at paragraph 6.6 of their LIR.</p>
1.1.24	Applicant	<p><b>Monitoring</b></p> <p>Details of a number of the monitoring requirements set out in both the outline Construction Environmental Management Plan (OCEMP) <a href="#">[REP1-034]</a> and the outline Operational Environmental Management Plan (OEMP) <a href="#">[REP1-038]</a> are limited, with specific requirements to be confirmed in detailed CEMP/OEMP. Whilst acknowledging that these documents are in outline, the Applicant is asked to provide further detail of the following monitoring requirements:</p> <ul style="list-style-type: none"> <li>a) Greenhouse gas emissions from construction traffic/operational maintenance activities.</li> <li>b) Disruption to local residents, businesses and community facilities</li> <li>c) Potential for risks to human health from contamination</li> <li>d) Major incidents and accidents</li> </ul>
1.1.25	Applicant	<p><b>Cottam Solar Project: Change Request</b></p> <p>The ExA note that a notification of intention to submit a request for changes to the Cottam Solar Project was published on 30 November 2023. The Cottam and West Burton Solar project proposals share part of the same cable route corridor. Therefore, the ExA would like to ascertain whether the change to the Cottam proposal will have implications for the West Burton Solar Project. If it does, the Applicant is asked to please clarify their intentions in this regard.</p>
<b>2. Agriculture and Soils</b>		
1.2.1	Applicant	<p><b>Cable Route Corridor – BMV</b></p> <p>Natural England (NE) notes <a href="#">[RR-233]</a> that no soil survey has been undertaken along the cable route corridor. Section 4.1.1 of the Outline Soil Management Plan (OSMP) <a href="#">[APP-325]</a> states that a detailed survey of the cable route corridor will be made a condition of the DCO. NE recognise that a deviation from the standard soil survey methodology will be required due to the linear nature of the cable trench.</p> <p>NE advises that this further survey work should be made a requirement of the DCO, to ensure the appropriate soil management can be implemented along the cable corridor. Restoration of the cable</p>

ExQ1	Question to:	Question:
		<p>trenches to their current ALC grade should also be secured to ensure the impacts along the cable route are only temporary as described.</p> <p>Please can the Applicant respond to NE’s points, updated in its WR <a href="#">[REP1A-008]</a> and provide commentary on further survey work, including the possibility of this becoming a requirement in the DCO.</p>
<p><b>1.2.2</b></p>	<p>Applicant</p>	<p><b>Shared Cable Route Corridor</b></p> <p>ES Chapter 19: Soils and Agriculture <a href="#">[APP-057]</a> Paragraphs 4.5.53 to 4.3.56 discuss the construction of the ‘Shared Cable Route Corridor’ shared with Gate Burton Energy Park and Cottam Solar Project. Two scenarios are presented: Scenario 1 the cables are laid at the same time; and Scenario 2 where the cables are laid separately.</p> <p>The possible impacts of this element of the proposal on soils have not been assessed. NE <a href="#">[REP1A-008]</a> advise that the oSMP should also be updated to specify that the cable route will be restored to its current ALC grade post-construction. This is necessary in order to conclude that the project will not cause any permanent loss of Best and Most Versatile Land.</p> <p>Can the Applicant please:</p> <ol style="list-style-type: none"> <li>a) Clarify the methodology for ensuring the land is restored to its baseline state following the completion of construction and how this is secured in the application?</li> <li>b) Confirm that appropriate post consent soil surveys will be undertaken and advise how this is secured in the DCO. If they consider this is not necessary, please explain why and justify.</li> </ol>
<p><b>1.2.3</b></p>	<p>Applicant</p>	<p><b>BESS - BMV and Land Coverage</b></p> <p>ES Chapter 19: Soils and Agriculture <a href="#">[APP-057]</a> states there will be no loss of agricultural land resource during operation. However, with the Substations, BESS and access tracks, it appears that some resource would inevitably be lost resource during operation. Additionally, the area proposed to be occupied by the Substations and Battery Storage infrastructure in the ES Chapter 19 <a href="#">[APP-057]</a> paragraph 19.9.2 is noted to be approximately 6ha, whilst elsewhere it had been set out as 4.27ha.</p> <p>The Applicant is asked to:</p> <ol style="list-style-type: none"> <li>a) please clarify the amount of land this type of infrastructure will occupy.</li> <li>b) Set out (or signpost) to the potential impacts of elements of the project by land coverage. This should include permanent infrastructure; temporary solar PV arrays; and other mitigation and enhancement options (i.e. Biodiversity Net Gain areas). It would be helpful if shown within an additional table showing</li> </ol>

ExQ1	Question to:	Question:
		the Agricultural Land Classification (ALC) grade and proportion of all areas of each permanent and non-permanent item across the full DCO limits.
1.2.4	Applicant	<p><b>BMV - National Policy Statement for energy EN-1</b></p> <p>Concerns have been expressed by IPs that, if not time limited, the proposed development has the potential to lead to the permanent reduction in agricultural production. The Proposed Development is now suggested to have a 60-year operational life (Requirement 21).</p> <p>a) Please can the Applicant explain how Requirement 21 complies with the NPS for Energy (<a href="#">EN-1</a>) and Renewable Energy Infrastructure (<a href="#">EN-3</a>). Please make specific reference to the how it achieves the aim to minimise impacts on the best and most versatile (BMV) agricultural land (defined as land in grades 1, 2 and 3a of the ALC) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations.</p> <p>b) Please can the Applicant also explain how temporary loss of BMV land would be an effective use of land, and would accord with Paragraph 5.10.8 of NPS EN-1.</p>
1.2.5	Applicant	<p><b>Outline Soil Management Plan – Advice from Natural England</b></p> <p>Natural England’s comments in its RR <a href="#">[RR-233]</a> to the OSMP <a href="#">[APP-325]</a>, set out 7 bullet points of advice. NE’s WR <a href="#">[REP1A-008]</a> confirms that the majority of matters raised have now been resolved through progress and the Statement of Common Ground (SoCG) <a href="#">[REP1-067]</a>.</p> <p>The remaining concern lies around the specific commitment to restoration of the order limits to their current ALC grade. The applicant has agreed to include this, but the detail of amendments to the OSMP are yet to be finalised.</p> <p>a) To what extent does the Applicant consider these have been addressed?</p> <p>b) Does the Applicant intend to make further updates to the OSMP based on this advice? If not, how will the advice be treated?</p>
1.2.6	Applicant	<p><b>Diversification of Farming Enterprise - Moderate Beneficial Effect</b></p> <p>Various documents within the Application, for example the Outline Landscape and Ecological Management Plan(OLEMP) <a href="#">[APP-311]</a>, state that mowing may replace grazing as a management practice underneath the panels.</p>

ExQ1	Question to:	Question:
		<p>ES Chapter 19 Soils and Agriculture [APP-057], refers to a moderate beneficial significant effect through the diversification of farming enterprise. This appears to stem from income from panel placement rather than diversified farming <i>per se</i>.</p> <p>The link between a change in land use and the conclusion of effects on farming circumstances during operation is not clear – i.e. does it relate to grazing, or to mowing, or both?. Please can the Applicant explain how the change in land use has influenced the conclusion of a moderate beneficial effect.</p>
1.2.7	Applicant and Interested Parties	<p><b>Soil Health</b></p> <p>Whilst the possible soil resource benefits from the scheme, especially to Soil Organic Matter is acknowledged, there remains uncertainty with regard to the impact solar panels may have on other soil properties. These include carbon storage, structure and biodiversity.</p> <p>a) Please can the Applicant, and optionally other Interested Parties, set out their views and evidence on the impact of a temporary solar development on soil health.</p> <p>The ExA notes NE’s WR [REP1A-008] comments on progress through the SoCG, that the OSMP will include the requirement for the appointment of a suitably qualified soil scientist who will assess disturbed and undisturbed land within the Sites for any degradation of the baseline ALC Grade and soil functionality.</p> <p>b) Please can the Applicant provide an update on a specific requirement for the restoration of the order limits to the same ALC grade which NE consider is necessary in order to conclude that the project will not cause any permanent loss of Best and Most Versatile land.</p>
1.2.8	Applicant	<p><b>Superseded National Planning Guidance</b></p> <p>Paragraph 19.2.23 of revised ES Chapter 19: Soils and Agriculture [APP-057] refers to superseded PPG7 and Institute of Environmental Management and Association (IEMA) guidance, as the basis for the assessment of Farming Circumstances. As IEMA guidance is not national planning policy, and PPG7 is superseded, can the Applicant please explain how this is justified?</p>
1.2.9	Applicant	<p><b>Food Security – Material Planning Consideration</b></p> <p>Paragraph 19.5.2 to 19.5.3 of Chapter 19: Soils and Agriculture [APP-057] discuss food security. These state that “<i>there are no food security policy constraints on the use of agricultural land for solar PV</i>” and that “<i>Arable land is also used to produce non-food crops for markets... The relevant assessment for</i></p>

ExQ1	Question to:	Question:
		<p><i>policy purposes is the ALC grade of the agricultural land, not its current use or the intensity of that use".</i>                      The materiality of food security is also discussed elsewhere, for example at Table 19.2.                      Please can the Applicant confirm, and explain, why it considers that food security is not a material planning consideration?</p>
<p><b>1.2.10</b></p>	<p>Applicant</p>	<p><b>West Burton 3 – BMV Land</b>                      Chapter 19: Soils and Agriculture [<a href="#">APP-057</a>] and supporting information (Appendix 19.1 [<a href="#">APP-137</a>] and Appendix 19.4 [<a href="#">APP-306</a>]) identifies that within West Burton 3, Farm Business C and D contain BMV land. Various Written Representations suggest that these should be excluded from the scheme, due to the significant proportion of land within BMV.</p> <p>Can the Applicant please provide a response, and in doing so, explain what the consequences of the removal of these Farm Businesses would be?</p>
<p><b>1.2.11</b></p>	<p>Applicant</p>	<p><b>Agricultural Land Classification</b>                      7000 Acres has suggested that there is low confidence in the Agricultural Land Classification data [<a href="#">REP1A-011</a>]. It cites the potential for a margin of error or change in the ALC figures, and adherence to the correct methodology. Also, that the sub-classification of land between 3a and 3b is less relevant, and that all grade 3 land should be included in BMV. 7000 Acres suggests that the application of the ALC only is flawed, as it does not consider crop yield.                      The Applicant is invited to respond to these points.</p>
<p><b>1.2.12</b></p>	<p>Applicant</p>	<p><b>Agricultural Land Resources</b>                      Paragraph 19.8.4, and Table 19.10 of Chapter 19: Soils and Agriculture [<a href="#">APP-057</a>] sets out percentages of the site within various ALCs. To identify the percentages within each of West Burton 1, 2 and 3 it is necessary to cross reference to Environmental Statement (ES) Appendix 19.1: Agricultural Land Quality, Soil Resources &amp; Farming Circumstances [<a href="#">APP-137</a>]. Annex 1 therein contains detailed analysis, including the analysis and classification of West Burton 4.</p> <p>a) Can the Applicant please provide clarification that data in Chapter 19 is relevant for West Burton 1, 2 and 3 only, and not inclusive of West Burton 4, and</p>

ExQ1	Question to:	Question:
		b) is it possible to have the breakdown of ACL for each of WB1, 2 and 3.
<b>1.2.13</b>	Applicant	<p><b>Inclusion of West Burton 4 within Appendix 19.1</b></p> <p>The continued inclusion of West Burton 4 within Chapter 19 [APP-057], in particular within the Appendix 19.1 [APP-137], is confusing. The ExA understands that West Burton 4 was removed from the proposed scheme prior to submission of the application.</p> <p>a) Please can the Applicant provide further rationale and information regarding the removal of West Burton 4 from the proposed scheme.</p> <p>b) Please comment on the results of additional lab testing on samples from West Burton 4, and whether or not similar testing of samples from West Burton 1, 2 and 3 occurred either as a matter of course, or once the West Burton 4 samples had provided information to change the results.</p>
<b>1.2.14</b>	Applicant	<p><b>Cable Route Corridor</b></p> <p>Paragraph 19.3.9 of revised Chapter 19: Soils and Agriculture [APP-057] states there would be an anticipated limited impact of the Cable Route Corridor. Preceding paragraphs 19.3.7 and 19.3.8 set out that the corridor has not been subject to soil survey assessment and that agricultural occupancy and land use information will need to be collected ahead of trenching work. Can the Applicant please:</p> <p>a) explain how it is anticipated that the impact will be limited.</p> <p>b) provide further information on the Cable Route Corridor, including confirmation as to the amount of land that has not been assessed. Please advise whether or not an ALC survey can be carried out for the corridor for inclusion in the OSMP.</p>
<b>1.2.15</b>	Applicant	<p><b>ALC Survey – Inconsistencies and Missing Data</b></p> <p>Please can the Applicant comment on perceived inconsistencies within the data, and missing data contained in Appendix 19.1 [APP-137], for example:</p> <ul style="list-style-type: none"> <li>• Samples 450 and 451 are ALC Grade 2. Numerous other samples from similar sites are graded as 3b.</li> <li>• Similarly, sample 335 is Grade 2, whilst 224, 597, 605 and 613 are 3b.</li> <li>• Some data is missing completely.</li> </ul> <p>7000 Acres' Written Representation [REP1A-011] highlights further inconsistencies noting that "216 records ...require further investigation and adjustment out of a total of 829 samples i.e. 26% errors."</p>



ExQ1	Question to:	Question:
		<p>a) The Applicant is asked to please provide comment on these observations.</p> <p>b) Please explain the impact of the errors within the dataset, and how it may affect the confidence with the conclusions drawn or mitigation measures to account for any errors.</p> <p>c) Please also set out whether or not this level of missing data/quality of data is normal for similar surveys.</p>
<b>1.2.16</b>	Applicant	<p><b>Management of Land</b></p> <p>While the scheme is operational, Paragraph 19.9.18 of Chapter 19: Soils and Agriculture [APP-057] sets out that grass management below and between the solar panels will need to be managed, including by livestock grazing.</p> <p>Can the Applicant please:</p> <p>a) provide further details of how this would be managed? Please cross refer to the dDCO if relevant.</p> <p>b) explain the rationale for the approach and transition from arable use which has historically occurred (see for example Para 19.8.14 of [APP-057]).</p>
<b>1.2.17</b>	Applicant (Other IPs optionally).	<p><b>Temporary Loss of Agricultural Land</b></p> <p>The application will result in temporary loss of agricultural land over the intended timespan for the Proposed Development. Chapter 19 Soils and Agriculture Paragraph 19.9.28 of [APP-057] confirms that “<i>There is no obligation for land to return to arable production...</i>”. Please can the Applicant set out how it is considered that farming skills and knowledge will be retained for future reversion to agricultural practices? The ExA also seeks views on this from other Interested Parties.</p>
<b>1.2.18</b>	Applicant	<p><b>Return of land to arable use after decommissioning</b></p> <p>Table 18.29 of Chapter 18 Socio Economic and Land Use [APP-056] of the ES refers to an “<i>increase in agriculture-based employment as a result of completion of decommissioning</i>”</p> <p>a) How is the land for agricultural use secured in the DCO?</p> <p>b) Who will it be returned to?</p> <p>c) On what terms?</p> <p>d) How can it be guaranteed it will return to arable agricultural use?</p> <p>e) If not returned to arable agricultural use what effect would this have for the conclusions in respect of significance of effect?</p>



ExQ1	Question to:	Question:
1.2.19	Applicant	<p><b>Farming Circumstances – Operational and Decommissioning Effects</b></p> <p>Given the quantity of agricultural land that would be temporarily lost, please can the Applicant:</p> <p>a) explain how there would be a significant beneficial effect to farming circumstances - see ES Chapter 19 Soils and Agriculture paragraph 19.9.20 [APP-057].</p> <p>b) Additionally, with reference to ES Chapter 19 paragraph 19.9.29, please explain why it considers there would be a beneficial effect when the land returns to agricultural use following decommissioning.</p>
1.2.20	Applicant	<p><b>Minimisation of the impact on BMV Agricultural Land</b></p> <p>Paragraph 6.7.16 of the Planning Statement [APP-313] refers to discussions with landowners to focus the scheme on land least agriculturally productive and most difficult to farm effectively. This is based on “<i>decades of experience</i>”. Various Relevant Representations (RR) appear to dispute that this has been achieved.</p> <p>Please can the Applicant provide the ExA with more detail, for example the nature of discussions, and how land may have been discounted, and the conclusions drawn/ lessons learned.</p>
1.2.21	Applicant	<p><b>Current Yield and Likely Changes</b></p> <p>a) Has the Applicant quantified the current yields in terms of arable, pasture and livestock and what is the estimated loss in yield due to the Proposed Development? Can this be provided?</p> <p>b) Please can the Applicant a commentary on what grade these yields have been, or estimated loss will be.</p> <p>c) If possible, please assess what proportion of UK production this is and provide a commentary on the replacement of these.</p>
1.2.22	Applicant	<p><b>Displacement of Food Production</b></p> <p>Has the Applicant considered the effects of displacement of food production that would be caused by the proposal? Please can the Applicant provide a more detailed explanation of how the Proposed Development would support the farming enterprises whose land would be used.</p>
1.2.23	Applicant	<p><b>Cable Decommissioning</b></p> <p>The ES at Chapter 19, paragraph 19.3.10 [APP-057] states that for the grid connection cable route corridor the 132kV and 400kV may be left in-situ rather than being removed.</p>

