

West Burton Solar Project

Change Notification

Prepared by: Lanpro Services
January 2024

PINS reference: EN010132
Document reference: CR1/WB9.1

Planning Inspectorate Advice Note Sixteen (Version 3), March 2023



West Burton Solar Project Limited
Unit 25.7, Coda Studios
189 Munster Road
London SW6 6AW

[REDACTED]
Case Manager
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

3rd January 2024

Dear [REDACTED],

West Burton Solar Project - Notification of intention to submit a change request
Application Ref: EN010132

This letter is to notify the Examining Authority ('ExA') that West Burton Solar Project Limited (the 'Applicant') is intending to make a request for changes to the application for a Development Consent Order for West Burton Solar Project (the 'Scheme'). The changes are expected to comprise:

1. An extension to the Order limits along the public highway between West Burton 1 and the A1500 to enable construction access;
2. An extension to the Order limits at Stow Park to allow the cable route corridor to be widened to enable the Scheme to co-exist with a proposed solar farm;
3. An extension to the Order limits at the railway between the east and west parts of West Burton 3 to allow flexibility of the design of the cable crossing beneath the railway;
4. An extension to the Order Limits along A156 High Street to increase the size of the visibility splay for access AC110; and
5. An extension to the Order Limits to include the existing access to West Burton Power Station to allow use during construction.

A Change Application will be prepared having regard to the Planning Inspectorate Advice Note 16 and to DCLG document 'Planning Act 2008: Guidance on Changes to Development Consent Orders'.

The Applicant considers that the proposed changes engage the provisions in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the 'CA Regulations').

The Applicant considers that the proposed changes, which are set out below, are not so substantial as to constitute a materially different project.

The Applicant would welcome the ExA's comments on the procedure on the consultation arrangements set out below.

Background

The proposed changes outlined below have been identified as a result on ongoing engagement with landowners and other stakeholders and have been designed to address concerns raised regarding the Scheme.

Intended Changes

It is expected that the Change Application will comprise the five following discrete changes.

The locations and anticipated extents of the changes are shown in Appendix A: Plan of Proposed Changes.

Change 1: Access to West Burton 1 from A1500

Change 1 comprises an extension to the Order Limits along the highway from the West Burton 1 site to the A1500 Tillbridge Lane, to the north of Broxholme. This section of highway is a narrow single-track road with restricted visibility in some locations. Discussions between the Applicant and Lincolnshire County Council Highways has indicated that the creation of temporary passing places within the highway boundaries during the construction phase might be required, subject to detailed design following the grant of the DCO. In order to provide the applicable highway powers in the DCO to construct any required passing places it is therefore necessary to include this section of public highway within the Order Limits.

Change 2: Cable Corridor Widening, Stow Park

Change 2 comprises an extension to the Order Limits to the east of the Lincoln-Gainsborough railway line within Stow Park. The Applicant has been engaging with Luminous Energy, the promoter of a 35MW solar farm development at Stow Park Farm under the Town and Country Planning Act 1990. The proposed site for the Stow Park Farm solar farm includes the land intended for the Scheme's cable route corridor connecting West Burton 2 and West Burton 3. Luminous Energy submitted a request for a scoping opinion for the Stow Park Farm solar farm on 6 December 2023. An extension to the Order Limits would allow more flexibility in routing the cable for the Scheme in order to co-exist with the Stow Park Farm solar farm in the event that planning permission is granted for the Stow Park Farm solar farm in the future.

Change 3: West Burton 3 Railway Crossing

Change 3 comprises an extension to the Order Limits along the Lincoln-Gainsborough railway line within West Burton 3. The current Order Limits include a narrow strip for the cable connecting the eastern and western parts of West Burton 3, with the intention that the cables be routed under the railway in a trench through the existing tunnel. Following submission of the DCO application, ongoing discussions with Network Rail and further site surveys have

indicated that other methods of constructing the cable under the railway at other locations via Horizontal Directional Drilling may be a preferable design solution. An extension to the Order Limits would allow these alternative options to be considered at the detailed design stage.

Change 4: Visibility splay at West Burton Cable Route Corridor Access AC110

Change 4 comprises a small extension to the Order Limits along A156 High Street, Marton in proximity to the Cable Route Corridor construction access point reference AC110.

A review of the construction access points to ensure coordination with the access points for the Gate Burton Energy Park and Cottam Solar Project has indicated that construction access AC110 requires a longer visibility splay to the north.

