West Burton Solar Project

The Applicant's Responses to Written Representations

and other submissions at Deadline 1

Part 1

Prepared by: Lanpro Services

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The Infrastructure Planning (Examination Procedure) Rules 2010

Rules 8(1)(c)

West Burton

SOLAR PROJECT

Contents

Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.
Examination Deadline 3

The Applicant's Responses to Written Representations and Other Submissions at Deadline 1: Part 1

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1 Introduction and Summary

1.1 Introduction

1.1.1 This document provides West Burton Solar Project Limited (the 'Applicant's') response to the Written Representations (the 'WRs') and any other documents submitted to the Planning Inspectorate (PINS) by 24 November 2023 and 7 December 2023, relating to Examination Deadlines 1 and 1A respectively for the Development Consent Order Application (the 'Application') for West Burton Solar Project (the 'Scheme').

1.1.2 The Applicant's Response to Local Impact Reports from the host local authorities have been responded to separately in **WB8.1.20 The Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20]**.

1.1.3 A total of 97 WRs and other documents were submitted to the Examining Authority by Interested Parties in response to the Scheme. WRs were published on 29 November 2023 and 12 December 2023 to the Planning Inspectorate's website (PINS reference: EN010132).

1.2 Structure of the report

1.2.1 This Part 1 document provides responses from the Applicant to the matters raised in those WRs and other documents received from host local authorities, all other statutory consultees, international agencies, undertakers, elected representatives, community organisations, and those whose interest would be affected by the Order. These WRs and other documents have been responded to in full through **Section 2 and 3** of this document.

1.2.2 **Parts 2 and 3** list those WRs received from 7000 Acres, and members of the public. References to the Application and Examination documentation, as submitted to the Planning Inspectorate, are provided in accordance with the referencing system as set out in the Planning Inspectorate's 'West Burton Solar Project Examination Library'.

Table 1.1: List of organisations whose Written Representations and Other Submissions are responded to in Section 2

PINS Reference	Acronym	Written Representations Received from
REP1-075	LCC-XX	Lincolnshire County Council
REP1A-001	LCC-XX	Lincolnshire County Council
REP1-076	WLDC-XX	West Lindsey District Council
REP1A-004	WLDC-XX	West Lindsey District Council
REP1-077	FPM-XX	Fillingham Parish Meeting
REP1-078	SSPC-XX	Sturton by Stow Parish Council
REP1-079	SSPC-XX	Sturton by Stow Parish Council
REP1A-030	SSPC-XX	Sturton by Stow Parish Council

Table 1.2: List of organisations whose Written Representations and Other Submissions are responded to in Section 3

PINS Reference	Acronym	Written Representations Received from
REP1-080	CRT-XX	Canals and Rivers Trust
REP1-081	CRT-XX	Canal and Rivers Trust
REP1A-007	NE-XX	Natural England
REP1A-006	EA-XX	Environment Agency
REP1A-029	NR-XX	Network Rail Infrastructure Limited
REP1A-027	CG-XX	Cadent Gas
REP1A-028	NGET-XX	National Grid Electricity Transmission
REP1A-031	UNI-XX	Uniper UK Ltd
REP1A-034	MMO-XX	Marine Management Organisation
REP1A-035	MMO-XX	Marine Management Organisation
REP1A-052	MF-XX	Michael Foster
REP1A-060	RB-XX	Rodger Brownlow

2 The Applicant's Responses to the Host Local Authorities, Parish Councils and Neighbourhood Planning Committees

2.1 Lincolnshire County Council [REP1-075]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
LCC-01	Examination Process	Public Participation	LCC remains concerned to ensure that members of the public wishing to participate in the examination of this and other DCO applications should be able to participate meaningfully and easily. LCC's concerns were highlighted and shared by members of the public, 7000 Acres and West Lindsey District Council (WLDC). 7000 Acres in particular noted the feeling of disenfranchisement which remains a concern of the Council.	The Applicant notes this comment.
LCC-02	Cumulative Development	Cumulative Impacts	This arises particularly in relation to the assessment of cumulative effects. LCC is host authority for a number of existing and forthcoming NSIP scale solar projects and is concerned to ensure that as a matter of substance, cumulative effects are considered holistically and thoroughly, and that as a matter of procedure, thought is given to how this might be best achieved in a way which encourages rather than	The Applicant notes this comment and seeks to assure LCC that a cumulative effects assessment has been prepared for the Application within **6.2.1-6.2.23 Environmental Statement [APP-039** to **APP-061]**. Cumulative effects assessments for each topic are set out in each of the ES Chapters and include the assessment of the impacts of the Scheme cumulatively with the NSIPs identified by LCC (Gate Burton Energy Park, Cottam Solar Project and Tillbridge Solar Project) (see paragraph 2.5.9 of **6.2.2 Environmental Statement - Chapter 2 EIA Process**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			discourages public participation. Specifically, LCC is concerned to ensure that interested parties don't succumb to "consultation fatigue" and/or assume incorrectly that representations made to one Examining Authority (ExA) in relation to cumulative effects, for example, will automatically be taken into account by others.	**and Methodology [APP-040]**. The assessment has been undertaken in accordance with Schedule 4 of the 2017 EIA Regulations and PINS Advice Note 17. The mitigation measures set out across the ES therefore account for anticipated cumulative effects. The cumulative impacts of the four NSIPs Cottam, Gate Burton, West Burton and Tillbridge have been considered within the **WB8.1.9_B Report on the Interrelationship with Other National Infrastructure Projects [REP2-010].** Within the report Section 6 undertakes a Cumulative Impact Assessment. This report will be updated throughout the Examination as new information becomes available.
LCC-03	Cumulative Development	Examination Process	One potential practical solution would be to hold a linked session with other extant examinations. This would be a visible statement to members of the public that cumulative effects are being given careful attention. By October 2023, 5 other examinations are likely to be underway and it would give LCC's Members and members of the public great comfort if a join session were to be held. However, this is not the only means of achieving the aim of procedural fairness. Even if the ExA	The Applicant notes this comment and is willing to participate in a linked session if deemed appropriate by the ExA.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			were to stop short of holding a formally linked ISH, cumulative effect ISHs for a number of projects could be held at the same location on the same day or over consecutive days. This would give comfort to members of the public that a "joined up" approach was being taken and a "siloed" approach avoided.	
LCC-04	Cumulative Development	Examination Process	At the Preliminary Meeting and Issue Specific Hearing 2 for Gate Burton a similar request was made and the Examining Authority for Gate Burton committed to reviewing this request once the examinations for Cottam and West Burton were underway.	The Applicant notes this comment.
LCC-05	Examination	Timetable	In respect of the proposed timetable for West Burton the Council are of the opinion that these should be held in person and is not appropriate to hold these in a virtual way. The ISH on environmental matters must be held in person.	The Applicant notes this comment.
LCC-06	Examination	Timetable	In respect of the Local Impact Report the Council is involved with 10 NSIP solar schemes some of which are at examination others working through the pre-application	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			stages and by the end of September expect 5 of these projects to be in the examination phase. This is an unprecedented number for one host authority to be involved with at the same time this creates a resource challenge as the Council is only a small team. The Council want to engage to the extent expected by Councillors and local communities but this is proving challenging with the number of Local Impact Reports that need to be submitted in a short period of time. The submission date of 17th October is achievable depending on the outcomes of the other Preliminary Meetings that are taking place this month.	
LCC-07	Examination	Timetable LIRs	The PM for Heckington Fen is 19th September. To meet the deadlines for all 3 of the examinations will require the Council to take 3 LIRs to the same Committee in early October this is a resource challenge to get all this information together and also a lot of information for one Committee to absorb	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			and give the expected level of consideration too.	
LCC-08	Examination	Timetable LIRs	This is to give the Examining Authority an early indication that if there is no flexibility from one of the other Examining Authorities then the Council will not be able to meet the deadline of 17th October and ask if there is any flexibility to submit the LIR later. The next Planning Committee is 6th November and would be able to submit the LIR that same week if an extension of time to deadline 1 is agreed. If there is flexibility from the other ExAs then would be able to meet the October deadline.	The Applicant notes this comment. This matter has been addressed by the ExA in the revised examination timetable in the Rule 8 letter issued on the 16th November 2023 **[PD-008].**
LCC-09	Examination	Timetable LIRs	The problem has largely been due to the late announcement of the West Burton PM which was expected to follow in chronological order of notifications and be held after Heckington in early October by the sudden announcement of the PM for West Burton as knocked our expected work programme out of sequence and led to 3 LIRs needing to go to one Committee which is not reasonable.	The Applicant notes this comment. This matter has been addressed by the ExA in the revised examination timetable in the Rule 8 letter issued on the 16th November 2023 **[PD-008].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			The Council will make the same request to the West Burton ExA and seek an extension to their deadline 1 and if agreed the Council will be able to submit its LIR for Deadline 1 for this.	
LCC-10	Examination	Preliminary Hearing	Following the adjournment of the Preliminary Meeting in September and it being reconvened in November with a new Rule 6 letter and amended timetable the Council were able to confirm that they could meet the new timetable in respect of the submission of the Local Impact Report at Deadline 1 and Written Representations at Deadline 1A.	The Applicant notes this comment.
LCC-11	Examination	Preliminary Hearing	In respect of the next set of ISH the Council's Legal Team is only available w/c 22 January 2024 which is the date set out in the Rule 6 letter. The Council does not have availability for w/c 29th January 2024 for the hearings.	The Applicant notes this comment.
LCC-12	Issue Specific Hearing	BESS	In respect of the safety of the BESS have not prepared to comment on fire safety issues in this hearing. There is an ongoing dialogue with Lincolnshire Fire and Rescue colleagues and will look further into fire	The Applicant notes this comment. After further consultation with Lincolnshire Fire and Rescue an updated version of **7.9_A Outline Battery Storage Safety Management Plan [EN010132/EX3/WB7.9_A]** and **7.13_B Concept Design Parameters and Principles**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			safety matters later in the examination. Reference is made in the Council's LIR to fire safety issues.	**[EN010132/EX3/WB7.13_B]** has been submitted at Deadline 3. The Outline Battery Storage Safety Management Plan is secured by Requirement 6 to Schedule 2 of the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C].**
LCC-13	Issue Specific Hearing	SoCG	The Council concurs with WLDC regarding Development Plan policies from the Central Lincolnshire Local Plan. The Councils LIR sets out the relevant Development Plan policy for each topic. There has not been very much movement at this stage in progressing the SOCG, still a work in progress given that the Council has not yet confirmed its formal position on the application. The LIR highlights the relevant policies of the Lincolnshire Minerals and Waste Local Plan regarding mineral safeguarding and the need to make provision for facilities to process end of life panels and other infrastructure from the development.	The Applicant continues to work with the Host Authority to progress the **8.3.1 Statement of Common Ground – Lincolnshire County Council [REP1-061]** on all environmental matters. Any updates to the Statement of Common Ground will be submitted at Deadline 2 and included within the updated **8.1.11_A Statement of Commonality [REP2-016].** The Applicant has set out the planning assessment against the relevant local planning policies in **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A].**
LCC-14	Issue Specific Hearing	Landscape Impacts	For Landscape and Visual Impact matters this is set out in the LIR which includes as an Appendix a detailed review of the	The Applicant has responded to the Local Impact Report separately in document **[EN010132/EX3/WB8.1.20]**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
		LIRs	applicants Landscape and Visual Impact report. Conscious that whilst the applicant has seen this report the ExA has not yet been provided with the Council's LIR and therefore it would be of benefit for the ExA to review this document before get into too much detail. Whilst there are some tensions/differences between the applicants approach and the Councils view this not in relation to methodology /viewpoint selection but conclusions and assessments of the predicted impacts.	
LCC-15	Issue Specific Hearing	Landscape Impacts LIRs	The LIR concludes that there is a significant cumulative impact with this scheme Gate Burton, Cottam and Tillbridge. Creating adverse impacts over an extensive area causing an regional scale adverse impact. Travelling from Corringham in the north of the District to Saxilby in the south for 15-20km the receptor would experience sequentially a solar landscape much changed from the existing agricultural landscape.	The Applicant has responded to the Local Impact Report separately in document **[EN010132/EX3/WB8.1.20].**
LCC-16	Issue Specific Hearing	Cultural Heritage	For Cultural Heritage matters not very much has changed since the Council	The Applicant continues to work with the Host Authority to progress the **8.3.1 Statement of Common Ground –**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
		SoCG	submitted Relevant Representations in March. There is still a lot between us the main source of disagreement being the extent of trial trenching coverage and a disagreement on the percentage of the order limits that should be subject to trial trenching. There has not been any discussion on the SOCG with the Council for any matters including cultural heritage. The discussions which the applicants cultural heritage specialist mentioned were in relation to Cottam which has similar issues but to date there has been no discussions on the SOCG for West Burton.	**Lincolnshire County Council [REP1-061]** on all environmental matters. Any updates to the Statement of Common Ground will be submitted at Deadline 2 and included within the updated **8.1.11_A Statement of Commonality [REP2-016].** The Applicant has set out the planning assessment against the relevant local planning policies in **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A].**
LCC-17	Issue Specific Hearing	Highways Issues S278 Agreement	In respect of highway matters the access to West Burton 1 is via 1,2km of unclassified road and the Highway Authority is concerned of the suitability of the use of this highway for HGVs and abnormal loads that will be required to deliver the equipment and plant to the site. Details of passing places have recently been provided to address this issue but the mechanism to secure this has not yet been agreed this would normally be via a S278	The Applicant acknowledges this comment. The Applicant has been in liaison with highways officers at LCC. The Applicant has demonstrated that passing bays are deliverable within the public highway and that abnormal loads can pass through. LCC has requested a before and after road condition survey is undertaken to ensure the road is returned to its original condition post construction. The Applicant agrees to this, and this is included in at Point XX in Section 7 of the **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Agreement but the applicant wants to use the DCO to secure these works which has not yet been agreed by the Highway Authority.	**[EN010132/EX3/WB6.3.14.2**. Article 14 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]** allows agreements to be entered into covering topics typically contained in a section 278 agreement, for instance, relating to payment and timings of works. The definition of "street authority" in the draft DCO includes Lincolnshire County Council as the highways authority.
LCC-18	Issue Specific Hearing	Highways Issues PRoW	Finally in respect of PROW the Council has concerns of the drafting of the wording in the draft DCO for measures to deal with PROW matters which is currently different to that used on the other projects at examination in Lincolnshire so the Council considers some amendments are necessary.	The Applicant notes that interactions with PRoW differ for each of the solar projects. The Applicant is willing to consider any specific amendments to the drafting provided by LCC that are applicable to the Scheme.

2.2 Lincolnshire County Council [REP1A-001]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
LCC-19	Principle of development	Balance of Scheme benefits versus harms	Whilst the project would produce clean renewable energy that would support the nations transition to a low carbon future and deliver significant biodiversity net gain benefits through the creation of mitigation and enhancements as well as other more limited positive impacts, these positive impacts are not outweighed by the negative, some significant, impacts.	The Applicant respectfully disagrees with this comment. Section 6 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** demonstrates that when considered against national planning policies, the Scheme accords with the relevant policies. With regard to specific policy tests, the substantial benefits of the Scheme are considered, on balance, to outweigh its limited number of significant residual adverse impacts. Therefore, it is considered that development consent for the Scheme should be granted. Furthermore, the Applicant has responded in detail to Lincolnshire County Council's concerns as raised in their Local Impact Report (see **8.1.20 Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20]**, and to specific matters in the ES through **8.3.1 Statement of Common Ground – Lincolnshire County Council [REP1-061]**.
LCC-20	Landscape and Visual	Landscape Character	A permanent and negative impact upon the landscape character and the appearance of the area as a consequence of changes to the current arable agricultural land use.	Please refer to the Applicant's response to LIR Ref LCC 7.15 in the **8.1.20 Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
LCC-21	Soils and Agriculture	Food security	National food security is equally important as energy and the Council has grave concerns about the removal of large areas of agricultural land out of food production for solar farms. This loss is not only at a local level but significant when considered in-combination with the loss of land from other NSIP scale solar developments that are also being promoted and considered across Lincolnshire	The key policy tests for the decision maker in respect of the Scheme's impact upon agricultural land are found in NPS EN-1, paragraph 5.10.8, and NPS EN-3 (November 2023), para. 2.10.30 . In summary, this requires that applicants should seek to minimise impacts on BMV land, being ALC Grades 1, 2 and 3a), ensure impacts should be considered against the measures set out under paragraphs 2.10.66 – 2.10.83 and 2.10.98 – 2.10.110. NPS EN-1 Paragraph 5.10.15 then states that the Secretary of State should give little weight to loss of ALC grades 3b, 4 and 5 agricultural land, while NPS EN-3 (November 2023), para. 2.10.145 requires the Secretary of State to ensure mitigation measures to minimise impacts on soils and soil resources are appropriately provided by the Applicant. This is addressed on page 76 in Appendix C of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** The Applicant does not consider that the Scheme would result in food security impacts either alone or cumulatively. The UK annual balance of domestically produced food is sensitive to non-planning factors including weather and markets. The relevant assessment for policy purposes (and therefore decision-making purposes under the Planning Act 2008) is one that is based on the grade of the agricultural land, rather than its current use and the intensity of that use. In terms of key threats to UK food security, the Defra UK Food Security Report highlights that the main threat is climate change.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
LCC-22	Transport and Access	Public Rights of Way	Negative impacts on the users of Public Rights of Way in and around the proposed development as a consequence of changes to the visual appearance of the area and views from these routes and uncertainty around the disruption that will be caused resulting from the diversion of footpaths and the re-instatement treatment proposed contrary to Policies S48 and S54.	The Scheme features measures to protect existing Public Rights of Way through **6.3.14.3_B ES Appendix 14.3 Public Rights of Way Management Plan Revision B [EN010132/EX3/WB6.3.14.3_B],** as secured through Requirement 18 of Schedule 2 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C**
LCC-23	Cultural Heritage	Trial trenching	Uncertainty as a result of the restricted amount of trial trenching that has been undertaken across the Order Limits. Archaeological remains of more than local/regional significance could be disturbed and damaged. Consequently it is not possible to adequately assess the impacts.	The Applicant considers that they have taken a reasonable, proportionate and consistent approach to the archaeological evaluation guided by national and local guidance that has enabled the collection of high-quality reliable data. This has provided an adequate understanding of the archaeological potential and developmental impacts as set out in **6.2.13 Environmental Statement Chapter 13 Cultural Heritage [APP-051]** and has been used to formulate an appropriate mitigation strategy as set out in **6.3.13.7 Environmental Statement Appendix 13.7 Archaeological Mitigation WSI [APP-122].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Please refer to the Applicant's response to LIR Ref LCC 12.15- LCC 12.16 in the **8.1.20Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20].**
LCC-23	Waste	Recycling Facilities	In terms of provision of facilities to process and recycle solar panels and associated equipment once they reach the end of their useful life there is currently insufficient waste facilities to process this waste. Currently 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. When combined with the other solar projects in the County that may be granted DCOs in the next twelve months this will present an issue that will need additional facilities to ensure these products are sustainably disposed of and until a satisfy mechanism is in place to address this issue an objection is raised as contrary to the Lincolnshire Minerals and Waste Local Plan policy W1	The Applicant does not anticipate that operational and maintenance waste streams arising from the need to replace broken solar panels, infrastructure or batteries will have any greater level of impact on waste handling than at either construction or decommissioning. Replacement of broken or faulty equipment is likely to be undertaken in an ad hoc manner, and suitable mitigation is secured in **WB7.14_B Outline Operational Environmental Management Plan Revision B [EN010132/EX3/WB7.14_B]** by way of Requirement 14 of Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C.** **7.2_A Outline Decommissioning Statement Revision A [EN010132/EX3/WB7.2_B]** sets out the principles of decommissioning and environmental considerations (see paras. 2.1.1 to 2.1.9) and provides a summary of potential mitigation and management measures during decommissioning in Table 3.1. It also sets out how roles, responsibilities and actions required in respect of implementation of the mitigation measures will be managed, along with principles for monitoring and

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				reporting. By way of example and as contained within Table 3.1, provision is made that "Infrastructure such as PV panels and battery storage units will be removed and recycled as far as practical and in accordance with legislation and guidance applicable at the time". Further details will be provided in the final decommissioning plan submitted for approval prior to decommissioning. The commitment for the final decommissioning plan to be prepared and to be substantially in accordance with the Outline Decommissioning Statement is secured by Requirement 21 of Schedule 2 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C**
LCC-24	Highways	Access to WB1	At this stage a highways objection is raised to the use of the highway to gain access to the construction access point for West Burton 1. It is not considered that this highway is suitable for abnormal loads of 100 tonnes and 36m in length. The road is a rural lane which is not constructed for these loads and the width and alignment would prohibit such a large vehicle using this route. For this reason there is significant issues with highway safety and therefore contrary to Local Plan Policy S47.	Please see Applicant's response to LCC-17.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
LCC-25	Benefits	Community Benefits Package	That if the Secretary of State grants the Development Consent Order a comprehensive and appropriate package of Community Benefits is secured and delivered to compensate for the identified negative impacts that the proposed development would cause to the communities affected by this project.	The Applicant is committed to providing a Community Benefit Fund – see paragraph 4.8.1 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]**. This fund will be available for community-based benefits throughout the lifetime of the Scheme. The provision of the Community Benefit Fund itself does not form a part of the DCO Application, and therefore will be agreed separately between the Applicant and the fund's beneficiaries.