ExQ1	Question to:	Question:
		<p>However, paragraph 19.9.21 states that “<i>all piles and surface ‘feet’ securing solar panels will be removed along with buried cables within the Sites</i>”. The magnitude of impacts to agricultural land are deemed negligible on this basis.</p> <p>Can the Applicant please confirm:</p> <ol style="list-style-type: none"> <li>where cables will be removed at decommissioning, and</li> <li>whether this alters any ES conclusions.</li> </ol>
<b>1.2.24</b>	Trent Valley Internal Drainage Board (IDB); Witham and Humber IDB	<p><b>The Effect of PV Panels on Channelling of Stormwater</b></p> <p>Concerns have been raised by Interested Parties (IP) that rainwater (particularly during storms) is channelled by PV panels. They state that this results in erosion of the soil which mobilises clay, fine particles together with natural vegetation to enter the water courses. This can then negatively impact aquatic invertebrates and the general ecology of the dykes, drains including the River Till.</p> <p>Trent Valley IDB and Witham &amp; Humber IDB are asked to comment on these concerns.</p> <ol style="list-style-type: none"> <li>Does experience elsewhere reveal that PV panels encourage channelling of stormwater and ensuing movement of particles etc into watercourses?</li> <li>If so, is this an exacerbation or concentration of particles etc entering watercourses, and</li> <li>Are the IDBs aware of this phenomenon, and if so, would they please provide any relevant comments.</li> </ol>
<b>3. Biodiversity and Ecology</b>		
<b>1.3.1</b>	Applicant	<p><b>Study Area</b></p> <p>Paragraph 9.5.8 of ES Chapter 9 Ecology and Biodiversity <a href="#">[APP-047]</a> states that the study radii areas of 10km, 5km and 2km for international, national and local designated sites are “<i>standard distances</i>” beyond which impacts are not anticipated to occur. However, it is unclear from where these standard distances have derived.</p> <p>Can the Applicant explain where these study areas derive from and why they are confident these distances are sufficient to capture the zone of influence of the Proposed Development?</p>
<b>1.3.2</b>	Applicant	<p><b>Effect on Bats</b></p> <p>Paragraph 9.7.93 of ES Chapter 9 <a href="#">[APP-047]</a> states that the effects of the installation of solar panels on bat activity and the activity of their prey is largely unknown.</p>

ExQ1	Question to:	Question:
		Can the Applicant please provide commentary to explain how confident it is that it is “ <i>probable that these impacts on bats will be largely neutral</i> ”.
<b>1.3.3</b>	Applicant	<p><b>Otter and Water Vole Survey - Culverts</b></p> <p>Otter and Water Vole Surveys have been undertaken. As it is not clear where culverting may be proposed, can the Applicant confirm those areas that may be culverted, and that these have been surveyed, following best practise?</p>
<b>1.3.4</b>	Applicant	<p><b>Ground Nesting Bird Species and Hunting Raptors</b></p> <p>Paragraph 9.5.30 of ES Chapter 9 <a href="#">[APP-047]</a> notes that arable fields have “<i>value to a relatively small number of ground-nesting bird species and arable specialists including hunting raptors (several of which are notable species of conservation concern)</i>”. Paragraph 9.5.32 concludes that arable fields are considered to be of ‘Site Importance’ only.</p> <p>Can the Applicant please explain the reasoning behind this conclusion.</p>
<b>1.3.5</b>	Applicant and Local Authorities	<p><b>Woodland Creation</b></p> <p>In its WR <a href="#">[REP1A-020]</a> , 7000 Acres sets out that from Sept 2023 Lincolnshire County Council is “<i>embarking on an ambitious woodland creation programme and will be planting 750,000 trees over coming years across the County</i>”. It states that the proposed scheme “<i>will directly and indirectly impinge on this programme of tree planting in the County</i>”.</p> <p>a) Please can LCC (and other Local Authorities where appropriate) provide further information on the 750,000 tree woodland creation programme.</p> <p>b) Please can Local Authorities and the Applicant explain what might be the impact of the proposed development on woodland creation of this scale?</p>
<b>1.3.6</b>	Applicant	<p><b>Decommissioning Effects</b></p> <p>Section 9.8 of ES Chapter 9 <a href="#">[APP-047]</a> sets out Decommissioning Effects. The section does not report on significance of effects. Can the Applicant confirm if this is an omission, and explain why these are not reported, or update to include decommissioning effects.</p>
<b>1.3.7</b>	Applicant	<p><b>Biodiversity Net Gain – Enhancement and Mitigation</b></p> <p>Can the Applicant please confirm:</p>

ExQ1	Question to:	Question:
		<p>a) if the approach to Biodiversity Net Gain (BNG) considers solely enhancement, over and above the identified mitigation in ES Chapter 9: <a href="#">[APP-047]</a>?</p> <p>b) If it also incorporates the identified mitigation in ES Chapter 9, please provide figures which exclude this to provide a net figure.</p>
1.3.8	7000 Acres	<p><b>BNG in the UK</b></p> <p>The RR submitted by 7000 Acres <a href="#">[RR-001]</a> states that “<i>Solar farm biodiversity net gain claims are unproven in the UK at this scale</i>”.</p> <p>Can 7000 Acres please explain why it considers BNG is unproven in the UK at this scale and the concern.</p>
1.3.9	Applicant	<p><b>Securing BNG</b></p> <p>The Biodiversity Net Gain Report <a href="#">[APP-088]</a> indicates that the proposed development would result in net gain of:</p> <ul style="list-style-type: none"> <li>• 86.80% of habitat units,</li> <li>• 54.71% gains in hedgerow, and</li> <li>• 33.25% in river units.</li> </ul> <p>These figures are repeated elsewhere throughout the application.</p> <p>The ExA notes that NE <a href="#">[REP1A-007]</a> recommends a requirement for a minimum of 10% Net Gains in habitat, hedgerow and river units to be delivered (see Question 5.23).</p> <p>a) Please can the Applicant confirm whether, and if so how, the above levels of BNG are secured in the dDCO <a href="#">[REP1-007]</a>.</p> <p>b) If the minimum level of 10% BNG is not secured in the DCO, please can the Applicant explain what it considers should be taken into account when considering potential benefits.</p>
1.3.10	Applicant, Local Authorities and IPs	<p><b>Mitigation Planting</b></p> <p>In its WR, <a href="#">[REP1A-020]</a> 7000 Acres states that the “<i>beneficial landscape effects promoted by the Applicant are mainly based on the mitigation planting</i>” (Para 8.8). It goes on to state that the “<i>establishment of planting will be impacted by grazing deer, brown hare and rabbit populations... the loss of newly planted</i></p>

ExQ1	Question to:	Question:
		<p><i>vegetation will be significant</i>". The WR argues that this will have a detrimental impact on any landscape mitigation measures compounding the loss of existing vegetation necessary for the scheme to proceed.</p> <p>The ExA would like to invite comment from the Applicant on the above. Optionally, Local Authorities or IPs may also provide any evidence on the above impact.</p>
<b>1.3.11</b>	Applicant and Natural England	<p><b>Protected Species</b></p> <p>A number of protected species licences may be required where avoidance is not possible during construction. In its RR <a href="#">[RR-233]</a> NE requested clarification of the need for protected species licences. It recognised that Protected Species Licences may be required in due course but had not been engaged in Letters of No Impediment or draft Protected Species Licences. This has subsequently progressed through engagement between NE and the Applicant</p> <p>NE's WR <a href="#">[REP1A-007]</a> notes that "<i>given the absence of any identified need for a licence at this stage, Natural England consider the applicant has taken the necessary steps to reduce the likelihood of Protected Species Licencing becoming an impediment to the implementation of the DCO</i>". The ExA notes the progress, as reported in the Draft SOCG <a href="#">[REP1-067]</a> and that sufficient precautionary methods and contingency measures are set out and will be secured by Requirement 8. At the time of submission, NE stated that the wording of section ECO-09 was not yet complete.</p> <p>Notwithstanding this common ground:</p> <ol style="list-style-type: none"> <li>a) Can the Applicant please identify the likely protected species that may be affected and detail how engagement with NE will be taken forward.</li> <li>b) Can both the Applicant and NE confirm the agreement of wording within the Draft SOCG?</li> </ol>
<b>1.3.12</b>	Applicant	<p><b>Comparability of Other Monitored Solar Farm Installations</b></p> <p>Paragraph 9.7.149 of ES Chapter 9 <a href="#">[APP-047]</a> states: "<i>Skylark and yellow wagtail regularly forage tens or hundreds of metres away from nesting sites and both have been recorded foraging on active solar arrays</i>".</p>

ExQ1	Question to:	Question:
		<p>It cross refers to a footnote referencing Clarkson and Woods' own monitoring of 100+ active solar farm installations.</p> <p>The ExA presumes that these installations cover a wide range of installations varying in size. Please the Applicant:</p> <ul style="list-style-type: none"> <li>a) provide some confirmation that there is direct comparability from those monitored to a scheme the size of West Burton.</li> <li>b) How does the comparison relate to cumulative assessment of multiple schemes? Have Skylark and yellow wagtail been recorded foraging on active solar arrays of comparable scale?</li> </ul>
<p><b>1.3.13</b></p>	<p>Applicant</p>	<p><b>Catchment Fertiliser Input Rates</b></p> <p>The draft SOCG with the EA [<a href="#">REP1-065</a>] confirms that enhancement of ditches and watercourses are being investigated. Various matters are under discussion. Please can the Applicant respond to the Environment Agency expectation set out in its WR [<a href="#">REP1A-007</a>] paragraph 3.5 that it would expect to see evidence that the applicants have looked at the catchment in terms of farming and likely fertiliser input rates into the system.</p>
<p><b>4. Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations</b></p>		
<p><b>1.4.1</b></p>	<p>All Affected Persons (APs)</p>	<p><b>Affected Persons positions</b></p> <p>APs are asked to please provide comments on the following:</p> <ul style="list-style-type: none"> <li>a) If they are aware of any inaccuracies in the Book of Reference (BoR) [<a href="#">APP-021</a>], Statement of Reasons [<a href="#">APP-019</a>] or Land Plans [<a href="#">AS-006</a>]. If so, please indicate where these are and provide the correct details.</li> <li>b) Views on whether there may be any reasonable alternatives to the Compulsory Purchase (CA) or Temporary Possession (TP) sought by the Applicant.</li> <li>c) Views on whether there are any areas of land or rights that the Applicant is seeking the power to acquire that you consider are not needed.</li> <li>d) Details of any other concerns relating to the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect the land that you own or have an interest in.</li> </ul>
<p><b>1.4.2</b></p>	<p>Applicant</p>	<p><b>Land Interests</b></p> <p>The Statement of Reasons (SoR) Appendix B [<a href="#">APP-019</a>] sets out a Summary of Negotiations in relation to freehold acquisition, new rights and temporary possession. It appears that this does not include all of the</p>

ExQ1	Question to:	Question:
		<p>owners or reputed owners referred to in the Book of Reference (BoR) <a href="#">[APP-021]</a>. For example, plot numbers 07-102 and 08-132.</p> <p>The Applicant is asked please to amend the Summary of Negotiations so that it accurately reflects those with an interest in the land.</p>
1.4.3	Applicant	<p><b>Unknown Persons</b></p> <p>There are a number of parcels identified in the BoR <a href="#">[APP-021]</a> for which the owner are not known. The Applicant is asked to please provide an update on efforts to establish these owners/interests and details of what further steps will be undertaken to identify these owners.</p>
1.4.4	Applicant	<p><b>Statutory Undertakers interests</b></p> <p>The BoR <a href="#">[APP-021]</a> includes a number of Statutory Undertakers with interests in land, with an update provided in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers at Deadline 1 <a href="#">[REP1-046]</a>. In addition to this, please:</p> <ul style="list-style-type: none"> <li>a) Provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimated timescale for securing agreement with them;</li> <li>b) Provide an indication of whether any impediments to securing agreements are envisaged; and</li> <li>c) Provide a list of any additional Statutory Undertakers identified since the submission of the BoR. For each additional Statutory Undertaker identified provide answers to questions a. and b.</li> </ul> <p>In addition, the Applicant is asked to please review RR and WR made by statutory undertakers alongside the land and rights information systems and prepare, and update at each successive deadline, a table identifying and responding to any representations made by statutory undertakers with land or rights to which s127 of the PA2008 applies.</p>
1.4.5	Applicant	<p><b>Network Rail Land and interests</b></p> <p>The Schedule of Progress regarding Protective Provisions and Statutory Undertakers <a href="#">[REP1-046]</a>, the draft Statement of Common Ground <a href="#">[REP1-066]</a> and the WR submitted by Network Rail <a href="#">[REP1A-030]</a> indicate that there is some distance between the parties in terms of the use of CA and TP, and the protective provisions in the dDCO <a href="#">[REP1-007]</a>.</p> <p>The Applicant is asked to please provide an update on negotiations with Network Rail and to identify any likely obstacles to reaching an agreement before the close of the Examination.</p>



ExQ1	Question to:	Question:
1.4.6	Network Rail	<p>Noting the update set out in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers <a href="#">[REP1-046]</a> and the content of the draft Statement of Common Ground <a href="#">[REP1-066]</a> both provided at Deadline 1, Network Rail is asked to please:</p> <ol style="list-style-type: none"> <li>a) Explain how the proposed acquisition of new rights/restrictive covenants over plots 06-068, 06-069, 06-070, 06-071, 06-072, 06-073, 06-074 and 06-083 would affect Network Rail’s undertaking.</li> <li>b) Comment on the additional inclusion of plots 05-063, 05-063a and 06-077 as relating and relating to Network Rail interests.</li> <li>c) Comment further on the status of negotiations over protective provisions and to identify any likely obstacles to reaching an agreement before the close of the Examination.</li> </ol>
1.4.7	EDF Energy	<p><b>EDF Energy Land and Interests</b></p> <p>Noting the update provided by the Applicant at in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers, <a href="#">[REP1-048]</a> EDF Energy is asked to please explain how the proposed acquisition of new rights over plots 10-183, 10-184 and 10-185 would affect their undertaking and to comment on the status of negotiations over protective provisions.</p>
1.4.8	Applicant	<p><b>Category 3 persons</b></p> <p>Part 2 of the BoR <a href="#">[APP-021]</a> lists ‘Category 3’ persons.</p> <p>The Applicant is asked to please:</p> <ol style="list-style-type: none"> <li>a) Provide further detail/justification of how you have identified Category 3 persons for the purposes of the BoR;</li> <li>b) Provide details of the efforts made to identify unknown parties;</li> <li>c) Clarify if there are any persons who might be entitled to make a relevant claim if the DCO were to be made and fully implemented, and who therefore should be added to the BoR as a Category 3 person. This could include, but is not limited to, those who have provided representations on, or have interests in: <ul style="list-style-type: none"> <li>• Noise, vibration, smell, fumes, smoke or artificial lighting;</li> <li>• The effect of the construction or operation of the Proposed Development on property values or rental incomes;</li> <li>• Concerns about subsidence or settlement;</li> <li>• Claims that someone may need to be temporarily or permanently relocated;</li> <li>• Impacts on a business;</li> </ul> </li> </ol>



ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>• Loss of rights eg. to a parking place or access to a private property;</li> <li>• Concerns about project financing;</li> <li>• Claims there may be viable alternatives; or</li> <li>• Blight</li> </ul>
<b>1.4.9</b>	Lincolnshire County Council and Nottinghamshire County Council	<p><b>Highway land and interests</b></p> <p>Are Lincolnshire County Council (LCC) and Nottinghamshire County Council (NCC) in their role as the Highway Authorities aware of:</p> <ol style="list-style-type: none"> <li>Any reasonable alternatives to the CA or TP sought by the Applicant; and/or</li> <li>Any areas of land or rights sought by the Applicant that they consider would not be needed.</li> </ol>
<b>1.4.10</b>	Applicant	<p><b>Crown Land consent</b></p> <p>With regard to the outcomes from continuing due diligence, please explain briefly the position in respect of any Crown interests subject to PA2008 s135 with reference to the latest available BoR and Land Plan, to identify whether consent is required with respect to s135(1)(b) and/or s135(2) and detail what progress has been made to obtain such consent(s) including likely timetable for receiving consent. Written evidence of consent(s) obtained is required as soon as possible and in any event by the close of the Examination.</p>
<b>1.4.11</b>	Applicant	<p><b>Book of Reference</b></p> <p>Any person entitled to enjoy easements or other private rights over land which the Applicant proposes to extinguish, suspend or interfere with identified in Part 3 of the BoR <a href="#">[APP-021]</a> should also be recorded in Part 1 as a person within categories 1 or 2 as set out in section 57 of the Planning Act 2008.</p> <p>The Applicant is asked to please confirm the BoR has been drafted accordingly?</p>
<b>1.4.12</b>	Applicant	<p><b>Reasonable alternatives to CA</b></p> <p>In the light of the relevant guidance "<i>Planning Act 2008: procedures for the compulsory acquisition of land</i>" (September 2013) and in particular paragraph 8, the Applicant is asked to please explain how the ExA can be assured that all reasonable alternatives to CA (including modifications to the scheme) have been explored?</p> <p>Please set out in summary form, with document references where appropriate, what assessment/comparison has been made of the alternatives to the proposed acquisition of land or interest in each case.</p>