This extension would mean that the Order Limits for West Burton Solar Project would match those of Gate Burton Energy Park and Cottam Solar Project in this location. No changes to the physical environment are required.

Change 5: Access to West Burton Power Station from Gainsborough Road

Change 5 comprises an extension to the Order Limits to include the existing main vehicular access road to West Burton Power Station from Gainsborough Road. The current Order Limits include an access to agricultural land to the south of West Burton Power Station for the installation of the cable route corridor. Discussions with EDF have confirmed that whilst the access further south is still required for installation of the cable route corridor, access to West Burton Power Station to complete the grid connection works at the National Grid substation via the existing main West Burton Power Station access road is preferred. No works or changes to the physical environment are required to utilise the existing access road.

Consultation

The Change Application includes provision for the compulsory acquisition of land and the CA Regulations are engaged. This is because the Change Request will include a provision authorising the compulsory acquisition of additional land and consent from all persons with an interest in the land will not be obtained in the time available before submitting the Change Request, and due to the fact that there are also sections of unregistered land and it has not been possible to identify all persons with an interest in the unregistered land. As such, in accordance with Regulation 4 of the CA Regulations, the procedure in Regulations 5 to 19 will apply. This has been factored into the proposed timetable below. The CA Regulations include a period of consultation with interested parties following acceptance of the Change Application.

The Applicant is currently carrying out targeted non-statutory consultation in relation to each of the proposed changes. This will be reported on within the Change Application. As a period of formal consultation is required by the CA Regulations, the Applicant does not believe that there would be a benefit in conducting further pre-application consultation.

Table 1: Summary of targeted consultation

Consultee	Change number	Notes
Lincolnshire County Council	1, 2, 3, 4 and 5	A telephone conversation took place on 2 January 2024 with Lincolnshire County Council's Head of Planning to discuss the proposed change application and summarise the reasons for each of the proposed changes.
Nottinghamshire County Council	1, 2, 3, 4 and 5	An email was sent to Nottinghamshire County Council's Team Manager of Planning Policy on 2 January 2024 setting out the proposed changes and inviting further discussion by phone.
West Lindsey District Council	1, 2, 3, 4 and 5	An email was sent to West Lindsey District Council's Development Management Team Manager on 2 January 2024 setting out the proposed changes and inviting further discussion by phone.
Bassetlaw District Council	1, 2, 3, 4 and 5	An email was sent to Bassetlaw District Council's Planning Development Manager on 2 January 2024 setting out the proposed changes and inviting further discussion by phone.
EDF	5	Regular meetings held to discuss the proposed cable route and construction traffic route since August 2023. The Applicant intends to agree a statement with EDF in relation to Change 5, which will be submitted as a part of the Change Application documentation.
National Grid	5	Discussions have taken place throughout 2023 regarding the proposed cable route near to the National Grid substation and other transmission assets, including a site visit to West Burton Power Station on June 8th 2023.
Landowners east and west of Lincoln/Gainsborough railway line	2 and 3	The Applicant has reached agreement with the landowners to the east and west of the Lincoln/Gainsborough railway line to allow the cable route to be broadened as detailed in changes 2 and 3. The Applicant has an existing option agreement with these landowners for West Burton 3.
Network Rail	3	Following discussions with Network Rail regarding cable crossing design options, an email was sent to a Technical Surveyor at Network Rail on 30 th September 2023 outlining that the Applicant intends to amend the crossing location of the cable route. This was followed by an email detailing the proposed change on 13 th October 2023 to extend the crossing location.

Luminous Energy	2	The Applicant has discussed with Luminous Energy via email and online meetings between September and December 2023 the route of the cable and the proposed widening of the corridor detailed in change 2.
-----------------	---	---

PINS Advice Note 16 acknowledges that there is no requirement to carry out public consultation on environmental information relating to a change request.

The information on environmental impacts, set out below, that will accompany the Change Application is anticipated to demonstrate that there will be no materially new or different potential environmental impacts as a result of the proposed changes.

The Applicant’s position is therefore that it is not necessary or desirable to conduct a public consultation on these changes. This is in line with the decision of the ExA on the Gate Burton Energy Park Change Application and the Cottam Solar Project Change Application, and in respect of a similar change application on the Sheringham and Dudgeon Extension Project DCO Application. However, any consultation that might be required by the ExA could be undertaken in parallel with the period for consultation required by the CA Regulations following acceptance of the Change Request.