2.3 West Lindsey District Council [REP1-076]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-01	Site Visit	Location	West Lindsey District Council (WLDC) undertook a site visit of Cottam, Gate Burton and West Burton on the 12th and 13th of June 2023. During the site visit, several points of interest around the schemes were considered. This note and accompanying drawing provides a summary of these points of interest for the Cottam scheme which may be of use to the Examining Authority when their site visit. The Points of Interest (PoI) are shown on the West Burton access location plan which shows the eight vehicle access points for the construction of the solar panels. Also included as part of this submission is the access to the West Burton cabling routes, of which there are 19 access points.	The Applicant notes this comment.
WLDC-02	Site Visit	Location	This section provides a brief summary of the PoI that were noted during the site visit. These are not listed in any particular order other than working from the northwest of the scheme and ending in the southeast.	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			• PoI 1 – view of solar panels along Broxholme lane. • PoI 2 – view of Grid of Connection Corridor along A156 – interaction with Gate Burton and Cottam shared gid connection. • PoI 3 – accesses along Till Bridge Lane and Stowe Park Road. Two lane traffic with national speed limit and railroad crossing at Stow Park. • PoI 4 – proposed Stow Park solar development. This solar farm is considered EIA development and is surrounded by the West Burton scheme. • PoI 5 – the medieval bishop's palace and deer park, Stow park scheduled monument. • PoI 6 – interaction of development with the village of Brampton residential receptors. • PoI 7 – cable route connection between West Burton 2 and 3 along	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Cowdlae Lane. Impact during construction. • PoI 8 – accesses along Sturton Road and views onto field to the west of the Sturton Road. Will incur heavy construction traffic and will result in long term impact on views. • PoI 9 – access into West Burton 1 from Tillbridge Lane. • PoI 10 – access into West Burton 2 from Sykes Lane. • PoI 11 – cable connection between West Burton 1 and 2 and impact on Broxholme during construction. • PoI 12 – view of Grid Connection Corridor along the Public Rights of Way. Allows understanding of the character of the area and its relationship with surrounding features/uses.	

2.4 West Lindsey District Council [REP1A-004]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-03	General Comments	Purpose of Document	The Written Representation is to be read alongside the LIR as a document that goes beyond solely identifying impacts and serves as an assessment of the merits of the application against policy as required by the PA2008	Noted. No response required.
WLDC-04	General comments	Context	Section 2 sets out the general context for the Scheme in terms of landscape character, socio-economics, environment and a description of the site and surrounding area. It also sets out what the Council identify to be the key challenges for the area.	Noted. The Landscape and Visual Impact Assessment (LVIA) contained within **6.2.8 Environmental Statement Chapter 8 Landscape and Visual Impact Assessment [APP-046]** takes into account the effects on the landscape character in detail, from the national scale, through regional, county district and local scales to the landscape character areas within the 5km Study Area. For further information, please refer to **6.3.8.2 Environmental Statement Appendix 8.2 Assessment of Potential Landscape Effects includes 8.2.1-8.2.12 [APP-073]**. These associated appendices provide a detailed assessment of landscape effects on each landscape receptor relating to Central Lincolnshire's natural environment. This includes the contrast between the upland and lowland areas, the big skies, the north-south grain and that outside the urban areas the land use is predominantly agricultural.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-05	Scheme Description	Scheme Description	Section 3 sets out a description of the Scheme based upon Chapter 3 of the Environmental Statement (ES) (Doc. Ref. APP/WB6.2.3.) and chapter 2 of the supporting Planning Statement (Doc. Ref. APP/WB7.5)	Noted. No response required.
WLDC-06	Planning Policy	Decision making framework	WLDC recognises the application as one made under the Planning Act 2008 (PA2008) for a Development Consent Order (DCO) for development that falls within the definition of energy generating stations set out in section 15 of the PA2008.	Noted. No response required.
WLDC-07	Planning Policy	Local Impact Report (LIR)	The key impacts of the LIR are summarised in this section.	Noted. See Applicant's Response to Local Impact Reports **[EN010132/EX3/WB8.1.20].**
WLDC-08	Planning Policy	Other Relevant Matters	Paragraphs 4.10- 4.42 set out the relevant national and local planning policies.	Noted. No response required.
WLDC-09	Planning Policy	Key Issues	Section 5 sets out the key impacts of the Scheme which are categorised into 5 key areas (note that there are actually six set out as below):	Noted. No response required.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			1)The approach to the consideration of the Cottam Solar Project 2) The approach to site selection and alternatives for the scheme. 3) The impact of the development on the community. 4) The impacts of the development from the main site. 5) The combined Grid connection corridor. 6) The cumulative impacts with other projects.	
WLDC-10	General	Approach to the consideration of the West Burton Solar Project	To consider the impacts of each section of the site (West Burton 1, 2 and 3), the site must be considered as a whole.	Noted. No response required.
WLDC-11	Alternatives and Design Evolution	Approach to site selection and alternatives	A clear set of objectives or principles to guide the decision making process to ensure the final shortlisted site is consistent with the design, planning and environmental objectives for the project appears to be absent.	The **Site Selection Assessment Revision A [AS-004]** sets out the five stage assessment methodology that was undertaken at section 2. Where the bullet pointed objectives set out by the Council were taken into consideration within the **Site Selection Assessment Revision A [AS-004]** is set out below:

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			For solar infrastructure projects of this scale it is expected that objectives that would reflect a well-designed project are identified and embedded at the start of the site selection process. Such objectives would include: • Minimising the distance between the grid connection and the solar panels to minimise environmental impacts; • Topography being flat or with shallow south facing slopes'. • Sites to be of a size suitable for economic viability and being fields that are large and regular in shape; • Fields identified to be contiguous to provide a self-contained site that minimises impacts; • To be located near to existing main highways with ease of	• Minimising the distance between the grid connection and the solar panels to minimise environmental impacts; Considered at Stage 1 – Paragraph 2.1.12 states *"an initial search area was identified at a 5km radius from the POC, however this was later expanded with the clear preference of identifying land as close to the POC as possible, the search area was enlarged incrementally until suitable options were found"* • Topography being flat or with shallow south facing slopes' ; Considered at Stage 3 – Paragraph 2.1.33 states: *"All land with a 3% or less gradient which is considered to be very flat and optimal for solar generation has been considered potentially suitable to meet the Scheme's requirements of maximising energy generation and avoiding visual intrusion. This land has been taken forward to the Stage 4 assessment"* • Sites to be of a size suitable for economic viability and being fields that are large and regular in shape; Considered at Stage 3 – See paragraphs 2.1.17 - 2.1.22. Paragraph 2.1.21 explains that *"Areas of unconstrained land of at least 40ha were therefore taken forward to the Stage 4 assessment."*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			access for construction and decommissioning; • Brownfield land opportunities to be identified and considered; Preference for a small number of willing landowners to form a contiguous site.	• Fields identified to be contiguous to provide a self-contained site that minimises impacts; This was not considered to be an essential objective of the site selection process because the Applicant considers that it is possible to create a well-designed Scheme that minimises environmental impacts through a linked network of sites as proposed. Section 6.4 of the **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** shows that the Scheme has been subject to a detailed and sensitive iterative design process. This has taken account of the context and features of the land within the Order limits, nearby sensitive receptors and assets, information emerging from environmental surveys, feedback from stakeholders, and opportunities and constraints in order to develop a good design that balances the need to maximise the energy generation capacity of the Scheme, with the avoidance and mitigation of impacts, and provision of environmental and other enhancements, where practicable. • To be located near to existing main highways with ease of access for construction and decommissioning; Considered at Stages 4 and 5.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				See Annex B Assessment Indicator B6 which assesses whether the local road network, from the primary road network to the potential development area, is suitable for HGV access, having regard to listed evaluation criteria. • Brownfield land opportunities to be identified and considered; Considered at Stage 3 together with suitability of rooftop solar, see paragraphs 2.1.23 - 2.1.31. • Preference for a small number of willing landowners to form a contiguous site. Availability of willing landowners was considered at Stage 5 (see paragraph 2.1.41 - 2.1.42. This identified potentially willing landowners with large-scale land holdings and resulted in the identification of four potential development areas as well as the Scheme land. Some of the PDAs were more contiguous areas of land than the Scheme land but nevertheless, the assessment concluded that there are no obviously more suitable locations within the area of search than the proposed Sites for the Scheme.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-12	Alternatives and Design Evolution	Approach to site selection and alternatives	Concern raised re viable distance to grid connection point. Gate Burton specified 8km was maximum distance	Paragraph 2.1.12 of the **Site Selection Assessment Revision A [AS-004]** explains that an initial search area was identified at a 5km radius from the Point of Connection (POC), however this was later expanded with the clear preference of identifying land as close to the POC as possible. The search area was enlarged incrementally until suitable options were found within a 20km radius as explained within **Site Selection Assessment Revision A [AS-004]**. The Applicant considers that the chosen sites are located close enough to the POC to provide a viable scheme.
WLDC-13	Alternatives and Design Evolution	Approach to site selection and alternatives	The site selection process is predicated upon finding sufficient land to deliver a project that meets the capacity of the grid connection offer of 480MW. WLDC contends that this approach begins from a starting position that only sites that achieve this area are acceptable and that is wholly flawed.	The **Statement of Need [APP-320]** presents a detailed compelling case for why the Scheme is urgently required and at the scale proposed. This is also summarised in Section 4 of the **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A].** Therefore, the Applicant respectfully disagrees that it is wrong to start the site selection process from a starting point that only sites capable of achieving 480MW are acceptable. In this case, the Applicant identified a suitably sized site to deliver 480MW through the site selection process. Had this assessment process not identified a suitable site, then alternative and possibly smaller sites, would then have been considered. The Scheme balances the need to maximise the energy generation capacity of the Scheme,

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				with the avoidance and mitigation of impacts, and provision of environmental and other enhancements, where practicable. This is demonstrated at Section 6 of the **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]**.
WLDC-14	Alternatives and Design Evolution	Approach to site selection and alternatives	WLDC recognises that the three Sites identified for built development, namely, solar panels, substations and energy storage for the Scheme would total 769.08ha, including means of access, but excluding Cable Route Corridors. However, this is still larger than the area required for the Gate Burton scheme. Moreover, the Gate Burton Scheme does not set out similar land area requirements and notes that "*Selecting a site closer to the substation would likely decrease environmental and social impacts associated with the connection and scheme would become more commercially viable. Therefore, a site*	Paragraph 2.1.12 of the **Site Selection Assessment Revision A [AS-004]** explains that an initial search area was identified at a 5km radius from the POC, however this was later expanded with the clear preference of identifying land as close to the POC as possible. The search area was enlarged incrementally until suitable options were found within a 20km radius. as explained within **Site Selection Assessment Revision A [AS-004]**. The Applicant considers that the chosen sites are located close enough to the POC to provide a viable scheme. The design process undertaken by the Applicant is clearly set out in **7.6 Design and Access Statement [APP-314 and APP-315].** The comparison between projects is not considered appropriate given that each Site has its own individual environmental constraints that need to be considered. The type of technology options assessed by the Applicants are also different. For West Burton both tracker and fixed panels have been assessed as part of the Rochdale Envelope but Gate Burton have only

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			within 8 km of the grid connection was preferred" (Gate Burton ES, Chapter 3, para.3.3.9) (Doc. Ref. EN10131/APP/3.1)).	assessed a fixed panel at 3.5m. These differences bring different design parameters. Furthermore, paragraph 7.6.8 of **WB7.11 Statement of Need [APP-320]** states that: "Draft NPS EN-3 includes an anticipated range of 2 to 4 acres for each MW of output generally required for a solar farm along with its associated infrastructure." The Scheme as proposed delivers a large-scale solar generation asset which is consistent with this range, as is described through paragraphs 4.2.1 to 4.2.3 of **WB6.2.4 ES Chapter 4 Scheme Description [APP-042].** This demonstrates that the proposed location is a suitable site which will provide for an asset which is consistent with government's view of best practice ratios of land take and installed capacity.
WLDC-15	Alternatives and Design Evolution	Approach to site selection and alternatives	The 'project' is one that does not represent a single coherent project. It is a series of 4 poorly configured areas of land which have weak physical relationships between each other reflected in their separation. The piecemeal approach to site selection has had the opposite effect to meeting NPS policy requirements to minimise impacts. Due to the creation of isolated areas hosting arrays, there	The Applicant respectfully disagrees that the division of the site into distinct units, i.e. (West Burton 1, 2 and 3) results in poorly configured areas of land which have a weak physical relationship with each other. This approach has enabled the amount of BMV land utilised within the Scheme to be limited within the Sites. Section 6.4 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]**shows that the Scheme has been subject to a detailed and sensitive iterative design process. This has taken account of the context and features of the land within the Order limits, nearby

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			has been an enforced requirement for additional plant, cabling, compounds, and construction vehicle access that otherwise would not be necessary.	sensitive receptors and assets, information emerging from environmental surveys, feedback from stakeholders, and opportunities and constraints in order to develop a good design that balances the need to maximise the energy generation capacity of the Scheme, with the avoidance and mitigation of impacts, and provision of environmental and other enhancements, where practicable. There is no guarantee that a single site of the same scale would result in fewer impacts than the Scheme. **Site Selection Assessment Revision A [AS-004]** identified other potential development areas, but none of these scored better than the Site in the RAG assessment that was undertaken (see Section 3 Assessment Results and Annex E: Potential Development Area Proformas). The requirements for cabling and infrastructure for a single site and the resulting impacts would be dependent upon the unique location and context of the that site and the constraints that arise as a result. It is not therefore reasonable to conclude that a single site would obviously be better. Although the Scheme comprises a series of independent areas of land or Sites, they are set within an extensive agricultural landscape. With large areas of land between each of the Sites, each is set apart by their associated

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				features such as robust hedgerows, woodland and tree cover, intervening settlements and the road and rail infrastructure. These independent areas of land provide more scope for the Scheme to be offset from all key receptors such as settlement edges, individual residential properties, PRoW and transport routes which further assist with its integration and dispersion across the landscape than if the Site were one composite whole. The discrete areas of land in the Scheme are placed so that the Scheme would not be perceived in its entirety and the solar panels are distributed 'in and amongst' the landscape features to assimilate them into the landscape. The provision of a solar scheme with discrete areas of land can therefore offer a more favourable approach than having a single large site, as it allows for a distributed and less obtrusive deployment of the solar panels. The presence of the intervening landscape also provides scope for areas of mitigation and the ability to build upon the connectivity of green infrastructure and ecology and nature conservation and retain the existing landscape pattern. In any event, paragraph 4.4.3 of NPS EN-1 (2011) states that *"where (as in the case of renewables) legislation imposes a specific quantitative target for particular technologies or (as in the case of nuclear) there is reason to*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				suppose that the number of sites suitable for deployment of a technology on the scale and within the period of time envisaged by the relevant NPSs is constrained, the IPC should not reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals." In relation to the specific impacts of the plant, cabling, compounds and construction vehicle accesses for the West Burton Solar Project comments are as follows: Landscape Comment: The identified impacts to landscape and visual receptors as a result of plant, cabling, compounds and construction of the Cable Route is set out within the LVIA at Appendix 8.2 **[APP-073]** and Appendix 8.3 **[APP-074]**, which conclude there are not expected to be any significant effects either individually or cumulatively associated with the implementation of the Cable Route. All cables will be underground and no new overhead lines and associated poles will be required. Within the shared grid connection corridor, the Cottam, West Burton, Gate Burton and Tillbridge projects have worked together to reduce the environmental impacts of the grid connections within the **8.1.9 Joint Report on Interrelationships between**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Nationally Significant Infrastructure Projects [REP2-010]. Ecology Comment: Care has been taken to select fields and land which do not contain Habitats of Principal Importance. A larger, contiguous site would risk the inclusion of such habitats (e.g. lowland floodplain grassland or woodlands) within the Order Limits and the resultant fragmentation of these habitats from the wider ecological network. As such, a more open division of sites into three units enables site selection to focus on the least ecologically constrained fields within the available land ownership. Similarly, it minimises the relatively few adverse significant effects identified for the Scheme, it is considered likely that a larger, contiguous site would not have any lesser effect. For instance, in the case of the residual adverse effect identified for ground nesting birds, optimal foraging habitat in the form of grassland beneath panels is likely to be of value to these birds which nest immediately off site (within neighbouring arable) and so partially alleviate the displacement impact through improved foraging success. The accessibility to this habitat is limited by the distances travelled during foraging bouts (up to a few 100m). Therefore, the quantity of this habitat is greater in a scheme with several sub-sites such as the West Burton Solar Project, than it would be for a single, contiguous

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				site, owing to the greater proportion of habitat within an 'accessible edge' location. Heritage Comment: The only identified impacts to heritage assets caused by additional plant, cabling, compounds and construction vehicle access between the West Burton 1, 2, 3 Sites are: At AR25 a possible enclosure of unknown date would be largely destroyed by the cable route cutting through it. However, its value is uncertain, as it could for example represent agricultural features of negligible value or a prehistoric enclosure of Medium value. If the latter, then the expected impacts of Moderate Adverse magnitude would result in Moderate Adverse effects. Mitigation is proposed in the form of a 'strip, map and sample' excavation of this feature (see **6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [APP-122]).** Similarly, at AR26 geophysical anomalies have been interpreted as a possible ring ditch and field system, though it has not been confirmed whether these are of prehistoric origin or natural features. If the former, then these would be considered to be of Medium value, and the likely impacts of Major Adverse magnitude caused by the cable route and/or laydown area at this location