ExQ1	Question to:	Question:
<b>1.4.13</b>	Applicant	<p><b>Cable Route Corridor</b></p> <p>Paragraph 5.4.2 of the SoR <a href="#">[APP-019]</a> sets out that the exact location of the cable circuits within the cable route corridor cannot yet be confirmed and, as a result, CA powers are being sought over the whole of the Cable Route Corridor.</p> <p>The Applicant is asked to please explain how this approach accords with the need for the Secretary of State to be satisfied that the Applicant is seeking no more land than is reasonably required for the purposes of the development.</p>
<b>1.4.14</b>	Applicant	<p><b>Funding Statement</b></p> <p>The Funding Statement <a href="#">[APP-020]</a> identifies the current cost estimate for the scheme to be approximately £500 million, which includes construction costs, preparation costs, supervision costs, land acquisition costs (including compensation payable in respect of any compulsory acquisition), equipment purchase, installation, commissioning, and power export. Paragraph 17 of the guidance "<i>Planning Act 2008: procedures for the compulsory acquisition of land</i>" (September 2013) states the Funding Statement should provide as much information as possible about the resource implications of both acquiring the land and implementing the project for which the land is required. The Applicant is therefore asked to please provide the following additional information:</p> <ol style="list-style-type: none"> <li>a) Identification of the CA costs separately from the project costs with an explanation of how a figure for CA costs was arrived at.</li> <li>b) Noting that at paragraph 2.3.3 of the Funding Statement the Applicant states that should development consent be granted they would seek further funding with the support of its legal and financial advisors, what further information/evidence can be provided to demonstrate that adequate funding is likely to be available?</li> <li>c) What financial arrangements would be put in place to secure the decommissioning of the Proposed Development at the end of its operational lifetime?</li> </ol>
<b>1.4.15</b>	Applicant	<p><b>Land Plans</b></p> <p>The Applicant is asked to please explain meanings of the references to 'temporary use of land' in relation to both pink and blue land shown in the key to the Land Plans. Similar reference are made in paragraph 2.1.5 of the BoR <a href="#">[APP-021]</a>.</p>
<b>1.4.16</b>	Applicant	<p><b>Sturton by Stow RR</b></p>

ExQ1	Question to:	Question:
		The Applicant is asked to consider and respond to the RR <a href="#">[RR-245]</a> made by the Parochial Church Council of the Parish of Stow-with Sturton in relation to the suggested possible implications of the Proposed Development for the Parish Council's right to Chancel Repair Liability.
<b>5. Draft Development Consent Order (DCO)</b>		
<b>1.5.1</b>	Applicant	<p><b>Part 1 (Preliminary)</b>  <b>Article 2 (Interpretation)</b>  <b>"apparatus"</b> - This definition in the dDCO <a href="#">[REP1-006]</a> has been expanded from the meaning set out in the 1991 Act to included specifically named apparatus, such as pipelines and aerial markers. Whilst the Explanatory Memorandum (EM) <a href="#">[APP-018]</a> refers to the fact that this has precedent in the Riverside Energy Park Order 2020, the ExA requests further information on why this is necessary for the Proposed Development.</p>
<b>1.5.2</b>	Applicant	<p><b>"authorised development"</b> – this definition in the dDCO <a href="#">[REP1-006]</a> includes 'any other development within the meaning of Section 32 (meaning of "development") of the 2008 Act authorised by this Order'. The Applicant is asked to please provide justification as to why this wording is required in addition to the development described in Schedule 1. Specifically, the Applicant is asked to provide justification as to why this does not align with the approach adopted in other made solar DCOs.</p>
<b>1.5.3</b>	Applicant	<p><b>"maintain"</b> - the provisions of this definition in the dDCO <a href="#">[REP1-006]</a> are wide ranging. For example, to 'alter, remove, refurbish, reconstruct, replace and improve any part' of the authorised development. The EM <a href="#">[APP-018]</a> sets out that this definition would not permit the whole of the authorised development to be removed, replaced or reconstructed, rather it would be intended to enable the Proposal Development to keep up with changing standards and controls and advances in technology. Noting the potential for works of a significant to be encompassed by this provision, please explain why it is necessary for this to apply to "the whole of the authorised development".</p> <p>Schedule 5 refers to the 'Power to maintain the authorised development and sets out that this does not include 'any works which are likely to give rise to any materially new or different effects that have not been assessed in the environmental statement'. The Applicant is asked to please consider whether the definition of maintain should also include this wording.</p>
<b>1.5.4</b>	Applicant	<b>Part 2 (Principal Powers)</b>

ExQ1	Question to:	Question:
		<p><b>Article 3(2) (Development Consent etc. granted by this Order)</b></p> <p>The EM <a href="#">[APP-018]</a> sets out that the purpose of Article 3(2) of the dDCO <a href="#">[REP1-006]</a> is to provide the undertaker with a necessary, but proportionate, degree of flexibility when constructing the authorised development, with particular reference being made to variances in ground conditions and choice of appropriate equipment and technology.</p> <p>Can the Applicant please explain why it considers the degree of flexibility sought is necessary and proportionate for this Proposed Development.</p>
1.5.5	Applicant	<p><b>Article 4 (Operation of generating station)</b></p> <p>Noting that a definition of a generating station is not provided in Schedule 2 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please either provide such a definition, or to explain why this is not necessary.</p>
1.5.6	Applicant	<p><b>Article 5 (Power to maintain the authorised development)</b></p> <p>Article 5(3) of the dDCO <a href="#">[REP1-006]</a> does not authorise maintenance activities if they will give rise to any materially new or different environmental effects to those identified in the Environmental Statement.</p> <p>Noting the wide-ranging nature of the definition of ‘maintain’, the Applicant is asked to please explain how maintenance activities would be managed so as to ensure that they would not give rise to materially new or different environmental effects. References should be made to specific requirements and procedures.</p>
1.5.7	Applicant	<p><b>Article 6 (Application and modification of statutory provisions)</b></p> <p>The EM <a href="#">[APP-018]</a> sets out that Article 6 of the dDCO <a href="#">[REP1-006]</a> seeks to disapply a number of statutory provisions listed at 6(1) on the basis that they address matters whose merits and acceptability can, and will, already have been sufficiently considered and resolved if the Order is made.</p> <p>Noting the guidance set out in Advice Note 15, section 25, the Applicant is requested to please redraft EM paragraphs 4.2.11-4.2.16 to provide clear justification for the inclusion of each of these provisions, including reference to the outcomes of engagement with any relevant authority or government department which would have responsibility for the provisions that would be modified.</p> <p>With reference to Article 6(3), the Applicant is asked to please justify this provision by explaining why it is necessary for this Proposed Development.</p> <p>With reference to the WR made by the Environment Agency, <a href="#">[REP1A-006]</a> the Applicant is asked respond specifically to the points raised about the disapplication of requirement for licences under sections 24 and 25 of the Water Resources Act 1991.</p>

ExQ1	Question to:	Question:
<b>1.5.8</b>	Applicant	<p><b>Article 7 (Defence to proceedings in respect of statutory nuisance)</b></p> <p>With reference to Article 7 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please expand on the explanation set out in paragraph 4.2.18 of the EM <a href="#">[APP-018]</a> by setting out why the broad defence in Section 158 of the Planning Act 2008 is not sufficient, such that this additional provision is required.</p>
<b>1.5.9</b>	Applicant	<p><b>Part 3 (Streets)</b></p> <p><b>Article 8 (Street works)</b></p> <p>With reference to Article 8 of the dDCO <a href="#">[REP1-006]</a>, this allows the undertaker to carry out certain works to a street for the purposes of the authorised development. The EM paragraph 4.3.1 sets out that it has been modified to bring in sections 54 to 106 of the 1991 Act. Further explanation of the relevance of the 1991 Act in this regard is requested.</p>
<b>1.5.10</b>	Applicant, Lincolnshire County Council, Nottinghamshire County Council	<p><b>Article 9 (Power to alter layout, etc., of streets)</b></p> <p>With reference to Article 9 of the dDCO <a href="#">[REP1-006]</a>, paragraph (2) confers a general power enabling the undertaker to alter the layout of any street, subject to the consent of the street authority.</p> <p>a) The Applicant is asked to please explain why such a wide power is required.</p> <p>b) The Highway Authorities are asked to please comment on the breadth of the power and whether it raises any issues for them.</p>
<b>1.5.11</b>	Applicant, Lincolnshire County Council, Nottinghamshire County Council	<p><b>Article 11 (Temporary prohibition or restriction of use of streets and public rights of way)</b></p> <p>With reference to Article 11 of the dDCO <a href="#">[REP1-006]</a>, the inclusion of both streets and public rights of way within this Article has the potential to cause confusion.</p> <p>a) The Applicant is asked to please explain the rationale for this.</p> <p>b) The Highway Authorities are asked to please comment on these provisions, particularly in terms of the consenting procedures.</p>
<b>1.5.12</b>	Applicant	<p><b>Article 12 (Use of Private Roads)</b></p> <p>With reference to Article 12 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please explain why this provision is required. In doing so the Applicant should justify why it may be necessary to take require the use of private roads for construction and maintenance periods. Why, for example, has temporary possession not been considered as an alternative?</p>
<b>1.5.13</b>	Applicant	<p><b>Article 13 (Access to works)</b></p>

ExQ1	Question to:	Question:
		With reference to Article 13 of the dDCO <a href="#">[REP1-006]</a> , whilst 13(b) refers the power to form and layout temporary means of access, the Applicant is asked to please considered whether it should include provision to restore any access that has temporarily been created.
1.5.14	Applicant	<p><b>Local Highway Authority Comments</b></p> <p>The Local Highway Authorities have set out the importance of ensuring that the DCO provides a mechanism for the Highway Authority to review and provide the necessary specification for works that would normally be captured via a Section 278 Agreement. More specifically, paragraph 8.6 of NCC's LIR <a href="#">[REP1A-067]</a> is the suggestion that provisions in articles 8, 9, 10, and 11 should be subject to the street authority having first issued a licence or entered into an agreement in accordance with article 14. It is also suggested that Local Highway Authority would wish to have the opportunity to approve the design and specification of any works within the streets listed in Schedule 4 to 8 and any other streets no matter how those works arise, the opportunity to inspect those works, and to recover associated costs.</p> <p>The Applicant is asked to please comment on whether and how these requests can be accommodated.</p>
1.5.15	Applicant	<p><b>Part 4 (Supplemental Powers)</b></p> <p><b>Article 18 (Protective works to buildings)</b></p> <p>With reference to Article 16 of the dDCO <a href="#">[REP1-006]</a>, paragraph 4.4.4 of the EM <a href="#">[APP-018]</a> explains that this Article is required because there are buildings within, and in close proximity to, the Order Land that might feasibly require surveys and protective works as a result of the authorised development. The Applicant is asked to please identify these buildings and explain the nature of protective works likely to be required. An update to the EM is also requested in this regard.</p>
1.5.16	Applicant	<p><b>Article 19 (Authority to survey and investigate the land)</b></p> <p>With reference to Article 19 of the dDCO <a href="#">[REP1-006]</a>, there appears to be some overlap between these provisions of this Article and those relating to 'permitted preliminary works' set out in Article 2. The Applicant is asked to please explain why both a required.</p> <p>The Applicant is also asked to explain why 19(2) is required, noting that this would provide an enforcement mechanism, (by way of a warrant).</p>
1.5.17	Applicant	<p><b>Part 5 (Powers of acquisition)</b></p> <p><b>Article 20 (Compulsory acquisition of rights)</b></p>

ExQ1	Question to:	Question:
		<p>With reference to Article 20 of the dDCO <a href="#">[REP1-006]</a>, this has been broadly drafted to enable the CA of new rights over all of the Order land, including at 20.(1)(b) the use of any land so acquired for the purpose authorised by the Order ‘or for any other purposes in connection with or ancillary to the authorised development’. Schedule 10 limits the CA power in defined plots to the defined rights listed in that Schedule. However, it appears that the CA of rights is not limited to the plots listed in Schedule 10. If this is approach sought (that is, allowing undefined rights in land not listed in Schedule 10) it is not presently clearly identified. The need for it is not explained and justified in the EM <a href="#">[APP-018]</a> or Statement of Reasons <a href="#">[APP-019]</a>. If the rights sought are not limit to those listed in Schedule 10, then evidence is required to show that those persons with an interest in Order land (and not just those with plots listed in Schedule 20) were aware that undefined new rights are being sought over all of the Order land, and that they were consulted on that basis. The EM and Statement of Reasons should also be updated.</p> <p>However, if the Applicant intends the CA of rights to be limited to those listed in Schedule 10, then the dDCO should be amended to provide for this.</p> <p>The Applicant is asked to please provide a response to these comments, with amendments to Application documents as appropriate.</p>
<b>1.5.18</b>	Applicant	<p><b>Article 26 (Power to override easements and other rights)</b></p> <p>With reference to Article 26 of the dDCO <a href="#">[REP1-006]</a>, the distinction between Article 23 (dealing with private rights) and Article 26 is not clear and is not fully explained in the EM <a href="#">[APP-018]</a>. The Applicant is asked to please provide further explanation and justification for its inclusion.</p>
<b>1.5.19</b>	Applicant	<p><b>Article 29 (Temporary use of land for constructing the authorised development) and Article 30 (Temporary use of land for maintaining the authorised development)</b></p> <p>Whilst Schedule 12 of the dDCO <a href="#">[REP1-006]</a> indicates land for which temporary possession may be taken, Article 29(1)(a)(ii) has the effect of extending this power to allow temporary possession of any Order land. Whilst the EM <a href="#">[APP-018]</a> refers to this allowing a more proportionate approach to the extent of land acquisition, the Applicant is asked to please further justify the inclusion of this broad power and to explain the steps that have been taken to alert all landowners/occupiers of land within the Order limits of this possibility.</p> <p>a) The Applicant is asked to please justify the inclusion of ‘buildings’ in Article 29(1)(b).</p> <p>b) With reference to the 14 day notice of intended entry referred to in Article 29(3), the Applicant is asked to please justify this short length of time.</p>



ExQ1	Question to:	Question:
		c) The Applicant is also asked to please explain why it considers that only 28 days notice should be required before entering on and taking possession of land under Article 30(3).
<b>1.5.20</b>	Applicant	<p><b>Schedule 1 (Authorised Development)</b></p> <p>With reference to Schedule 1 of the dDCO <a href="#">[REP1-006]</a>, Works 4 and 7 do not set out parameters, for example, the maximum extents of temporary construction laydown areas, and these are not included in the Concept Design Parameters.</p> <p>Can the Applicant please explain what the maximum parameters are for these works and how they are secured?</p>
<b>1.5.21</b>	Applicant	<p><b>Schedule 2 (Requirements)</b></p> <p><b>Requirement 5 (Detailed Design Approval)</b></p> <p>With reference to Schedule 2 Requirement 5 of the dDCO <a href="#">[REP1-006]</a>, the requirement states that no parts of Works Nos.1 to 3 may commence until detailed design approval has been received and approved by the relevant planning authority. The EM <a href="#">[APP-018]</a> at paragraph 5.2.10 also refers to these provisions relating to Work No 4, however this is not included in the dDCO.</p> <p>The Applicant is requested to please comment on this Requirement and explain how details of design approval are proposed in relation to the other Works Nos.</p>
<b>1.5.22</b>	Applicant	<p><b>Requirement 6 (Battery safety management)</b></p> <p>With reference to Requirement 6 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please explain how the consultees listed in sub-paragraph (3) have been determined and explain the statutory responsibilities of these bodies in this regard.</p>
<b>1.5.23</b>	Applicant	<p><b>Requirement 9 (Biodiversity net gain)</b></p> <p>With reference to Requirement 9 of the dDCO <a href="#">[REP1-006]</a>, noting that Natural England's WR <a href="#">[REP1A-007]</a> recommends that Requirement 9 could make it a necessity for a minimum of 10% Biodiversity Net Gain in habitat, hedgerow and river units to be delivered, the Applicant is asked to please consider and respond to this request.</p>
<b>1.5.24</b>	Applicant	<p><b>Requirement 11 (Surface and foul water drainage)</b></p> <p>With reference to Requirement 11 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please clarify whether or not the reference to 'outline drainage strategy' in sub-paragraph (3) relates to the Flood Risk and Drainage Strategy Report documents referred to in ES Chapter 10 <a href="#">[APP-048]</a>, Appendix 10.1-10.5.</p>



ExQ1	Question to:	Question:
<b>1.5.25</b>	Applicant	<p><b>Requirement 21 (Decommissioning and restoration)</b></p> <p>With reference to Requirement 21 of the dDCO <a href="#">[REP1-006]</a>, the Applicants amendment to the requirement that Decommissioning would take place no later than 60 years following the date of final commissioning is welcomed in terms of providing clarity. The Applicant is asked to please respond to the following:</p> <ol style="list-style-type: none"> <li>The Outline Decommissioning Statement <a href="#">[APP-310]</a> paragraph 1.2.1 sets out that the approval and implementation of the Decommissioning Environmental Management Plan and Decommissioning Traffic Management Plan will be secured through a Requirement of the DCO. How would this be secured in Schedule 2.</li> <li>With reference to sub-paragraph (1), the final word should be amended from ‘decommissioning’ to ‘commissioning’.</li> <li>Explain how this Requirement would ensure the site would be restored to its former condition following decommissioning.</li> </ol>
<b>1.5.26</b>	Applicant	<p><b>Schedule 3 - Legislation to the disapplied</b></p> <p>With reference to Schedule 3 of the dDCO <a href="#">[REP1-006]</a>, the Applicant is asked to please explain why it is necessary to disapply the entirety of the pieces of legislations listed in Schedule 3. The Applicant is also asked to explain the effects of the disapplication of this legislation within the Order limits.</p>
<b>1.5.27</b>	Applicant and Anglican Water Services Ltd	<p><b>Schedule 16 – Protective Provisions, Part 7</b></p> <p>With reference to Schedule 16 of the dDCO <a href="#">[REP1-006]</a>, noting the update provided in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers at Deadline 1 <a href="#">[REP1-048]</a>, a further update on the status of these negotiations is requested.</p>
<b>1.5.28</b>	Applicant and Environment Agency	<p><b>Schedule 16 – Protective Provisions, Part 9</b></p> <p>With reference to Schedule 16 of the dDCO <a href="#">[REP1-006]</a>, noting the update provided in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers at Deadline 1 <a href="#">[REP1-048]</a>, and the draft Statement of Common Ground <a href="#">[REP1-065]</a> and the made by the Environment Agency <a href="#">[REP1A-006]</a> a further update on the status of these negotiations is requested.</p>
<b>1.5.29</b>	Applicant and Canal and River Trust	<p><b>Schedule 16 – Protective Provisions, Part 13</b></p> <p>With reference to Schedule 16 of the dDCO <a href="#">[REP1-006]</a>, noting the update provided in the Schedule of Progress regarding Protective Provisions and Statutory Undertakers at Deadline 1 <a href="#">[REP1-048]</a>, a further update on the status of these negotiations is requested please.</p>

