

# West Burton Solar Project

## Statement of Commonality Revision A

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## Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	PURPOSE OF THIS DOCUMENT	3
1.2	STRUCTURE OF THIS DOCUMENT	3
<b>2</b>	<b>STATEMENTS OF COMMON GROUND</b>	<b>4</b>
2.1	STRUCTURE OF SOCGs	4
<b>3</b>	<b>COMMONALITY</b>	<b>7</b>
<b>4</b>	<b>POSITIONS AT DEADLINE 2</b>	<b>9</b>
4.2	LINCOLNSHIRE COUNTY COUNCIL	9
4.3	WEST LINDSEY DISTRICT COUNCIL	9
4.4	HISTORIC ENGLAND	9
4.5	NATIONAL HIGHWAYS	9
4.6	THE ENVIRONMENT AGENCY	9
4.7	NETWORK RAIL	10
4.8	NATURAL ENGLAND	10
4.9	NOTTINGHAMSHIRE COUNTY COUNCIL & BASSETLAW DISTRICT COUNCIL	10
4.10	LINCOLNSHIRE WILDLIFE TRUST	11
4.11	NOTTINGHAMSHIRE WILDLIFE TRUST	11
4.12	GATE BURTON ENERGY PARK, TILLBRIDGE SOLAR PROJECT AND COTTAM SOLAR PROJECT	11
4.13	ANGLIAN WATER	11

## Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.

### Statement of Commonality Revision A

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## 1 Introduction

### 1.1 Purpose of this Document

1.1.0 This document has been prepared to provide the Examining Authority (ExA) with the latest position on Statements of Common Ground (SoCG) between West Burton Project Ltd. (the ‘Applicant’) and statutory consultees, statutory undertakers and other Interested Parties (the ‘parties’) in relation to the proposed West Burton Solar Project (the ‘Scheme’).

1.1.1 This document provides a position on the commonality on specific points between SoCGs at Deadline 2 (being 3 January 2024).

1.1.2 The Applicant will, for each deadline during the course of the Examination, update this Statement as a record of the progress being made with the various parties. When sufficient progress has been made on agreements between parties, this document will also discuss those areas of commonality between parties to enable the efficient resolution and focusing in on the remaining issues.

### 1.2 Structure of this Document

1.2.1 This Statement of Commonality is structured as follows:

- Section 2 details the structure of each SoCG document. **Table 2.1** provides a full list of SoCGs being produced and offers an overview of the status of each SoCG being submitted to Deadline 1;
- Section 3 sets out the commonality between SoCGs; and
- Section 4 provides a narrative on specific topic areas for each SoCG being progressed.

## **2 Statements of Common Ground**

### **2.1 Structure of SoCGs**

2.1.1 Each SoCG adopts a standard format to ensure consistency in the approach taken to documenting those matters agreed, matters subject to ongoing discussion or matters not agreed.

2.1.2 Each SoCG is structured as follows:

- Section 1 provides an introduction to the SoCG, identifies the relevant parties and describes the purpose of the document;
- Section 2 summarises the parties' engagement undertaken to date; and
- Section 3 details those matters agreed, those matters under discussion and those matters which have not been agreed.

**Table 2.1: List of and Status of SoCGs at Deadline 1**

Doc. Ref.	Party	Deadline 1	Deadline 2	Deadline 3	Deadline 4	Deadline 5	Deadline 6
EX1/WB8.3.1	Lincolnshire County Council	Draft Submitted to Party No comments have yet been received. Discussions Ongoing.	No further update				
EX1/WB8.3.2	West Lindsey District Council	Draft Submitted to Party No comments have yet been received. Discussions Ongoing.	No further update				
EX1/WB8.3.3	Historic England	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update				
EX1/WB8.3.4	National Highways	<b>Submitted. Final signed SoCG with all matters agreed.</b>					
EX1/WB8.3.5	The Environment Agency	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update				
EX1/WB8.3.6	Network Rail	Draft Submitted to Party. No comments have yet been received. Discussions Ongoing.	No further update				
EX1/WB8.3.7	Natural England	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	Updated draft submitted to reflect changes made on the Cottam Solar Project SoCG, awaiting response.				
EX1/WB8.3.8	Nottinghamshire County Council & Bassetlaw District Council	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update				
EX1/WB8.3.9	Lincolnshire Wildlife Trust	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update				

EX1/WB8.3.10	Nottinghamshire Wildlife Trust	<b>Submitted.</b> Final signed SoCG with all matters agreed.					
EX1/WB8.3.11	Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project	<b>Submitted.</b> Final signed SoCG with all matters agreed.					
EX1/WB8.3.12	Anglian Water	Draft Submitted. Comments have been received. Discussions Ongoing.	<b>Submitted.</b> Final signed SoCG with all matters agreed.				