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				would result in Large Adverse effects. Mitigation is proposed in the form of a 'strip, map and sample' excavation of this feature (see **6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [APP-122]).** At AR32 a possible undated field system was identified through geophysical survey and is considered to be of an uncertain value (ranging from a value of negligible to medium). It is possible that non-designated buried remains associated with the south boundary of the Stow medieval deer park are extant at AR34, outside of the Scheduled Monument area. If present, buried remains would be considered to be of a medium value. The effect of impacts to both these assets is considered to be no greater than slight adverse. Mitigation is proposed in the form of a 'strip, map and sample' excavation of this feature (see **6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [APP-122]).** Please refer to ES Chapter 13 Cultural Heritage **[APP-051]** for more information. Highway Comments:

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				The number of construction vehicle movements required to access the Sites would be anticipated to be the same as for a single site of the same scale. Access to the Scheme may be spread over more access points, reducing pressure on each one, than would be possible for a single contiguous site. ES Chapter 14: Transport and Access [**APP-049]** concludes that there are no significant effects in relation to Transport and Access as a result of the construction of the Scheme either individually or cumulatively. Within the shared grid connection corridor, The Cottam, West Burton, Gate Burton and Tillbridge projects have worked together to align access points where possible as detailed within 8**.1.9 Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP2-010]**.
WLDC-16	Alternatives and Design Evolution	Good design	The application documents do not explain how the current design was arrived at.	Section 6.4 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** shows that the Scheme has been subject to a detailed and sensitive iterative design process. This has taken account of the context and features of the land within the Order limits, nearby sensitive receptors and assets, information emerging from environmental surveys, feedback from stakeholders, and opportunities and constraints in order to develop a good design that balances the need to maximise the energy generation capacity of the Scheme, with the avoidance and mitigation of impacts, and

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				provision of environmental and other enhancements, where practicable. **6.2.5 Environmental Statement Chapter 5: Alternatives and Design Evolution [APP-043]** and the **7.6 Design and Access Statement [APP-314 and APP-315]** detail how the design of the Sites evolved. The **7.6 Design and Access Statement [APP-314 and APP-315]** sets out design objectives for the Scheme and paragraph 4.3.1 sets how each of the Scheme's design objectives are addressed through the proposed design measures, and how these measures will be secured in the DCO application.
WLDC-17	Alternatives and Design Evolution	Good design	Notwithstanding the guidance stated in the National Infrastructure Strategy, the project design has not been guided by a 'design champion'.	The Applicant has taken the Government's aim to achieve well designed infrastructure as set out in the National Infrastructure Strategy seriously in developing the Scheme. The Applicant considers it important that a person lead the design process through all stages of the project. The team has had a design champion who led the multi-disciplinary approach to the design of the scheme from the initial stages. This person led the development of plans showing key constraints to development and the site layout. They organised and led multi-disciplinary workshops to review site layouts and drove forward the design, taking into account the views of planners, the technical design team, the Applicant, transport professionals, consultation, the lands team and

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				all disciplines contributing to the ES. They led development of **6.2.4 Environmental Statement Chapter 4: Scheme Description [APP-042]** and reviewed the design sections of the **7.6 Design and Access Statement [APP-314 and APP-315].** They also led development of **7.13_B Concept Design Parameters and Principles [EN010132/EX3/WB7.13_B]**, in collaboration with the Applicant, to ensure firm commitments were made to key principles of design. The design champion was considered a key member of the team and became the 'go to person' when queries were raised around scheme changes, design iterations and layout. They had sufficient influence to ensure multi-disciplinary approaches were taken and the ability to listen to all perspectives and recommend a way forward. The design process was iterative and continuous. The design champion was a member of the core team, not remote from it, enabling dynamic decision making where opportunities were identified to enhance design, deliver additional benefits, reduce environmental impacts or respond to requests for changes to the design from landowners, residents, local authorities and consultees. They were supported by a collaborative team (including the Applicant) working towards the best outcomes.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-18	Alternatives and Design Evolution	Good design	The approach to site identification has resulted in significant adverse impacts across a wide geographical area affecting a wide range of communities.	As described in Section 6 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A].** whilst it has not been possible to avoid all environmental impacts these have been minimised where possible, through careful and sensitive design and detailed mitigation strategies. When considered against the NPS and NPPF, the Scheme accords with relevant policies, and with regard to specific policy tests, the national and local benefits of the Scheme are considered on balance to outweigh its adverse impacts. Paragraph 3.2.3 of NPS EN-1 (2011) and paragraph 3.1.2 of NPS EN-1 (November 2023) acknowledges that it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts
WLDC-19	Alternatives and Design Evolution	Approach to site selection and alternatives	The benefits of the project through the generation of low-carbon electricity from a renewable source, could be achieved by having a site that demonstrates a level of design required to accord with important and relevant policy	The design of the Scheme has been demonstrated to accord with relevant planning policy as set out at Section 6.4 of the **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** and its appendices 3 and 4. Please refer to the Applicant's responses to WLDC-16 to WLDC-19 above for further detail on how good design has been incorporated into the site selection and design of the Scheme.
WLDC-20	Cumulative Impacts	Over-arching impact upon communities	Impacts will be experienced during the construction and operation of the West Burton Energy Project and will be	The Applicant does not consider that it is necessary to create a single contiguous site in order to provide a well designed scheme that minimises environmental impacts.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			materially experienced cumulatively with other NSIP project proposed in the locality. The geographical sprawl of the West Burton Solar Project in excess of 8km in length.	Section 6.4 of the **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]** shows that the Scheme has been subject to a detailed and sensitive iterative design process. This has taken account of the context and features of the land within the Order limits, nearby sensitive receptors and assets, information emerging from environmental surveys, feedback from stakeholders, and opportunities and constraints in order to develop a good design that balances the need to maximise the energy generation capacity of the Scheme, with the avoidance and mitigation of impacts, and provision of environmental and other enhancements, where practicable. **6.2.5 Environmental Statement Chapter 5: Alternatives and Design Evolution [APP-043]** and the **7.6 Design and Access Statement [APP-314 and APP-315]** detail how the Sites were refined following detailed ALC assessment. **7.6 Design and Access Statement [APP-314 and APP-315]** sets out design objectives for the Scheme and paragraph 4.3.1 sets how each of the Scheme's design objectives are addressed through the proposed design measures, and how these measures will be secured in the DCO application. In addition, the **7.13_B Concept Design Parameters and Principles [EN010132/EX3/WB7.13_B]**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				sets out design parameters and principles that apply across the sites. The Environmental Statement assesses the cumulative impacts of the Scheme with other projects in the area, identifying whether there are any additional impacts from the Scheme due to the presence of these other schemes. Where impacts are identified, whether from the Scheme or in cumulation with other projects, the Applicant is seeking to mitigate these where practicable. Each chapter of the ES contains a cumulative effects assessment, prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and PINS Advice Note 17. Construction impacts are to be mitigated through the measures set out in the **7.1_B Outline Construction Environmental Management Plan Revision B [EN010132/EX3/WB7.1_B].** An Outline Construction Traffic Management Plan (CTMP) has been prepared to support the application within **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B],** and is secured by Requirement 15 in Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C**

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WLDC-21	Scheme Description	Impacts of operation and maintenance	All of the PV Panels will require replacement once during the Scheme's design life, with a further 10% requiring replacement to cover equipment failures, at a constant rate throughout the 60-year project life. This means that there will be continued works throughout the scheme which is likely to cause disruption to the local residents.	The number of panels forecast to be used for the Scheme has been generated based on **6.4.4.1-3 ES Figures 4.1-4.3 Illustrative Site Layout Plans [REP1-022, REP1-024** and **APP-144]**. For the purpose of assessment in **6.2.7_A Environmental Statement Chapter 7 Climate Change Revision A [REP1-012]** and **6.2.20 Environmental Statement Chapter 20 Waste [APP-058]** this is approximately 1 million individual panels (Table 20.7 **[APP-058]**). For the purpose of assessment in **6.2.7_A Environmental Statement Chapter 7 Climate Change Revision A [REP1-012]** and **6.2.20 Environmental Statement Chapter 20 Waste [APP-058]**, a replacement rate of 0.4%, or around 4,000 panels per annum (Table 20.6 **[APP-058]**). Paragraph 14.7.65 of **6.2.14 ES Chapter 14 Transport and Access [APP-052]** states that there are anticipated to be around five visits to each Site per month for maintenance purposes which would typically be made by light van or 4x4 type vehicles. In light of this, the operational transport effects are considered to be negligible and not significant. Suitable mitigation for any operational impacts is secured in **WB7.14_B Outline Operational Environmental Management Plan Revision B [EN010132/EX3/WB7.14_B]** by way of Requirement 14 of

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C**
WLDC-22	Transport and Access Socio-economics, Tourism and Recreation	Community culture and well being Recreation	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.	Impacts of construction traffic on the pleasantness of highway use by recreational and non-vehicular users has been assessed in of **6.2.14 ES Chapter 14 Transport and Access [APP-052]** under the determinant of pedestrian delay and pedestrian amenity (both to include cyclists and equestrians). This has found (at Table 14.22 and Table 14.23) that there is no more than a minor adverse effect, which is not significant. The effect of fear and intimidation on the desirability of rural routes for recreational use has also been considered in **6.2.18 Environmental Statement Chapter 18 Socio Economics Tourism and Recreation [APP-056]** on the basis of the findings in the Transport and Access ES chapter. Whilst it is recognised that there will be a degree of discouragement as a result of fear and intimidation, this is also assessed as being not significant. Mitigation measures set out in **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]**seek to reduce these effects as much as possible through ensuring HGV drivers comply with the prescribed access routes, and are suitably accompanied by banksmen to ensure safe entry and egress from the Sites. A full set of measures is set

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				out in Section 7 of the **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B].** The CTMP is secured by Requirement 15 of Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**
WLDC-23	Cultural Heritage	Impacts on heritage assets	The West Burton Solar project has significant and unacceptable impacts upon the bishop's palace and deer park, Stow Park scheduled monument. WLDC considers that the significance of an medieval deer park relates not only to the containment and protection of deer, but also the wider character of the landscape. As a consequence, this setting would experience substantial harm by the loss of rural character that would entail by the existence of solar panels. 5.66. The consideration of the Scheduled Monument was not afforded sufficient sensitivity and weight in the site selection assessment. WLDC contends that had an appropriate methodology been applied, substantial impacts could have been avoided by	The Applicant respectfully disagrees with West Lindsey District Council's conclusion that the impact of the proposed installation within the Medieval bishop's palace and deer park, Stow Park (NHLE 1019229) represents substantial harm (in NPS/SPPF terms) to the significance of the monument or the wider character of the landscape. The Medieval bishop's palace and deer park, Stow Park Scheduled Monument (1019229) is composed of three physically separate elements of the former medieval deer park. The Applicant considers that the various Scheduled areas can only be experienced individually, and that post-medieval and modern interventions have significantly altered the character of the former medieval park, so that without the aid of aerial imagery or historical documentation it is difficult to collectively experience the surviving vestiges of the deer park in the modern landscape. Furthermore, as stated in Paragraph 3.3.39 of the **6.3.13.5 Environmental Statement - Appendix 13.5**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			the avoidance of siting solar panels within area of West Burton 2 (west) and 3. WLDC therefore object to the proposal on the strongest grounds with regard to the substantial harm caused to the bishop's palace and deer park Scheduled Monument. There will be a several further significant impacts on designated heritage assets including Scheduled Monuments and Grade I listed buildings. This will have a long term impact on these local assets. Although some of the affects are considered not significant, there a multiple slight adverse impacts which, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.	**Heritage Statement [APP-117 to APP-119]**, the Applicant considers that the reversible nature of the Scheme, which will allow existing landscape features to remain in situ, means that the legibility of the former deer park as interpreted from cartographic and other documentary sources, will still remain unaffected in terms of their contribution to the understanding of the Scheduled Monument's historical and functional association in consideration of setting. Consequently, the Applicant considers that the Scheme would cause less than substantial harm (at the upper end) to the designated heritage assets and that use of fixed shorter panels, as incorporated into the design of the Scheme, is sufficient mitigation (Paragraph 3.4.9 **[APP-117 to APP-119]**). As detailed in appendix **13.5 Heritage Statement [APP-117 to APP-119]**, there are no Listed Buildings in association with the Stow Park Scheduled Monument (1019229), nor did the assessment identify any Listed Buildings where the Scheme would cause a significant adverse impact. Likewise **13.5 Heritage Statement [APP-117 to APP-119]** did not identify any significant impact to designated heritage assets in the west of West Burton 2.

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WLDC-24	Landscape and Visual Assessment	Landscape and Visual Impacts	The approach to site selection and design is considered to be wholly inadequate, lacking a clear methodology that embeds good principles of design from the inception of the design. The West Burton Solar Project scheme will cause significant harm to the landscape character of the area, altering it from its agricultural use and character potentially irrevocably. The visual effects on communities are visitors will be significant.	Please refer to the Applicant's response to LIR Ref LCC 7.15 in the **8.1.20 Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20].**
WLDC-25	Landscape and Visual Assessment	Landscape and Visual Impacts	With a consent period of 40 years being sought, this timescale should not be considered temporary in the decision making process. Generations of communities would experience the solar farm landscape for most of their lives and to dismiss such impacts as temporary is disingenuous. Whilst site decommissioning is likely to result in the removal of much of the infrastructure, there remains uncertainty about what may remain	Once the Scheme ceases to operate, it will be decommissioned and the land restored to be suitable for agricultural use. Decommissioning is estimated to be no earlier than 2066 and the latest date for decommissioning is 60 years from the date of final commissioning. Decommissioning is expected to take between 12 and 24 months. A 24-month decommissioning period has been assumed for the purposes of a worst-case assessment in the ES, (See paragraph 4.3.6 of **6.2.4 Environmental Statement - Chapter 4 Scheme Description [APP-042])**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			and consequently hindering a return to agricultural use and the districts cultural landscape character. WLDC therefore disputes the applicant's contention that the impacts of the development are temporary and reversable.	In addition, the majority of the agricultural land can remain in productive use through the operational period, being grazed by livestock (see paras 19.3.3, 19.3.4,19.10.2, 19.10.6, 19.10.10 of **6.2.19 Environmental Statement - Chapter 19 Soils and Agriculture [APP-057]).** The Outline Decommissioning Plan is controlled and secured by Requirement 21 of Schedule 2 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**
WLDC-26	Landscape and Visual Assessment	Landscape and Visual Impacts	WLDC strongly refutes the conclusions reached in the ES that the construction of this extensive solar farm project will lead to an 'improvement' in local or regional landscape character. This conclusion is considered erroneous, failing to reflect the conclusions reached in other ESs for similar projects and, logically, the introduction of significant industrial elements (panels, substations and related infrastructure, security fencing/lighting etc). The ES assessment does not address the significant negative impact to landscape character that would occur from the introduction of these industrial	Please refer to the Applicant's response to LIR Ref WLDC 13.1 in the **8.1.20 Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			elements ('detractors' when considering local landscape character). Moreover, the applicant recognises that Scheme will "have a long-term impact on the landscape character of some tourism and recreation receptors that are reliant on the landscape context for their value, such as viewpoints, landmarks, and cultural heritage assets" in the Socio-Economic Chapter of the ES. This demonstrates the development will have a long-term adverse impact on the landscape character of West Lindsey.	
WLDC-27	Landscape and Visual Assessment	Landscape and Visual Impacts	The Gate Burton NSIP application has carried out an assessment that concludes that the project would have minor adverse cumulative impacts with Cottam and Tillbridge, moderate adverse with West Burton, and moderate adverse LVIA impacts when considered cumulatively with all projects. Furthermore, within the Joint Report on Interrelationships between Nationally Significant Infrastructure	A cumulative assessment is included within the LVIA Chapter **[APP-046]** and findings are set out within the individual receptor sheets within Appendix 2 and Appendix 3. Proposed cumulative sites are shown on LVIA **Figure 8.14 [APP-266]** and proposed cumulative developments are shown on LVIA **Figure 8.15 [APP-271]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Projects (Doc. Ref. EN010131/8.26 (Gate Burton)), it is expected that the Tillbridge Scheme will have a "significant cumulative effects on landscape character at a local level or potentially at a wider (National Character Area) level during construction and operation".	
WLDC-28	Landscape and Visual Assessment	Landscape and Visual Impacts	WLDC therefore have significant concerns about the adequacy of the LVIA assessment and the conclusions it reaches. The LVIA impacts are clearly, in WLDC's view, adverse both in terms of the scheme in solus and cumulatively with other projects. As the Gate Burton project has correctly concluded adverse impacts, the legitimacy of the Cottam assessment is questioned. WLDC does not consider that the impacts assessed are valid and they should not be taken into the overall planning balance.	The Applicant considers that this particular comment relates to Cottam Solar Project, therefore no response is necessary in respect of the Scheme.
WLDC-29	Landscape and Visual Assessment	Landscape and Visual Impacts	The applicant has an over-reliance on landscape planting to integrate and screen the development. Whilst this may reduce visual impact, it will not	**6.2.8 Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046]** (the 'LVIA') takes into account the effects on the landscape character in detail, from the national scale (see paragraphs 8.5.11,

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			achieve the screening of the entirety of the development and thus adverse visual impacts will occur. It is recognised that landscaping may help reinforce the woodland features of 'Wooded Vales', but the open nature of the wider agricultural landscape is a key characteristic. Extensive planting in areas that are otherwise open agricultural landscapes would not reflect landscape character and would obscure views. This key characteristic is noted in the West Lindsey Landscape Character Assessment 1999 with description of 'this is a landscape of long views', of 'long westward views to the power stations on the River Trent, and eastward views to the scarp face of the Lincoln 'Cliff''.	8.5.59 and 8.10.13), through regional (see paragraphs 8.5.17, 8.7.12 and 8.10.14), county district and local scales (see paragraphs 8.5.26 and 8.5.35) to the landscape character areas within the identified 5km Study Area. Within the LVIA **[APP-046]**, it is acknowledged that there will be a minor adverse change to the character of the landscape at Site level within the Regional Scale Landscape Character Area – Profile 4a: Unwooded Vales (defined within the East Midlands Regional Landscape Character Assessment) during the construction and operational (Year 1) phases of the Scheme. With the Local Scale Landscape Character Area – Profile 3: The Till Vale (defined within the West Lindsey Landscape Character Assessment), it is also acknowledged that there will be a minor adverse change at Site level during the construction and operational (Year 1) phases of the Scheme. For further information, please refer to **6.3.8.2 Environmental Statement - Appendix 8.2 Assessment of Potential Landscape Effects [APP-073].** These associated appendices provide a detailed assessment of the effects on each landscape receptor including the character areas from the East Midlands Regional Landscape Character Assessment and the West Lindsey District Landscape Character Assessment. **6.2.8 Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046]** has concluded for the 5km Study Area and the Site, there are no likely significant adverse effects for the construction

