

**Application by West Burton Solar Project Ltd for an Order Granting Development Consent for West Burton Solar Project  
The Examining Authority's first written questions and requests for information (ExQ1)  
Issued on 15 December 2023**

**WEST LINDSEY DISTRICT COUNCIL (20038501)**

Answers to Examining Authority's Questions (ExQ1)

West Burton Solar Project EN010132

Deadline 3

Date: 9<sup>th</sup> January 2024

Preamble:

This document provides the response of West Lindsey District Council (WLDC) to the Examining Authority's questions.

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

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EXQ1	Question to	Question	WLDC Response
1. General and Cross-topic Questions			
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>	<p>WLDC acknowledges the updated versions of the draft National Policy Statements (NPS); notably draft NPS' EN-1 and EN-3.</p> <p>WLDC considers the updated NPS's to be important and relevant consideration for the purpose of the determination of the West Burton Solar Project application under section 105 of the PA2008.</p> <p>WLDC notes the intention of the Applicant to provide an updated Planning Statement to address the updated NPS' and will provide comments upon the document once submitted.</p>
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?</p> <p>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>	<p>WLDC notes that there have been new cumulative projects that have progressed since the submission of the West Burton Solar Project application.</p> <p>Whilst Tillbridge is referred to in the majority of ES chapters, there does not appear to be any substantive cumulative assessment other than in the landscape and visual assessment. Clarification that the very latest information available in relation to the Tillbridge project would be welcomed.</p> <p>In addition to Tillbridge, a Scoping Opinion was published on 13/11/2023 for the One Earth Solar Farm, which is located within the boundaries of West Lindsey. There is also a significant amount of information available on the One Earth website as part</p>

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			<p>of the Phase 1 Consultation which took place from 27 September to 8 November 2023. It is therefore considered that, as a minimum, this development should be referred to in the cumulative assessment.</p> <p>Stow Park Solar Farm submitted an EIA Screening request in June 2023 and has subsequently been determined by WLDC as EIA development. The Stow Park development is situated within a parcel of land that is southeast of West Burton 3 to the east of the Sheffield to Lincoln railway line, and therefore construction traffic is likely to share the same haul routes.</p> <p>Finally, the West Burton Scoping Opinion, item ID 2.2.1 indicates that the applicant should include decommissioning of West Burton A in the ES cumulative assessment, but this does not seem to be included in Chapter 9 Section 9.9 (Ecology and Biodiversity chapter).</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>	<p>The pathway to the delivery of the Government's Net Zero and climate change commitments are set out the 'Net Zero Strategy: Build Back Greener (October 2021). The Net Zero Strategy requires a number of measures to be delivered across a range of sectors including domestic transport, industry, fuel supply, international aviation and shipping, waste and F-gases, power generation, heat and buildings, agriculture and greenhouse gas removals.</p> <p>WLDC recognises that there is an urgent need to deliver low-carbon energy generation (involving a range of technologies).</p> <p>In the event that the West Burton Solar Project should not be implemented, in power generation terms</p>

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			<p>another project, that demonstrates that its impacts are acceptable, would be required to come forward.</p> <p>WLDC is not aware of any evidence that suggests that other such projects will not come forward and there is no evidence that indicates that the Government's Net Zero and climate change commitments would not be met should the Cottam Solar Project not be implemented.</p>
1.1.13	Lincolnshire County Council (LCC) and West Lindsey District Council (WLDC)	<p><b>Development Plans</b></p> <p>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.</p>	<p>WLDC can confirm that there are no other local plan documents being progressed that may be relevant to the proposal.</p>
6. Health and Wellbeing			
1.6.2	Applicant/ Interested Parties	<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> <p>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.</p> <p>b) To what extent do IPs consider that the relevant parts of</p>	<p>b) Policy S54 requires the potential for achieving positive mental and physical health outcomes to be taken into account when considering all development proposals and requires developers to submit a Health Impact Assessment for non-residential development proposals of 5ha or more. Supplementary Planning Document (SPD) has also been published to help guide developers and decision makers on the implementation of policy S54 Health and Wellbeing in the Central Lincolnshire Local Plan.</p> <p>The adopted SPD defines Health as a “<i>state of complete physical, mental and social wellbeing. As well as access to good quality healthcare services and lifestyle choices, there are many factors that affect health and wellbeing. These include the physical and social conditions in which people live, culture, education, housing, transport, employment, crime, income, leisure, and other services. These all</i></p>