ExQ1	Question to:	Question:
<b>1.5.30</b>	Applicant and the Marine Management Organisation	<p><b>Article 44 and Schedule 9</b></p> <p>Article 44 of the dDCO <a href="#">[REP1-006]</a> provides for a deemed marine licence as set out in Schedule 9. The Explanatory Memorandum sets out at 5.9.1 <a href="#">[APP-018]</a> that discussions are ongoing with the Marine Management Organisation (MMO) regarding the extent and nature of the deemed marine licence. However, the MMO have also set out in their WR <a href="#">[REP1A-034]</a> that deemed Marine License (dML) is not required and could not be included as part of the dDCO due to the fact that the proposed works relating to a bored tunnel is an exempted activity and therefore not marine licensable.</p> <p>The Applicant is asked to please:</p> <ol style="list-style-type: none"> <li>Provide an update on their discussion on this matter with the MMO on this matter.</li> <li>If the Applicant maintains that this provision is required, provide further justification for the inclusion of the dML, including identifying other DCO's where an exemption has applied and a dML has been included in a made DCO. Furthermore, justify each of the suggested conditions in the dML and the basis on which such conclusions are reached.</li> </ol>
<b>1.5.31</b>	Applicant	<p><b>Article 46 and Schedule 17</b></p> <p>Noting the comments made and concerns raised by WLDC relating to deemed consent provisions in their WR <a href="#">[REP1A-004]</a> . This relates to both the principle of deemed consent and approval timescales. The Applicant is asked to please response to the concerns raised.</p>
<b>1.5.32</b>	Applicant	<p><b>Alignment with other solar DCO</b></p> <p>With reference to the alterations made to the dDCO as a consequence of the alignment with other solar DCOs, the Applicant is asked to provide a summary note of these alternations and the reasons for them.</p>
<b>6. Health and Wellbeing</b>		
<b>1.6.1</b>	Applicant	<p><b>Indicative timescales for construction and operation</b></p> <p>Paragraph 18.4.6 of the Socio Economic Chapter 18 : Socio-Economics and Tourism and Recreation <a href="#">[APP-056]</a> states that “<i>The information modelled provides a reasonable worst-case scenario with regard to the quantum of work required for the construction of the Scheme within the projected 24 months construction period, and a reasonable worst-case employment requirement for the Scheme’s operation and maintenance</i>”.</p> <p>The model has been used to determine secondary impacts on socio-economic receptors. The ExA notes that impacts on tourism and recreation receptors have been determined through professional judgement</p>

ExQ1	Question to:	Question:
		<p>and have been assessed in consideration of the anticipated impacts in associated ES chapters, such as transport, landscape, and heritage.</p> <p>Please can the Applicant comment on the following:</p> <ul style="list-style-type: none"> <li>a) Is this approach usual? Does it apply, or follow any good practice measures?</li> <li>b) Would a more prolonged timescale mean more uncertainty and inconvenience? For example, if traffic disruption is over longer periods in some areas, resulting in a prolonged affect on livelihoods, will the wellbeing and mental health of those affected over longer periods be greater, compared to those over a shorter timescale?</li> </ul>
<p><b>1.6.2</b></p>	<p>Applicant/ Interested Parties</p>	<p><b>Human Health and Wellbeing</b></p> <p>Section 21.5 of Chapter 21 of the ES Other Environmental Matters <a href="#">[APP-059]</a> provides an impact assessment in relation to human health and wellbeing. Table 21.5.1 signposts supporting information on Human Health elsewhere in the ES.</p> <ul style="list-style-type: none"> <li>a) Amongst others, the UK Health Security Agency (UKHSA) and NHS Lincolnshire Clinical Commissioning Group (CCG), provided comments at the scoping stage (summarised in Table 21.5.2). The ExA notes that UKHSA RR <a href="#">[RR-341]</a> is “<i>satisfied that the proposed development should not result in any significant adverse impact on public health</i>”. On that basis, it had no additional comments to make at the RR stage and confirmed that it has “<i>chosen NOT to register an interest with the Planning Inspectorate on this occasion</i>”. Please can the Applicant provide an update on the input into the health impact from various health organisations where applicable.</li> <li>b) To what extent do IPs consider that the relevant parts of the application have systematically addressed the health impacts of the development, and what further information would assist with understanding health impacts.</li> </ul>
<p><b>1.6.3</b></p>	<p>Local Authorities; Applicant</p>	<p><b>Health and safety related consents</b></p> <p>The Consents and Agreements Position Statement <a href="#">[APP-312]</a> refers to consents under Section 61 of the Control of Pollution Act 1974, relevant to noise construction on sites.</p> <p>West Lindsey District Council (WLDC) and Bassetlaw District Council (BDC) will receive applications from the contractor before construction commences. Can the Applicant, and relevant authorities (WLDC, BDC) explain what the position is if an application is not successful?</p>

ExQ1	Question to:	Question:
<b>1.6.4</b>	Local Authorities; Applicant	<p><b>Health and safety related consents</b></p> <p>Table 1 of the Consents and Agreements Position Statement <a href="#">[APP-312]</a> refers to health and safety related consents.</p> <p>a) Do such consents apply in respect of both the workforce and members of the public?</p> <p>b) How long before construction commences are such consents to be applied for? What measures are in place to ensure these will be sought?</p> <p>c) Rather than “<i>as appropriate</i>” does the Applicant mean that such consents are to be made “as required” to comply with relevant legislation?</p>
<b>1.6.5</b>	Local Authorities, including Parish Councils. Interested Parties	<p><b>Human Health – Study Area</b></p> <p>Are the relevant Local Authorities and IPs, satisfied that the study area for the Human Health and well-being effects is appropriate?</p>
<b>1.6.6</b>	Applicant. The named bodies (LCC, NHS Lincs CCG) may also comment.	<p><b>Engagement with LCC Public Health, NHS Lincs and UKHSA</b></p> <p>Can the Applicant please summarise engagement with LCC Public Health, NHS Lincs CCG and UKHSA to understand the Health and Wellbeing impacts this scheme will have on the surrounding areas including Gainsborough over the lifetime of the proposed development.</p>
<b>1.6.7</b>	Applicant	<p><b>Health &amp; Social Care Act 2022</b></p> <p>Please can the Applicant</p> <p>a) comment on the extent to which the Health and Social Care Act 2022 has been considered within its Health Assessment, and within the Equality Impact Assessment (EqIA) <a href="#">[APP-321]</a>.</p> <p>b) Does it consider the Act relevant?</p>
<b>1.6.8</b>	Applicant	<p><b>Health Impacts – Urban and Rural Differences</b></p> <p>WRs and RRs have commented that the methodology used by the Applicant to assess the scheme impact on health and wellbeing appears to be more applicable to urban communities.</p>

ExQ1	Question to:	Question:
		<p>a) Can the Applicant please comment on its approach, and</p> <p>b) Comment on whether or not it considers there to be a difference between urban and rural settings for assessment of health impacts.</p>
<b>1.6.9</b>	Applicant	<p><b>Electro Magnetic Field (EMF)</b></p> <p>Cables over 132kV are part of the Proposed Development. According to <a href="#">DECC Power Line: Demonstrating compliance with EMG public exposure guidelines, A Voluntary Code of Practice</a> cables above 132kV have potential to cause EMF effects and that the ES should demonstrate how design measures avoid the potential for EMF effects on receptors.</p> <p>a) Can the Applicant explain where it has assessed the impact of EMF on receptors.</p> <p>b) what it considers would be the effects from EMF, and</p> <p>c) how any associated mitigation would be secured in the dDCO.</p>
<b>1.6.10</b>	Environment Agency /Applicant	<p><b>EMF – Environment Agency Concerns</b></p> <p>The ExA notes that the Environment Agency is holding ongoing discussions about the impact of EMFs on marine life in connection with another solar farm proposal <a href="#">[REP1A-007]</a> para 3.1.</p> <p>Please can the Applicant and Environment Agency provide an update in so far as relevant to West Burton Application. This can be by way of update on progress within the SoCG [current draft version reference <a href="#">REP1-065</a>]</p>
<b>1.6.11</b>	Local Authorities	<p><b>EMF – Local Authority Concerns</b></p> <p>Are the relevant Local Authorities satisfied that the EMF impacts have been scoped? If not, please explain the basis of your concerns?</p>
<b>1.6.12</b>	Applicant	<p><b>Effect on Mental Health and Wellbeing</b></p> <p>Numerous concerns have been raised by local residents in RRs to the potential effects of the Proposed Development on mental health and wellbeing. The assessments are set out in the ES Chapter 21 Other Environmental Matters <a href="#">[APP-059]</a>.</p> <p>Paragraph 21.5.44 concludes that “<i>the Scheme is likely to generate only a small number of significant effects with regards to human health</i>”. In isolation, these effects are reported as moderate beneficial effect</p>

ExQ1	Question to:	Question:
		<p>with regard to access to employment and access to education as measured indices of multiple deprivation during the Scheme’s construction. The human health moderate adverse effect reported is as a result of in-combination and cumulative impacts on the use and desirability of long-distance recreation routes during the Scheme’s construction phase. These are physical health attributes.</p> <p>The Applicant is asked to please indicate how the Proposed Development (including its construction, operation and decommissioning) could be likely to affect the well-being and mental health of residents living in the locality of the Order Limits. Please also include any proposed mitigation.</p>
<p><b>1.6.13</b></p>	<p>Applicant, Interested Parties</p>	<p><b>Wider Determinants of Mental Health: Environmental Conditions</b></p> <p>Environmental conditions are part of the accumulation of factors which determine health and mental health. Living and working conditions, including agriculture and food production, working environments, employment/unemployment and social and community networks play an important role in determining good mental health in the countryside, and elsewhere.</p> <p>7000 Acres highlight <a href="#">[REP1A-015]</a> and <a href="#">[REP1A-018]</a> an increase in depression within local communities “<i>particularly in rural farming where this has been well recognised...[the] impact of these schemes has the potential to worsen mental health because they take away the very fabric of what rural life is about</i>”.</p> <p>7000 Acres also cite the <a href="#">Lincolnshire Joint Strategic Needs Assessment</a> at page 6 of their WR <a href="#">[REP1A-018]</a>. The ExA notes that there is predicted increase in depression in the 65+ and that depression rates in Lincolnshire are above average at 10%.</p> <p>a) The Applicant is asked to please provide a response to the above.</p> <p>b) Optionally, IPs may wish to comment on specific aspects of the fabric of rural life which they consider will be taken away, resulting in worsened mental health, as a result of the proposed scheme (or in combination with other proposals). Please cite any relevant evidence where possible.</p>
<p><b>1.6.14</b></p>	<p>Applicant</p>	<p><b>Social Care and Baseline Data</b></p> <p>The ExA notes that the baseline assessment set out in Chapter 21: Other Environmental Matters <a href="#">[APP-059]</a> uses data from 2011 and 2021 (Section 21.5). The Applicant is asked to consider the applicability of the 2011 data, and to provide clarity as to the reasons for its use, rather than a more up-to-date data set.</p>

ExQ1	Question to:	Question:
<b>1.6.15</b>	7000 Acres	<p><b>Socio-economic Change: impact on health and wellbeing</b></p> <p>The RR submitted by 7000 Acres <a href="#">[RR-001]</a> states there is the possibility of socioeconomic decline from the cumulative effect and size of these developments. This would then affect people's health and wellbeing, which then has the long-term potential to impact on health inequality.</p> <p>Please can 7000 Acres provide further evidence and explanation regarding these concerns.</p>
<b>1.6.16</b>	Applicant	<p><b>Pre-existing Health Conditions</b></p> <p>ES Chapter 21: Other Environmental Matters <a href="#">[APP-059]</a> assesses human health under Section 21.5. Can the Applicant explain how this approach addresses the potential for effects on pre-existing health conditions. Please respond on whether the matter has been raised in relation to RRs received, and if this has a bearing on the EqIA <a href="#">[APP-321]</a>.</p>
<b>1.6.17</b>	Applicant	<p><b>Residual Effects</b></p> <p>Table 21.5.4 of ES Chapter 21: Other Environmental Matters <a href="#">[APP-059]</a>, sets out three likely significant effects for matters within Socio-Economics and Tourism and Recreation <a href="#">[APP-056]</a>.</p> <p>Can the Applicant please explain the rationale for referencing these three matters?</p>
<b>7. Historic Environment</b>		
<b>1.7.1</b>	Applicant/ Historic England/Local Authorities	<p><b>Study Area Selection</b></p> <p>Can the Applicant please explain with greater clarity the approach to and justification for the selection of study areas set out in the ES Chapter 13 Cultural Heritage <a href="#">[APP-051]</a>, noting that 2km has been used for non-designated heritage assets and 5km for designated heritage assets.</p> <p>Have these study areas been agreed with Historic England and the Local Authorities?</p>
<b>1.7.2</b>	LCC and NCC	<p><b>Archaeological investigations</b></p> <p>The RR from Historic England <a href="#">[RR-123]</a> sets out that archaeological risks can be well addressed, but only if there is a sound understanding of where archaeological sensitivity and importance lies across the site.</p> <p>The RR from LCC <a href="#">[RR-188]</a> sets out that 2% trenching has taken place only in certain parts of the redline boundary totalling 21% of the site. Further, both LCC and NCC LIR (<a href="#">[REP1A-002]</a> and <a href="#">[REP1A-003]</a>) refer to the lack of evaluation trial trenching in 'blank' areas where previous archaeological evaluation techniques have not identified archaeological potential. Concern is expressed that an appropriate fit for purpose</p>



ExQ1	Question to:	Question:
		<p>mitigation strategy cannot be achieved in areas that have not been subject to evaluation trial trenching. It is suggested that as a consequence the scheme presents a high level of risk.</p> <p>Noting the comment from Historic England, LCC and NCC are asked to please explain what information is required to achieve the understanding of archaeological sensitivity and importance, and to therefore manage archaeological risks. Specific reference to relevant guidance and policy is requested.</p>
1.7.3	Applicant	<p><b>Archaeological investigations</b></p> <p>a) Noting that the Applicant referred to an estimated overall 0.36% trial trenching within the Order Limits and an estimated 0.65% trial trenching along the Shared Cable Route Corridor, the Applicant is asked to please clarify how these percentages have been calculated and where this is set out in the evidence.</p> <p>b) The Applicant is also asked to comment on the concerns raised by NCC at paragraph 9.7 of their LIR <a href="#">[REP1A-003]</a> that, in relation to the Written Scheme of Investigation (WSI) <a href="#">[APP-122]</a>, even where there has been evaluation trial trenching, it has not adequately or systematically identified the nature of the archaeological deposits, leaving the development at high risk of causing significant damage to and unrecorded loss of the archaeological resource. On this basis it is also suggested that mitigation proposals are inadequate.</p>
1.7.4	LCC	<p><b>Archaeological investigations</b></p> <p>LCC referred in its RR <a href="#">[RR-188]</a> to concerns about the use of concrete ground anchors as a mitigation measure referred to in the WSI <a href="#">[APP-122]</a> to enable ‘preservation in situ’. Noting the Applicants response in The Applicants Response to Relevant Representations <a href="#">[REP1-050]</a>, LCC is asked to please comment on whether this addresses the concerns raised.</p>
1.7.5	Applicant/ Historic England	<p><b>Stow Park medieval bishops place and deer park</b></p> <p>The ExA notes that the assessment of the effects of the Proposed Development on the significance of the designated heritage asset is a matter of under discussion between the Applicant and Historic England, as set out in the <a href="#">[REP1-063]</a>. Historic England’s concerns are set out, with particular reference to the effect of the Proposed Development on the monument’s legibility.</p> <p>The Applicant is asked to please set out the nature of ongoing discussions with Historic England, including whether suggested mitigation measures are being discussed.</p>
1.7.6	Applicant	<p><b>Stow Park medieval bishops place and deer park</b></p> <p>The Heritage Statement at ES Appendix 13.5 <a href="#">[APP-117]</a> sets out at 3.3.41 that a conclusion of less than substantial harm (at the upper end) is based on the use of shorter fixed panels and the reversibility to the</p>



ExQ1	Question to:	Question:
		<p>current baseline (in 40 years). The ES Ch 13 <a href="#">[APP-051]</a> para 13.7.39 refers to such panels being c.2m in height (noting that fixed panels of 3.5m in height are referred to elsewhere in the ES).</p> <p>Can the Applicant please provide greater clarity on the implications of this mitigation measure for the wider scheme. Is this a realistic prospect? Have any other mitigations measures been considered?</p>
1.7.7	Applicant	<p><b>Stow Park medieval bishops place and deer park</b></p> <p>Can the Applicant please clarify where a Zone of Theoretical Visibility (ZTV) analysis is undertaken of the Proposed Development in relation to the Stow Park medieval bishops place and deer park.</p>
1.7.8	Applicant	<p><b>AR68</b></p> <p>With reference to the Cultural Heritage Impact Assessment <a href="#">[APP-123]</a> the Applicant is asked to please clarify the implications of the proposal in terms of the effect on the non-designated remains at AR68 (currently noted as slight to large adverse, potentially significant), including whether consideration has been given to mitigation measures.</p>
1.7.9	Applicant	<p><b>Conservation Areas</b></p> <p>The ES Chapter 13 <a href="#">[APP-051]</a> identifies 4 conservation areas and their value in Table 13.16. However, the analysis of the effects of the Proposed Development on these designated heritage assets does not appear to have been presented. If the conservation areas have not been assessed the Applicant is asked to please explain why this is the case; alternatively please provide details of where this information is provided and, if necessary, update the ES.</p>
1.7.10	Applicant	<p><b>Listed Building: No 21 and Attached Barn to Rear, Marton</b></p> <p>The ES Chapter 13 <a href="#">[APP-051]</a> paragraph 13.8.5 refers to potential direct physical impacts during construction to No 21 and Attached Barn to Rear, a Grade II Listed Building (NHLE1146594) located on the corner of Stow Park Road and High Street in Marton. This is due to the fact that HGVs delivering abnormal loads will need to mount the pavement adjacent to the Listed Building. Reference is made to the fact that transport of abnormal loads will be a closely managed process travelling at crawl speed and monitored by the police. On this basis it is suggested that the likelihood of this impact occurring is negligible. With reference to how this matter would be addressed, the Planning Statement <a href="#">[APP-313]</a> at paragraph 6.6.10 directs us to the report at Appendix F of the Transport Assessment <a href="#">[APP-126]</a>. However, this report does not appear to make reference to the junction in question.</p>