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				stages of the Scheme on land use. Taking into account the impacts of embedded and additional mitigation there are also no likely significant effects for the operation (Year 1 and Year 15) stages of the Scheme and these effects would be beneficial (see paragraphs 8.7.14 to 8.7.18). Parts of the LVIA Chapter of the Environmental Statement has also concluded that there are no likely-significant adverse effects for the construction, operation (Year 1 and Year 15) and decommissioning stages of the Scheme on topography and watercourses and that enhancing the visibility of streams, dykes and other watercourses in the landscape would bring forward some positive benefits. The landscape proposals for the Site protect belts of waterside trees and riparian habitats to distinguish these watercourses in the landscape. The planting of trees and replacing lost hedgerows in flood plains to improve landscape character and attenuate flood flows is also an important element of the secondary landscape mitigation (See paragraphs 8.7.19 to 8.7.22). The Scheme comprises a series of separate areas of land or Sites (see Sections 3.3 to 3.6 of **6.2.3 ES Chapter 3_The Order Limits [APP-041])** which are set within an extensive agricultural landscape. With large areas of land between each of the Sites, each is set apart by their associated features such as robust hedgerows, woodland and tree cover, intervening settlements and road and rail infrastructure (see paragraphs 8.5.115, 8.5.132 and

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				8.5.148 of **6.2.8 ES Chapter 8_Landscape and Visual Impact Assessment [APP-046]).** The LVIA **[APP-046]** draws out the benefits of the Scheme being spread over a large area with separation between sites reducing intervisibility both in combination and cumulatively with other solar projects. For example, (para. 8.10.26) with the Gate Burton Energy Park, this is to the north of Willingham Road where woodland associated with Gate Burton and mature roadside woodland along the east west Willingham Road and the A1500 provides separation between Gate Burton Energy Park and the WB3 Site. This woodland is ensuring that these developments occupy separate landscape compartments and maintain spatial separation. With separation and cumulate effects, for example with the Cottam proposal, this is illustrated on **6.4.8.17.1 Environmental Statement - Figure 8.17.1 - Cumulative Development Augmented ZTV - Cottam [APP-277],** as being located to the north east of the settlements of Stow and Willingham. This is showing that the cumulative effects of these projects would therefore not occur due to the significant distance between them. The LVIA concludes that with Regional Character Areas and Individual Contributors to Landscape Character, there is potential for cumulative effects, but that these would be **Not Significant**. The LVIA sets out (para. 8.10.86) for example, with regard to Viewpoint LCC-A-Middle Street that *"There may be opportunities (depending*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				upon weather and atmospheric visibility) for successional glimpses of the West Burton and Cottam Sites. However, if available, this would be very glimpsed, transient and filtered by vegetation across the landscape and would be regarded as two detached solar schemes in two separate land parcels." The LVIA Methodology **[APP-072]** that underpins the assessment places a reliance on planting to mitigate adverse effects setting out the three ways in which this mitigation has been approached (para. 1.1.34) being 'primary', 'secondary' and 'tertiary' mitigation. With regard to 'secondary mitigation', the methodology considers these measures to be established for Year 15 of the Scheme and that *"Assessing the impacts of the Scheme at Year 15 is considered to be appropriate in the context of landscape character and visual amenity, since it is judged to be the most effective in terms of effectiveness of maturation of planting and the 'time depth' of the receiving landscape".* These 'secondary' measures look to add inherent value to the landscape character and reduce visual impacts of the Scheme and its environs and to exceed planning policy expectations.
WLDC-30	Landscape and Visual Assessment	Landscape and Visual Impacts	The solar panels/arrays and substations are clearly the most intrusive elements. It is accepted that the impact of the grid connection itself may be minimal if	See response to WLDC-29 above.

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			cables are buried and features re-established (hedgerows etc), but this planting will take time to establish, especially if it is re-disturbed by consecutive solar farms. 5.80. In relation to treatment of the effects as 'temporary' it is worth noting that impacts will be of long-duration 40 years plus (which could be two generations). Although impacts may be reversible, WLDC do not consider them to be short-term. The adverse impacts will be experienced by communities for generations	
WLDC-31	Transport and Access	Traffic surveys	WLDC consider that more recent traffic surveys should be considered to verify that the derived baseline traffic flows are representative of current day conditions.	As set out in Paragraph 2.15 of the **6.3.14.1_A Environmental Statement Appendix 14.1 Transport Assessment [REP1-014],** traffic surveys were undertaken between 2nd November 2021 and 8th November 2021. At the time, there were no Covid-19 restrictions in place. Covid-19 restrictions ended in July 2021. To get to a base year of 2025, which is considered a reasonable start time for construction, TEMPro growth factors, which have been adjusted in line with the National Traffic Model (NTM), have been applied to the observed traffic flows. This is an industry standard

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				process adopted by the Department for Transport. The TEMPro software considers future changes in traffic flows. Therefore, the traffic flows are robust.
WLDC-32	Transport and Access	Temporary highway works	It is unclear to WLDC if the potential environmental effects due to any temporary highway works necessary to accommodate access by large construction vehicles and abnormal loads, that may require the removal of hedgerows for example, have been covered by the ES. WLDC requests clarification from the applicant on this matter	The environmental effects of the removal of hedgerows are considered in **6.2.9 Environmental Statement Chapter 9_Ecology and Biodiversity [APP-047].** In certain locations where existing accesses do not exist, some very minor hedgerow removal is necessary to accommodate the access road between fields, land areas and solar panel areas. This removal is set out in **7.3_B Outline Landscape and Ecological Management Plan Revision B [EN010132/EX3/WB7.3_B]** (the 'OLEMP') which is revised and secured by **Requirement 7 of Schedule 2 to 3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**. This removal will involve only very short sections of hedgerow to accommodate internal access roads and will not involve loss of trees, in particular the Applicant does not intend to remove any trees protected under any Tree Preservation Orders (TPOs). These plans also show hedgerow works (pruning and removal) associated with temporary highway works necessary to accommodate access by large construction vehicles and abnormal indivisible load (AIL) requirements.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-33	Transport and Access	Access to the Sites	There are 8 separate construction traffic access points for the solar farm elements of the Scheme. Moreover, there are 19 access points of the cable route access. Collectively the Scheme is proposing 27 access points. This would mean that there would be construction traffic along the route and using the local road network. It is questioned by so many accesses are needed, particularly as it is suggested an access is needed every kilometre. It is questioned whether more internal accesses could not be utilised.	The identified accesses are required for the construction of the Scheme.The Cable Route Corridor will be approximately 21.3km in length and is directed across open countryside. It will require crossings of railways, watercourses, various utilities, Public Rights of Way (ProW) and roads. The identified accesses are required for the installation of cables across this distance. Where possible, internal access tracks will be constructed to connect different land parcels. Where this is not possible, access from the public highway is identified. For the most part, existing field accesses are utilised which will be formalised for the construction phase. As there are multiple accesses, access to the Scheme will be spread, reducing pressure on each individual road compared to a Scheme with a single access point. **6.2.14 ES Chapter 14: Transport and Access** [**APP-052]** concludes that there are no significant effects in relation to Transport and Access as a result of the construction of the Scheme either individually or cumulatively. Within the shared grid connection corridor, the Scheme, Cottam Solar Project, Gate Burton Energy Park and Tillbridge Solar Schemehave worked together to align access points where possible as detailed within **8.1.9_B Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP2-010]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-34	Socio-Economics, Tourism and Recreation	Tourism	The West Burton Solar Project will have a significant negative impact on the local tourism sector, causing damage to its image and recovery	The Applicant respectfully disagrees with this position. The Applicant has assessed impacts on the tourism and recreation industry for both the Scheme in isolation and cumulatively with other NSIPs in West Lindsey in **6.2.18 Environmental Statement Chapter 18 Socio Economics Tourism and Recreation [APP-056]**. The assessment has taken into account the scale of the local tourism economy in the context of its contribution towards the economy for Lincolnshire, and the impacts of COVID on inbound and domestic visitor trends has been accounted for in the determination of the sensitivity of the tourism industry with regard to employment and economic performance. The assessment has found no significant impacts to the tourism and visitor economy or employment sector.
WLDC-35	Socio-Economics, Tourism and Recreation	Employment	It is assumed that the 13 agricultural sector jobs that have been identified by the Applicant are linked to the four farm businesses within the Order Limits referred to in Chapter 19: Soils and Agriculture (Doc. Ref. EN010132/APP/WB6.2.19) however, the Applicant does not appear to provide a breakdown of the agricultural sector	Farmers, business partners, directors and spouses account for over half of the total farming workforce (Defra October 2021, Farming Statistics – Land use, livestock populations and agricultural workforce at 1 June 2021 – England). The ES **(6.3.19.1 - Appendix 19.1 Agricultural Land Quality, Soil Resources and Farming Circumstances Report [APP-137])** section 7 notes that the of the four farm businesses occupying the Sites, Farm Businesses A and B each have a substantial additional

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			jobs that will be lost. This differs from the Cottam application which shows a clear breakdown of the workers for each business. Moreover, there is no reference to any contractor related services to the farm. Therefore the breakdown of the jobs lost as a result of the scheme is not clear. 5.100. In considering the above, it is questioned whether the impacts on long-term indirect agricultural job losses have been considered accurately. With up to 40 years of diminished agricultural activity in West Lindsey it is likely that these skills could be lost forever from the local area which is agricultural and rural in nature at present.	area of arable land outside of the Sites. It is also noted that for Farm Business D the farmer is seeking to retire, has no successor willing to take over the farm business, and has already terminated the dairy enterprise in advance of retirement. The claim that agricultural skills could be lost from the district because of the Scheme is not substantiated by WLDC and ignores the existing ongoing and long term decline in agricultural employment. Contractor Services are noted as being used by Farm Business C (paragraph 7.1.20 of **[APP-137]**) and Farm Business D (paragraph 7.1.25). A count has not been made of agricultural contractor employment as these service providers have no tenure over land within the sites, and may manage land outside of the sites. Farm Businesses A and B do not anticipate reducing employment in response to the West Burton Solar Project. The owner of Farm Business D is seeking to retire and Farm Business C manages land through the use of agricultural contractors. There is no deficiency in the farming circumstances assessment with regard to employment.

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				Furthermore, please refer to the Applicant's responses to WLDC 9.1 in **8.1.20 The Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20]**.
WLDC-36	Soils and Agriculture	Best and Most Versatile land/Agriculture	The cumulative assessment is based upon an absence of site specific assessments which are required to determine Agricultural Land Classification (ALC). It is accepted that during the authoring of this chapter the information for other projects may not have been available, however, given Cottam and Gate Burton are both now accepted or are already in the examination process it is presumed the data for the other schemes is now available to allow an adequate assessment to be carried out	Agricultural land is not lost to or degraded by the presence of solar farms. Farmland within solar sites can remain in agricultural production for the duration of the Scheme's operation for uses such as grazing livestock. Please refer to the **Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP2-010]** which provides information on the interrelationships between the Gate Burton Energy Park, Cottam Solar Project, West Burton Solar Project and Tillbridge Solar Project. The report has been prepared to support the Development Consent Order (DCO) applications for the four projects. Each assessment has been prepared by competent experts, and contains an assessment of soils and land use.
WLDC-37	Ecology and Biodiversity	Scope of assessment	The ES assessment does not appear to include any consideration of combustion emissions from on-site plant or transport to the site. If this matter has been scoped out of the EIA, it would be helpful for the applicant to	Air quality impacts are assessed within **6.2.17 Environmental Statement Chapter 17_Air Quality [APP-055]** which includes potential impacts on human and ecological receptors where considered necessary. Construction traffic air quality impacts were scoped out of this assessment. Please see **6.3.2.2 Environmental**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			clarify that this is the case and provide an updated justification.	**Statement Appendix 2.2 EIA Scoping Opinion [APP-068]**.
WLDC-38	Ecology and Biodiversity	Scope of assessment	The 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. WLDC seeks clarification from the applicant as to why this decision has been made contrary to the Scoping Opinion	The Scoping Opinion states that: "The ES should include West Burton A decommissioning in the cumulative assessment where there is potential for likely significant effects." Plans and projects brought forward for consideration within the Applicant's cumulative assessment of ecological effects were those which were considered to be within the Zone of Influence of the Scheme, namely Tillbridge Solar Project, Gate Burton Energy Park, West Burton Solar Project and the Shared Cable Corridor element of the last three projects and the Scheme. As such, the decommissioning of West Burton A was not deemed to be within the ZoI of the Scheme and therefore was not assessed, as it was considered that there was no potential for likely significant effects. This decision was taken since the decommissioning work would not be expected to impact significant areas of habitats or ecological features for which there would be a functional linkage to the Scheme, or a functional linkage to the other considered projects when assessed in combination.

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WLDC-39	Ecology and Biodiversity	Assessment outcomes	Chapter 9 paragraph 9.7.82 (and Table 9.3) of the ES concludes that a beneficial effect significant at a district level for grassland will be realised and this is welcomed. However, it is unclear whether the information provided in this chapter or APP/C7.3: Landscape and Ecological Management Plan: Outline Plan contains sufficient secured detail to support this conclusion at this stage. WLDC therefore requires further clarification, and information if required, to ensure that the mitigation proposed is adequate to justify the conclusions on residual impacts.	The conclusion of a beneficial effect on grassland, significant at a district level, is due to the large extent of newly created grassland to be managed and monitored over the lifetime of the Scheme and based on the detail included in **7.3_B Outline Landscape and Ecological Management Plan Revision B [EN010132/EX3/WB7.3_B]** This document sets out how the grassland habitat will be created, managed and monitored over the lifetime of the Scheme. The grassland to be created includes 462ha of new seeded, diverse grassland within PV arrays, 53ha of tussocky grassland at field margins, 46.5ha of flower-rich pollinator seeding at field margins and easements and 9.1ha of tall herb-rich grassland habitat at field margins. In accordance with Requirement 7 of Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**, of the DCO, a detailed version of the LEMP must be approved by the relevant local planning authority (or authorities), in consultation with the Environment Agency, which must be substantially in accordance with the Outline LEMP. This will include fully detailed method statements and diaries, as well as the details of personnel and organisation responsible for its delivery.

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WLDC-40	Ecology and Biodiversity	Assessment outcomes	Chapter 9 paragraph 9.9.19 of the ES states that : "*A prolonged five-year, sequential installation programme would not cause any greater impacts from direct harm than the simultaneous programme. However, there is the potential for increased temporary, but medium/long term fragmentation or disturbance effects on species like bats, badgers, hedgehogs, reptiles, amphibians and harvest mice which utilise field margins especially*". WLDC considers this statement to be unclear, and requests further information to demonstrate that there will be no significant cumulative impacts.	The sentence in question describes how the duration of the Shared Cable Route installation could affect the duration of the temporary impacts upon the listed hedgerow/field margin species. In either case, no significant cumulative effect on these species is considered likely. This is demonstrated by the absence of such cumulative impacts identified in the ecology sections of **6.2.23_B_ES Chapter 23_Summary of Significant Effects Revision B [EN010132/EX3/WB6.2.23_B]** and Appendix E of **8.1.9_B Joint Report on Interrelationships between Nationally Significant Infrastructure Projects Revision B [REP2-010]**.
WLDC-41	Ecology and Biodiversity	OLEMP	The Outline LEMP (APP/WB7.3: Landscape and Ecological Management Plan: Outline Plan) contains a number of important measures that are relied on for the conclusions in Chapter 9. However, in places these measures lack confirmed detail. Further detail to confirm that these measures will be	The Outline LEMP is secured through Requirement 7 of Schedule 2 of 3**3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**. If WLDC could provide any specific amendments or details that it would like to be included in the Outline LEMP, the Applicant would then be able to consider these.

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			secured is required in order to fully support the conclusions in the Chapter	
WLDC-42	Ecology and Biodiversity	HRA	WLDC considers that the conclusions as presented in App/WB7.18 'Information to Support a Habitat Regulations Assessment: West Burton Solar Project' (the 'ISHRA') to be reasonable. However, WLDC are concerned that the report lacks detail normally contained in such documents, along with its failure to follow a systematic approach to assessment. Due to this lack of detail, WLDC maintains a concern that there may be a possibility that some effect pathways have been overlooked and request that the applicant provides clarification/more certainty in this regard. Planning Inspectorate ins Advice Note 10: Habitats Regulation Assessment relevant to nationally significant infrastructure projects contains a list of information that Applicants should provide. It appears to WLDC that there are elements missing from the Habitat	The Applicant considers that the **WB7.18_A - Information to Support a Habitat Regulations Assessment [EN010132/EX3/WB7.18_A]** contains all the necessary information to determine that there would be no conceivable effect on any European site and its qualifying features as a result of the Scheme, in accordance with PINS Advice Note 10. If there is any specific information that WLDC considers missing from the ISHRA, the Applicant asks WLDC to specify this so the Applicant can consider the assertion in more detail. The **WB7.18_A - Information to Support a Habitat Regulations Assessment [EN010132/EX3/WB7.18_A]** has been updated to include an assessment of the potential for significant effects on the Humber Estuary Ramsar Site.