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		<p>the application have systematically addressed the health impacts of the development, and what further information would assist with understanding health impacts.</p>	<p><i>influence health in either a positive or negative way, both directly and indirectly. These factors are commonly known as the wider determinants of health.”</i> (page 2).</p> <p>The local community have a strong connection with agricultural culture of the area, which is reflected in its landscape, land use and the way in which people live. The impact on the landscape will be replaced by large scale utilitarian photovoltaic solar arrays and their associated development. This will result significant change for a period of 40 years, which will degrade the character and culture of the West Lindsey and negatively impact the connection communities have with it.</p> <p>Furthermore, communities are particularly dependent upon the use of adopted highways for recreation and leisure purposes. Due to the intensive agricultural character of the district, public rights of way across field are limited. This results in communities using highways for recreational activities with walkers, dog walkers, cyclists and horse riders all sharing roads with vehicular traffic.</p> <p>The proliferation of construction traffic for 5 years or more will discourage the use of rural highways for recreation use, resulting in a further negative impact upon the wellbeing and mental health of local residents and people using the district for leisure purposes.</p> <p>WLDC do not believe the Applicant’s assessment adequately considers the construction and long term impacts of the cumulative schemes on local residents health and wellbeing who use these roads for recreational purposes. The chapter does not take into account the local amenity impact of the cumulative</p>

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			<p>construction traffic associated with the proposed solar schemes. Whilst it is acknowledged an assessment of access to local health services and work has been undertaken, this does take into account the impact on the mental health that traffic could have on the community.</p>
1.6.3	Local Authorities; Applicant	<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>	<p>Section 61 of the Control of Pollution Act 1974 allows contractors to apply for Prior Consent to carry out works which are likely to have a significant impact on a neighbourhood due to its generation of noise and vibration. A section 61 application outlines the planned works, the working hours and a plan to mitigate potential noise and vibration impact.</p> <p>The submission of a section 61 application demonstrates to the local authority a positive approach to reducing environmental impacts by committing to measures to control impacts and seek to avoid complaints.</p> <p>In the event that the relevant local authority does not give consent within 28 days or the Council attaches any condition to a consent, the applicant may appeal to a magistrate's court within 21 days thereafter.</p>
1.6.4	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</p>	<p>WLDC's understanding is that the 'Health and Safety related consents' referred to in Table 1 of the Consents and Agreements Position Statement relate to requirements pursuant to the Health and Safety at Work Act 1974 (and subsidiary legislation). Such compliance will be regulated by the Health and Safety Executive and not WLDC.</p>



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		comply with relevant legislation?	
1.6.5	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>	<p>The assessment within the applicant’s ES adopts a 500m buffer from certain receptors to assess impacts on human health, followed by professional judgement. WLDC is not clear on the basis of such a buffer and why it is considered a distance beyond which there will be no impacts upon the health of residents in West Lindsey communities. The use of a buffer appears particularly restrictive in that people will experience impacts whilst moving throughout the area, engaging with a variety of cumulative impacts.</p>
1.6.11	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>	<p>WLDC raises no concerns regarding EMF.</p>
1.6.13	Applicant, Interested Parties	<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+</p>	<p>b) As set out in WLDC’s Written Representation, WLDC has concerns relating to the adverse impacts upon the culture, mental health, character and way in which local communities engage with, and live within, the district.</p> <p><b>Policy context</b></p> <p>The NPPF supports the role of planning to create healthy, inclusive communities and recognises that the design and use of the built and natural environment are major determinants of health and wellbeing. The impact of development on human health and wellbeing is therefore a material consideration in the determination of planning applications. In addition, the Central Lincolnshire Local Plan was adopted on 13th April 2023. The Local Plan includes policies so that</p>

