

Table 2: Examining authority’s general questions arising from the draft Development Consent Order (DCO) ([planninginspectorate.gov.uk](http://planninginspectorate.gov.uk))

Question No.	To	Question	LCC Response
<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="http://www.gov.uk">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>In summary, the transitional provisions at paragraph 1.6.2 of the Overarching National Policy Statement for energy (EN-1) (November 2023) (2-2) (“<b>forthcoming NPS EN-1</b>”) explain that “<i>any application accepted for examination before designation of the 2023 amendments, the 2011 suite of NPSs should have effect in accordance with the terms of those NPS</i>”. Critically, solar is not included within the scope of the 2011 NPSs because as at that time it was not proven at scale.</p> <p>Therefore, whilst the November 2023 NPSs does not have effect in relation to the application, it is capable of being important and relevant considerations in the decision-making process. The 2023 NPS is important and relevant considerations, and weight should be given, when determining the DCO Application. As the November 2023 NPSs represent the Government’s latest energy-related policy, with technology specific policies relevant to solar PV in the NPS for renewable energy infrastructure (EN-3) (November 2023) (2-3) some weight should be given to this NPS.</p>
1.1.8	Applicant	<b>Cumulative Assessment</b>	ES Chapter 23 states, under ‘waste’ that ‘no significant residual effects are predicted during

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		<p>The ES Chapter 23 [APP-061] does not summarise the cumulative effects of the Proposed Development although significant adverse cumulative effects are concluded, for example, waste during decommissioning.</p> <p>Can the Applicant please provide such a summary table for significant cumulative effects.</p>	<p>construction, operation and decommissioning of the Scheme'. It is reasonable to ask the applicant to clarify how much waste they anticipate at what points in the scheme and how they propose to manage it.</p>
1.1.9	Local Authorities	<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>Yes agree with the topics identified for cumulative impacts</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>In its November 2023 NPSs, the Government has reconfirmed that solar is likely to play a significant role in a secure, reliable, affordable, net zero consistent energy system in 2050 and has strengthened policy support for large-scale ground-mount solar, on account for the growing urgent need and critical national priority for the delivery of low-carbon infrastructure</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 [REP1A-021] 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>	<p>No comment</p>

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1.1.14	Lincolnshire County Council (LCC)	<p><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 [REP1A-002]. These appear to relate to minerals and waste matters rather than other forms of development.</p>	<p>Whilst these policies are from the Minerals and Waste Local Plan and are not directly related to solar it is considered that as they have recently been through a Local Plan examination and confirmed by a Planning Inspector as being in conformity with the NPPF they do offer some value in respect of the criteria that needs to be taken into account when assessing developments as being sustainable, affecting the Historic Environment, Impacts on Landscape and Best and Most Versatile Agricultural Land. With the Government proposal for reviewing Local Plans preparation procedures with the use of generic Development Management policies in all Development Plan documents it does demonstrate that it is appropriate to give weight to the Development Management policies of a Local Plan that is in conformity with the NPPF even if it has not been prepared for the particular development being considered as they do offer versatility.</p>
1.1.24	Applicant	<p><b>Monitoring</b> Details of a number of the monitoring requirements set out in both the outline Construction Environmental Management Plan (OCEMP) [REP1-034] and the outline Operational Environmental Management Plan (OEMP) [REP1-038] 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>	<p>Whilst not relating directly to community benefits, clarification from the applicant on these points may help to highlight the need for a CBA to mitigate the local impacts.</p>