ExQ1	Question to:	Question:
		The Applicant is asked to please provide clarification the nature of the harm and how it is suggested that this could be mitigated.
<b>1.7.11</b>	Applicant and Historic England	<p><b>Roman Villa at Scampton: Cumulative impacts</b></p> <p>The Potential for up to moderate adverse cumulative impacts with Cottam at Roman Villa west of Scampton (NHLE 1005041) are referred to in the Joint Report in Interrelationships <a href="#">[REP1-057]</a>, depending upon the effectiveness of the landscape mitigation. The Heritage Statement <a href="#">[APP-117]</a> at 3.2.14 notes the 'sweeping view west across the Trent Valley' from this location, also the Cumulative Developments Augmented ZTV <a href="#">[APP-272]</a> illustrates that all four solar developments would be visible from this location. The Heritage Statement notes a slight adverse effect on significance at 3.3.15, presumably based on the effect of the West Burton Proposed Development alone. However, at 3.3.16 reference is made to fact that as the development would prevent any further developments from occurring within the Order Limits (e.g., for residential development) during the operational period, there is the potential for the Scheme in the longer term to have a beneficial effect on the settings of heritage assets.</p> <p>The Applicant is therefore asked to please explain the implications of these differential assessments. Historic England is invited to comment on both the assessments undertaken and their outcomes.</p>
<b>1.7.12</b>	WLDC	<p><b>Effects on designated heritage assets</b></p> <p>In their WR <a href="#">[REP1A-004]</a>, WLDC state that <i>there will be a several further significant impacts on designated heritage assets including Scheduled Monuments and Grade I listed buildings. This will have a long term impact on these local assets.</i></p> <p>WLDC is asked to please clarify both which designated heritage assets are referred to and the nature of the heritage impacts.</p>
<b>1.7.13</b>	Applicant	<p><b>Historic Landscape Character</b></p> <p>The ES Chapter 13 <a href="#">[APP-051]</a> paragraph 13.9.5 dealing with in-combination effects states that mitigation by new planting and reinforcement of existing vegetation would have an overall beneficial effect for historic landscape character by reinforcing the historic landscape character.</p> <p>The Applicant is asked to please explain this conclusion, noting the various adverse effects on the historic landscape are identified at 13.7.49-13.7.53.</p>
<b>1.7.14</b>	Applicant	<b>Conclusions against policy and Legislation</b>

ExQ1	Question to:	Question:
		<p>The requirements of legislation regarding heritage assets are set out in Section 13.3 of ES Chapter 13 <a href="#">[APP-051]</a>. The requirements of The Infrastructure Planning (Decisions) Regulations 2010 at Part 3 should also be noted. However, conclusions against these provisions have not been provided in the ES or the Planning Statement.</p> <p>The Applicant is asked to please update the Planning Statement to address this.</p>
<p><b>1.7.15</b></p>	<p>Applicant</p>	<p><b>Conclusions against policy and Legislation</b></p> <p>Paragraph 6.6.6 of the Planning Statement <a href="#">[APP-313]</a> refers to paragraph 199 of the National Planning Policy Framework (NPPF) and the fact that ‘great weight’ should be given to conservation of designated heritage assets, noting ‘that the more important the asset, the greater the weight’. On this basis it is suggested that the greatest weight is to be given to Grade I and Grade II listed building, with ‘lesser weight’ given to Grade II listed buildings.</p> <p>The Applicant is asked to please explain this in the light of the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the NPPF paragraph 200.</p>
<p><b>8. Landscape and Visual</b></p>		
<p><b>1.8.1</b></p>	<p>Applicant</p>	<p><b>Design Principles</b></p> <p>Section 4.6 of NPS <a href="#">EN-1</a> emphasises the importance of ensuring good design in the development of Nationally Significant Infrastructure Projects, referring also to the ‘Design Principles for National Infrastructure developed by the National Infrastructure Commission. The National Planning Policy Framework (NPPF) also advocates good design.</p> <p>The Applicant is asked to set out the approach taken to good design, and how this element of the Proposed Development has evolved in relation to the following key elements. This should include reference how each element has responded, in terms of form and siting, to functional and aesthetic requirements, including sensitivity to existing landscape character and nature inclusivity. Reference should be made to how emerging technology can or could be accommodated. Please include:</p> <ul style="list-style-type: none"> <li>- Solar panels and associated equipment</li> <li>- On-site substations and associated equipment and structures</li> <li>- Battery Energy Storage</li> <li>- Boundary Treatment</li> <li>- Hard and soft landscaping</li> </ul>

ExQ1	Question to:	Question:
1.8.2	Applicant	<p><b>Concept Design Parameters and Principles document</b></p> <p>The Concept Design Parameters and Principles document (CDPP) <a href="#">[REP1-036]</a> sets out the design parameters and principles for work numbers except No 4. And No.7.</p> <p>The Applicant is asked to please indicate why are design parameters and principles for these elements are not provided?</p>
1.8.3	Applicant	<p><b>Design and Access Statement</b></p> <p>Section 2 of the Design and Access Statement (DAS) <a href="#">[APP-314]</a> sets out the policy context relevant to the design of major infrastructure. Additionally, the Applicant is asked to please set out whether, and in what way, consideration has been given to:</p> <ol style="list-style-type: none"> <li>The National Model Design Code</li> <li>Use of a design approach statement, design champion and/or design review panel</li> </ol>
1.8.4	Local Authorities	<p><b>Local Planning Authority Design Role</b></p> <p>The local authorities are asked to please comment on:</p> <ol style="list-style-type: none"> <li>Whether the DAS <a href="#">[APP-314]</a>, the ES Scheme Description <a href="#">[APP-042]</a> and the CDPP <a href="#">[REP1-036]</a> documents provide enough detail and a sufficient basis to guide the development of design details post-consent. Are any further visuals or design information required?</li> <li>Whether requirement 6 of the dDCO <a href="#">[REP1-006]</a>, is sufficient to secure the detailed design of the structures indicated in Table 2.1 to Table 2.9 of the CDPP <a href="#">[REP1-036]</a>.</li> <li>Whether the LPAs have sufficient design experience and expertise to take on design approval post-consent and whether an external design review would be necessary. If support is required, please indicate what this is in relation to and where this support should come from.</li> </ol>
1.8.5	Applicant	<p><b>Solar PV Panels</b></p> <p>Noting that the size of PV panels is not fixed in the application, the Applicant is asked to please indicate how the implications of each of the different options available have been fully considered in terms of landscape and visual effects.</p>
1.8.6	Applicant	<p><b>Battery Energy Storage System (BESS)</b></p> <p>The Concept Design Parameters document <a href="#">[REP1-036]</a> provides the parameters for each battery storage unit but it is unclear whether these will be stacked and if so, what the maximum height would be. Can the</p>

ExQ1	Question to:	Question:
		Applicant please explain where the maximum height of the Battery Energy Storage System is secured in the application documents?
1.8.7	Applicant	<p><b>Scheme Parameters</b></p> <p>The Landscape and Visual Impact Assessment (LVIA) <a href="#">[APP-046]</a> is based on illustrative layouts. The Applicant is asked to please comment on how the parameters for the larger elements of the Proposed Development such as the substations and the BESS are to be fixed, as well as the extent of solar arrays.</p>
1.8.8	Applicant	<p><b>Scheme Parameters</b></p> <p>With reference to both the revised CDPP <a href="#">[REP1-036]</a> and the ES Chapter 4 <a href="#">[APP-042]</a>, the Applicant is asked to ensure that the scale parameters are consistently referenced. For example, the Scheme description sets out that in the Cable Route Corridor, where multiple circuits are directional drilled along parallel paths, the minimum separation distances between drilled cable circuits is 3.0m, whereas the Concept Design Parameters and Principles document refers to the minimum separation distance as 5.0m.</p>
1.8.9	Applicant	<p><b>Hedgerow and tree removal</b></p> <p>The Applicant has described how at this stage it is appropriate that the powers sought in the DCO should be flexible on the basis of the detailed design for the Proposed Development not yet being known. Indicative areas for potential hedgerow removal are provided as part of the Outline Landscape and Ecological Management Plan (OLEMP) <a href="#">[REP1-042]</a>. The ExA assumes that this corresponds with the references to approximately 20 new temporary hedgerow gaps associated with the cable route (c.82m-142m of temporary removal) and 7 new hedgerow gaps and 9 ditch crossings associated with the arrays (c.24-52m of hedgerow anticipated to be removed) referred to in Issue Specific Hearing No 1 <a href="#">[REP1-051]</a>.</p> <p>The ExA notes the powers sought in Article 38 of the dDCO <a href="#">[REP1-006]</a> and the extent of potential hedgerow removal referred to in Schedule 13, Part 1-3 in column 2. This appears to be at odds with the fact that the LVIA <a href="#">[APP-046]</a>, including visualisations, rely heavily on vegetation being retained. The Appellant is asked to please:</p> <ol style="list-style-type: none"> <li>Comment on the observation regarding the LVIA the accuracy of LVIA visualisations.</li> <li>Consider whether the extent of power/flexibility sought in this regard could be further refined.</li> </ol>
1.8.10	Applicant	<p><b>Access and highways effects</b></p> <p>The Applicant is asked to address the suggestion in RR and WR that the access and highways implications of the Proposed Development have not been fully considered beyond the increased levels of traffic during construction and decommissioning phases. For example, LCC set out in their LIR <a href="#">[REP1A-002]</a> at</p>

ExQ1	Question to:	Question:
		Appendix B (paragraph 4.20) that the vegetations loss at access points does not appear to have been addressed.
<b>1.8.11</b>	Applicant	<p><b>Lighting</b></p> <p>Draft NPS <a href="#">EN-3</a> sets out that lighting should be designed and installed to minimise impacts. Can the Applicant identify whether and how design parameters have sought to address. Whilst lighting is referred to in the CDPP <a href="#">[REP1-036]</a>, there is limited information relating to how this would be controlled, including whether lighting would be activated manually or by movement. The Applicant is asked to please provide further detail on this point.</p>
<b>1.8.12</b>	Applicant	<p><b>Mitigation Measures</b></p> <p>The ES Chapters 8 <a href="#">[APP-046]</a> and 16 <a href="#">[APP-054]</a> refer to embedded mitigation in the form of vegetation, including where instant screening is required. Also, if required, additional interim mitigation in the form of opaque fencing, would significantly reduce visibility. Backtracking is also a mitigation option for tracker panels (instead of vegetation or opaque fencing).</p> <p>The Applicant is asked please to explain:</p> <ol style="list-style-type: none"> <li>the relative merits of these measures</li> <li>how would their deployment would be determined.</li> </ol>
<b>1.8.13</b>	Applicant	<p><b>Monitoring of mitigation measures</b></p> <p>The outline Operational Environmental Management Plan <a href="#">[REP1-039]</a> at table 3.5 refers to the potential impact in terms of loss of existing landscape features and the visibility of operational activities, with mitigation/enhancement measures used 'if required'. Reference is made to monitoring through the OLEMP, however, it is not clear how this would be managed. The Applicant is asked please to provide greater clarity on this matter.</p>
<b>1.8.14</b>	Applicant and Local Authorities	<p><b>Landscape and Ecology Management Plan</b></p> <p>Appendix B to the OLEMP <a href="#">[REP1-042]</a> refers to the operational management 'prescriptions'. These elements include work to keep hedgerows, hedgerow trees and woodland copse and shelter belts weed free for 3 years. It also refers to the replacement of dead plants in relation to hedgerows, hedgerow trees and woodland copse and shelter belts weed free ending after 5 year.</p> <p>The Applicant and local authorities are asked to please comment on the adequacy of these provisions.</p>
<b>1.8.15</b>	Applicant	<b>Viewpoints</b>

ExQ1	Question to:	Question:
		<p>The ES Chapter 8 <a href="#">[APP-046]</a> paragraph 8.4.24 sets out that a series of representative and specific viewpoints have been used to represent the experience of different types of visual receptor, including users of Public Rights of Way (PRoW), residential properties, transport routes, heritage, and recreational sites, popular vantage points, landscape character or likely cumulative effects of the Proposed Development.</p> <p>a) Noting the proximity of residential receptors R055, R56 and R099 to the largest substation at West Burton 3, the Applicant is asked to please review whether the visual effects for these receptor have been fully considered.</p> <p>b) Noting the comments made by IPs (for example, in the WR made by 7000 Acres <a href="#">[REP1A-020]</a> relating to the fact that, due to the area covered by the Proposed Development, it would be visible from sensitive receptors such as the Ridge Area of Greater Landscape Value and the historic and internationally important Lincoln Cathedral and Castle, the Applicant is asked to please consider whether the areas of concern raised are appropriately reflected in representative/specific viewpoints.</p>
<b>1.8.16</b>	Applicant	<p><b>Viewpoint 26</b></p> <p>The Applicant is asked to please review and if necessary correct Figure 8.13.26 <a href="#">[APP-219]</a> relating to Viewpoint 26 relating to Winter AVR3 (Year 15), noting that this does not appear to be a winter view.</p>
<b>1.8.17</b>	Applicant	<p><b>Viewpoint LCC-C-M (Viewpoint 70)</b></p> <p>This viewpoint <a href="#">[APP-265]</a> is positioned to the east of Work Package 3c (400kV substation with height parameter up to 13.2m, control building, monitoring equipment etc). The Applicant is asked to please review the infrastructure model view to the west, and the associated AVR (Accurate Visual Representations). Are these fully representative of this view?</p> <p>The Applicant is also asked to please give consideration to how the scale of the substation could be better represented within its context.</p>
<b>1.8.18</b>	Applicant	<p><b>Glint and Glare Assessment</b></p> <p>The ES Chapter 16 <a href="#">[APP-054]</a> sets out at paragraph 16.7.3 the view that panel's frame and structure can also be a source of glare it is unlikely that will be visible. Furthermore, their total potentially reflective surface is much smaller when compared to the total panel area their area. Therefore, no assessment is required.</p> <p>The Applicant is asked to please provide further justification of this position, noting the reference to the fact that the potential for solar PV panels, frames and supports to have a combined reflective quality may need to be assessed in <a href="#">dNPS EN-3</a> at paragraph 2.10.106.</p>



ExQ1	Question to:	Question:
<b>1.8.19</b>	Applicant	<p><b>Cumulative Assessment: landscape</b></p> <p>The ExA notes that in relation to the West Burton Solar Project, no significant cumulative landscape effects have been identified at any phases of the development for the national, regional or local landscape character areas identified in the baseline.</p> <p>However, the Joint Report on Interrelationships <a href="#">[REP1-057]</a> refers to cumulative moderate adverse effect between the Gate Burton Solar Project and the West Burton Solar Project during operation. Can the Applicant please explain the nature of the adverse effect identified and also why adverse effects have not been identified for both Proposed Developments.</p>
<b>1.8.20</b>	Applicant	<p><b>Cumulative Assessment: Visual</b></p> <p>The ExA notes that no significant cumulative effects with other developments were identified at any phases of the development for visual receptors.</p> <p>With reference to sequential effects, the Applicant is asked to please:</p> <ol style="list-style-type: none"> <li>set out where the effects of travelling through local routes, including for example rail travel between Lincoln and Gainsborough, have been considered?</li> <li>If they have not been considered, why not?</li> </ol>
<b>1.8.21</b>	Applicant	<p><b>Cumulative Assessment: Non-Visual</b></p> <p>The Applicant is asked to please comment on:</p> <ol style="list-style-type: none"> <li>whether or not the cumulative assessment looked at non-visual impacts on the residential or other receptors, such as those from noise or dust, and</li> <li>If not, why this is not considered to be necessary.</li> </ol>
<b>9. Need, the electricity generated and climate change</b>		
<b>1.9.1</b>	Applicant and Interested Parties	<p><b>Recent Government publications and consultations</b></p> <p>Can the Applicant and IPs comment on the implications for their cases of the most recent Government publications including:</p> <ul style="list-style-type: none"> <li>The Department for Energy Security and Net Zero Policy Paper '<a href="#">Powering Up Britain</a>', and the complementary papers 'Powering UP Britain: Energy Security Plan' and 'Powering UP Britain: Net Zero Growth Plan'; and</li> <li>The <a href="#">Skidmore Review</a>, Review of Net Zero, published in January 2023.</li> </ul>