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		<p>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>new development within Central Lincolnshire can have a positive impact on health and wellbeing.</p> <p>The Central Lincolnshire Local Plan has produced a Supplementary Planning Document (SPD) to help guide developers and decision makers on the implementation of policy S54 Health and Wellbeing in the Central Lincolnshire Local Plan. S54 sets out a requirement for developers to submit a HIA for non-residential development proposals, 5ha or more.</p> <p>The adopted SPD defines Health as a “<i>state of complete physical, mental and social wellbeing. As well as access to good quality healthcare services and lifestyle choices, there are many factors that affect health and wellbeing. These include the physical and social conditions in which people live, culture, education, housing, transport, employment, crime, income, leisure, and other services. These all influence health in either a positive or negative way, both directly and indirectly. These factors are commonly known as the wider determinants of health.</i>” (page 2).</p> <p>WLDC considers that the application must be examined with a strong focus on the impacts it will have on local residents and visitors to the area with regard to the matters described in the above definition.</p> <p><b>Key issues of concern to WLDC</b></p> <p>The local community have a strong connection with agricultural culture of the area, which is reflected in its landscape, land use and the way in which people live. The impact on the landscape will be replaced by large scale utilitarian photovoltaic solar arrays and their associated development. This will result significant change for a period of more than half a century which</p>

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			<p>will degrade the character and culture of the West Lindsey and negatively impact the connection communities have with it.</p> <p>Furthermore, communities are particularly dependent upon the use of adopted highways for recreation and leisure purposes. Due to the intensive agricultural character of the district, public rights of way across field are limited. This results in communities using highways for recreational activities with walkers, dog walkers, cyclists and horse riders all sharing roads with vehicular traffic.</p> <p>The proliferation of construction traffic for 5 years or more will discourage the use of rural highways for recreation use, resulting in a further negative impact upon the wellbeing and mental health of local residents and people using the district for leisure purposes.</p> <p>WLDC do not believe the Applicant's assessment adequately considers the construction and long term impacts of the cumulative schemes on local residents health and wellbeing who use these roads for recreational purposes. The Applicant does not take into account the local amenity impact of the cumulative construction traffic associated with the proposed solar schemes. Whilst it is acknowledged an assessment of access to local health services and work has been undertaken, this does take into account the impact on the mental health that traffic could have on the community.</p> <p>The assessment within the applicant's ES adopts a 500m buffer from certain receptors to assess impacts on human health, followed by professional judgement. WLDC is not clear on the basis of such a buffer and why it is considered a distance beyond which there will</p>

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			<p>be no impacts upon the health of residents in West Lindsey communities. The use of a buffer appears particularly restrictive in that people will experience impacts whilst moving throughout the area, engaging with a variety of cumulative impacts.</p> <p>Moreover, the applicant suggests that they will potentially work together with other solar developers to minimise any cumulative effects. This does not commit the Applicant to a joint Construction Traffic Management Plan. In absence of any commitment to working collaboratively with the other proposed solar schemes, the local community will be uncertain of how construction traffic will be effectively managed. This may also result in conflicting CTMPs which could cause disruption on the local road network meaning that local residents will be deterred from using local roads for leisure activities such as running or cycling.</p> <p>In addition to the uncertainty over traffic management during construction, WLDC accept the Applicant's cumulative assessment of the solar schemes that will result in adverse impacts on the landscape, which is considered significant. This will affect the way that local residents relate to the area that they live in.</p> <p>Cumulative only considers two worst case scenarios of i) 3 projects at the same time and ii) 3 projects in sequence in relation to the cable corridor only. The assessment does not consider the construction of the main arrays and the impact this may have on the wider population. WLDC considers that it is the impact of the whole project in combination with others that has the potential to affect the health, wellbeing and amenity of local communities. These have not been considered in the ES and the ExA has no evidence before them to demonstrate the magnitude of these impacts.</p>