Information on Environmental Impacts

Assessments are currently being undertaken to determine any changes to the potential environmental impacts set out in the Environmental Statement.

Based on these assessments, the Applicant will submit a report of supporting environmental information relating to the changes proposed. In addition, a revised version of any document forming part of the Environmental Statement or that is referred to in the draft Development Consent Order, incorporating the proposed changes, will be submitted with the Change Application.

It is currently anticipated that findings relating to ecology, archaeology and transport will need to be updated as a result of the changes to the Order limits but no materially new or different environmental effects are anticipated.

Examination Procedure and Timing

Having had regard to the Planning Inspectorate Advice Note 16, a Proposed Timetable for the examination of this Change Application is set out in Table 2, below.

The Proposed Timetable is in line with the timetable issued by the ExA for the Gate Burton Energy Park Change Application and the Cottam Solar Project Change Application under Regulation 12 of the CA Regulations relating to Written Representations at the same time as acceptance of the application (letter of 6 October 2023, Gate Burton Energy Park Examination Library reference PD-012 and letter of 18 December 2023, Cottam Solar Project Examination Library reference PD-014).

It is proposed to submit the Change Application as soon as possible however the timetable below provides for the latest submission date to be on 19 January 2024. In light of the hearings

scheduled for the weeks commencing 22 January 2024 and 5 February 2024, we have based the timetable on the ExA having 24 days to decide whether to accept the Change Application. Whilst this is less than the 28 days referred to in the CA Regulations, it is significantly longer than the 4 day period in the Gate Burton Change Application and the 10 day period in the Cottam Solar Project Change Application.

Table 2: Proposed Timetable

Stage	Proposed Date	Source
Submission of Notification of Change Request	3 January 2024	Advice Note 16
Submission of Change Application	19 January 2024	CA Reg 5
Acceptance by ExA of Change Application, ExA issues timetable	12 February 2024	CA Regs 6 and 12
First press notice / Start of consultation period (local newspaper publishes on a Thursday only)	15 February 2024	CA Regs 7 and 8
Second press notice (local newspaper publishes on a Thursday only)	22 February 2024	CA Reg 8
CA Regs Deadline 1 – Closing date for consultation - Submission of Relevant Representations and Written Representations on Change Application	24 March 2024	CA Regs 7, 8, 12 and 13
Submission of Certificate of Compliance	25 March 2024	CA Reg 9
CA Regs Deadline 2 - Deadline for requests to speak at OFH, ISH and CAH	26 March 2024	CA Reg 14
ExA issues notices of hearings and Initial Assessment of Principal Issues (local newspaper publishes on a Thursday only)	28 March 2024	CA Reg 11
CA Regs Deadline 3 - Comments on submissions received at CA Regs Deadline 1	12 April 2024	CA Regs 12 and 13
Additional hearings (OFH, ISH, CAH), if required	24 and 25 April 2024	CA Regs 14, 15 and 16
Existing Deadline 6 or Deadline 7 – Comments on submissions received at CA Regs Deadline 4 and written summary of oral submissions at hearings (if required)	30 April 2024 or 8 May 2024	CA Regs 12 and 13

Supporting Documents

It is expected that the following additional and updated documents will be provided in support of the Change Request.

Additional Documents

1. Change Request Application, incorporating a Consultation Report
2. Supporting Environmental Information Report

Revised Documents – with Tracked Changes Version when Required

3. Guide to the Application
4. Location Plan
5. Land Plan
6. Works Plan
7. Public Rights of Way Plan
8. Access to Works Plan
9. Ecology and Nature Conservation Features Plan
10. Important Hedgerows Plan
11. Streets Plan
12. Draft Development Consent Order
13. Explanatory Memorandum
14. Statement of Reasons [required by CA Regs]
15. Funding Statement [required by CA Regs]
16. Book of Reference [required by CA Regs]
17. Transport Assessment
18. Outline Construction Traffic Management Plan

Conclusion

The proposed Change Application enables the Applicant to respond to feedback from key stakeholders, and the proposed timetable and procedure ensures the Examination of the DCO application and Change Application remains inclusive and efficient, with all parties having the opportunity to participate, and Examination completed within the time remaining.

The Applicant would welcome the ExA's comments on the Proposed Timetable, on the proposed consultation arrangements and on any other matter relating to this proposed Change Application.

Please do not hesitate to contact us using the details provided below if you have any questions.