ExQ1	Question to:	Question:
		Please specify what weight should be given to these documents.
<b>1.9.2</b>	Applicant	<p><b>Climate Change Assessment</b></p> <p>Paragraph 7.8.28 of ES Chapter 7: Climate Change <a href="#">[APP-045]</a> states that it is assumed the half of the construction materials would come from China and half would come from Europe.</p> <p>However, paragraph 7.5.4 states that the PV panels are expected to be sourced from China (or a country of similar distance to the UK).</p> <p>a) Can the Applicant please comment on what basis the above 50:50 China: Europe split assumption is made?</p> <p>b) Would PV Panels account for more than 50% of construction materials?</p>
<b>1.9.3</b>	Applicant	<p><b>Embodied Carbon</b></p> <p>The ES Chapter 7 : Climate Change <a href="#">[APP-045]</a> states that manufacture and transport of products will likely be the largest sources of greenhouse gas (GHG) emissions from the Scheme (paragraph 7.5.4). Later, there is a reference to <i>the manufacture and supply of PV panels and Batteries will be the largest source of GHG emissions during construction phase</i> (paragraph 7.8.41). It is suggested that overall the scheme would provide major beneficial impacts and a net reduction in GHG (paragraph 7.12.2)</p> <p>The Applicant is asked to please set out:</p> <p>a) whether and how amount of embodied carbon in <b>all</b> phases of the Proposed Development, including decommissioning and returning the land to agricultural use, has been considered.</p> <p>b) what weight is given to embodied carbon at the various stages of the scheme?</p>
<b>1.9.4</b>	Applicant and IPs	<p><b>Statement of Need</b></p> <p>The ExA notes that since the Applicant prepared its Statement of Need <a href="#">[APP-320]</a>, the Government published its response to the consultation comments on the dNPS, updated the dNPS documents and published its blueprint for the future of energy in the UK 'Powering Up Britain'.</p> <p>The Applicant and all IPs are invited to comment on the implications of these documents on the Applicant's needs case.</p>
<b>1.9.5</b>	Applicant	<p><b>Details of the BESS</b></p> <p>The ES Chapter 4 <a href="#">[APP-042]</a> paragraph 4.5.27 sets out that in terms of battery storage, the precise number of individual battery storage containers will depend upon the level of power capacity and duration of energy</p>

ExQ1	Question to:	Question:
		<p>storage that the Scheme will require. As far as is possible at this stage, the Applicant is asked to please provide further details of:</p> <ul style="list-style-type: none"> <li>a) The total power of the BESS (rated in megawatts);</li> <li>b) The storage capacity and duration of storage (rated in megawatt hours);</li> <li>c) How the PV cells will be connected to the BESS; and,</li> <li>d) The energy balancing role of the BESS.</li> </ul>
<p><b>1.9.6</b></p>	<p>Applicant</p>	<p><b>Co-Location of BESS and Grid Connection</b></p> <p>Please can the Applicant</p> <ul style="list-style-type: none"> <li>a) confirm whether or not all BESS could be co-located with the grid connection point (at West Burton Power Station).</li> <li>b) If it is possible to co-locate BESS at the grid connection point, why has the Applicant not opted to site BESS elsewhere?</li> </ul>
<p><b>1.9.7</b></p>	<p>7000 Acres (and all other IPs)</p>	<p><b>Large-scale Ground-mounted Solar Farms</b></p> <p>7000 Acres states in RR <a href="#">[RR-001]</a> that “<i>while there is a clear case for solar playing a role in decarbonisation, there is no clear case for extensive displacement of farmland through the installation of large-scale ground-mounted solar farms</i>”.</p> <p>With reference to paragraph 3.3.58 of <a href="#">dNPS EN-1</a>, which states that “<i>The need for all these types of infrastructure is established by this NPS and is urgent</i>”, please can 7000 Acres (or other IPs) explain the above statement.</p>
<p><b>1.9.8</b></p>	<p>Applicant</p>	<p><b>Policy case for further development of large-scale ground mounted solar</b></p> <p>Various RRs including 7000 Acres <a href="#">[RR-001]</a> state that there is no policy case for further development of large scale ground mounted solar.</p> <p>Please can the Applicant respond to this in light of paragraph 3.3.58 of <a href="#">dNPS EN-1</a>.</p>
<p><b>1.9.9</b></p>	<p>Applicant and IPs</p>	<p><b>Productivity/ Efficiency of PV Panels</b></p> <p>There appears to be disagreement as to the increase in productivity/efficiency of PV Panels which track sun movement, and those which are fixed.</p>

ExQ1	Question to:	Question:
		Please can the Applicant confirm the likely increased productivity of tracked PV Panels compared to fixed PV Panels, citing any appropriate evidence. IPs may, optionally, provide comment or evidence as to the level of productivity enhancement between fixed and tracked.
<b>1.9.10</b>	Applicant	<p><b>Replacement of PV Panels</b></p> <p>Paragraph 7.8.52 of Chapter 7: Climate Change [APP-045] assumes that 0.04% of panels will need replacing every year based on supplier input. Please can the Applicant confirm supplier input on expected life of each PV Panel, including effective life and at what point a panel may become uneconomical.</p> <p>Please also respond to the following queries:</p> <p>a) Is the 0.04% p.a. replacement rate a reasonable worst-case scenario?</p> <p>b) Is it based on a 40-year lifespan? If so, what may be a replacement rate over 60 years?</p> <p>c) Should the GHG emissions be based on a higher replacement rate?</p>
<b>1.9.11</b>	Applicant	<p><b>Energy generation</b></p> <p>Chapter 7 [APP-045] paragraph 7.8.61 sets out a total energy generation figure of around 21,956,988 MWh over the estimated 40-year assessed lifetime. The Applicant is asked to update this figure in the light of the updated 60-year decommissioning date.</p>
<b>10. Noise, Vibration and Air Quality</b>		
<b>1.10.1</b>	Applicant	<p><b>Planning Practice Guidance</b></p> <p>The <a href="#">Planning Practice Guidance: Noise</a> states that “<i>The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected</i>” (paragraph 006). Various IPs have noted that rural communities on the whole have little exposure to noise.</p> <p>The site of the proposed development is mainly countryside, which may have a bearing on the existing sound environment, and how new noise sources may be perceived by local communities.</p> <p>Can the Applicant please explain how this more qualitative aspect of noise reflected in the noise assessment work that has taken place?</p>
<b>1.10.2</b>	Local Authorities	<b>Noise and Vibration Assessment</b>

ExQ1	Question to:	Question:
		Local Authorities are asked to please state whether they agree with the assessment methodology and conclusions set out in ES Chapter 15 Noise and Vibration <a href="#">[APP-053]</a> . If not, please explain where you disagree and why. Where applicable please cross refer to relevant submissions (LIR, SOCG etc.).
1.10.3	Applicant	<p><b>Distinctive Tonal, Impulsive or Low Frequency Characteristics of Noise</b></p> <p>Paragraph 5.11.4 of the National Policy Statement (NPS) <a href="#">EN-1</a> (and paragraph 5.12.6 of NPS for Renewable Energy Infrastructure (<a href="#">EN-3</a>), March 2023) requires that the Applicant's assessment includes the identification of any distinctive tonal, impulsive or low frequency characteristics of noise. The Applicant is asked to please:</p> <ol style="list-style-type: none"> <li>provide a summary of how these characteristics have been identified. This may include examples of equivalent sound sources to provide a guide to all Interested Parties.</li> <li>Given the design flexibility sought for particular elements of the proposal, indicate what likelihood there is that such characteristics might change once the final design has been determined?</li> </ol>
1.10.4	Applicant	<p><b>Tonal Correction</b></p> <p>The Applicant is asked to please confirm if the tonal correction set out at paragraph 15.7.63 of ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> has been applied to all plant, or solely the battery storage.</p>
1.10.5	Applicant	<p><b>Methodology</b></p> <p>The ExA notes 7000 Acres' methodological concern by reference to the use of BS 4142:2014 as guidance <a href="#">[REP1A-022]</a>. 7000 Acres' concern is that when the background noise and rating levels are low, the use of absolute levels might result in differing conclusions.</p> <p>The Applicant is asked to please comment on:</p> <ol style="list-style-type: none"> <li>The applicability of the guidance in a rural environment.</li> <li>Whether the approach is more suited to an urban environment where background noise may be greater?</li> </ol>
1.10.6	Applicant and WLDC	<p><b>Methodology – WLDC Concerns</b></p> <p>WLDC sets out a range of concerns (NV1 to NV13) in its LIR <a href="#">[REP1A-006]</a>. The ExA notes that in the draft SoCG <a href="#">[REP1-062]</a> noise and vibration matters under discussion relate only to cumulative effects within <a href="#">APP-053</a> and that there are no matters not agreed with WLDC.</p>

ExQ1	Question to:	Question:
		<p>a) The Applicant is asked to please comment on the WLDC LIR <a href="#">[REP1A-006]</a> in respect of methodology, surveys, sources and assumptions (pp78-79).</p> <p>b) The draft SoCG <a href="#">[REP1-062]</a> states that key effects of noise from the construction and operational phases of the Scheme have been assessed robustly in accordance with relevant policy and guidance on noise and vibration assessments and do not result in any significant impacts and are therefore acceptable. Please can WLDC confirm its view on noise and vibration.</p>
<p><b>1.10.7</b></p>	<p>Applicant</p>	<p><b>Horizontal Directional Drilling – Noise and Vibration</b></p> <p>Paragraph 15.4.12 of ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> refers to horizontal directional drilling (HDD). Paragraph 15.4.13 goes on to discount HDD impact on noise and vibration during construction. Please can the Applicant</p> <p>a) Provide further justification for discounting noise from HDD.</p> <p>b) Provide comment on HDD noise and vibration, if used in construction. What effect it will have, and would it alter the Noise Assessment?</p>
<p><b>1.10.8</b></p>	<p>Applicant</p>	<p><b>Multiple Effects on Receptor</b></p> <p>Please can the Applicant confirm and clarify whether ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> has considered multiple effects at the same receptor. For example, where a receptor experiences <b>both</b> noise from site construction <i>and</i> construction traffic noise.</p>
<p><b>1.10.9</b></p>	<p>Applicant</p>	<p><b>Noise Outside Normal Working Hours</b></p> <p>Please can the Applicant confirm that the assessment of key effects under ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> addresses where noise may arise from construction activities outside of normal working hours.</p>
<p><b>1.10.10</b></p>	<p>Applicant</p>	<p><b>Noise from Tracker PV Panels and other Associated Infrastructure</b></p> <p>a) Can the Applicant confirm whether or not tracked PV panels generate noise? Please confirm if and where the potential noise (mechanisms, switches, movement, hum etc) has been included as a noise emission within the assessment?</p> <p>b) Further, as paragraph of 15.7.55 ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> confirms that transformer and inverter noise manufacturer’s data does not contain octave-band data (i.e., frequency sound data), how has it been fully assessed?</p>

ExQ1	Question to:	Question:
1.10.11	Applicant	<p><b>Differential Demand Activity – Noise Impact</b></p> <p>As electricity demand varies, is there a change in the system to accommodate this, and does this affect noise? For example, at times of greater demand, or at daily sunrise when the PV Panels and infrastructure ‘power up’. At such times is additional noise through impulsive/intermittent generated? Please can the Applicant clarify, and if necessary set out how these changes are assessed.</p>
1.10.12	Applicant	<p><b>Noise and Vibration – Navigational Safety</b></p> <p>The Applicant is asked to please provide details of how the effect on the navigational safety and land stability of the River Trent has been considered as regards noise and vibration?</p>
1.10.13	Applicant	<p><b>CEMP – Hours of Construction</b></p> <p>The revised outline Construction Environmental Management Plan (CEMP) Revision A <a href="#">[REP1-034]</a> sets out the days and times for construction activities. The Applicant is asked to please clarify if such activities are to be excluded from bank and public holidays.</p>
1.10.14	Applicant	<p><b>Acoustic Barrier – West Burton 3</b></p> <p>Paragraph 15.6.12 of ES Chapter 15: Noise and Vibration <a href="#">[APP-053]</a> refers to the use of acoustic barriers of close boarded construction. The Applicant is asked to please clarify how the acoustic barriers, including their detailed design, will be secured through the application?</p>
1.10.15	Applicant	<p><b>Improvements to Health and Quality of life</b></p> <p>Paragraph 5.11.9 of NPS <a href="#">EN-1</a> (and paragraph 5.12.17 of the <a href="#">dNPS EN-1</a>) requires that proposals, where possible, contribute to improvements to health and quality of the life through the effective management and control of noise.</p> <p>The Applicant is asked to please explain:</p> <ol style="list-style-type: none"> <li>a) How the Proposed Development does this, cross referencing where necessary to existing documents.</li> <li>b) If it has not been possible for the Proposed Development to achieve this, then please explain why not.</li> </ol> <p>Where necessary provide cross reference to answers to relevant questions within Section 6 Health and Wellbeing.</p>



ExQ1	Question to:	Question:
1.10.16	Applicant/ Environment Agency	<p><b>Soil Excavation</b></p> <p>Section 4.5.47 of the ES Chapter 4 <a href="#">[APP-042]</a> states that, “excavated soil will then be backfilled on top of the installed cables.” The Environment Agency <a href="#">[RR-90]</a> stated that the CEMP should include information about adhering to waste management legislation if the excavated material is contaminated. Excavated materials that are recovered via a treatment operation can be reused on-site under the CL:AIRE</p> <p>The Applicant states <a href="#">[REP1-065]</a> that it makes no explicit reference to waste management legislation at this stage, but that this can be secured as required through the final CEMP, which itself is secured by Requirement 13.</p> <p>a) Can the Applicant to please clarify whether the CL:AIRE Definition of Waste: Code of Practice will apply. b) Is the EA satisfied that this can be addressed through the CEMP, but that it is not explicitly referred?</p>
1.10.17	Applicant	<p><b>Construction Dust Management Plan (CDMP)</b></p> <p>The Construction Dust Management Plan ES Chapter 21 Other Environmental Matters <a href="#">[APP-059]</a>, discusses the effect on Human Health. Appendices 17.1, 17.2 and 17.3 provide Quantitative Dust Assessments and CDMPs for West Burton 1, 2 and 3 respectively.</p> <p>Can the Applicant please confirm how compliance with these documents would be secured.</p>
1.10.18	Applicant	<p><b>On-site Construction Activities</b></p> <p>Paragraph 17.4.5 of Chapter 17: Air Quality <a href="#">[APP-055]</a> states that appropriate site-specific mitigation for “on-site construction activities ...in accordance with the IAQM document..” will mitigate any potential adverse effects associated with the construction phase.</p> <p>The Institute of Air Quality Management (IAQM) guidance is <a href="#">Guidance on the assessment of dust from demolition and construction, January 2014</a></p> <p>Please can the Applicant explain: a) whether site specific mitigation includes for mitigation for abnormal load movements.</p>

ExQ1	Question to:	Question:
		b) which relevant criteria taken from <a href="#">IAQM document</a> cited have led to construction traffic and appropriate mitigation resulting in 'negligible' impact?
<b>1.10.19</b>	Applicant	<p><b>Fire Smoke Exposure</b></p> <p>Paragraph 17.4.19 of ES Chapter 17: Air Quality <a href="#">[APP-055]</a> uses fire smoke exposure guidance that relates to wildland fires. It states that these “<i>are considered to be the most relevant</i>”.</p> <p>Paragraph 17.4.16 identifies potential impacts on local residents from a fire accident, including particulate matter exposure as the “<i>key principle public health threat from short-term smoke exposure...</i>”</p> <p>Can the Applicant please explain the applicability of the Wildfire Guidance given the potential differences between fire types.</p>
<b>1.10.20</b>	Applicant	<p><b>Air Quality Category Zones</b></p> <p>Please can the Applicant provide further explanation/justification for the four air quality category zones have been identified under paragraph 17.7.16 of ES Chapter 17: Air Quality <a href="#">[APP-055]</a> .</p>
<b>1.10.21</b>	Applicant	<p><b>Fire Impact Assessment of BESS</b></p> <p>The Applicant is asked to respond to the following:</p> <p>a) Is the determination of effects as 'negligible' with regard to the fire impact assessment of battery energy storage systems dependant on the actions of local residents, with regard to paragraphs 17.7.17 to19 of Chapter 17: Air Quality <a href="#">[APP-055]</a>. ?</p> <p>b) Please also explain the process of residents being informed and moved, as is proposed.</p>
<b>11. Other Planning Matters</b>		
<b>1.11.1</b>	The Applicant	<p><b>Waste: effects relating to decommissioning</b></p> <p>The ES anticipates that at decommissioning the scheme will have a medium-term temporary moderate to major magnitude impact. It is suggested that this would have a slight or moderate adverse effect on hazardous waste handling in Lincolnshire (which is not considered significant in EIA terms); and a slight adverse effect on hazardous waste handling in Nottinghamshire (which is not considered significant in EIA terms). Can the Applicant please explain how these effects have been identified.</p>
<b>1.11.2</b>	Applicant	<b>LCC Minerals &amp; Waste Planning Policy – Processing of Decommissioned Panels</b>

ExQ1	Question to:	Question:
		LCC has raised an objection to the scheme due to the inability to comply with Policy W1 of its M&WLP. LCC states that there will need to be additional facilities to ensure these products are sustainably disposed of. Please can the Applicant respond to this concern.
<b>12. Safety and Major Incidents</b>		
<b>1.12.1</b>	Applicant	<b>Policy and Guidance</b> The Applicant is asked to please address the question of whether the application has been, or will be updated in the light of the recent addition to the <a href="#">Planning Practice Guidance: Renewable Energy and Low Carbon Energy</a> regarding battery energy storage systems, dated 14 August 2023.
<b>1.12.2</b>	Applicant	<b>Major Accident Hazard Sites</b> The ES Chapter 21 Other Environmental Matters <a href="#">[APP-059]</a> makes reference to the Health and Safety Executive (HSE) notification during EIA scoping that the DCO boundary is within multiple consultation zones of major accident hazard sites and major accident hazard pipelines (see Table 21.6.2, p.29). The Applicant notes that these have been identified and preliminary offsets as required by easements and operator safety distances have been embedded in the Scheme design. The Applicant is asked to please provide further explanation of how these considerations have been accommodated.
<b>1.12.3</b>	Applicant	<b>Significant Effects</b> Embedded mitigation is discussed in ES Chapter 21 Other Environmental Matters <a href="#">[APP-059]</a> Section 21.6. The Applicant is asked to please clarify whether the identification and evaluation of likely significant effects for major accidents and disasters has been undertaken on the basis of both embedded mitigation indicated in 21.6.36-38 as well as the mitigation measures indicated in 21.6.58-59? Or is it the embedded mitigation only.
<b>1.12.4</b>	Applicant	<b>Water Storage Capacity</b> The Outline Battery Storage Safety Management Plan (OBSSMP) <a href="#">[APP-318]</a> sets out at paragraph 2.3.2 that the main potential hazard is thermal runaway and ultimately, if not controlled, a fire.