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			Regulations Report submitted as part of this Scheme and requests that the applicant provides further clarification with direct reference to Advice Note 10 ISHRA para 4.1.1 appears to be misleading with regard to Ramsar sites. WLDC considers that there is the potential for the Ramsar Sites to have been overlooked by this assessment.	
WLDC-43	Ecology and Biodiversity	Use of information available from cumulative projects	The Applicant's assessment is based primarily on the assumed knowledge of the other solar schemes in the West Lindsey District. Whilst it is understood that the Applicant may not have had access to the data of the other schemes when producing the ES, the Cottam and West Burton schemes are both in the examination process and therefore have published all their information	Please refer to document **8.1.9_B Joint Report on Interrelationships between Nationally Significant Infrastructure Projects Revision B [REP2-010]**. This document updates the assessment of cumulative effects in the light of the publication of additional information relating to Gate Burton and Tillbridge Solar Projects.
WLDC-44	Ecology and Biodiversity	Shared Cable Route BNG	The Applicant has based the Shared Cable Route Corridor on a construction programme taking 18 months in the Ecology and Biodiversity chapter. This differs from the Gate Burton scheme which accounts for a 24-36 month	The 18 month construction programme was chosen within **6.2.9 Environmental Statement Chapter 9 Ecology and Biodiversity [APP-047]** to be in keeping with that of the ES overall (see **6.2.4. Environmental Statement Chapter 4 Scheme Description [APP-042]).** This was chosen as the most appropriate timespan

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			construction period. If the cable route were to take longer than this then it is expected that the BNG calculations should be revisited.	should the scheme be assessed in isolation from the other development. A five year duration was factored into the cumulative assessment of the shared cable corridor as the maximum duration of the sequential cable construction programme.
WLDC-45	Transport and Access	Cumulative impacts from cable works	WLDC contend that the Secretary of State must consider the cumulative construction traffic impact and carry out an assessment against the relevant policy framework.	Cumulative effects are set out in **6.2.14 Environmental Statement Chapter 14: Transport and Access [APP-052]** and at Chapter 10 of the **6.3.14.1_A Environmental Statement Appendix 14.1 Transport Assessment Revision A [REP1-014]**
WLDC-46	Transport and Access	Abnormal Indivisible Loads	It is noted that there will be 'a small number of abnormal load movements to transport large transformers'; however, exact numbers are not provided. WLDC request that these number be provided to enable an adequate cumulative assessment to be made.	Please refer to the responses to**8.1.20 Applicant's Response to Local Impact Reports [EN010132/EX3/WB8.1.20]**. Information on Abnormal Indivisible Load (AIL) movements is set out in Section 7 on the **6.3.14.1_A Environmental Statement Appendix 14.1 Transport Assessment [REP1-014]** and Section 6 of the **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]**. There will be a total of 7 AIL movements associated with the solar array element of the Scheme. Three vehicles will be 36m in length, with four movements for the largest transformers on vehicles of 70m in length. For the grid connection corridor, cable

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				drums will be brought on a 30 tonne Cable Reel Trailer. The vehicle will be 26m in length (vehicles over 18.65m are classified as 'abnormal'). As set out in paragraph 7.7 of the **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]**. There could be up to 25 of these deliveries per access (one every 3-4 days during the 90-day period). As stated from paragraph 7.15 of the **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]**. Traffic management will be in place for all AIL movements into the Sites including temporary or 'rolling' road closures and vehicle escorts. The exact nature of the traffic management will be agreed with the local highway authority and police prior to the movement taking place. The Outline Construction Traffic Management Plan is secured by Requirement 15 of Schedule 2 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**
WLDC-47	Transport and Access	CTMP	The level of information provided in the ES and sought to be controlled through the Construction Environmental Management Plan (CEMP) and the Construction Traffic Management Plan (CTMP) is inadequate. WLC consider	Cumulative effects are set out in **6.2.14 ES Chapter 14: Transport and Access [APP-052]** and at Chapter 10 of the **6.3.14.1_A Environmental Statement Appendix 14.1 Transport Assessment [REP1-014].** The cumulative effects sections only consider routes that will be used by construction vehicles associated with the West Burton

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			that the impacts of just two project being constructed wither concurrently or in sequence could result in unacceptable impacts that fail to comply with policy. WLDC request that more detail be provided in the draft 'Plans' cited above to explain how concurrent projects will be co-ordinated.	Scheme. For these routes, the assessment has taken into account the traffic flows associated with other schemes. For routes used by other schemes but not West Burton, the effects should be considered as part of the other, separate, applications for consent for those schemes. It is forecast that the construction phase for West Burton will last for up to 24 months. However, a cumulative five year construction period for the shared cable route to be constructed for all of the schemes sequentially has been considered. This represents a worst case scenario. A **Joint Report on Interrelationships between National Significant Infrastructure Projects [REP2-010]** has been prepared jointly by Applicants for the West Burton, Cottam, Gate Burton and Tillbridge Schemes. Paragraph 5.4.2 of the Joint Report on Interrelationships between National Significant Infrastructure Projects **[REP2-010]** states: *"In the event the construction schedules are overlapping, a joint Construction Traffic Management Plan (Joint CTMP) would be produced that will set out construction traffic management and control measures relevant to those areas where vehicle routes overlap."*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Paragraph 5.4.4 of the same document states *"A Joint CTMP could support implementation of shared mitigation measures such as joint traffic management, joint consultation with Lincolnshire County Council traffic officers, combined vehicle access and routeing plans, shared use of construction compounds, taking a holistic approach to construction traffic planning and management. In the meantime, the four developers are working closely together to identify further ways to collaborate and reduce impacts on communities and the environment"*. **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]** has been updated at Deadline 3 to include reference to the **Joint Report on Interrelationships between National Significant Infrastructure Projects [REP2-010]** and the Joint Construction Traffic Management Plan. The Outline Construction Traffic Management Plan is secured by Requirement 15 of Schedule 2 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C].**
WLDC-48	Noise and Vibration	Cable construction impacts	As with traffic and highways, a key requirement for WLDC is to exert appropriate control on vehicle movements and construction activity to ensure that the potential cumulative	Impacts of the temporary construction noise and vibration for the construction of the solar panels and associated infrastructure and construction traffic noise has been included and the likely impacts of noise and

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			impacts are adequately controlled. Including a co-ordination mechanism on control documents (e.g. CEMP/CTMP) will assist in controlling these impacts and allowing communities to carry-out day to day activities	vibration have been assessed in Section 15.7 of **6.2.15 ES Chapter 15: Noise and Vibration [APP–053]**.
WLDC-49	Ecology	Cable construction impacts	The Applicant has based the Shared Cable Route Corridor on a construction programme taking 18 months in the Ecology and Biodiversity chapter. This differs from the Gate Burton scheme which accounts for a 24-36 month construction period. This would also circumvent the BNG guidelines which stipulate that 'temporary loss' of habitat is only when this cannot be restored (in full) to baseline condition within 2 years. If the cable route were to take longer than this then it is expected that the BNG calculations should be revisited	The 18 month construction programme was used for the **WB6.2.9 ES Chapter 9 Ecology and Biodiversity [APP-047]** assessment is consistent with the Scheme description and how the whole of the EIA was undertaken (see **WB6.2.4. ES Chapter 4 Scheme Description [APP-042]**). This was chosen as the most appropriate timespan for the Scheme to be assessed in isolation from the projects considered in the cumulative effects assessment. A five year duration was used for the cumulative assessment of the construction impacts resulting from the Shared Cable Route Corridor as the maximum duration of a potential sequential cable construction programme for the respective projects.
WLDC-50	Landscape and Visual	Cumulative Impacts	In terms of cumulative effects, the ES (APP/WB.2.8 page 241 onwards) claims 'Beneficial' effects in relation to	This comment relates to the findings associated with the Cottam Solar Project, therefore no comment is made as it is not relevant to the Scheme.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
	Impact Assessment		Contributors to Landscape Character, in relation to 'Nationally and Locally Designated Landscape' and 'Ancient Woodlands and Natural Designations' but does not justify why these effects would be Beneficial (for both it states that impacts would be 'Not Significant'). WLDC strongly content that such impacts cannot be deemed 'beneficial' due to their obvious harm as alien features in the countryside have a significant adverse impact upon both visual amenity and landscape character	
WLDC-51	Landscape and Visual Impact Assessment	Cumulative Impacts	Cumulative effects in the ES appear to have been considered on an incremental basis only; that is the impact of the West Burton Solar Project when added to the cumulative projects. There is no assessment of the various combination each cumulative project could have with each other and this is considered to be a significant shortcoming in the ES. As the Secretary of State will potentially be required to determine cumulative NSIP applications	With regard to the cumulative effects, **6.2.8 Environmental Statement - Chapter 8_Landscape and Visual Impact Assessment [APP-046]** assesses the impacts of the Scheme alongside the proposed Gate Burton, Cottam and Tillbridge Solar proposals. The assessment has been undertaken in accordance with the methodology set out in **6.3.8.1 Environmental Statement - Appendix 8.1 LVIA Methodology [APP-072]**, which was agreed through extensive consultation with LVIA consultant's representative of LCC.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			at the same time, there is a requirement to provide the environmental information that will allow them to make such a decision.	
WLDC-52	Landscape and Visual Impact Assessment	Cumulative Impacts	The cumulative figure included in the ES for Cottam (Fig 8.16) shows that the proposed solar farms considered would be seen in views from many locations along the cliff.	This comment relates to Cottam Solar Project, therefore no comment is made as it is not relevant to the Scheme.
WLDC-53	Landscape and Visual Impact Assessment	Cumulative Impacts	None of the application documents provide and assessment that considers how many solar projects are 'acceptable' in planning terms, or which combination of projects that would be acceptable would be the least damaging/intrusive re landscape character and views. This is a significant shortcoming and prevents WLDC from being able to make considered judgement on the cumulative impacts.	The purpose of LVIA is to identify those effects associated with a proposed development both alone and cumulatively and to inform the determining authority of these predicted effects. In respect of cumulative effects, the Applicant has assessed the worst-case scenario which is all of the solar schemes being consented. The Applicant does not therefore agree that there is any shortcoming in the information presented by the Applicant.
WLDC-54	Scheme Description	Cumulative Impacts	The application does not provide sufficient detail to explain how multiple projects will be constructed within the shared grid corridor. In order to fully understand the likely impacts on	Within the shared grid connection corridor, the Cottam, West Burton, Gate Burton and Tillbridge projects have worked together to reduce the environmental impacts of the grid connections. Details are provided within the **Joint Report on Interrelationships between**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			communities, further information is required to understand the likely disruption, the approach to construction or whether the impacts will be multiplied with the risk of site restoration measures being implemented but then destroyed as construction commences on another project.	**Nationally Significant Infrastructure Projects [REP2-010]**.
WLDC-55	Ecology and Biodiversity	Cumulative Impacts	The cumulative impacts of the project will create the potential for multiple impacts occurring in the shared grid corridor, especially in the event that each project is constructed in sequence. With each NSIP seeking a DCO time period of 5 years, there are no guarantees that construction activity within the corridor will be co-ordinated. Each project will have the right and powers to carry out works that will result in direct removal of tress, hedgerows and other natural features.	The cumulative effects assessment is set out within Section 9.9 of the **6.2.9 Environmental Statement Chapter 9 Ecology and Biodiversity [APP-047].**
WLDC-56	Transport and Access	Cumulative Impacts	The Scheme states that the shared Grid Connection Route utilises different routes from the other solar schemes.	Please see the response to WLDC-54 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			This suggests the cumulative impact of the roads will be felt more widely. The cumulative effects chapter is very limited and only considers the routes associated with the construction routes for West Burton.	
WLDC-57	Socio-Economics, Tourism and Recreation	Cumulative Impacts	The broad concerns relating to impacts upon tourism stated above, are equally applicable to all proposed solar projects. On a cumulative basis, these impacts would be multiplied resulting is significant harm to the short, mid and long term tourism sector in the West Lindsey District	The Applicant reiterates that it has assessed cumulative impacts on the tourism and recreation industry for both the Scheme in isolation and cumulatively with other NSIPs in West Lindsey in **6.2.18 Environmental Statement Chapter 18 Socio Economics Tourism and Recreation [APP-056]**. The assessment has found that there are no significant impacts to the tourism and visitor economy or employment sector at any stage of the proposed Scheme's lifetime. The Applicant has addressed the issue of cumulative impacts on tourism in response WLDC 9.1 within **8.1.20 The Applicant's Responses to Local Impact Reports [EN010132/EX3/WB8.1.20].**
WLDC-58	Soils and Agriculture	Cumulative Impacts	The impact on agricultural land tenant farmers should also be considered in the wider context of the four proposed solar NSIP's which will occupy a large area of Lincolnshire's land area (1%), not including the One Earth Solar Farm. There are real concerns as to the	As the agricultural land within the Sites is all owner occupied (paragraphs 19.8.13 to 19.8.21 of **6.2.19 ES Chapter 19 Soils and Agriculture [APP-057]**) the Scheme will have no direct effect on any tenant farmers.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			displacement of tenant farmers across significant tracts of agricultural land over a 40 year period and the seeming expectation that the agricultural industry will simply be able to pick up and recommence in the year 2068 where it left off 40 years earlier. This is not adequately addressed by the application	
WLDC-59	Soils and Agriculture	Cumulative Impacts	In assessing potential job losses in the agricultural sector it does not consider the wider supply chain that serves the industry. No cumulative assessment has been undertaken of all solar NSIPS upon employment and commercial activity in the agricultural sector	The assessed worst-case loss of 13 FTE agricultural jobs as a result of the Scheme is equivalent to 0.3% of the agricultural employment in the Local Impact Area, as set out in paragraph 18.7.15 **WB6.2.18 ES Chapter 18: Socio-Economics, Tourism and Recreation [APP-056]**. Potential for continuation of non-arable agricultural practices on the Scheme, and the ongoing continuation of arable agricultural in the surrounding areas demonstrates that it is unlikely that there will be any more than a low level of impact on agricultural supply chains, and therefore are not anticipated to experience significant effects. As a result, these have not been assessed. A cumulative assessment of the direct effect of the cumulative NSIPs on agricultural jobs in the Local Impact Area has been provided at para. 18.10.36, which

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				estimates a worst-case cumulative loss of 38 FTE agricultural jobs during the operational lifetime of the cumulatively assessed projects. This is a long-term minor adverse effect and is therefore not a significant effect.
WLDC-60	Socio-Economics, Tourism and Recreation	Cumulative Impacts	With a growing visitor economy at present, the impact of the cumulative developments could result in the potential loss of employment in the tourism sector as people will not be attracted to the area	A cumulative assessment of construction impacts on temporary accommodation has been undertaken at 18.10.12 **6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]** which estimated cumulative construction worker requirements for accommodation may result in a peak 38.0% displacement of usual visitor accommodation uptake. The resultant peak loss of visitor spending is assessed to have a peak cumulative medium-term temporary moderate-minor adverse effect on grouped tourism and recreation (RSTU) sector employment (18.10.13 **[APP-056]**) and a peak cumulative medium-term temporary moderate adverse effect to the tourism and recreation economic sector (18.10.25 **[APP-056]**). This is therefore a significant effect.
WLDC-61	Landscape and Visual Impact Assessment	Cumulative Impacts	The cumulative impact of all three currently submitted DCO projects (and future NSIPs planned for submission) would result in unacceptable significant adverse harm to the landscape	The conclusions on the likely significant cumulative effects on the landscape and visual receptors are set out within Section 8.10 of **6.2.8 Environmental Statement - Chapter 8_Landscape and Visual Impact Assessment [APP-046], 6.3.8.2 Environmental Statement -**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			character of West Lindsey to which WLDC objects to in the strongest manner. The geographical coverage of the three project would span approximately over 121 km from the southern-most point to the northern-most. The landscape would be transformed from a predominantly large scale agricultural character, to one that is characterised by solar electricity generating stations.	**Appendix 8.2 Assessment of Potential Landscape Effects [APP-073]** and **6.3.8.3 Environmental Statement - Appendix 8.3 Assessment of Potential Visual Effects [APP-074].** With regard to the cumulative effects, **6.2.8 Environmental Statement - Chapter 8_Landscape and Visual Impact Assessment [APP-046]** assesses the impacts of the Scheme alongside the proposed Gate Burton, Cottam and Tillbridge Solar proposals and concludes that significant adverse effects would not occur on landscape character and visual amenity over an extensive area. The cumulative effects with the Cottam proposals are illustrated **on 6.4.8.17.1 Environmental Statement - Figure 8.17.1 - Cumulative Development Augmented ZTV – Cottam [APP-277]** The Cottam proposals are located to the northeast of the settlements of Stow and Willingham. The conclusion in the LVIA is that cumulative effects arising from the West Burton and Cottam projects would not occur due to the significant distance between the projects. The LVIA concludes that in respect of Regional Character Areas and Individual Contributors to Landscape Character, there is potential for cumulative effects, but that these would be 'Not Significant' in EIA terms. The LVIA sets out for example, with regard to Viewpoint LCC-A-Middle Street (para. 8.10.86) that *"There*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				may be opportunities (depending upon weather and atmospheric visibility) for successional glimpses of the West Burton and Cottam Sites. However, if available, this would be very glimpsed, transient and filtered by vegetation across the landscape and would be regarded as two detached solar schemes in two separate land parcels." The cumulative effects with the Gate Burton proposals are illustrated on **6.4.8.17.2 Environmental Statement - Figure 8.17.2 - Cumulative Development Augmented ZTV - Gate Burton [APP-278]**. The Gate Burton proposals are located to the west of the settlements of Willingham by Stow, Kexby and Upton. The conclusion in the LVIA is that cumulative effects arising from the West Burton and Gate Burton projects would not occur due to the significant distance between the projects. The LVIA concludes that in respect of Regional Character Areas and Individual Contributors to Landscape Character, there is potential for cumulative effects, but that these would be 'Not Significant' in EIA terms. The LVIA sets out for example, with regard to transport receptor T058/Northern Railway – Saxilby to Gainsborough (para. 8.10.88) that *"The route continues north through the Gate Burton Energy Park development, with users having views of the surrounding array as they pass through", but that the effects would be Not Significant."*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				The cumulative effects with the Tillbridge proposals are illustrated on **6.4.8.17.3 Environmental Statement - Figure 8.17.3 - Cumulative Development Augmented ZTV - Tillbridge [APP-279].** The Tillbridge proposals are located to the west and east of the settlement of Springthorpe and situated between the settlements of Heapham, Hemswell Cliff and Glentworth. The conclusion of the LVIA is that cumulative effects between the Tillbridge and West Burton proposals would not occur due to the significant distance between the projects. The LVIA concludes that in respect of Regional Character Areas and Individual Contributors to Landscape Character, there is potential for cumulative effects, but that these would be **'Not Significant'** in EIA terms. The LVIA sets out for example, with regard to location and proximity (para. 8.10.22) that the distance between West Burton and the Tillbridge project is such that no significant cumulative effects are possible *"The Tillbridge Solar Project continues from the northern extent of the Cottam 1 Site north towards the A631. The Cottam Solar Project is approximately 1.5km north of the West Burton 1 Site. The Tillbridge Solar Project is approximately 7.25km north of the West Burton 1 Site."*
WLDC-62	DCO	Cumulative Impacts	WLDC disputes the applicant's contention that the impacts of the	In response to concerns raised by the Examining Authority and interested parties regarding the Scheme being in place in perpetuity, the Applicant amended

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			development are temporary and reversable.	Requirement 21 of Schedule 2 to the draft DCO submitted at Deadline 1 **[REP1-006]** to require the Scheme to be decommissioned after 60 years.
WLDC-63	Principle of Development	Cumulative Impacts	WLDC maintain an objection to the project on the basis of cumulative impacts; however, commit to engage with potential solutions suggested in the above sections of this representation. It is essential in WLDC's view, that detailed control mechanisms are developed during the examination phase to ensure that the application is determined with these in place	This comment is noted and the Applicant commits to engage in this process.
WLDC-64	Principle of Development	Cumulative Impacts	WLDC maintain significant concerns regarding the manner in which the DCO examinations into each NSIP are being carried out. The current approach of solely considering the application subject of the application without testing the application alongside the various scenarios that could arise as a consequence is flawed. It is essential that the combinations of each cumulative project are understood and assessed	This comment is noted and the Applicant is prepared to engage in a combined hearing session if deemed appropriate by the Examining Authority.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
WLDC-65	Draft DCO	Article 46 – Schedule 17	WLDC strongly objects to the Schedule 17 as currently drafted. Schedule 17 has been amended from a 6 week to 8 week time period, however that continues to be considered unreasonably short	Schedule 17 to the draft DCO **[EN010132/EX3/WB3.1_C]** aligns with the latest drafting of the Gate Burton draft DCO, including in relation to fees and timescales for approvals and consultation. It is the Applicant's intention to keep the draft of the Schedule under review to take account of any further amendments that are made to the Gate Burton draft DCO or the Cottam Solar Project draft DCO.
WLDC-66	Planning Policy Energy Need	Planning Balance	Whilst it is recognised that there is an urgent need for energy generation of all types and this is established through the NPSs and is carried forward into the draft NPS; however, there are elements of the Scheme which require further assessment and justification.	Section 7 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A]**concludes with a consideration of the Planning Balance and justifies how the overwhelming national need, as demonstrated in the Statement of Need, outweighs any potential significant adverse impacts which, as the **Environmental Statement [APP-039 to APP-061]** sets out, are limited, and will be considered by the Secretary of State in making a decision on the application.
WLDC-67	Cultural Heritage	Planning Balance	The Scheme causes unacceptable substantial harm to the bishop's palace and deer park Scheduled Monument, contrary to national and local policy.	The Applicant respectfully disagrees with West Lindsey District Council's conclusion that the impact of the proposed installation within the Medieval bishop's palace and deer park, Stow Park (NHLE 1019229) represents substantial harm (in NPS/SPPF terms) to the significance of the monument or the wider character of the landscape.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				As stated in Paragraph 3.3.39 of **6.3.13.5 Environmental Statement - Appendix 13.5 Heritage Statement [APP-117** to **APP-119]**), the Applicant considers that the Scheme would cause less than substantial harm (at the upper end) to the designated heritage assets and that use of fixed shorter panels, as incorporated into the design of the Scheme, is sufficient mitigation (Paragraph 3.4.9 **[APP-117 to APP-119]**).
WLDC-68	Planning Policy Principle of Development	Planning Balance	Due to the design of the project, WLDC object to the project on the basis that it would result in substantial harm to a Scheduled Monument; and that more impacts are experienced as a consequence of the project than one that had been well designed and followed a clear set of design principles. The resulting scheme is one that requires multiple infrastructure components, that encompass a wide geographical area. WLDC consequently objects to the West Burton Solar Project, finding that the disbenefits clearly outweigh the benefits in accordance with section 105 of the PA2008.	Please see response to WLDC-66.