### 3 Commonality

3.1.1 This section of the Statement provides an overview of the topics covered in the SoCGs. **Table 3.1** presents, at a high level, where there is commonality in the topics discussed between the Applicant and the parties, or where matters are progressing through discussion, or where matters discussed have reached a final position of ‘Not Agreed’.

3.1.2 Where a topic is not relevant to a particular party, the cell has been greyed out. Where the topic is relevant to the party, the status is shown as follows:

**Figure 3.1: Summary of Commonality Key**

Cell	Status
	Matter agreed
	Matter subject to ongoing discussion
	Matter not agreed
	Matter not relevant to parties

3.1.3 The colour of each cell corresponds to the status figure (as above) in each individual SoCG.

3.1.4 At Deadlines 1 and 2, the Applicant has shared draft SoCG’s with a number of parties and is awaiting feedback from them. Therefore, where the Applicant considers there to be a high degree of certainty over matters being agreed and is waiting for confirmation, they are marked as green in **Table 3.1**.

3.1.5 Following the Summary of Commonality in **Table 3.1**, **Section 3.2** outlines the principal outstanding matters which are subject to further discussion before a final position can be reached.



Table 3.1: Summary of commonality with parties

SoCG Party	Principle of Development, Planning Matters and General	Alternatives and Design Evolution	Climate Change	Landscape and Visual Impact	Ecology and Biodiversity	Hydrology, Flood Risk and Drainage	Ground Conditions and Contamination	Minerals	Cultural Heritage	Transport and Access	Noise and Vibration	Glint and Glare	Air Quality	Socio-Economics, Tourism and Recreation	Soils and Agriculture	Waste	Other Environmental Matters	Draft Development Consent Order
Lincolnshire County Council	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Grey	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
West Lindsey District Council	Yellow	Green	Yellow	Yellow	Yellow	Grey	Grey	Grey	Yellow	Yellow	Yellow	Green	Green	Yellow	Yellow	Grey	Green	Yellow
Historic England	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
National Highways	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
The Environment Agency	Grey	Grey	Grey	Grey	Yellow	Green	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Green
Network Rail	Yellow	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Yellow
Natural England	Grey	Grey	Grey	Yellow	Yellow	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Grey	Grey	Grey
Nottinghamshire County Council & Bassetlaw District Council	Green	Green	Green	Green	Green	Green	Grey	Green	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Yellow
Lincolnshire Wildlife Trust	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
Nottinghamshire Wildlife Trust	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green
Anglian Water	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green

## **4 Positions at Deadline 2**

4.1.1 This section provides a summary of the position reached across all SoCGs being progressed and submitted to Deadline 1. The Applicant will continue to engage with those parties through the examination on matters which are ongoing.

### **4.2 Lincolnshire County Council**

4.2.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities as well as some topic specific meetings e.g. landscape and visual impact. Detailed discussions on cultural heritage matters have also taken place. The submitted draft SoCG therefore sets out the outcome of those discussions indicating those cultural heritage matters which are considered by the Applicant to be agreed at this stage and those which are not yet agreed and which are indicated as being still under discussion.

4.2.2 There have been no further updates to the SoCG submitted at Deadline 1 [REP1-061].

### **4.3 West Lindsey District Council**

4.3.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities. The Applicant has submitted a draft to the party and is awaiting comments back. The matters listed as agreed in Table 3.1 are based on the Applicant's judgement on the high likelihood of them being agreed.

4.3.2 The main matters subject to further discussion relate to principle of development, climate change, landscape and visual impact, ecology, transport, noise, socio-economic, tourism and recreation, soils and agriculture and the draft DCO. There have been no further updates to the SoCG submitted at Deadline 1 [REP1-062].

### **4.4 Historic England**

4.4.1 Extensive discussions have been undertaken between the parties with agreement already reached on assessment and mitigation of all heritage assets, excluding the Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument as indicated in the draft document SoCG. The Applicant is in the process of continuing discussions with Historic England on the remaining matters. There have been no further updates to the SoCG submitted at Deadline 1 [REP1-063].