ExQ1	Question to:	Question:
		<p>Interested Parties raise concerns regarding there being sufficient water available on site to fight a thermal runaway, with this water should being stored on site. Specifically, in their WR 7000 Acres <a href="#">[REP1A-012]</a> have suggested that on-site storage identified by the Applicant is insufficient for a major incident.</p> <p>The Applicant is asked to please:</p> <ul style="list-style-type: none"> <li>a) Indicate that maximum storage capacity for the water storage related to the fire suppression system and explain where this is secured in the application?</li> <li>b) Comment on the information presented by 7000 Acres, and recommendations made, <a href="#">[REP1A-012]</a> in relation to the adequacy with which the OBSSMP addresses the hazards associated with thermal runaways, and the relevance of both the thermal runaway examples presented and the safety regulations referred to.</li> </ul>
<p><b>1.12.5</b></p>	<p>Applicant</p>	<p><b>Battery System</b></p> <p>Paragraph 1.1.7 of the OBSSMP <a href="#">[APP-318]</a> states that the LeBlock modular battery system by LeClanché has been used for assessment.</p> <p>The Applicant is asked to please provide further information for this battery type including:</p> <ul style="list-style-type: none"> <li>a) Detailed Specification, Testing and Certification;</li> <li>b) Metal content in the batteries, type of insulation and testing conditions, manufacturers warranties, specific failure rates;</li> <li>c) The lifecycle of battery, how often it would need to be changed and what the associated procedure for this is;</li> <li>d) Further explanation as to why the LFP lithium-ion battery technology is considered to be a reasonable worst-case scenario for the purposes of the assessment in terms of safety; and,</li> <li>e) Explain whether, and if so how, the approach to battery safety would differ if a different lithium-ion battery technology was used.</li> </ul>
<p><b>1.12.6</b></p>	<p>Applicant</p>	<p><b>Lithium-Ion Battery Storage (Fire Safety and Environmental Permits) Bill</b></p> <p>The OBSSMP <a href="#">[APP-318]</a> at the final bullet point of 1.1.12 states “<i>This anticipates Dame Marie Miller’s Lithium-Ion Battery Storage (Fire Safety and Environmental Permits) Bill, due for its second reading in March 2023 and will ensure a robust ERP (Emergency Response Plan)</i>”. This is a Private Members’ Bill under the Ten Minute Rule.</p>

ExQ1	Question to:	Question:
		The ExA notes that the First Reading was 7 September 2022. There has been no second reading. Can the Applicant please update this reference with the latest position and indicate any implications this may have for the ERP?
1.12.7	LCC Lincolnshire Fire and Rescue, NCC Notts Fire and Rescue, Environment Agency. Optionally HSE may choose to comment.	<p><b>Battery Energy Storage System (BESS)</b></p> <p>The OBSSMP [APP-318] refers to the types of safety systems available on the market at present, along with risk reduction barriers which are likely to be incorporated into the system to be installed at the Sites. The OBSSMP states that it is possible that by the time of construction that all solid-state batteries, or other battery technologies may be available, and if so, this will be reflected in the BSSMP approved by the Local Authorities in consultation with the HSE, Lincolnshire Fire and Rescue Service and the Environment Agency.</p> <p>Are Lincolnshire Fire and Rescue, Nottinghamshire Fire and Rescue Service and the Environment Agency satisfied with the approach and conclusions. Optionally, whilst noting the Additional Submission received during pre-examination on behalf of the Health and Safety Executive (HSE) [AS-008], the HSE is invited to comment if it wishes to do so.</p>
1.12.8	Applicant	<p><b>Implementation of the Battery Safety and Storage Management Plan</b></p> <p>The Applicant is asked to please set out:</p> <p>a) How is it proposing to engage with the Fire and Rescue services during construction, operation and decommissioning phases in relation the detailed Battery Safety and Storage Management Plan?</p> <p>b) How would this be secured in the DCO?</p>
1.12.9	Applicant and LCC	<p><b>Health and Fire Safety Provisions of the Local Impact Report</b></p> <p>a) LCC's Local Impact Report [REP1A-002] paragraph 14.9 refers to the need for the Applicant to enter into a Protective Provisions arrangement with Lincolnshire Fire and Rescue within the DCO. This is to ensure the Fire Service has adequate resources to regularly inspect the BESS to ensure all the appropriate mitigation measures are in place and effective for the duration of the development. The Applicant and LCC are asked to please provide comment on the need for such provisions to update their SoCG accordingly.</p> <p>b) LCC refers in its LIR [REP1A-002] at paragraph 14.11 to the impacts associated with matters relating to accidents and disasters, and health to be neutral. Please can LCC confirm whether or not this is subject to the provision of the Section 106 agreement referred to in paragraph 14.6 and protective provisions within paragraph 14.9?</p>

ExQ1	Question to:	Question:
		c) Further, can LCC confirm if its conclusion is predicated on a financial contribution secured through a Section 106 Agreement, and how would the Section 106 agreement be secured?
<b>1.12.10</b>	LCC	<p><b>LCC Public Health Research</b></p> <p>LCC's LIR at paragraph 14.5 [<a href="#">REP1A-002</a>] refers to LCC Director of Public Health's research into health impacts of large scale solar farms with possible links to the sites of these projects and areas of deprivation. Can LCC please provide further information on the research including timescales, or provide any preliminary analysis?</p>
<b>1.12.11</b>	Applicant/ Environment Agency	<p><b>Environmental Permits</b></p> <p>The Applicant /EA are asked to indicate their views on whether an Environmental Permit be required for any part of the Battery Storage System?</p>
<b>1.12.12</b>	Applicant	<p><b>Cumulative effects</b></p> <p>In considering cumulative effects of major accidents and disasters, ES Chapter 21 Other Environmental Matters [<a href="#">APP-059</a>] at 21.6.61 sets out that the schemes listed in Appendix 2.3 [<a href="#">APP-069</a>] have been considered in determining whether there would be significant effects. Appendix 2.3 sets out a long list of sites for potential consideration.</p> <p>Can the Applicant please clarify which schemes were ultimately considered?</p>
<b>13. Socio-Economic Matters</b>		
<b>1.13.1</b>	Applicant	<p><b>Access to Education</b></p> <p>ES Chapter 23 Summary of Significant Effects [<a href="#">APP-061</a>] reports a significant moderate beneficial effect for access to education during construction. This does not, however, align with the effects reported in ES Chapter 18 : Socio Economics [<a href="#">APP-056</a>] where only a moderate-minor positive effect is reported (Para 18.7.39).</p> <p>Can the Applicant please clarify which effect should be reported, and align the relevant sections.</p>
<b>1.13.2</b>	Applicant	<p><b>Sheep Grazing for Agricultural Use Under Solar Panels</b></p> <p>Paragraph 18.8.11 of Chapter 18 Socio Economic and Tourism and Recreation [<a href="#">APP-056</a>] of the ES refers to "<i>diversified agricultural practices (such as sheep rearing and grazing) that can be continued alongside the operation of the Scheme will help to mitigate the impacts on agriculture sector employment and the sector economy.</i>"</p>

ExQ1	Question to:	Question:
		<p>The ExA notes concerns from Interested Parties, including LCC around sheep grazing. In LCC's LIR <a href="#">[REP1A-002]</a> it sets out that while it <i>"is perfectly possible to graze the areas under and between the panels, it is unlikely to be very cost effective for a grazier....The economics of moving sheep to and from the site will be marginal"</i>. Can the Applicant please:</p> <p>d) Signpost to details of how or where sheep farming could be undertaken?</p> <p>e) Provide details of how sheep farming could be undertaken as an agricultural enterprise?</p> <p>f) Indicate who would 'farm' the sheep, how would this be secured through the DCO?</p> <p>g) Provide any evidence that this has been successfully undertaken on other solar farms.</p>
1.13.3	Applicant/ Local Authorities	<p><b>Tourism</b></p> <p>a) Can the Applicant explain why, in Paragraph 18.7.17 of ES Chapter 18 Socio Economic and Tourism and Recreation <a href="#">[APP-056]</a>, increasing accommodation occupancy rates lead to an increase in Full Time Equivalent employees?</p> <p>b) As the construction phase appears to be displacing visitors, please can the Applicant also explain why the level of the respective beneficial or adverse effects would not be the same.</p> <p>Local Authorities are invited to comment, should they wish to do so.</p>
1.13.4	Applicant	<p><b>Skilled Roles within Local Impact Areas</b></p> <p>Chapter 18: Socio-Economics and Tourism and Recreation <a href="#">[APP-056]</a> paragraphs 18.5.26 to 28 discusses the qualification attainment rate within the Local Impact Area. It notes (Para 18.5.28) that the Local Impact Area has a significantly lower rate of attainment of NVQ Level 4 and higher qualifications compared to East Midlands and UK.</p> <p>The Applicant is asked to</p> <p>a) please explain what types/numbers of employment would come from the Local Impact Area (LIA) in terms of skilled roles.</p> <p>b) Would these roles be filled from within the LIA?</p>
1.13.5	Applicant	<p><b>Supply Chain Effects</b></p> <p>Paragraph 18.7.48 of ES Chapter 18: Socio Economics and Tourism and Recreation <a href="#">[APP-056]</a> discusses the economic effect on the agricultural sector. Based on an estimate of displacing approximately 13 agricultural sector jobs in the Local Impact Area (LIA), it states that the economic impact is estimated as £600,000 which will reduce the value of the local agricultural economy (£265 million) by approximately 0.2%</p>



ExQ1	Question to:	Question:
		<p>Based on the above this is reported as a long-term minor adverse effect locally, and a long-term negligible adverse effect regionally. Please can the Applicant confirm:</p> <ul style="list-style-type: none"> <li>a) Whether or not this includes the effect on the supply chain?</li> <li>b) Whether the estimated 13 displaced agricultural sector jobs includes supply chain displacement?</li> <li>c) If the upward supply chain is not included, would the reported effects be likely to alter with its inclusion?</li> </ul>
<p><b>1.13.6</b></p>	<p>Interested Parties; (Applicant - optional).</p>	<p><b>Community Benefits</b></p> <p>Various RRs stated that there has been no consultation from solar companies with parishes regarding the setting up of a community fund which would run for the entirety of the project to award sums for compensation for detrimental loss. The implication is that this would go some way to offering community benefit.</p> <ul style="list-style-type: none"> <li>a) IPs are invited to explain further what is meant by compensation, what a fund would be used for, and how such funds may be secured.</li> <li>b) Optionally, the Applicant may wish to also comment.</li> </ul>
<p><b>1.13.7</b></p>	<p>Applicant</p>	<p><b>Demographic-specific Benefits</b></p> <p>Various RRs raised concerns about the lack of benefits which the proposed development brings for younger people. The Applicant is invited to respond to these concerns (or to direct the ExA and IPs to their relevant response if provided elsewhere).</p>
<p><b>1.13.8</b></p>	<p>Applicant</p>	<p><b>Landscape and Recreation</b></p> <p>Paragraph 18.7.59 of ES Chapter 18: Socio-Economics and Tourism and Recreation [<a href="#">APP-056</a>] concludes that the effect on local tourism attractions in the Local Impact Area is minor adverse.</p> <p>At Paragraph 18.7.70, the importance of landscape to the recreational use of land is recognised. Given this importance, how is the impact on tourism concluded as minor?</p>
<p><b>1.13.9</b></p>	<p>Applicant and 7000 Acres (or other Interested Parties)</p>	<p><b>Socio-Economic Analysis of Gainsborough</b></p> <p>Interested Parties have queried the geographical range considered within the Socio-Economic analysis of Chapter 18 [<a href="#">APP-056</a>]. The ExA notes concern that the “<i>baseline conditions has been chosen very widely,</i></p>

ExQ1	Question to:	Question:
		<p><i>across Bassetlaw and West Lindsey</i>”, and the assertion that the areas avoid “<i>the specific socio-economic difficulties of Gainsborough</i>”. <a href="#">[REP1A-024]</a></p> <p>a) Please can the Applicant provide further justification for the area used within its Socio-Economic analysis in the context of this assertion. If answered elsewhere, please cross-refer. ( ).</p> <p>b) 7000 Acres, or other IPs, may wish to highlight specific alternative data sets on which to base the analysis. Please also explain, by reference to the specific socio-economic difficulties of Gainsborough, how these relate to the proposed development.</p>
<b>14. Transport and access, highways and public rights of way (PRoW)</b>		
<b>1.14.1</b>	LCC and NCC	<p><b>Transport Assessment (TA) Methodology, Conclusions</b></p> <p>Do NCC and LCC as Local Highway Authorities agree with the methodology and conclusions as reported in the ES Chapter 14 Transport and Access <a href="#">[APP-052]</a>? If not, please identify where issues arise and the reasons.</p> <p>a) Do NCC and LCC agree with the mitigation and output from the Construction Traffic Management Plan (CTMP) <a href="#">[APP-127]</a> updated in <a href="#">[REP1-016]</a> and Outline Construction Environmental Management Plan (oCEMP) <a href="#">[REP1-034]</a></p> <p>b) Will the CTMP and oCEMP adequately address any residual effects and are they satisfied these are appropriately secured through the dDCO?</p>
<b>1.14.2</b>	LCC, NCC and Applicant.	<p><b>Timing of Surveys</b></p> <p>The ExA notes, as set out in ES Chapter 14 Transport and Access <a href="#">[APP-052]</a> para 14.4.33 and para 2.13 of the TA that the pandemic and associated restrictions disrupted normal traffic flows. However, surveys were undertaken outside of lockdown periods. ES para 14.5.24 notes that “<i>data from the DfT has been obtained for 2019, prior to the Covid-19 pandemic</i>”. Paragraph 14.4.34 states that “<i>notwithstanding the limitations and assumptions referenced, it is considered that the methodology and conclusions to this chapter are robust</i>”. The baseline survey assessment was undertaken in November 2021.</p> <p>Please can the Applicant</p> <p>a) Explain why that particular time period in November was chosen.</p>

ExQ1	Question to:	Question:
		b) Please can the Local Authorities (Highways Authorities and LPAs) confirm if this survey period is considered to be sufficient and or whether or not they agree with the statement in ES para 14.4.34.
<b>1.14.3</b>	LCC and NCC	<p><b>Abnormal Loads</b></p> <p>a) Are NCC and LCC as satisfied with the arrangements for abnormal loads set out in the CTMP [<a href="#">APP-127</a>], updated in [<a href="#">REP1-016</a>] Appendix 14.2 Construction Traffic Management Plan Revision A.</p> <p>b) If not, please identify where issues arise and the reasons?</p>
<b>1.14.4</b>	Applicant, LCC and NCC	<p><b>Travel Plan</b></p> <p>Chapter 14 Transport and Access [<a href="#">APP-052</a>] of the ES sets out the travel plan arrangements to be provided for the construction and operational phases.</p> <p>It includes a measure for the provision of shuttle buses to transport construction workers to and from the Sites. This is particularly important for non-local workers, who will stay in local accommodation and be transported to the Sites. It is expected that a shuttle bus will be able to accommodate 20 workers. In addition, workers who drive will be encouraged to car share where possible. With this in mind, it is assumed that 50% of workers will arrive by shuttle bus.</p> <p>a) Are NCC and LCC satisfied with this conclusion? If not, please identify where issues arise and the reasons?</p> <p>b) Can the Applicant justify the split and uptake of shuttle bus patronage to 50%.</p> <p>c) Can the Applicant please confirm whether the assumptions used (e.g. para 4.6 of the Construction Traffic Management Plan) for the shuttle bus capture the worst case scenario? (The ExA notes that worst case scenario has been applied for the cable route corridor)</p>
<b>1.14.5</b>	Applicant	<p><b>Construction Vehicle Assumptions</b></p> <p>Chapter 14 Transport and Access [<a href="#">APP-052</a>] of the ES sets out assumptions for construction vehicle movements to the solar and energy storage park. Please can the Applicant explain and justify the basis for the percentage splits, vehicle occupancy etc.</p>
<b>1.14.6</b>	Applicant (and LCC)	<p><b>Unclassified Road South of the A1500</b></p> <p>The ExA notes LCC's concern regarding the access route proposed for West Burton 1 as set out in its LIR [<a href="#">REP1A-002</a>]. The ExA is familiar with the road having visited during previous Unaccompanied Site Inspections (USI) and experienced passing, layout and proximity to nearby ditches.</p>