2.5 Fillingham Parish Meeting – Summary of Oral Submission ISH1 [REP1-077]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
FPM-01	Benefits	Community Benefits	Fillingham Parish Meeting, would like to make two observations. The first observation is that among all the technical topics of environmental concerns, what seems to be missing is any genuine consideration of the people of the area. In terms of benefits to the community, there is barely anything, and certainly nothing to address having deprived people in the area of livelihoods and landscape. It is therefore not surprising that, as far as I understand, there is scant support for the West Burton scheme or any of the other large scale solar projects in this region – and overwhelming opposition from every Parish that has expressed a view – representing 19 villages.	Whilst not a direct and targeted local energy supply benefit, there is benefit to all UK citizens – including local communities – from the UK producing more clean, renewable electricity, in terms of affordability and energy security and resilience. This is considered further in detail in Sections 7.4, 8.7, 8.8, 8.10, 10.2, 10.3 and 11.5 of **7.11 Statement of Need [APP-320]**. The Applicant has committed to providing a community benefit fund but this does not form part of the DCO application, and this funding is not required to mitigate the impacts of an appropriate mechanism for the funding to be distributed.
FPM-02	Benefits	National Policy	Government Strategy Papers and National Policy Statements all refer to the need to consider community impacts and the Skidmore review recommends that projects are not imposed on local communities, but	The Applicant acknowledges this comment but is confident that the level of consultation undertaken, and information presented throughout the pre-application stage was in accordance with the Planning Act 2008 and associated guidance. This has been evidenced in **5.1 Consultation**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			the NSIP process feels like a machine that the community has no real say in.	**Report [APP-022]**, which was submitted to the Planning Inspectorate and accepted for examination. For example, as described in Chapter 2 **[APP-022]**, the Applicant undertook two phases of community consultation to share information and invite feedback at different stages of Scheme development. Chapter 7 **[APP-022]** describes the Applicant's approach to statutory consultation, including consulting with relevant authorities on a draft Statement of Community Consultation. Table 7.1 sets out the comments received from authorities on the Applicant's approach to consultation and how the Applicant has had regard to these in developing the Scheme. Table 7.3 in Chapter 7 describes how the Applicant complied with commitments made in the Statement of Community Consultation when undertaking statutory consultation. Chapter 8 **[APP-022]** describes how the Applicant undertook a six-week statutory phase two consultation on the Scheme, during which the Applicant presented consultees with environmental information sufficient for consultees to understand the potential likely significant effects of the Scheme in a Preliminary Environmental Impact Report (PEIR). A non-technical summary was published to accompany the PEIR, with public information

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				events and free-to-use communications channels open to help aid accessibility and understanding of the Scheme. A Consultation Summary Report for this phase of statutory consultation was published on the dedicated Scheme website, shared with elected representatives and stakeholders and issued to over 9,000 properties within the vicinity of the Scheme, to help consultees understand how their feedback was being considered. A copy of the Phase Two Consultation Summary Report is provided at pp.36-43 of **5.7 Consultation Report - Appendix 5.7 Phase Two Community Consultation Materials - Part 3 of 3 [APP-031]**. Chapter 11 of **5.1 Consultation Report [APP-022]** describes the significant volume of responses received to Section 47 consultation (local community), including the issues raised and how the Applicant has had regard to these in developing the Scheme. This is further evidenced by **5.12 Consultation Report - Appendix 5.12 - Section 47 Applicant Response [APP-036]**. The host authorities have confirmed that the statutory consultation process was adequate through their **Adequacy of Consultation Representations [AoC-001** to **AoC-013]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
FPM-03	Consultation Process	Applicant's Response to feedback	The Applicant has been through its consultation process, covered in the detailed Consultation Report, which runs to 165 pages and many appendices. The Consultation Report describes in detail how people were made aware, what events were held, who was told and when. The Executive Summary concludes that the Applicant has considered and complied with all guidance and legislation. The Applicant also concludes they have actively sought and taken due regard to feedback and yet… Faced with the question: "How informative did you find our consultation materials?" At 49%, the most frequent response was "not informative" Having taken due regard, what did the Applicant do to follow up on this? Faced with the question: "How supportive are you of our emerging solar project proposals, which would generate clean, affordable, and reliable renewable energy for the national grid, with energy storage for when it is needed most?" Faced with such a spectacularly loaded question, even then, 79% strongly opposed Having taken due	The Applicant acknowledges this comment but is confident that the level of consultation undertaken, and information presented throughout the pre-application stage was in accordance with the Planning Act 2008 and associated guidance. The Applicant has had regard to comments made during the consultation period as set out in the response to FPM-02 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			regard, what did the Applicant do about this?	
FPM-04	Consultation Process	Applicant's Response to feedback	Faced with the feedback: "A common issue has been a request for solar panels to be installed on rooftops" The Applicant answered, apparently seriously that: "An assessment of commercial rooftops in the host authorities of West Lindsey and Bassetlaw Districts identified no rooftops or combined premises of an adequate area to facilitate a large-scale solar project" As if finding a 10km2 cluster of rooftops in a rural area was ever likely to be a credible proposition.	The Applicant notes this comment.
FPM-04	Consultation Process	Lack of consultation	In their conclusions, the reported that their activities resulted in "a high level of engagement" and yet, only a few hundred people visited the information events – by my estimate, less than 2% of people in the region – and even today, I still meet people who know nothing about the scale of solar development in our area.	Please see the Applicant's response to FPM-02 above.
FPM-05	Consultation Process	Cumulative Applications	The Applicant also asserts that they have "reduced the risk of potential confusion" – and yet they are culpable for having	Please see the Applicant's response to FPM-02.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			contributed massively to the public confusion by having made two separate applications, one for Cottam and one for West Burton, covering similar areas, sometimes with joint processes and often with parallel processes, all of which serves to confuse the community and fatigue any opposition. It is evident that the purpose of the Applicant's Consultation has purely been to t ick the box of Consultation, not to engage with the community at any meaningful level to ensure that the project is not an imposition on the community.	
FPM-06	The Scheme	Scheme Impacts	The second observation is in relation to our experiences of the process so far: Thousands of pages are produced by the Applicant. We study them, and make, what we feel, are valid concerns, which include: • This scheme, along with others in this region, is too large and would radically alter the character of the area.	The Applicant notes this comment and the Applicant directs the responder to the Applicant's response in **8.1.2 The Applicant's Responses to the Relevant Representations [REP1-050]** Table 2.4.4.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			• The panels are far too high and could never be effectively screened. • The fragmented parcels of the Cottam and West Burton schemes each dwarf the communities they surround. • Development at this scale will last for years and be massively disruptive to the people of the region – as well as its wildlife. Despite raising these concerns, nothing changes. The Applicant produces many more thousands of pages, most of which simply restate their original position, and the process rolls on.	
FPM-07	General	Impact on the region	And at every stage, the development submitted by the Applicant has shown absolutely no sensitivity to the region or its people.	Please see the Applicant's response to FPM-02 above
FPM-08	General	Amenities	The villages in this region are not affluent. They have few amenities.	The Applicant is cognisant of the significance of the countryside for physical and mental wellbeing and, as such, likely impacts on the desirability and use of

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			The one thing they do have is a tranquil, rural setting, with open views that has been shaped by agriculture for generations. It's where we walk, and run, and cycle, and ride horses. It's where many of us work. It's where we live.	recreational facilities in the countryside, such as public rights of way, have been assessed in Section 18.7 of **6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]**. The greatest level of effect to access, desirability and use of recreational facilities is limited to short- to medium-term moderate adverse effects on long distance recreational routes (the Trent Valley Way and National Byways) during construction (see Table 18.15 and para. 18.7.62). This is a **significant adverse** effect. This is however the only significant effect anticipated, with no greater than moderate-minor adverse anticipated to any other recreational receptor during construction (see paras. 18.7.60 to 18.7.69), or to any recreational receptor during operation (see paras. 18.7.107 to 18.7.117) and decommissioning (see paras. 18.7.147 to 18.7.157). These effects are not anticipated to be significant.
FPM-09	The Scheme	Impact on villages	The setting our villages have will be decimated by this development and others of a similar scale within a closely concentrated area. And it doesn't have to be this way.	A cumulative effects assessment has been prepared for the Application within **6.2.1-6.2.23 Environmental Statement [APP-039 to APP-061]**. Cumulative effects assessments for each topic are set out in each of the ES Chapters and include the assessment of the impacts of the Scheme cumulatively with the NSIPs identified by WLDC (Gate Burton Energy Park, West Burton Solar Project and Tillbridge Solar Project) (see paragraph 2.5.9 of **6.2.2 Environmental Statement - Chapter 2 EIA Process and**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Methodology [APP-040]. The assessment has been undertaken in accordance with Schedule 4 of the 2017 EIA Regulations and PINS Advice Note 17. The mitigation measures set out across the ES therefore account for anticipated cumulative effects. Please also refer to the **Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP2-010]** which provides information on the interrelationships between the Gate Burton Energy Park, Cottam Solar Project, West Burton Solar Project and Tillbridge Solar Project. The report has been prepared to support the Development Consent Order (DCO) applications for the four projects.
FPM-10	Energy Need	Rooftops	We know the country needs solar, but every day, more rooftops are built on houses and commercial buildings without any solar panels. How can there be a climate emergency that ignores the obvious place to install solar panels, and instead results in the ruination of our environment?	Section 3.3 of document **WB7.11 Statement of Need [APP-320]**, specifically paragraphs 3.3.2, 3.3.5 and 3.3.11, describes the Government's view that large capacities of low-carbon generation will be required to meet increased demand and replace output from retiring (fossil fuel) plants, and that "a secure, reliable, affordable, Net Zero consistent system in 2050 is likely to be composed predominantly of wind and solar". This support for large scale solar as part of the 'answer' to net zero and energy security has been repeated in the November 2023 versions of NPS EN-1 and EN-3. Section 7.5 of **WB7.11 Statement of Need [APP-320]** describes how suitable locations for large-scale solar are

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				identified and assessed. Paragraph 7.5.2 outlines the broad criteria for determining site suitability. Please see the response to AL01 in the **Deadline 1 Submission - 8.1.5 Written Summary of the Applicant's Oral Submissions at the Open Floor Hearing (OFH1) [REP1-051].**
FPM-11	The Scheme	Soils and Agriculture Landscape impacts	It makes no sense. And it makes people in our community weep with frustration, that this relentless process is even allowed to march on. As we are somehow, seriously discussing throwing away productive farmland and a landscape the size of a city, for power when the sun shines… Throwing it all away for no power at all when the country shivers on a winter's evening.	Table 7.1 of **WB7.11 Statement of Need [APP-320]** shows the electricity generated per hectare by different low-carbon technologies. At the UK's average solar load factor (11%), solar generation produces much more energy per hectare than biogas, and generates a similar amount of energy as onshore wind. The Applicant does not consider that the Scheme would result in food security impacts either alone or cumulatively. The UK annual balance of domestically produced food is sensitive to non-planning factors including weather and markets. The relevant assessment for policy purposes (and therefore decision-making purposes under the Planning Act 2008) is one that is based on the grade of the agricultural land, rather than its current use and the intensity of that use. In terms of key threats to UK food security, the Defra UK Food Security Report highlights that the main threat is climate change.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
FPM-12	Soils and Agriculture	Food security	Finally, there is a moral dimension here… if humanity wants to feed itself and provide power and decarbonise, then we cannot simply tear up our farmland and expect other countries to feed us. In the parched deserts of Africa and India, where they can grow no food, they will look at us in disgust at our wastefulness. And rightly so.	Section 3.3 of **7.11 Statement of Need [APP-320]** describes Government's view that large capacities of low-carbon generation will be urgently required to meet increased demand and replace output from retiring (fossil fuel) plants, and that "a secure, reliable, affordable, Net Zero consistent system in 2050 is likely to be composed predominantly of wind and solar". It is the Applicant's view (and this aligns with Government's view) that large scale solar must be deployed to meet the urgent national need for low-carbon electricity generation. Section 7.6 **[APP-320]** demonstrates that large-scale solar is the most efficient use of land for energy generation purposes. The Defra UK Food Security Report[1] notes that the main risks to UK food security include climate change and soil degradation. Land use change is not identified as a risk to UK food security. Development of a solar farm addresses climate change risks. In addition, the extended fallow of arable land reverted to grassland within the solar farm area enables a recovery of soil health that has been depleted through arable management. As noted in paragraph 19.9.14 of **6.2.19 Environmental Statement – Chapter 19 Soils and Agriculture [APP-057**], the reversion of arable land to pasture below a solar farm is

[1] UK Food Security Report 2021, Department for Environment Food & Rural Affairs

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				very effective at enabling recovery of soil organic matter, degraded by repeated cultivation.

2.6 Sturton By Stow Parish Council [REP1-078]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-01	Examination Process	Broadband connection	One of our last comments during the preliminary hearing was the unreliable nature of the broadband connection in our rural area and, specifically for this reason, the use of virtual hearings would be inappropriate if local residents were to engage in a meaningful manner. The Inspector should note that had the examination process started on 7th September, as scheduled, anyone wishing to contribute via an online platform would have found their broadband had failed. The failure commenced at approximately 14.30 and lasted almost 20 hours. The use of virtual only events should be entirely avoided.	The Applicant notes this comment.
SSPC-02	Energy Need	Carbon reduction	The applicant uses terms such as emergency, urgency, haste and there is a pressing need for change, but this cannot be at any cost. The UK cannot shoulder a reduction of carbon for the entire world – we are allegedly responsible for approximately 1% of	Section 3.3 of document **WB7.11 Statement of Need [APP-320]**, specifically paragraphs 3.3.2, 3.3.5 and 3.3.11, describes the Government's view that large capacities of low-carbon generation will be required to meet increased demand and replace output from retiring (fossil fuel) plants, and that "a secure, reliable, affordable, Net Zero consistent system in 2050 is likely to

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			carbon emissions worldwide. The term Net Zero is used quite freely throughout the documentation; if this, and other projects, currently in differing stages of application are to be used for offsetting current carbon emissions for Net Zero; any potential for carbon reduction becomes a cynical tick box exercise. The whole point of Net Zero is to reduce carbon emissions.	be composed predominantly of wind and solar". This support for large scale solar as part of the 'answer' to net zero and energy security has been repeated in NPS EN-1 and EN-3 published in November 2023.
SSPC-03	Examination Process	Cumulative projects	This, and other locally sited proposals, are using the Planning Inspectorate in an inappropriate way. All of the (currently) three projects in this area have been submitted in concurrent form. This is not fair to the public whom will bear the brunt of all construction and the aftermath of the permanence of the proposals. We do, however, acknowledge Dr Mageean's decision to adjourn the Preliminary Hearing in September. This has allowed us to engage with all the projects more effectively.	The Applicant notes this comment. As noted within the **Rule 6 letter [PD-005]** Annex E, the Applicant is to produce a "Report on the interrelationship with other National Infrastructure projects" for Deadlines 1-3 and 5. This report will enable the Examining Authority, as well as those interested parties, to better understand the interrelationships between NSIPs. For Deadline 1, the **8.1.9_A Report on the Interrelationship with other NSIPs [REP1-055]** has been published. There has been an updated version submitted for Deadline 2 **[REP2-010]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-04	Examination Process	Volume of documents	The amount of documentation, which is often repeating the same statements, processes or arguments over several documents, is nonsensical. Reading the same thing over several supposed differing documents is an excessive time-wasting exercise.	The Applicant notes this comment and notes that the DCO process is primarily a written process.
SSPC-05	Examination Process	Cumulative Projects	Will the inspectorate be able to have discretion if a submission by an IP contains an error whereby the reference is to a different NSIP? Would the IP be informed and able to correct their submission? There is significant risk of confusion due to the similar names and numbering of West Burton (00132), Gate Burton (00131) and Cottam (00133).	The Applicant notes this comment.
SSPC-06	Developer motive	Profits	The applicant has one goal, which is not an altruistic production of energy for use by the UK; but to make money. The generation of electricity is a by-product in order to realise profit. Many renewable sources already have to be recompensed to turn off their production. This is a complete waste of	Table 7.1 of **WB7.11 Statement of Need [APP-320]** shows the electricity generated per hectare by different low-carbon technologies. At the UK's average solar load factor (11%), solar generation produces much more energy per hectare than biogas, and generates a similar amount of energy as onshore wind. Section 3.3 of document **WB7.11 Statement of Need [APP-320]**, specifically paragraphs 3.3.2, 3.3.5 and 3.3.11,

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			money. Solar works when the sun shines, this is generally when there is the least need. Clearly the gain for this, and other applicants, to have to stop production will be considerable.	describes the Government's view that large capacities of low-carbon generation will be required to meet increased demand and replace output from retiring (fossil fuel) plants, and that "a secure, reliable, affordable, Net Zero consistent system in 2050 is likely to be composed predominantly of wind and solar". This support for large scale solar as part of the 'answer' to net zero and energy security has been repeated in its recent policy documents published in March 2023. Furthermore, paragraph 7.6.8 of **WB7.11 Statement of Need [APP-320]** states that: "Draft NPS EN-3 includes an anticipated range of 2 to 4 acres for each MW of output generally required for a solar farm along with its associated infrastructure." The Scheme as proposed delivers a large-scale solar generation asset which is consistent with this range, as is described through paragraphs 4.2.1 to 4.2.3 of **WB6.2.4 ES Chapter 4 Scheme Description [APP-042].** This demonstrates that the proposed location is a suitable site which will provide for an asset which is consistent with government's view of best practice ratios of land take and installed capacity.
SSPC-07	The Scheme	Draft DCO	The draft DCO raises concern. The Order is underpinned by Schedules which are not final documents but illustrative, suppositions and	Section 4.3 of **WB6.2.4 ES Chapter 4 Scheme Description Revision [APP-042]** sets out the Rochdale Envelope for the Scheme, which is an agreed method for defining the maximum (and where relevant, the