### **4.5 National Highways**

4.5.1 All matters have been agreed between the parties by Deadline 1. A signed SoCG was submitted at Deadline 1 [REP1-064].

### **4.6 The Environment Agency**

4.6.1 Comments have been received from the Environment Agency on the draft SoCG. The Parties are in agreement on most matters within the draft SoCG except for those relating to the potential impact of Electromagnetic Fields (EMF) upon ecology. This

issue was added to the draft SoCG for Deadline 1 at the request of the Environment Agency (10.11.23) following it being raised as an issue in a written representation [EN010131-000735] by a member of the public during the Gate Burton Solar Project examination. It is shown as an ‘under discussion’ matter within the draft SoCG (included under ‘Ecology and Biodiversity and ‘Other Environmental Matters’ in Table 3.1).

- 4.6.2 The Environment Agency has, at paragraph 3.5 in their Written Representation made at Deadline 1A **[REP1A-007]**, raised comment that further evidence is needed of the Applicant’s assessment of fertiliser and nutrient input rates into the surface drainage system at field boundaries. The EA has also stated that information on suggested remedial actions for filamentous algae in ditches is required, based on their comments in their Relevant Representation **[RR-090]**. The Applicant provided this information to the Environment Agency on 21 December 2023 and is awaiting response from the Environment Agency before updating the Statement of Common Ground. As such, there have been no further updates to the SoCG submitted at Deadline 1 **[REP1-065]**.

#### **4.7 Network Rail**

- 4.7.1 The matters recorded in the SoCG have been subject to discussion between parties. The Applicant has submitted a draft to the party and is awaiting comments back. The matters listed as agreed in Table 3.1 are based on the Applicant’s judgement on the high likelihood of them being agreed. There have been no further updates to the SoCG submitted at Deadline 1 **[REP1-066]**.

#### **4.8 Natural England**

- 4.8.1 Extensive discussions have been undertaken between the parties with agreement already reached on a number of ecology and landscape issues, as indicated in the draft document. The Applicant is in the process of responding to Natural England’s requests to provide some additional clarity on matters related to soils and ‘best and most valuable’ agricultural land. There have been no further updates to the SoCG submitted at Deadline 1 **[REP1-067]**.

#### **4.9 Nottinghamshire County Council & Bassetlaw District Council**

- 4.9.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities. The Applicant had a meeting with both Host Authorities on the 14<sup>th</sup> November 2023 to agree on matters which can be moved from the “matters under discussion” table in the draft SoCG to the “matters agreed” table. The Applicant is waiting for confirmation from the Host Authorities to formally agree these, but it is considered that the latest draft reflects those recent discussions.
- 4.9.2 The main matters subject to further discussion relate to cultural heritage and the draft DCO. There have been no further updates to the SoCG submitted at Deadline 1 **[REP1-068]**.

#### **4.10 Lincolnshire Wildlife Trust**

4.10.1 Extensive discussions have been undertaken between the parties with agreement already reached on a number of issues as indicated in the draft document. There have been no further updates to the SoCG submitted at Deadline 1 **[REP1-069]**.

#### **4.11 Nottinghamshire Wildlife Trust**

4.11.1 All matters have been agreed between the parties by Deadline 1. A signed SoCG has been submitted at Deadline 1 **[REP1-070]**.

#### **4.12 Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project**

4.12.1 The parties have undertaken ongoing discussions as they progress through their respective Examinations and, in the case of the Tillbridge Solar Project, impending application submission. A signed version of the SoCG was submitted at Deadline 1 **[REP1-071]**.

4.12.2 The parties have now reached agreement on the Joint Report on Interrelationships between the four projects **[EX2/WB8.1.9\_B]**. The teams have reviewed the applications submitted by the other developers to compare sections on cumulative impacts and have continued to look for further ways to collaborate and reduce cumulative impacts (e.g. on access locations in the Shared Cable Route Corridor). The report is the joint cooperation agreement and each Schemes' respective protective provisions for the benefit of other parties, are contained within the respective Schemes' draft Development Consent Orders.

#### **4.13 Anglian Water**

4.13.1 All matters have been agreed between the parties by Deadline 2. A signed SoCG has been submitted at Deadline 2 **[EN010132/EX2/WB8.3.12\_A]**.