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1,2.17	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 <a href="#">[APP-057]</a> 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>	<p>LCC do not consider that the removal of agricultural land for a period of 60 years can be classed as temporary and this should be assessed as a permanent loss of agricultural land. A 60 year lifespan is all but equivalent to an entire life time and, on a human scale, is hardly “temporary” in the common use of this word. The effects of this longevity should be assessed as essentially permanent effects as that is how they are experienced in reality.</p>
1.4.9	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> <ul style="list-style-type: none"> <li>a) Any reasonable alternatives to the CA or TP sought by the Applicant; and/or</li> <li>b) Any areas of land or rights sought by the Applicant that they consider would not be needed.</li> </ul>	<p>LCC is not aware the applicant is seeking Compulsory Acquisition of any Highway Land. Do not agree with Temporary Possession of Highway Land for use under the DCO, have maintained that any works in Highway Land that need to be undertaken should follow existing Street works and permitting procedures and S278 Agreements,</p>
1.5.10	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> <ul style="list-style-type: none"> <li>a) The Applicant is asked to please explain why such a wide power is required.</li> </ul> <p>The Highway Authorities are asked to please comment on the breadth of the power and whether it raises any issues for them.</p>	<p>LCC is concerned that detailed highways works which affect safety e.g. access details are left to requirement discharge with a deemed discharge provision rather than via s.278 procedure. . This includes Highway Authority consent in Para (4) - and this must apply to all works in the public highway, not just those in Para (2). Any works in the highway must have LCC approval (S278 and Streetworks and Permitting).</p>

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1.5.11	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. The Highway Authorities are asked to please comment on these provisions, particularly in terms of the consenting procedures.</p>	Temporary Prohibitions – Works in the highway (which may need road closures /diversions) must be approved by LCC Streetworks and Permitting under existing procedures. Article 11 includes consulting LCC and obtaining consent in Paras 4(a) and 4(b). LCC’s consent is needed for any works in the public highway.
<b>6. Health and Wellbeing</b>			
1.6.6	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>	LCC internal consultations have included Public Health Officers so these Officers have been engaged through pre-application and pre-examination phases and given opportunity to comment and to enter into dialogue with the applicant if felt necessary.
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 [REP1A-015 and REP1A-018] 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 Lincolnshire Joint Strategic Needs Assessment at page 6 of their WR [REP1A018]. 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>	LCC have no comment to make on this question.

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		<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>	
1.7.1	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><b>Have these study areas been agreed with Historic England and the Local Authorities?</b></p>	LCC is not aware that these study area criteria have been agreed with the Council.
1.7.2	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 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>	<p>Adequate trenching is required across the remaining 79% of the redline boundary. Where trenching has not been undertaken there is insufficient baseline evidence to identify significant surviving archaeology and to inform an effective mitigation strategy to deal with the impact on areas of archaeological sensitivity in a reasonable and appropriate way.</p> <p>Other NSIPs in Lincolnshire have undertaken full coverage of the redline boundary and as a result have identified significant archaeological sites during the trenching phase which are then dealt with as part of an informed effective mitigation strategy to adequately deal with the impact of the development.</p> <p>This in keeping with standard archaeological practice and guidance as well as relevant policies. We are guided by our professional Chartered Institute for Archaeology (CIfA) Guidance and Standards, their definition of a field evaluation is <b>'to determine the presence or absence of archaeology, to define their character, extent, quality and</b></p>

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			<p><b><i>preservation, and enable an assessment of their significance.'</i></b></p> <p>The provision of sufficient baseline information to identify and assess the impact on known and potential heritage assets is required by National Planning Statement Policy EN1 (Section 5.8), the National Planning Policy Framework and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which states "<b><i>The EIA must identify, describe and assess in an appropriate manner...the direct and indirect significant impacts of the proposed development on...material assets, cultural heritage and the landscape.</i></b>" (Regulation 5 (2d))</p>
1.7.4	LCC	<p><b>Archaeological investigations</b>  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>	<p>The vast majority of archaeology found in Lincolnshire is on land in agricultural use and while ploughing undoubtedly has an impact on archaeology within the ploughzone much of the proposed development impacts will be to depths far deeper than a plough and well below the levels of currently surviving archaeology. The potential for reduction in topsoil is a major factor in the concern regarding the suitability of theoretically mitigating measures particularly of concrete ground anchors: they may damage rather than protect surviving archaeology where there is insufficient depth of soil to mitigate the impact of compaction, installation, settlement over the lifetime of the development and removal.</p> <p>Unexpected Saxon skeletons were found within the first few days of trenching on this scheme which were approximately 20cm from the existing ground surface. Concrete ground</p>