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			<p>The draft DCO removes the ability for persons to make statutory nuisance claims based upon there being a model provision. Whilst this constitutes a model provision that has been adopted within previous DCOs, the cumulative situation applicable to this project is unprecedented. The ability of residents to seek remedy to perceived harm to their health, wellbeing and amenity as a consequence of the project through statutory nuisance processes would provide them with an additional mechanism to protect themselves and ensure the project is implemented in an appropriate manner.</p> <p>In view of the above, WLDC retain their concerns over the impact to the community’s health in the long-term, with a focus on cumulative construction traffic on the local highway and the long-term landscape alterations as a result of Gate Burton and the other proposed solar schemes in the area.</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>	<p>WLDC can confirm that it has not agreed to the study area and the matter has subsequently not been agreed within the SoCG.</p> <p>WLC also notes that the ES for the nearby Gate Burton Energy Park NSIP adopted a 3km study area for all designated heritage assets.</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</i></p>	<p>WLDC’s reference to ‘<i>further significant impacts on designated heritage assets including Scheduled Monuments and Grade 1 listed buildings</i>’ in paragraph 5.68 of its WR relates to the assessed residual effects</p>

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		<p><i>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>	<p>concluded in the Applicant’s ES in Table 13.32 of Chapter 13.</p> <p>The reference is to highlight that there are a wide range of heritage assets that will be adversely affected by the proposed development. Even where such impacts to a single asset are concluded to be ‘slight adverse’, when considered together alongside all of the other assets result in a significant impact that WLDC contends must be given significant negative weight in the planning balance.</p>
<p>8. Landscape and Visual</p>			
<p>1.8.4</p>	<p>Local Authorities</p>	<p><b>Local Planning Authority Design Role</b></p> <p>The local authorities are asked to please comment on:</p> <p>a) 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?</p> <p>b) 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>.</p> <p>c) 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.</p>	<p>a) WLDC are not in a position to identify the specific information required to be able to determine subsequent applications for approvals pursuant to DCO Requirements. The draft DCO Requirements set out the details required to be confirmed, but it will be for the applicant to determine the form of such information, hopefully with prior discussion with the relevant local authorities. Should such information be insufficient to approve, the local authority is able to request further information under Schedule 17 (Article 46) of the dDCO.</p> <p>b) WLDC does not raise any fundamental concerns with regard to requirement 6 ‘Battery safety management’.</p> <p>The structures included in the tables that set out the CDPP for each respective authorised ‘Work’ (Tables 2.1-2.9) are not all controlled by Requirement 5 ‘Detailed design approval’ or Requirement 6 ‘Battery safety management’</p>

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			<p>WLDC's understanding is that other Requirements control other Works (e.g. Requirement 18 'Public Rights of Way').</p> <p>c) WLDC considers that it has the technical capability to assess the final design of the project pursuant to relevant DCO Requirements in terms of compliance with the scope of the ES. Due to the flexibility sought by the applicant through the DCO, WLDC anticipates that the approval process will require sufficient time to adequately assess the information and consult with statutory bodies to inform such approvals. WLDC is unclear how an external design review process would function, especially given the current approval timescales, including deemed consent provisions, that the applicant is seeking through the DCO (to which WLDC objects). WLDC is also of the view that, should consent be granted for the project, there is limited scope to influence design at the post-consent approvals stage. The acceptability of the design of the project should be determined at the DCO decision stage. Provided Details submitted for approval pursuant to Requirements are within the assessment envelope calibrated by the ES, there is limited scope for a local authority to introduce new design principles at that stage.</p>
1.8.14	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</p>	<p>Clarity on why the commitment to the management periods is limited to these time periods would be welcomed.</p> <p>WLDC considers it is essential to ensure that such mitigation is delivered and that it will be retained for the lifetime of the project. The assessed residual impacts upon which the applicant is relying upon to demonstrate compliance with policy is dependent upon the retention</p>