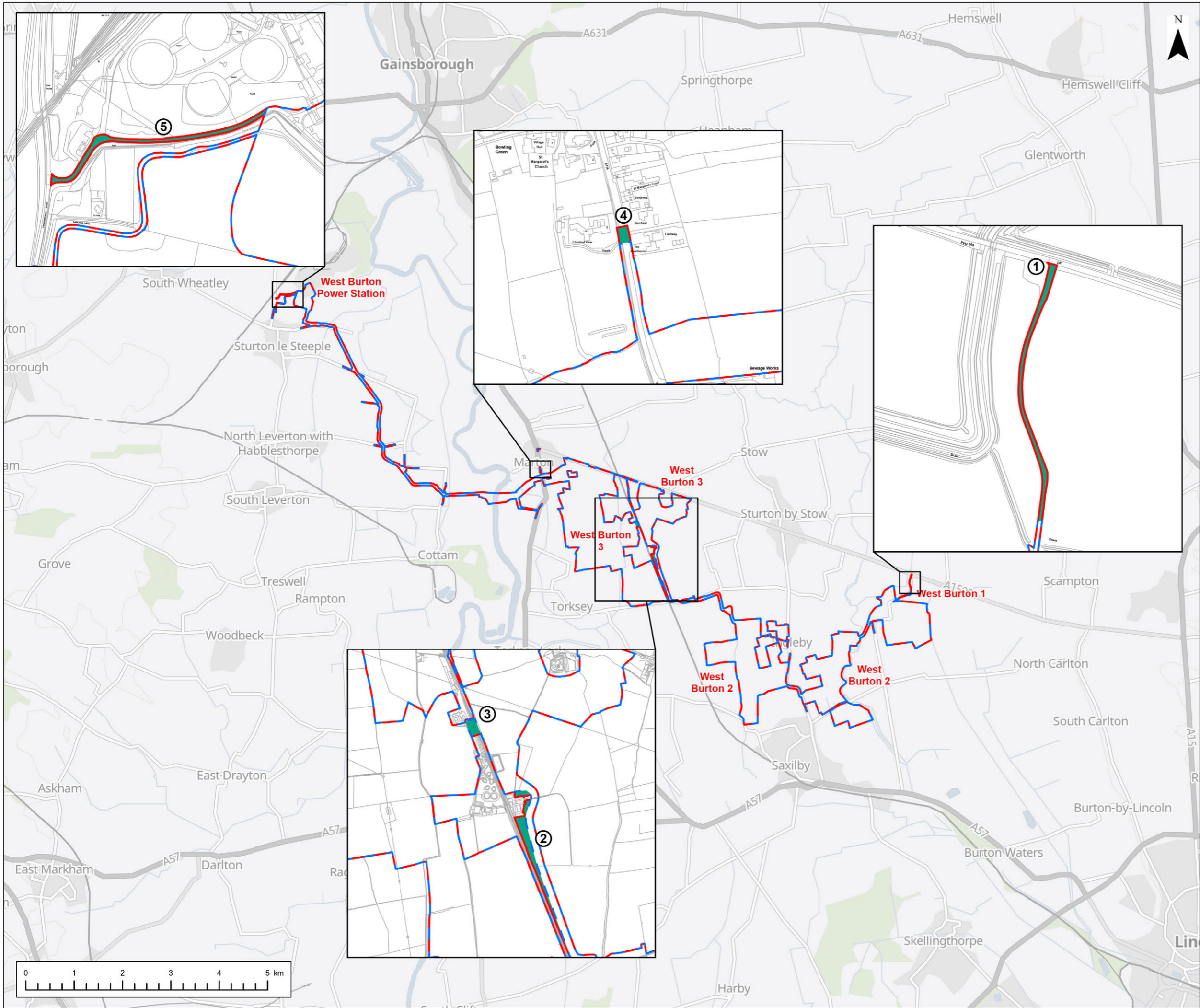
Yours sincerely,



Eve Browning
West Burton Solar Project Ltd.