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			<p>anchors would be entirely inappropriate for archaeology such as this which is significant, in a fragile state and too near to the surface to survive the placement, settling, compaction and removal of concrete anchors. This would not be 'preservation in situ' mitigation, it would simply destroy unrecorded archaeology.</p> <p>While the use of concrete ground anchors can form part of an effective mitigation its use must be informed by sufficient understanding of the nature and significance of the surviving archaeology with due consideration for soil composition and the depth of impacts to ensure sufficient buffering to ensure that the archaeology is not damaged or destroyed.</p>
<b>8 Landscape and visual impact</b>			
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> <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>a) 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>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. A key element is how the parameters of the scheme layout are fixed, particularly the location of larger elements such as the sub stations, BESS etc. as well as the extent of solar arrays and mitigation areas. It has been assumed that the works plans <a href="#">[EN010132/APP/ WB2.3]</a> will "fix" the layout and location of these elements, however this needs clarifying. If proposed mitigation areas and extents or locations of built elements are changed from that shown in the DAS or layout plans in any later, detailed design</p>



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			<p>stages, the findings of the LVIA are likely to also change.</p> <p>We would expect that the design details as described in the DAS, Scheme Description and CDPP post consent would be to within the limits of the works plans and parameters and would need to be agreed with the relevant planning authority, which we assume would be both WLDC and LCC, as secured by requirement 6 of the DCO.</p> <p>For example, while the submission includes landscape proposals, these are of a high level and would expect much more detailed plans to be submitted at the detailed design stage to satisfy requirements. This would include the types of planting (species), as well as number, density and specification of planting. The types and areas of planting would be initially indicated within an approved design code or guide, and the champion or panel would be able to guide the detailed implementation of this through to detailed design information.</p>

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			<p>b. Requirement 6 relates to Battery Safety Management. We have assumed this should refer to Requirement 7 which relates to the Landscape and ecological management plan. Requirement 7 only relates to a written landscape and ecological management plan, and Requirement 5 (Detailed design approval) does not explicitly require design details of the planting scheme to be provided and approved – the detailed design of the planting scheme is potentially not explicitly required. We would suggest under Requirement 5 that a bullet be added to (1) requiring approval of: <i>“landscaping works including detailed planting layouts, specifications and programme.</i></p> <p>c. We assume external consultants may be required for landscape and visual advice and guidance on approval of planting/landscape scheme if no in house expertise. This would include advice on layouts, species selection, planting specifications and subsequent detailed management. This would need coordinating with other disciplines, primarily ecology, but may also include civils</p>

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			(SuDs/wetland areas). This advice would likely extend to the appearance (finish, colour, materials etc.) of structures and features in the landscape.
1.8.14	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>	<p>The success of the landscape mitigation to meet the objectives laid out in the management plan and associated figures to integrate and screen proposals, promote conservation and protection of the environment and ecological and habitat diversity is highly dependent upon the successful management and maintenance of the new planting, as well as the protection of existing trees and hedgerows. The maintenance operations provide an initial overview of operations; however, we would expect the management plan be developed further and also last well beyond the initial 5-year period, particularly if landscape and visual effects are being assessed at 15 years since the reduction in landscape and visual effects presented in the LVIA (which currently include beneficial effects) are based on the success of landscape mitigation and retention of existing planting. Similarly, any proposals for early planting should be secured and implemented at the earliest opportunity as effects are also reduced</p>

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			<p>in LVIA can be based upon the assumption these are in place and have established as planned.</p> <p>Monitoring of the proposals is a key aspect of the mitigation plan and is something which needs further development to ensure there is robustness to deal with the challenging climatic conditions when it comes to establishing new planting. The regular updating of the management plan will go some way to ensuring that it is kept valid and can respond to issues and trends effectively. The updating every 5 years following the initial establishment period will also ensure that the management plan can adapt to varying conditions.</p>
1.9.10	Applicant	<p><b>Replacement of PV Panels</b></p> <p>Paragraph 7.8.52 of Chapter 7: Climate Change <a href="#">[APP-045]</a> 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> <ul style="list-style-type: none"> <li>b) Is the 0.04% p.a. replacement rate a reasonable worst-case scenario?</li> <li>c) Is it based on a 40-year lifespan? If so, what may be a replacement rate over 60 years?</li> <li>d) Should the GHG emissions be based on a higher replacement rate?</li> </ul>	<p>In terms of impacting on the need for appropriate recycling facilities to process these replacement panels it would be helpful to know what 0.04% equates in terms of numbers of panels as this may be a relatively modest number for a single scheme but if this is then multiplied across 12 NSIP schemes and a high number of Town and Country Planning Act solar schemes that are in place or emerging across the County this will become an issue of sustainably processing these end of life parts in a quicker timescale than currently envisaged at the decommissioning stage. So provision needs to be made sooner rather than later to ensure we do not end up with a situation of a 'solar panel</p>