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		comment on the adequacy of these provisions.	<p>of such mitigation and therefore full confidence in its implementation is required.</p> <p>WLDC welcome clarification on why there is a commitment to manage weeds and replace dead plants only up to three and five years respectively. The Management Prescription Timetable sets out several management operations which go beyond five years.</p>
<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>	<p>WLDC consider the documents listed to be 'important and relevant' matters for the determination of the application under section 105 of the Planning Act 2008.</p> <p>The Mission Zero Independent Review of Net Zero states that the Government should set up a taskforce and deployment roadmaps in 2023 for solar to reach up to 70GW by 2035. This includes a 'rooftop revolution'.</p> <p>Until the publication of the roadmaps, the strategy to deliver 70GW of solar energy generation is unknown. To achieve that installed capacity, WLDC considers that there is an onus on developers to promote projects that are well designed and ensure an efficient use of land to ensure that environmental and socio-economics are minimised whilst maximising the benefits of projects.</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</p>	<p>WLDC does not consider that the policy framework has materially changed since the submission of the application.</p> <p>The dNPS documents have not progressed and have not been adopted by the UK Governments.</p>



ExQ1 – 15<sup>th</sup> December 2023:

Responses due by Deadline 3: 9<sup>th</sup> January 2024

EXQ1	Question to	Question	WLDC Response
		implications of these documents on the Applicant's needs case.	The application still falls to be determined under section 105 of the Planning Act 2005, and WLDC has set out its view on the role of policy documents in the determination of the application.
<b>10. Noise, Vibration and Air Quality</b>			
<b>1.10.2</b>	Local Authorities	<p><b>Noise and Vibration Assessment</b></p> <p>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 [APP-053]. If not, please explain where you disagree and why. Where applicable please cross refer to relevant submissions (LIR, SOCG etc.).</p>	WLDC's concerns on the noise assessment methodology are set out in section 14 of its LIR. These concerns remain live and are yet to be resolved.
<b>1.10.6</b>	Applicant and WLDC	<p><b>Methodology – WLDC Concerns</b></p> <p>WLDC sets out a range of concerns (NV1 to NV13) in its LIR [REP1A-006]. The ExA notes that in the draft SoCG [REP1-062] noise and vibration matters under discussion relate only to cumulative effects within APP-053 and that there are no matters not agreed with WLDC.</p> <p>a) The Applicant is asked to please comment on the WLDC LIR [REP1A-006] in respect of methodology, surveys, sources and assumptions (pp78-79).</p> <p>b) The draft SoCG [REP1-062] 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>WLDC confirms that no aspect of the SoCG has been agreed notwithstanding the submission of a draft document by the applicant. WLDC have not agreed to the submission of the draft document in its current form, which has been done so unilaterally by the applicant.</p> <p>WLDC will continue to engage with the applicant with regards to the SoCG.</p> <p>WLDC maintains its objections on noise grounds, including the lack of a co-ordinated approach to managing and mitigating cumulative impacts, as set out in its LIR and WR.</p>
<b>13. Socio-Economic Matters</b>			
<b>1.13.6</b>	Interested Parties; (Applicant - optional).	<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</p>	WLDC do not consider a community fund to be a planning consideration that can be given any weight in the decision making process. This includes any consideration of such payments being a 'benefit'

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EXQ1	Question to	Question	WLDC Response
		<p>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> <p>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.</p> <p>b) Optionally, the Applicant may wish to also comment.</p>	<p>weighing in favour of the project and/or as any form of valid mitigation.</p> <p>The use of a community to 'compensate' affected persons is also not an appropriate mechanism to address such matters</p>