info@westburtonsolar.co.uk



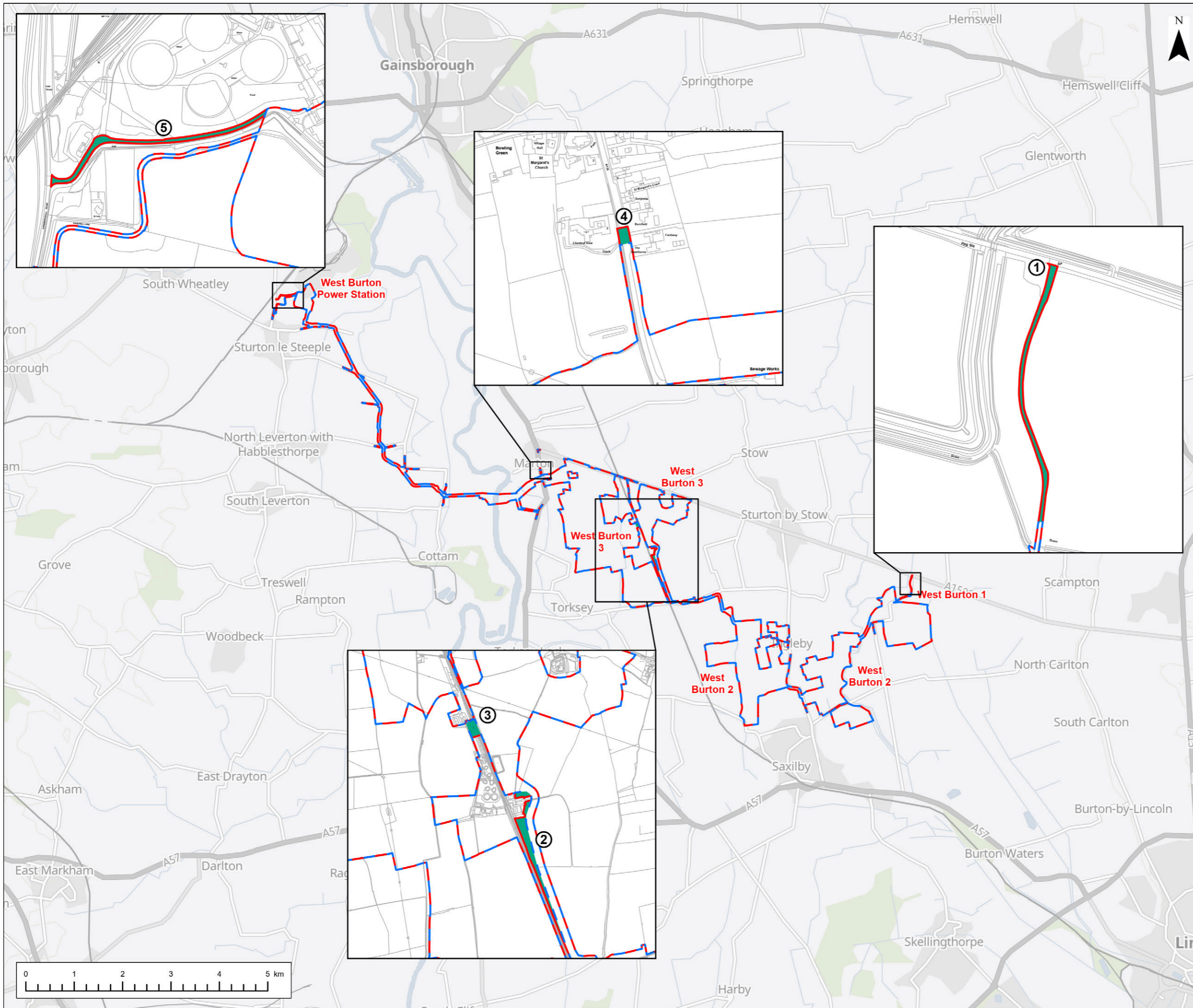
- Key**
- Proposed Order Limits
 - Submitted Order Limits
 - Changes to Order Limits**
 - Additional Area
 - 1 Change reference

Layers: Lanpro, 2023
 Base map: Contains OS data © Crown Copyright and database right 2023
 Contains data from OS Zoomstack

Ref: P2983_LPR_ZZ_ON_DR_Z_0290	Date: 15/12/2023
Drawn by: AZ	Checked by: AVW

**Proposed Changes to Order Limits
December 2023**

WEST BURTON SOLAR PROJECT



Key

- Proposed Order Limits
- Submitted Order Limits
- Additional Area
- 1 Change reference

Layers: Lanpro, 2023
 Base map: Contains OS data © Crown Copyright and database right 2023
 Contains data from OS Zoomstack

Ref: P2983_LPR_ZZ_ON_DR_Z_0290	Date: 15/12/2023
Drawn by: AZ	Checked by: AVW

**Proposed Changes to Order Limits
December 2023**

WEST BURTON SOLAR PROJECT