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			assumptions. The applicant should be using defined plans showing actual placements of equipment; actual trench corridors; actual figures. Why is the applicant not imparting definitive and factual information. To comment on illustration, supposition and assumption does not allow for informed decision.	minimum) parameters for the Scheme where flexibility needs to be retained. By ensuring that the worst-case scenario is assessed within the Environmental Statement, the decision maker can be sure that the detailed design of the Scheme will be acceptable in environmental terms. The maximum (and where relevant, the minimum) parameters and other embedded mitigation meaures (factors that apply to how the Scheme is designed in detail) are secured within the **7.13_B Concept Design Parameters and Principles [EN010132/EX3/WB7.13_B]**. A series of management plans provide further controls to minimise the impacts of the Scheme, including **7.1_B Outline Construction Environmental Management Plan Revision B [EN010132/EX3/WB7.1_B].** and the **WB7.14_B Outline Operational Environmental Management Plan Revision B [EN010132/EX3/WB7.14_B]**. The Plans are secured respectively by Requirement 13 and Requirement 14 of Schedule 2 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]** The assessment informs the extent of powers the Applicant is applying for in **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**. The Requirements set out in Schedule 2 to the dDCO

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				require that the final management plans must be approved by the relevant planning authority before the relevant work or activity may take place.
SSPC-08	Cable Route	Impact on flora and fauna	Why is this application, West Burton, being routed to West Burton power station when it is actually closer to Cottam than the application named Cottam? This is nonsensical and will result in destruction of flora and fauna which could be entirely avoided. This implies that the applicant has colluded with other developers whose applications have only just been announced and not because of supposed grid capacity constraints.	In many cases, the reversion from intensive agriculture to pasture or meadow grassland with additional hedgerow, scrub, tree and wetland habitat creation will bring about beneficial effects for wildlife. In particular, terrestrial and aquatic invertebrates, botanical diversity, small mammals and many species of bird all stand to benefit. In this way, a substantial net gain for biodiversity is anticipated to be achieved (see **6.3.9.12 Environmental Statement - Appendix 9.12 Biodiversity Net Gain Report [APP-088]**), predominantly through the creation of extensive low-input grassland resulting in a net gain of 86.80% in habitat units, but also several new ponds and wetland habitat parcels resulting in a net gain of 33.25% in river units, and the planting of several kilometres of species-rich hedgerow resulting in a net gain of 54.71% in hedgerow units. Requirement 9 of Schedule 2 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]** provides that *"No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				the relevant planning authority, in consultation with the relevant statutory nature conservation body."
SSPC-09	The Scheme	Loss of farmland Impact on residents	Solar, in the right location on roofs of dwellings or warehousing, even carparks would be beneficial but to take enormous areas of productive farmland out of use and industrialise this beautiful part of Lincolnshire is reckless and lacking judgement. The applicant seeks to marginalise the AGLV (area of great landscape value) designation. The local residents, which will be severely impacted by all of these schemes, disagree with their approach.	Section 3.3 of document **7.11 Statement of Need [APP-320]**, specifically paragraphs 3.3.2, 3.3.5 and 3.3.11, describes the Government's view that large capacities of low-carbon generation will be required to meet increased demand and replace output from retiring (fossil fuel) plants, and that "a secure, reliable, affordable, Net Zero consistent system in 2050 is likely to be composed predominantly of wind and solar". This support for large scale solar as part of the 'answer' to net zero and energy security has been repeated in its recent policy documents published in March 2023. Section 7.5 of **7.11 Statement of Need [APP-320]** describes how suitable locations for large-scale solar are identified and assessed. Paragraph 7.5.2 outlines the broad criteria for determining site suitability. **6.2.8 Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046]** (the 'LVIA') assesses the effects of the Scheme on landscape and visual receptors, including on the AGLV designation, in particular the Ridge AGLV or Laughton Wood AGLV (as identified in paragraphs 8.4.11, 8.5.125, 8.5.126, 8.5.142, 8.5.161, 8.5.162, 8.7.36, 8.7.38, 8.7.86, 8.7.88, 8.7.145, 8.7.147, 8.9.47, 8.9.48, 8.9.49) noting there will be positive changes to the wider setting of the

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				AGLVs due to the additional vegetation enhancing the local landscape character. The LVIA also considers the impacts of the Scheme on the AGLV designation alongside other cumulatively assessed NSIPs (see paragraphs 8.10.74 to 8.10.79) and has concluded that there will be no significant adverse effects on landscape character and visual amenity over an extensive area as a result of the cumulative impacts of the schemes.
SSPC-10	Soils and Agriculture	Food Security	There is no forethought regarding food security. No-one can eat solar panels. Where will the products no longer being grown be sourced from. There is already food depravation in other parts of the world; to imply the UK can just import food is an arrogant and dangerous as well as insecure stance to take.	The United Kingdom Food Security Report 2021 published by Defra notes that UK self sufficiency trends for food production have been stable for over two decades. Climate Change and Soil Degradation are noted as two key threats to UK food security. Land use change is not. The Applicant's position is that proposed Scheme is not a threat to UK food security.
SSPC-11	Soils and Agriculture	Soil management	Sheep, yet again. The applicant cannot seriously expect sheep to be used for consistent grass management or to supposedly improve the soils in readiness for returning to agricultural use in many years hence. There are simply not enough sheep, shepherds or infrastructure and we cannot see that	Agricultural land is not lost to a solar farm development as it will be decommissioned. Land within the Scheme can continue in agricultural production throughout the operational periods, grazing sheep as noted in paragraph 19.3.3 of **6.2.19 Environmental Statement - Chapter 19 Soils and Agriculture [APP-057]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			this land will ever be returned to agricultural use so many years into the future.	
SSPC-12	PV Panels	Details of PV panels	There is no reference to the type of PV panel, which we could find. Does the applicant know what they intend to install or will this be left to the ultimate developer post consent? There is no reference to where the panels will be manufactured, the human cost to this is not being taken into account.	The Applicant has not specified the type of panel Section 4.3 of **6.2.4 ES Chapter 4 Scheme Description [APP-042]** sets out the Rochdale Envelope for the Scheme, which is an agreed method for defining the maximum (and where relevant, the minimum) parameters for the Scheme where flexibility needs to be retained to take advantage of improvements in PV panel technology. The **7.13_B Concept Design Parameters and Principles [EN010132/EX3/WB7.13_B]** sets out the parameters and design principles for the PV panels. Paragraph 5.4.7 of **7.10 Skills Supply Chain and Employment Plan [APP-319]** states that "Any procurement of supplies internationally will comply with both national and international law, and all policy and safety measures will be adhered to in the transportation of supplies." A Skills, Supply Chain and Employment Plan is secured through Requirement 20 in Schedule 2 of the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**.
SSPC-13	The Scheme	Carbon footprint	How much carbon will this, and other projects, release during the excavation	The embodied carbon in the production of the materials and products to be used on site accounts for the

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			of the bare earth minerals, the manufacture, transport and installation? The carbon cost of these projects must be enormous. The only references to carbon offset would appear to take into account an approximation of the amount of gas use which may be reduced. The generation capacity of this project cannot guarantee what will be generating at any one time in order to facilitate this reduction assumption.	extraction, manufacturing, transportation and installation of all equipment through use of the ICE database and Greenhouse Gas Emissions Factors from the UK Government Department for Energy Security and Net Zero and Department for Environment, Food and Rural Affairs. Section 7.4 in **6.2.7_A ES Chapter 7 Climate Change Revision A [REP1-012]** assesses the embodied carbon in the production of construction materials as part of the GHG Impact Assessment.
SSPC-14	The Scheme	Draft DCO	There is no upper limit to the dDCO for generation capacity – Why? This will leave the site open to being used for additional development. Using the excuse that the grid connection licence will limit the capacity is not acceptable. This site could be used for additional forms of generation, unless explicitly excluded from the dDCO. The applicant will argue that their certified documents will preclude additional generation, but even something which has 'in perpetuity' on a previous granting can	The Applicant had not included an upper limit for the generating capacity of the solar PV panels in the DCO. An upper limit is not deemed necessary for planning purposes and means that the Applicant will be able to take advantage of any technological improvements that may arrive prior to construction which enable increases the MW output of the Scheme. It is noted that the Scheme must be constructed, operated, and maintained in accordance with the fixed parameters (e.g. relating to size and external appearance) that have been assessed in the **Environmental Statement [APP-039 to APP-061]**. For further details, please see paragraph 1.4.4 of the

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			be easily overturned for a subsequent application.	**Explanatory Memorandum [REP2-007]** which set out the justification for this approach.
SSPC-15	The Scheme	Decommissioning	The applicant may argue that the Development Consent Order already covers the decommissioning and subsequent repatriation but this is only a proposed scenario at this point in time. Decommissioning should be clearly set out. I shall conclude Sturton by Stow Parish Council's representation here so as to allow time for others to make theirs; our separate submission will contain more detail.	A Decommissioning Environmental Management Plan will be prepared prior to decommissioning and agreed with relevant stake holders. This is secured by Requirement 21 of Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C].**

2.7 Sturton By Stow Parish Council [REP1-079]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-16	Site Visit	Location	We would ask that (unaccompanied since these are roads); B1241 Saxilby Road, Sturton by Stow to Sturton Road, Saxilby. A1500/B1241 junction Tillbridge Road/Saxilby Road, Sturton by Stow B1241 Saxilby Road junction with Cowdale Lane (Bransby Crossroads) To be considered due to constraints of buildings along with flooding and visibility issues at Bransby crossroads.	The Applicant notes this comment.

2.8 Sturton By Stow Parish Council [REP1A-030]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-17	Scheme	Scheme Description	Since there are no definitive plans submitted, but supposed and assumed positions; should this application be classified as an 'outline' planning application? The applicant is a developer and due to the non-specific nature of the documentation and plans submitted does this make the inference that the developer will actually sell on the development proposal if consent is gained.	Please see the response to SSPC-07 above. Paragraph 2.3.3 of **4.2 Funding Statement [APP-020]** states that, should development consent be granted for the Scheme, Island Green Power would seek further funding with the support of its legal and financial advisors, as is common in privately funded infrastructure projects. Article 34 of the draft DCO (**3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**) states that the DCO is solely for the benefit of the Applicant. If the Applicant wished to transfer the Scheme to another entity it would need to get consent from the Secretary of State in accordance with Article 35 of the draft DCO unless a number of limited exceptions applied.
SSPC-18	Land Use	Alternative land uses	There are references that landowners have alternative land available for agricultural uses. Is any of this land also earmarked for use within other solar projects? This could have implications under cumulative impacts.	The Applicant is aware that one of the land owners on the Scheme is also the land owner for the area proposed for the Luminous Energy Stow Park solar farm. Landowners who have entered into option agreements for the Scheme retain additional land for predominantly agricultural use. However, the future use of such land beyond Scheme has not been discussed with the Applicant, and so it is entirely at the discretion of the landowner how their land continues to be used or is used in future.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				The consideration of other solar projects have been assessed in the **Joint Report on Interrelationships between National Significant Infrastructure Projects [REP2-010].** This has been prepared jointly by Applicants for the West Burton, Cottam, Gate Burton and Tillbridge Schemes. Also each environmental matters contained within the Environmental Statement have individually considered cumulative effects.
SSPC-19	Grid Connection	Point of Connection Cable Route	Why is this application being routed to West Burton. Many documents state that the cable routing is down to grid connection preference by the undertaker. Did the undertaker specify West Burton instead of Cottam or did the applicant request West Burton? This particular application area is actually closer to Cottam grid connection (closer than Island Green Power Cottam application). The applicant is being disingenuous by insisting on unnecessary cable corridor works as well as excessive destruction of flora and fauna.	Section 2 of **7.7 Grid Connection Statement [APP-316]** demonstrates that the grid connection at West Burton Power Station was awarded in August 2019. The site selection process as set out in **6.3.5.1 Environmental Statement - Appendix 5.1 Site Selection Assessment [AS-004]** was undertaken thereafter, with the options for the sites at West Burton 1, 2, and 3 agreed in 2022 ahead of the DCO application being made.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-20	Grid Connection	Point of Connection	How many license holders are currently expected to use the connection capacity at Cottam? What grid capacity is not allocated by license for Cottam?	This question appears more directed to the Cottam Solar Project than the Scheme. For West Burton, Section 2 of **7.7 Grid Connection Statement [APP-316]** demonstrates that the grid connection for the Scheme at West Burton Power Station was awarded in August 2019 for 480MW export to and 20MW import from the National Electricity Transmission System (NETS). National Grid award grid connection offers for specific connection dates based upon their assessment of future transmission network capacity from each location, which varies from short to longer term dependent upon planned upgrades, and the lifetimes of other generation assets.
SSPC-21	Scheme Design	Panel Specification	How many panels are forecast to be installed? What rb-01is the rate of failure of the panels? What rate of replacement can be expected?	The number of panels forecast to be used for the Scheme has been generated based on **6.4.4.1-3 ES Figures 4.1-4.3 Illustrative Site Layout Plans [REP1-022, REP1-024** and **APP-144]**. For the purpose of assessment in **6.2.7_A ES Chapter 7 Climate Change Revision A [REP1-012]** and **6.2.20 ES Chapter 20 Waste [APP-058]** this is approximately 1.0 million individual panels (Table 20.7 **[APP-058]**). For the purpose of assessment climate change **[REP1-012]** and waste **[APP-058]** effects, a replacement rate of 0.4%, or ~4,000 panels per annum (Table 20.6 **[APP-058]**). Paragraph 14.7.65 of **6.2.14 Environmental**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Statement - Chapter 14 Transport and Access [APP-052] states that there are anticipated to be around five visits to each Site per month for maintenance purposes which would typically be made by light van or 4x4 type vehicles. In light of this, the operational transport effects are considered to be negligible and not significant. Suitable mitigation for any operational impacts is secured in **7.14_B Outline Operational Environmental Management Plan Revision B [EN010132/EX3/WB7.14_B]** by way of Requirement 14 of Schedule 2 to **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C.**
SSPC-22	Construction	Safety during construction	The sites will not be completely secure during construction. They may be subject to targeted theft and damage. Will the potential for theft and damage mean different security fencing will need to be installed? Has the applicant allowed for this scenario? What are the alternate options and what will be the expected impact on wildlife if more secure fencing has to be installed? For example, a hare could find its way through deer fencing, but it would not if security style fencing were to be used.	The Applicant refers to the response made at STR-01 (pg. 668) in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050]** where matters relating to crime and security raised by the public have been addressed.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-23	Waste	Land-fill capacity	The applicant expects and has forecast that there will be sufficient land-fill capacity to deal with the expected number of solar panels to be disposed of. Does the forecast capacity also include the additional disposal required for each of the schemes undergoing inspection and other proposals not currently part of the NSIP process?	An assessment of the cumulative waste arisings from West Burton Solar Project, Cottam Solar Project, Gate Burton Energy Park, and Tillbridge Solar has been undertaken in Section 20.10 of **6.2.20 Environmental Statement - Chapter 20 Waste [APP-058]**. As such, a moderate or large adverse effect (which is **significant** in EIA terms) is identified on landfill waste handling in Nottinghamshire during decommissioning based on current forecast landfill capacity. The scope of the cumulative assessment undertaken has been under discussion with both host waste authorities who have raised no objection to the scope of NSIPs and/or non-NSIP proposals included.
SSPC-24	Panel Design	Panel source	Where will the panels be manufactured? This does have significant impact on the development. What labour force will be used? Can the applicant, and Secretary of State absolutely and categorically guarantee that no forced labour will be used to produce any part of the solar pv site? Since the plans are illustrative only, any reference to a specific manufacturer cannot be taken as confirmation they will be the ultimate supplier	The Applicant refers to the response made at PRI-09 (pg. 675) in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050]** where matters relating to ethical sourcing, manufacturing, and skills and supply chains raised by the public have been addressed. The Applicant can confirm that no solar PV panel or BESS manufacturers or suppliers have been contracted. The products referenced in the ES are therefore used for indicative purposes only for use in the assessment of environmental effects.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-25	Climate Change	Carbon production	How has the carbon produced by mining of bare earth minerals, manufacture and transport been accounted for?	The 'Carbon Footprint' or embodied carbon calculations are included within Section 7.8 of **6.2.7_A ES Chapter 7 Climate Change Revision A [REP1-012]** with the assumptions used for calculations included at Table 7.11.
SSPC-26	Location	Site Selection	There are no other projects of this combined scale located close to residential properties anywhere else in the world. What will the effects be on humans as well as animal species living in close proximity to the potential millions of panels. There have not been any studies which can project any harms, because the scale of the combined projects simply does not exist.	Impacts upon human health and wellbeing as a result of the Scheme and the cumulative schemes in the area are assessed throughout the ES where they relate to other ES topics, and summarised at Section 21.5 of **6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059]**. Mitigation measures to ensure safety, human health and wellbeing are maintained throughout the Scheme's construction, operation, and decommissioning are secured through the control documents secured by Requirements 13, 14 and 21 in Schedule 2 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**.
SSPC-27	dDCO	Generating Capacity	There is no upper limit to the dDCO for generation capacity – Why? This will leave the site open to being used for additional generation. Using the excuse that the grid connection licence will limit the capacity is not acceptable. This site could be used for additional forms of generation, unless explicitly excluded from the dDCO. The applicant argues	Please see the response to SSPC-14 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			that their certified documents will preclude additional generation, but an application which has 'in perpetuity' on the granting can be easily overturned for a subsequent application	
SSPC-28	dDCO	Decommissioning	How will the dDCO return land no longer needed for generation purposes to the land owners?	The Applicant has entered into Option Agreements with the landowners for Sites 1, 2 and 3 and therefore proposes to lease the Sites for the operational life of the Scheme. The land will be returned to the landowner and the lease terminated on decommissioning. In the event that the Applicant needed to exercise the compulsory acquisition powers in order to acquire the Sites (for example, if the landowner failed to comply with the terms of the Option Agreement), then the landowner would be compensated for the purchase of the land under the Compensation Code.
SSPC-29	dDCO	Generating Capacity	Will the dDCO contain measures which will release land as more efficient pv panels become available and therefore less panels are needed to produce the same amount of electricity?	See response to SSPC-28 above. As discussed in detail by the Applicant in their response to Agenda item 3 b) (pg.6-9) in **8.1.6 Written Summary of the Applicant's Oral Submissions & Responses to Actions at Issue Specific Hearing 1 (ISH1) [REP1-052]** regarding installed capacity, export capacity, and overplanting, it is estimated that the Scheme will be

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			What will the gross capacity have to be in order to generate the expected 480MW of power?	overplanted by up to 1.3 times the export capacity (therefore up to approximately 620 MWp of installed capacity).
SSPC-30	Socio-Economics	Health Impacts	The health impact to residents is not being taken seriously and appears to be systematically marginalised. This should not be allowed to happen. Residents are going to have to live with the 'temporary' nature of this development for the entirety of their lives and generations beyond.	The Applicant seeks to assure the Interested Party that the only identified significant adverse effect on human health and wellbeing as a result of the Scheme is anticipated to be a short- to medium-term temporary moderate adverse effect during construction (see Table 18.15 and para. 18.7.62 of **6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]**). No other significant adverse effects to human health and wellbeing have been identified in the Environmental Statement, as summarised in Section 21.5 of **6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059].** Mitigation measures to ensure safety, human health and wellbeing are maintained throughout the Scheme's construction, operation, and decommissioning are secured through the control documents secured by Requirements 13, 14 and 21 in Schedule 2 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**.
SSPC-31	Agricultural land	Management of land	Please discount sheep and grazing as a method for grass management strategy. Clearly this cannot be a serious option since there are not	Grazing is viable in solar farms as demonstrated by existing solar farms being grazed by sheep. Please see BRE (2014) 'Agricultural Good Practice Guidance for Solar Farms.' Ed J Scurlock. A solar farm of this scale also