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			mountain’ as was the case with the ‘fridge mountain’ some 15 years ago.
1.10.16	Applicant/ Environment Agency	<p><b>Soil Excavation</b></p> <p>Section 4.5.47 of the ES Chapter 4 [APP-042] states that, “<i>excavated soil will then be backfilled on top of the installed cables.</i>” The Environment Agency [RR-90] 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 [REP1-065] 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.</p> <p>b) Is the EA satisfied that this can be addressed through the CEMP, but that it is not explicitly referred?</p>	It would be helpful if the applicant clarified this point by specifying in the ES (section 4.5.47) that backfilling with the excavated soil is “subject to confirmation that any contamination of the soil prohibits that”.
<b>10. Other Planning Matters</b>			
1.11.1	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>	This would be helpful, particularly in light of the current lack of suitable facilities in the Lincolnshire County Council area for recycling solar panels. See also question 1.11.2
1.11.2	Applicant	<p><b>LCC Minerals &amp; Waste Planning Policy – Processing of Decommissioned Panels</b></p> <p>LCC has raised an objection to the scheme due to the inability to comply with Policy W1 of its M&amp;WLP.</p> <p>LCC states that there will need to be additional facilities to ensure these products are sustainably disposed of.</p> <p>Please can the Applicant respond to this concern</p>	As stated in LCC’s Local Impact Report (REP1A-002, page 37), our concern is that: ‘there are no waste facilities to process discarded solar infrastructure as it is replaced during the lifetime of the development and at the decommissioning stage’, particularly ‘when combined with the other solar projects in the County that may be granted DCOs in the next twelve months’.
1,12.7	LCC Lincolnshire	<b>Battery Energy Storage System (BESS)</b>	The management plan appears to consider all points raised by LFR in the initial

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	Fire and Rescue, NCC Notts Fire and Rescue, Environment Agency. Optionally HSE may choose to comment.	<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>	<p>position/requirements statement shared with the developer. It is considered that Requirement 6 and the monitoring regime proposed as a Protective Provision with LFR will ensure that as further technological advances are made there will be an adequate opportunity to ensure that alternative arrangements are reviewed and where necessary changes are made to ensure that the BESS is safe.</p>
1.12.9	Applicant and LCC	<p><b>Health and Fire Safety Provisions of the Local Impact Report</b></p> <p>e) 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>f) 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> <p>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?</p>	<p>For the Gate Burton examination the draft DCO includes Protective Provisions (PP) arrangements with Lincolnshire Fire and Rescue which the Council is satisfied an appropriate mechanism to secure the necessary funding for LFR to undertake the necessary inspections of the BESS to address safety concerns. In respect of the Heckington Examination the applicant has suggested a different approach to PP to secure this funding as part of the OBSSMP secured through a Requirement of the draft DCO. The Heckington ExA is questioning the applicant as to why the PP approach is not preferred as LCC has requested and this discussion is yet to be concluded.</p> <p>LCC would be content that the PP mechanism is used as was the case for Gate Burton and understands this is the applicant's preferred approach as well.</p> <p>f) Yes the neutral assessment is based on the assumption that a financial contribution will be</p>