ExQ1	Question to:	Question:
		<p>The ExA notes LCC’s recommendation at paragraph 8.9 of it’s LIR <a href="#">[REP1A-002]</a> for construction traffic: “<i>the applicant needs to identify where passing bays will be located on this route</i>” and that there should be “<i>at least one bay on each straight section of the route, making around three bays over the 1.2km section</i>”. Further, that for the proposed access points (Access 1 and 2) layout of access junctions need preparing with swept paths for HGVs to show that two-way movements can occur and the extent of the junction improvements necessary.</p> <p>The Applicant (and, optionally LCC) is asked to please update on its progress on discussions with LCC.</p>
<p><b>1.14.7</b></p>	<p>Applicant</p>	<p><b>HGV Access at West Burton 1</b></p> <p>TA Table 5.1, ES para 14.74 <a href="#">[APP-052]</a> indicates that the HGV vehicle max length is 16.5m. The ExA notes that Abnormal Indivisible Load (AIL) movements are considered separately to HGV. A 16.5m length articulated vehicle is 2.55m wide. The unclassified road South of the A1500 is 3m wide in places which is the width of the AIL trailer axels. Widening may be required to ensure that the integrity of the road surface is maintained. There are ditches approx.1.5m to the side of the unclassified road.</p> <p>Please can the Applicant:</p> <ul style="list-style-type: none"> <li>a) Confirm if the road preparation for the AILs will occur before the HGV deliveries.</li> <li>b) If not, does Appendix D of the TA need to be updated to include other elements of the unclassified road in addition to the accesses?</li> </ul>
<p><b>1.14.8</b></p>	<p>LCC and Applicant</p>	<p><b>LCC Review and Specify Highway Works</b></p> <p>The ExA notes that LCC’s LIR <a href="#">[REP1A-002]</a> at paragraph 8.11 seeks a mechanism to ensure that the Highway Authority can review and provide the specification for works would normally be captured via a Section 278 Agreement. At that time of submission such mechanism was still under discussion in the drafting of the DCO.</p> <p>Please can LCC and the Applicant update on progress of this fundamental component of the project.</p>
<p><b>1.14.9</b></p>	<p>Applicant (LCC and NCC)</p>	<p><b>Collision Data</b></p> <p>Chapter 14 Transport and Access <a href="#">[APP-052]</a> analyses Personal Injury Collision Data provided over the “most recent” five-year period (Para 14.5.26).</p>

ExQ1	Question to:	Question:
		<p>a) Can the Applicant explain why the collision data over the past five years is considered to be representative given the possible impacts in terms of traffic movements of the Covid19 pandemic during this period?</p> <p>b) Please also confirm whether there are any assessment assumptions and/or limitations in relation to Covid-19 within the LCC road network data.</p> <p>c) Please can the Applicant confirm if Table 14.8 of ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> is up to date in relation to accident data, given that it does not include accidents from 2022 or 2023.</p> <p>Local Authorities may also like to comment on the above.</p>
<b>1.14.10</b>	Applicant	<p><b>Construction Traffic Routes and Hedgerows</b></p> <p>Please can the Applicant confirm whether other than at access points, any of the construction routes result in hedgerow removal?</p>
<b>1.14.11</b>	Applicant	<p><b>Mitigation of Construction Phase Vehicles</b></p> <p>Paragraph 14.6.4 of ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> refers to “<i>Works to enable abnormal load deliveries</i>” (final bullet point).</p> <p>Please can the Applicant clarify what these works would entail.</p>
<b>1.14.12</b>	Applicant	<p><b>Cumulative Effects</b></p> <p>Section 14.9 of ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> provides a discussion on cumulative effects with a number of schemes in the local area. The Applicant is asked to provide a summary update as to the accuracy of these data, and whether or not changes are required.</p>
<b>1.14.13</b>	LCC and NCC	<p><b>On-Site Vehicle Parking</b></p> <p>The Local Authorities are asked to please indicate whether:</p> <p>a) the Proposed Development delivers off-road parking provision, servicing and access arrangements in accordance with the standards required by the Highway Authority?</p> <p>b) the off-road parking facilities provided, e.g. during construction, will be adequate?</p>
<b>1.14.14</b>	Applicant	<p><b>Effect on Pedestrians and Cyclists - Amenity</b></p>

ExQ1	Question to:	Question:
		<p>Paragraph 14.7.44 to 14.7.46 14.7 of ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> considers the likely effects on pedestrian amenity. The effects are not considered to be significant.</p> <p>Given the nature of the minor roads and PROWs which provide access to and cross the site, please can the Applicant set out how cyclists' and pedestrians' amenity be affected by HGVs and abnormal loads, in addition to increased car use?</p>
<p><b>1.14.15</b></p>	<p>Applicant</p>	<p><b>Effect on Pedestrians and Cyclists – Hazardous Loads</b></p> <p>Paragraph 14.7.47 to 14.7.49 14.7 of ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> consider the likely effects of hazardous loads. The effects are not considered to be significant.</p> <p>Given the nature of the minor roads and Public Rights of Way which provide access to and cross the site, please can the Applicant set out how cyclists' and pedestrians' safety will be affected by HGVs and abnormal loads, in addition to increased car use?</p>
<p><b>1.14.16</b></p>	<p>Applicant</p>	<p><b>Effect on pedestrians and cyclists – Public Rights of Way (PRoW)</b></p> <p>ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> Paragraph 14.6.5 confirms that no diversions or closures of PROWs are required during the Operational phase. Paragraph 14.7.42 states that the intention is for PROWs “<i>to remain open during the construction phase</i>”, but that any temporary stopping up and diversion will be “<i>appropriately managed</i>”.</p> <p>Para 3.12 of the oPROW MP <a href="#">[REP1-018]</a> cross references the PROW Plan <a href="#">[APP-009]</a> which identifies potential diversions (e.g. Sheets 1, 6 and 7). Where a temporary stopping up/diversion of a PRoW is required, prior notices to the PRoW officers at the local highway authority will be provided “<i>so far as possible</i>”.</p> <p>LCC has commented (Para 9.4 of LIR <a href="#">[REP1A-002]</a>) that there needs to be a clear procedure for temporary closing or diverting rights of way with clear details about reinstatements of any paths and surface of any diverted routes.</p> <p>Can the Applicant please explain:</p> <ol style="list-style-type: none"> <li>a) How ES Chapter 14: Transport and Access <a href="#">[APP-052]</a> considers the potential effect of diversions during the construction phase, as indicated on the PRoW Plan.</li> <li>b) The likely effect on pedestrians and cyclists.</li> </ol>

ExQ1	Question to:	Question:
		c) Please also comment on progress for clearer procedures for temporary stopping up, so that prior notices are provided whenever required with trigger points and descriptions provided appropriately?
<b>1.14.17</b>	Applicant	<p><b>PROW Reinstatement</b></p> <p>Para 3.7 of the oPROW MP [<a href="#">REP1-018</a>] states that damage to the surface of the footpath will be repaired as soon as practical.</p> <p>a) Please can the Applicant expand on this point, and confirm how the Local Authorities will be involved? b) Where this results in a change to the oPROW MP please confirm through updated version of the relevant documents.</p>
<b>1.14.18</b>	Applicant	<p><b>Improvements to Footpaths</b></p> <p>LCC's LIR [<a href="#">REP1A-002</a>] (Section, Paragraphs 9.11-9.16) sets out a number of improvements to footpaths which could be achieved which the ExA has visited on Unaccompanied Site Inspections (USI). For example, the case of the termination of PF68 at a busy A Road at Tillbridge Lane/Stow Park Road with no ongoing right of way is given in the LIR (Para 9.14).</p> <p>LCC comments that "<i>A permanent diversion of the path alongside the field edge would reposition the termination point of the path to the 30mph speed restricted part of the road and create a short circular route for residents in Marton and make the path much more attractive and useful. This would also avoid the need for temporary diversion or closure of the path. Some consideration as to the surface of the diverted section of the path would be required, however, this would be less substantial than anything needed for a temporary diversion</i>".</p> <p>Other suggestions for a range of PROWs are provided.</p> <p>Please can the Applicant provide a comment on these suggested improvements, and whether and how it is engaging with the relevant Local Authority to address the points.</p>
<b>1.14.19</b>	Applicant	<p><b>Horse Riders</b></p> <p>Can the Applicant explain how ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] has accounted for horse riders in relation to effects?</p>
<b>1.14.20</b>	Applicant	<p><b>Effects of Construction Traffic</b></p> <p>Please can the Applicant clarify why the ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] does not consider the effects from construction traffic on rail, given the presence of rail lines through the Order Limits?</p>



ExQ1	Question to:	Question:
<b>1.14.21</b>	Applicant	<p><b>Effects of Construction Traffic</b></p> <p>The Applicant is asked to explain why ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] does not consider the effects in particular from construction traffic on water borne traffic?</p>
<b>1.14.22</b>	Applicant	<p><b>Construction Vehicle Movements</b></p> <p>Paragraphs 14.6.3 and 14.6.4 of ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] cross refer to the revised CTMP [<a href="#">REP1-016</a>] as the framework for management of construction vehicle movements. These movements involve public roads and vehicles/drivers who may not be under direct control of the Applicant. Please explain how the framework management will be effectively adhered to.</p>
<b>1.14.23</b>	Applicant	<p><b>Construction Worker Travel Plan</b></p> <p>With regard to paragraph 14.7.12 of ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] and the Construction Worker Travel Plan [<a href="#">REP1-016</a>] Appendix D, please can the Applicant provide more information on how the shuttle bus will operate, including origins and destinations, and how workers will be incentivised to use the shuttle bus and car sharing.</p>
<b>1.14.24</b>	Applicant	<p><b>Mitigation During Construction</b></p> <p>Paragraph 14.7.70 of ES Chapter 14: Transport and Access [<a href="#">APP-052</a>] refers to additional measures to be implemented. It refers to a Stage 1 Road Safety Audit at all access junctions and additional safety measures.</p> <p>Please can the Applicant confirm whether or not such an audit has been carried out?</p>
<b>15. Water Environment including Flooding</b>		
<b>1.15.1</b>	Applicant	<p><b>Horizontal Directional Drilling and Emergency Spill Management</b></p> <p>The ExA notes that Horizontal Directional Drilling (HDD) is likely to be required – see for example Chapter 4 paragraph 4.5.44 [<a href="#">APP-042</a>]. The Outline Construction Environmental Management Plan Revision A [<a href="#">REP1-034</a>] does not include an emergency spill management plan. Rather, it refers to an action plan that will be produced.</p> <p>Can the Applicant explain how accidental pollution spills from HDD will be managed during construction and where such management is secured through the dDCO?</p>
<b>1.15.2</b>	Applicant	<p><b>Disapplication of Ss 24 and 25 Water Resources Act 1991 and Environmental Permitting (England and Wales) Regulations 2016 (EPR)</b></p>

ExQ1	Question to:	Question:
		<p>The EA in its RR <a href="#">[RR-090]</a>, and confirmed in its WR <a href="#">[REP1A-007]</a> states that it does not agree to disapply the requirement for licences under sections 24 and 25 of the Water Resources Act 1991 (water abstraction and impounding). Further, it does not agree to disapply the requirement for a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 until protective provisions are agreed. The EA requested that Article 6(1)(h) is amended. The ExA notes EA comments that variations are not expected to be substantial.</p> <p>Can the Applicant confirm its position in this regard and address the EA's comments?</p>
1.15.3	Applicant	<p><b>Water Quality of On-Site Ditches</b></p> <p>The Applicant is asked to please:</p> <ol style="list-style-type: none"> <li>Explain how off-site impacts that may alter the water quality of on-site ditches, for example, the use of fertilisers or maintenance requirements, have been considered.</li> <li>Explain how these risks have been assessed cumulatively from the construction, operational and decommissioning phases.</li> <li>Explain whether chemicals such as weed killers will be used during the operation, and if so, what will be done to prevent run-off into nearby ditches?</li> <li>Respond to the EA RR <a href="#">[RR-090]</a> and para 3.5 of its WR <a href="#">[REP1A-007]</a> comment that “<i>water quality in field boundary ditches is expected to significantly increase as a result of the change of use from agriculture use to placement of solar panels and the resultant removal of fertilisers/herbicides from the fields</i>”. Please update or update through SoCG.</li> </ol>
1.15.4	Applicant	<p><b>Isolation and Operationality in Flooding Event</b></p> <p>Paragraph 2.2.9 of ES Chapter 10 Appendix 10.5 <a href="#">[APP-093]</a> sets out that the Proposed Development has been designed so that in the event of a 0.1% Annual Exceedance Probability (AEP) + 20% Climate Change flood event it would be possible to electrically isolate damaged infrastructure and replace it without affecting the operation of the rest of the scheme.</p> <p>Can the Applicant please comment on the acceptability of this is in line with the development's classification as essential infrastructure and the NPS's requirement that new energy infrastructure “<i>should also be designed and constructed to remain operational in times of flood</i>” (<a href="#">EN-1</a> paragraph 5.8.5).</p>
1.15.5	Applicant	<p><b>Survey of River Till</b></p>

ExQ1	Question to:	Question:
		<p>A specialist Modular River Physical survey (MoRPh) of the River Till has not been carried out. The EA believes that it would be worthwhile exploring improvements on the Till and its tributaries as the site boundary for West Burton 2 runs perpendicular to the river. It welcomes consideration for smaller scale habitat improvements to tributaries of the River Till within the scheme boundary (see para 3.6 of <a href="#">[RR-090]</a>) Please can the Applicant comment on such improvements, their scope and how the scheme may deliver these or other improvements.</p>
<p><b>1.15.6</b></p>	<p>Applicant/ Environment Agency</p>	<p><b>Filamentous Algae</b></p> <p>The EA had requested in RR <a href="#">[RR-090]</a> more information on the remedial actions suggested for filamentous algae in ditches to be able to comment. It states that it wishes to see the actions that would be undertaken at year 4 should it fail to reach moderate status.</p> <p>The SoCG <a href="#">[REP1-065]</a> provides an update and the matter remains under discussion. The Applicant is asked to please provide a further update on progress, and, if necessary to share the data used to make the ditch assessment.</p>
<p><b>1.15.7</b></p>	<p>Applicant</p>	<p><b>River Crossing Methodology</b></p> <p>Please can the Applicant confirm its methodology for proposed river crossings.</p>
<p><b>1.15.8</b></p>	<p>Applicant</p>	<p><b>Horizontal Directional Drilling Depth</b></p> <p>Please can the Applicant confirm whether full surveys of the River Trent have been completed in order to inform the depth of horizontal direction drilling.</p>
<p><b>1.15.9</b></p>	<p>Applicant and Interested Parties</p>	<p><b>Flooding in 2019/ 2023</b></p> <p>The Applicant and, optionally IPs, are asked to comment on previous flooding events, for example in 2019 and 2023. This includes recent flooding following Storm Babet (Oct 2023). 7000 Acres, in its WR for Deadline 1A “Flooding Concerns” <a href="#">[REP1A-015]</a> notes that the surface water runoff under storm conditions from impervious areas due to PV panels will be significant. Additionally, they note that most of the soil on the proposed development areas has a high clay content which becomes saturated during prolonged periods of heavy rain, resulting in excess water to shed off directly over the surface into the dykes.</p>

ExQ1	Question to:	Question:
		Please can the Applicant respond to these comments and provide any evidence of soil type in this area which may render the land more, or less, flood prone. IPs may, optionally, provide further information and cite relevant evidence sources.
1.15.10	Trent Valley Internal Drainage Board; Witham and Humber IDB	<p><b>The Effect of PV Panels on Channelling of Stormwater</b></p> <p>IPs have raised concerns that rainwater (particularly during storms) is channelled by PV panels resulting in increased flood risk.</p> <p>Trent Valley IDB and Witham &amp; Humber IDB are asked to please comment on these aspects of flood risk.</p>
1.15.11	Applicant	<p><b>Effect of PV Panels and Stormwater Run-off</b></p> <p>Concerns have been raised by IPs that the proposed panels will not allow rainfall/runoff to infiltrate the permeable area beneath them which will alter the state of the land, and how it responds to rainfall.</p> <p>a) Please can the Applicant comment on the impact of panels and how water will find its way to drain from the land. Please comment, with any evidence available, on the impact of panels and rainwater falling on the panels accumulating to the lowest corner of each panel, and whether this then falls to the ground to form rivulets and channels flowing, without using the whole area for infiltration. How has the phenomenon, if it exists, been accounted for in the flood analysis?</p> <p>b) The ExA notes LCC’s comments on flooding as Lead Local Flood Risk Authority <a href="#">[REP1A-002]</a>. Following its response to question (a) above, please can the Applicant also give a view on the application of CLLP policy S12 ‘Water Efficiency and Sustainable Water Management’. In addition to the wider flood and water related policy requirements contained in Policy S21, this local policy requires that <i>“all .... development comprising new buildings with outside hard surfacing, must ensure such surfacing is permeable unless technical considerations dictate otherwise”</i>.</p>
1.15.12	Applicant	<p><b>Emergency Services</b></p> <p>IPs have concerns about the restriction of access for emergency services to remote communities due to the increased flood risk. Can the Applicant provide details of discussions with emergency services concerning access to sites in event of flooding?</p>

ExQ1	Question to:	Question:
<b>1.15.13</b>	Applicant & Environment Agency	<p><b>Flood Risk Activity Permit</b></p> <p>The Applicant and EA are asked to please provide an update on the position as regards the Flood Risk Activity Permit. Please also clarify whether an Environmental Permit will be required for flood risk and/or land drainage.</p>
<b>1.15.14</b>	Applicant	<p><b>Construction Mitigation Guidance</b></p> <p>Paragraph 10.8.27 of ES Chapter 10: Hydrology, Flood Risk and Drainage [<a href="#">APP-048</a>] states that “<i>Construction mitigation guidance should be adhered to....</i>”. Some examples are provided. Please can the Applicant provide additional information relating to the guidance, and how it will be adhered to.</p>
<b>1.15.15</b>	Applicant	<p><b>Temporary Drainage</b></p> <p>Please can the Applicant clarify where temporary drainage features during construction would be placed and the location of attenuation ponds.</p>
<b>1.15.16</b>	Applicant	<p><b>Table 10.7 - Mitigation</b></p> <p>With regard to Table 10.7 of ES Chapter 10: Hydrology, Flood Risk and Drainage [<a href="#">APP-048</a>], please can the Applicant explain how the following will be secured by design rather than a DCO requirement:  <i>“Maintaining the existing surface water run-off regime by utilising permeable surfacing for the Site access, linear infiltration trenches around any proposed infrastructure (substations and batteries) and wildflower planting at the leeward edge of solar panels”.</i></p>
<b>1.15.17</b>	Environment Agency and Applicant	<p><b>Water Framework Directive</b></p> <p>Please provide, or signpost to, commentary on the revised Water Framework Directive Assessment [<a href="#">REP1-040</a>]</p>