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			secured through an appropriate mechanism (PP) to enable the necessary inspection of the BESS to confirm the required safety measures and means for dealing with a thermal outbreak are in place and in working order which would minimise the risk of a thermal outbreak within the BESS to an acceptable level
1,12.10	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>	This research is currently paused and if any further work is undertaken on this project during the examination the ExA will be notified.
<b>13. Socio-Economic Matters</b>			
1.13.6	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 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>Whilst provision of community benefits is not a material consideration in determining renewable energy planning applications, such schemes are a well established, integral part of energy infrastructure development, and represent a positive relationship between developers and communities. Lincolnshire County Council are seeking to assist local communities to secure the best possible package and to use it to achieve the best long-term benefits.</p> <p>Such a community benefits fund could be used for a wide variety of projects including (taken from recent consultations by DESNZ and National Grid):</p> <ul style="list-style-type: none"> <li>• Alleviating fuel poverty or other financial vulnerabilities</li> <li>• Assisting with local skills development and employment opportunities</li> </ul>

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			<ul style="list-style-type: none"> <li>• Creating long-term career opportunities within the electricity network (for all ages and reskilling for those returning to work)</li> <li>• Regeneration in urban areas (e.g. by creating green spaces and supporting biodiversity)</li> <li>• Supporting Net Zero plans (e.g. improving the energy efficiency of public buildings, local renewable energy projects etc.)</li> <li>• Developing local supply chains</li> <li>• Community fund</li> </ul>
1.14.1	LCC	<p><b>Transport Assessment (TA) Methodology, Conclusions</b> 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>	<p>Yes, TA and CTMP are acceptable in showing access requirements and impact on highway. Works proposed in highways (access crossings) need S184 approval from LCC Streetworks and Permitting prior to construction (DCO Articles 9 &amp; 11 above need to follow existing procedures for works in highway).</p>
1.14.2	LCC	<p><b>Timing of Surveys</b> 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. Please can the Applicant</p>	<p>– Agree with ES – for purposes of highway assessment the survey data is suitable</p>



Question No.	To	Question	LCC Response
		<p>a) Explain why that particular time period in November was chosen.</p> <p>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.</p>	
1.14.3	LCC	<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 [APP-127], updated in [REP1-016] Appendix 14.2 Construction Traffic Management Plan Revision A.</p> <p>b) If not, please identify where issues arise and the reasons?</p>	<p>In principle the AIL assessment is acceptable at this stage. Approval from LCC's Abnormal Load Officer (and other parties) will be required prior to implementation .</p>
1.14.4	LCC	<p><b>Travel Plan</b></p> <p>Chapter 14 Transport and Access [APP-052] 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>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>	<p>Travel Plan 50% by shuttle bus is achievable if it is considered in the recruitment and procuring of workers.</p>

Question No.	To	Question	LCC Response
1.14.6	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 [REP1A-002]. 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> <p>The ExA notes LCC’s recommendation at paragraph 8.9 of it’s LIR [REP1A-002] for construction traffic:</p> <p><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>Applicant prepared further information in Oct 2023; LCC responded 8/11 as follows (which relates to above concerns about DCO powers):</p> <p>“Thank you for this note which shows that passing places could be provided to mitigate the impact on Access 1. With the abnormal loads, the Note suggests can be mitigated by temporary or permanent widenings, we would require a before and after Condition Survey with LCC Officers to ensure the road is returned to its original (or better) condition.</p> <p>We still have concerns with regards to the mechanisms for permitting works within the highway proposed within the DCO. LCC will require any works within the highway to be technically checked and approved by LCC under S278 procedures and for works to be implemented in accordance with normal Streetworks &amp; Permitting requirements. “</p>
1.14.9	Applicant/ LCC	<p><b>Collision Data</b></p> <p>Chapter 14 Transport and Access [APP-052] analyses Personal Injury Collision Data provided over the “most recent” five-year period (Para 14.5.26).</p> <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 [APP-052] is up to date in relation</p>	<p>LCC not been involved in this – not sure where this has progressed to, the dDCO still seems to give too much power to applicant.</p>

Question No.	To	Question	LCC Response
		<p>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>	
1.14.13	LCC	<p><b>On-Site Vehicle Parking</b>  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?  the off-road parking facilities provided, e.g. during construction, will be adequate?</p>	<p>Parking on site, based on information provided would seem appropriate.</p>