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			enough sheep, shepherds, transport, infrastructure or abattoirs. 000132. WB6.3.19.2 Outline soils and agriculture) APFP Regulation 5(2)(a) - see ref: 19.3.3 & 19.3.4 and Table 19.2 - 8.6 Operation – 8.6.2 – 8.6.4 and 8.7 Decommissioning - 8.7.3 The references to using sheep for grazing – again these references are littered throughout the many documents the applicant has submitted (too many references to note)! How many sheep does the applicant think reside in Lincolnshire (or the whole of the UK for that matter), since most solar pv site applications seem to rely on sheep as a grass management strategy and symbiotic agricultural use?	presents an opportunity to establish a new sheep grazing enterprise even if an existing enterprise is not already present in the vicinity.
SSPC-32	Agricultural land	Soils	APP WB 6.2.19 (soils and agriculture) APFP Regulation 5(2)(a) 19.8.2 states that ploughing is used every cycle of planting. This statement is untrue.	Ploughing (and use of other cultivators that invert soil) is routinely used annually on arable land in the UK to incorporate crop residue and lime, control weeds and prepare seed beds. There is currently a push towards greater adoption of direct drilling of seed without any prior cultivation. However, ploughing is still the default option for the majority of UK arable land and will remain

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				in occasional use on land where direct drilling is practiced, for instance to incorporate lime applications. As direct drilling is reliant on herbicide use for weed control, organic arable production will remain particularly dependant upon ploughing to both kill weeds and promote the germination of weed seed for destruction by a subsequent cultivator pass.
SSPC-33	Agricultural land	Use of land	APP WB 6.2.19 – 19.9.12 states there will be no loss of agricultural land – clearly you cannot farm arable underneath solar PV panels – therefore this statement is misleading. Storage of top soil: several parts of the three Soils and Agriculture documents (why is this not one document?) state, in various guises that stored top soil will be used to restore agricultural land. Clearly this will not ultimately be 'top soil' since the internal soil of any stockpile will be subject to degradation due to lack of sunlight and organic matter over a significant period of time. The applicant needs to address this issue. Top soil is a valuable and irreplaceable asset	There is no threshold of intensity of agricultural management that needs to be maintained for land to remain agricultural land. The agricultural land resource will not be lost to the temporary development and can continue in agricultural use, grazing sheep, throughout the operational phase. Section 3: General Principles of **6.3.19.2_A Environmental Statement - Appendix 19.2 Outline Soil Management Plan Revision A [EN010132/EX3/WB6.3.19.2_A]** recommends following the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings. This guidance document includes specifications for the dimensions and management of topsoil storage bunds to prevent degradation of the stored topsoil material.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-34	Waste	Soil Impacts	Waste: WB 6.2.20 Environmental Statement Chapter 20: Table 20.5 Waste arising from construction: The soil density calculation may not be appropriate for this particular area; estimated soil density of 1,250kg/m3 would be an underestimation; a figure of 1,800kg/m3 would be a more accurate representation for this particular region.	The Applicant has used an excavated soil density of 1,250kg/m3 based on average densities for soils and the basis that excavated waste is likely to be drier, and looser than when in situ.
SSPC-35	Agricultural land	Food Security	There is a fast-paced growing demand for year-round production of food. The Agritech to do this is rapidly evolving; if the land is industrialised this will not only put Lincolnshire and specifically West Lindsey at risk, but greatly impact UK food production. It will stifle scientific research and future food production applications.	The UK Food Security report published by Defra shows that the major risks to UK food security include climate change and soil degradation, but not land use change. The agricultural land resource is not lost to or degraded by a solar farm development. The impact on the agricultural land resource has therefore been assessed to be minimal in **6.2.19 Environmental Statement - Chapter 19 Soils and Agriculture [APP-057]**.
SSPC-36	Land ownership	Land ownership	There are references that the landowners whom are willing to lease their land also have additional land available to farm. EN010132-000432-WB6.3.19.1 Environmental Statement Appendix 19.1(7.1.1) How much of their	As per Paragraph 19.11.6 of **ES Chapter 19 [APP-057]** one of the landowners at West Burton is also owns land in the Cottam Application. The Applicant is aware that one of the land owners on the Scheme is also the land owner for the area proposed for the Luminous Energy Stow Park solar farm.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			additional land is also subject to leasing to other solar pv sites? How much of their additional land will actually be subject to agricultural activities?	Landowners who have entered into option agreements for the Scheme retain additional land for predominantly agricultural use. However, the future use of such land beyond Scheme has not been discussed with the Applicant, and so it is entirely at the discretion of the landowner how their land continues to be used or is used in future.
SSPC-37	Alternative Energy Sources	Biomass	Department for Energy, Security & Net Zero has recently (2023) published a report which states; "Biomass is already a key component of our energy supply, with bioenergy generating 11% of total electricity supply in 2022." The land earmarked for solar is already producing quite literal renewable energy. What impact will the reduction of product for biomass have on this industry and this strategy?	Section 7.6 of 7.11 Statement of Need [APP-320] and Table 7.1 of the same Statement set out an analysis of the energy yield per unit area of land for different technologies. The analysis concludes that "Solar technology can also produce significantly more energy per hectare than other electricity generation technologies, for example growing crops for energy" (Para 7.6.4). The Applicant therefore considers that developing the scheme will significantly increase the generation of low-carbon (renewable) energy from the land in question. Solar PV also has the advantage over the most common energy biomass crops (whole crop maize and sugar beet) of enabling a recovery of soil health. Land managed for maize and sugar beet is particularly vulnerable to soil erosion and structural degradation owing to the

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				prolonged period of bare soil and the late harvest in wetter conditions. Given the large domestic and international supply chain for UK electricity generation from biomass, the Applicant does not consider that making this land unavailable to produce energy crops will have a material effect on the UK's biomass industry or strategy.
SSPC-38	Landscape and Visual	Lighting	Lighting – in this rural area there is no background lighting pollution to make the use of 'white' light appropriate. The use of infrared lighting is muted in the assessments and this should be the primary option of lighting. Ideally, no lighting or the use of 'dark skies' lighting would be the preferred option if white light is to be used.	The Applicant refers to the response to question 1.8.11 in **8.1.21 The Applicant's Responses to Examiner's First Written Questions [EN010132/EX3/WB8.1.21]** where matters relating to lighting raised by the Examining Authority have been addressed.
SSPC-39	dDCO	Lifetime of the Scheme	There is no time limit specified in the dDCO for the use of the land for the project. Is this an oversight or an underhand way to extend the project beyond the 40-year limit which is alluded to in the ecological assessments? There is doubt this will ultimately be a 40-year project since the ISH on November 9. All documentation	In response to concerns raised by the Examining Authority and interested parties regarding the Scheme being in place in perpetuity, the Applicant amended Requirement 21 of Schedule 2 to the draft DCO submitted at Deadline 1 **[REP1-007]**to require the Scheme to be decommissioned after no more than 60 years from the date of final commissioning.

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			refers to 40 years not 60 years usage. When will the updated assessment documentation to account for an additional 20-year usage (along with replacement, disposal and construction) be available?	The Applicant undertook a review of the Environmental Statement and this is set out in **WB6.2.23_B ES Chapter 23 Summary of Significant Effects Revision B [EN010132/EX3/WB6.2.23_B]** which sets out what (if any) additional significant effects from the Scheme are anticipated on the basis that the operation lifetime is up to 60 years. The Applicant also provided a revised **6.2.23_B_ES Chapter 23_Summary of Significant Effects Revision B [EN010132/EX3/WB6.2.23_B]**.
SSPC-40	dDCO	Construction	The draft dDCO – page 69 and 70 Schedule 10, Article 22 refers to 'blasting and piling' why is blasting within the document? This would give the impression that rock will need to be removed; This has not been demonstrated as necessary.	Schedule 10, Article 22 of **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]** makes reference to land in which only new rights etc. may be acquired and restrictive covenants imposed. The rights seek to *"restrict and remove the erection of buildings or structures, restrict the altering of ground levels, restrict and remove the planting of trees or carrying out operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt or interfere with the exercise of the rights or damage the authorised development."* By this, it is meant that the DCO seeks to prevent third parties from carrying out any blasting and pilling which may interfere with or damage the authorised development. The Scheme does not require any blasting.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
SSPC-41	Highways	Construction route	Traffic is a major consideration. The A1500 is a major component of the routing for construction traffic along with B1241. B1241 is being used primarily for the access to 3, 4 and 5 and 116. The road is not wide and is subject to many bends	Environmental effects to and from transport and access impacts are assessed in **6.2.14 Environmental Statement - Chapter 14_Transport and Access [APP-052]**. The assessment concludes no significant residual effects during construction, operation and decommissioning of the Scheme.
SSPC-42	Site Visit	Location	We specifically ask for B1241 to be looked at during the unaccompanied site visit. In Particular the junction with A1500 and B1241 – Tillbridge Road/Saxilby Road, Sturton by Stow	The Applicant notes this comment.
SSPC-43	Highways	Access	The route specified in Figure 5.1 of App 14.2 for West Burton 1 shows the use of A15, A1500 and B1241. Please make particular note that the junction of A1500 and B1241 (Saxilby Road) is narrow. The New Plough Public House has been struck many times by vehicles turning into Saxilby Road from A1500 (Eastern) Tilllbridge Road. Particular care must be taken at this location. The footpath is extremely narrow and is used by pedestrians. Perhaps a	The Applicant has clarified the preferred access routes for HGVs and AILs for the Scheme below. Figure 5.1 of **6.3.14.2_B ES Appendix 14.2 Outline Construction Traffic Management Plan Revision B [EN010132/EX3/WB6.3.14.2_B]**–refers to access to West Burton 1 via A15, A1500, and Broxholme Lane. The B1241 is not used to access West Burton 1. Figures 5.2 and 5.4 **[EN010132/EX3/WB6.3.14.2_B]** confirm HGV access routes that use the B1241. Access to West Burton 2 at Access Points 3, 4, and 5, and Cable Route Access Points 116 and 117 is taken from the south

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			different routing could be sought? Please note that A1500 at Tillbridge bridge was subject to major flooding in October 2023. In November 2019 the road was closed due to flooding for several days. App 14.2 Traffic Management – Figure 5.3 Construction Route 3. Grid connections 114 & 115 to Cowdale Lane. The same comment as note immediately above applies to this routing. In addition, the crossroads with Bransby (junction of B1241 and Cowdale Lane) This has had significant accidents in the past, some of which will fall outside of your 5-year review data. This crossroads is on a 60mph road and visibility is poor. Traffic management will be needed at this point. The crossroads was recently (Oct 2023) impassable due to floodwater. Please note that the village of Sturton by Stow is bisected by this major road (A1500). The village is subject to 30mph. The centre is dominated by a staggered	via the A57 and B1241 through Saxilby. Only access to Cable Route Access Points 114 and 115 are routed from the A15, A1500, onto the B1241 in Sturton by Stow, and finally Cowdale Lane. Routing for abnormal indivisible loads is set out at para. 6.7 of outline CTMP Revision B **[EN010132/EX3/WB6.3.14.2_B]** and states that the preferred routes for abnormal loads to West Burton 2 is from the south by then A57 and B1241 through Saxilby, and to West Burton 3 directly from the A1500. Abnormal loads for Cable Access Points 114 and 115 have been assessed as capable of turning left from the A1500 onto the B1241 in Sturton by Stow, and will be done so under police escort/supervision to be determined by the local highway authority and police prior to the movement taking place (para. 6.14 **[EN010132/EX3/WB6.3.14.2_B]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			junction with B1241. Particular care must be taken when travelling through. In the traffic document; Chapter 14, Appendix 14.2 in respect of B1241 there are serious omissions. Abnormal routing for WB3 states A1500 to B1241. See comments above regarding this junction. There will be no option to widen any part of this junction. It is subject to buildings which obviously cannot be moved.	
SSPC-44	Hydrology	Flooding	There is scant regard for the issue of surface water flooding and what there is, is dismissive. October 2023 saw storm Babbet wreak havoc. Sturton by Stow parish saw significant and destructive flooding not only of land but included dwellings; This was worse in many respects than the flooding experienced in November 2019. The following roads (Sturton by Stow Parish) were at several points impassable;	The Scheme will not contribute to an exacerbation of flooding in the area. This is also the case for the other stated schemes. The embedded mitigation detailed in section 10.7 of **6.2.10 ES Chapter 10_Hydrology, Flood Risk and Drainage [APP-048]** will ensure there is no loss of flood storage as a result of the development and that the existing surface water run-off regime will be mimicked. The proposed drainage strategy is detailed within Section 5.0 of **6.3.10.1 ES Appendix 10.1 Flood Risk Assessment and Drainage Strategy Report [APP-089].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			• B1241 junction of High Street and Fleets Road • B1241 Saxilby Road and Cowdale Lane (Bransby crossroads) • Fleets Lane. • Thorpe Lane Land; • Till washlands along River Till • Fields adjacent to River Till – extensive flooding noted • Fields adjacent Saxilby Road/Cowdale Lane These locations are within or adjacent to Sturton by Stow. Significant flooding was observed along the entire length of River Till as well as field surface water flooding in the wider area.	Section 5.0 'Drainage Strategy' **[APP-089]** assesses that the panelled areas will not alter the existing surface water run-off regime and will therefore not be formally drained. Areas of increased hardstanding such as smaller areas of hardstanding formed as footings for electrical infrastructure will utilise SuDS principles and attempt to mimic the existing surface water run-off regime as existing. The substation and BESS area within the Scheme is considered within an area specific drainage strategy included within Section 3.0 of **6.3.10.5 Environmental Statement - Appendix 10.5 FRA DS West Burton 3 [APP-093].** The drainage strategy and detailed drainage design will be developed during the detailed design process. As secured by Requirement 11 in Schedule 2 of the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C** "No part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system for that part have been submitted to and approved by the relevant planning authority."
SSPC-45	Design Parameters	Rochdale Envelope	Use of the 'Rochdale Envelope' principal is significant in the illustrative application measures and plans, but	Use of the Rochdale Envelope is an approach recognised by PINS, as set out within Section 4.3 of **ES Chapter 4: Scheme Description [APP-042]**.The need for flexibility in

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			does not address surface water flooding adequately or appropriately. The principal of the Rochdale Envelope can be used to formulate a decommissioning strategy using this 'worst case' scenario? The current way of disposing of PV panels must be the baseline and is a known concept. There must be some form of decommissioning strategy embedded in order to facilitate the ongoing replacement of PV panels as they fail or reach the expected replacement point midway through the project and the ultimate total decommissioning of the site.	design, layout and technology is recognised in National Policy Statement EN-1 as elements of a development may not be finalised.
SSPC-46	Community Benefits		We would wish to see a significant investment prior to and during the construction phase as well as ongoing contributions during the lifetime of the project. We would expect no less than £8,000,000 (£8 million) as an initial funding donation and then regular significant payments annually. This figure is based on the amount of energy	The Applicant is committed to providing a Community Benefit Fund (see paragraph 4.8.1 of **7.5_A Planning Statement Revision A [EN010132/EX3/WB7.5_A].**This fund will be available for community-based benefits such as (but not limited to) community-led energy related projects.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			likely to be produced by West Burton solar and to be used for community benefit for those communities impacted by the West Burton solar project. IGP have compared their energy production to the now defunct West Burton power station in their leaflets. We have extrapolated the known production of Triton Knoll and their funding structure. There is precedence for community compensation set by other solar projects and windfarms such as Triton Knoll. We expect community restitution and compensation. Our residents will be subject to disruption during the construction phases as well as the ongoing maintenance visits and visual impacts for at least 40 years (or will this be 60 years?)	
SSPC-47	Lifetime of the Scheme	Decommissioning	Decommissioning is expected after a 40 (60?) year period; There is precedence for an ability to trigger decommissioning in Burbo Bank Offshore Wind Farm granted 9th July	Please see response to SSPC-28 and SSPC-39 above. The definition of "date of decommissioning" in the draft DCO (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**) is "*the date that that part of the authorised development has permanently ceased to*

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			2003 "Abatement of works abandoned or decayed 8.-(1) Where Work XX or any part of them are abandoned or allowed to fall into decay, the Secretary of State ma, following consultation with the undertaker, issue a written notice requiring the undertaker at its own expense to repair and restore or remove Work XX or any relevant part of them,..." There are further parts to this particular statement. There should be a mechanism whereby decommissioning can be enforced due to operational unforeseen circumstances. The prospect of 40 (60?) years operation should be able to be reduced or enforced.	*generate electricity on a commercial basis*". Requirement 21 of the draft DCO requires the Applicant to notify the relevant planning authority 12 months prior to the intended date of decommissioning and submit the decommissioning plan for approval no later than 10 weeks prior to the intended date of decommissioning. The decommissioning plan must be complied with. Failure to comply with a DCO requirement, or a plan secured by a DCO requirement, is an offence and compliance can be enforced under the Planning Act 2008. The Applicant therefore considers that the drafting is adequate to ensure decommissioning..

3 The Applicant's Responses to Other Statutory Consultees, International Agencies, Undertakers, Elected Representatives, Community Organisations and those whose interest would be affected by the Order

3.1 Canals and River Trust [REP1-080]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
CRT-01	Cable Route	Design	At the time we made our Relevant Representation not all of the Crossing Schedule document was available, and the Applicant to understand how the proposal will affect the Trust's dredging tip has since submitted Crossing Schedule Revision A (AS-001). We continue to work with the Applicant within Works package 5A. The Crossing Schedule suggests that the entry/exit pit for the Horizontal Directional Drill (HDD) will be located south of the dredging tip and the open cut method used as the cable route continues towards West Burton from the River Trent. The proximity of the works to the hedgerow (H146 on the Important Hedgerows Plan (WB2.9)) along the southern boundary of the dredging tip site and its L shape bund to the north side of this hedgerow will need to be included within the Crossing Schedule if the cable route or	The Applicant confirmed to the CRT via email on November 30th 2023 that the indicative cable route that the Crossing Schedule was based does not pass through hedges 146 and 147. Paragraph 4.5.44 of **6.2.4 Environmental Statement - Chapter 4 Scheme Description [APP-042]** details the design parameters for Horizontal Directional Drill (HDD) across the River Trent in relation to the laying of the Cable Route Corridor. Upon further engineering consideration since submission of the DCO application, the solution has been determined as follows. The directional drill will begin east of the river, and then continue westwards until it surfaces west of hedgerow H148 and the flood bund adjacent. This means that where the cable route passes through the dredging tip land east of H148, it will be completed as a horizontal directional drill and no open cut trenching will be required. Even if the final route is different to the indicative route, all within the land east of H148 would be directionally drilled. Thus H146 and 147 will be entirely retained with no impacts upon them.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			its associated ground works are to intersect with these Trust assets.	
CRT-02	Cable Route	Depth of Drilling	Whilst HDD methods are proposed, we can find no reference to the proposed depth of the drilling beneath the riverbed as was provided with the Cottam and Gate Burton projects. We would encourage the Applicant to maintain the same minimum and maximum drill depths beneath the River Trent as the other projects as parameter documents are drafted.	As explained within paragraph 4.5.44 **[APP-042]**, the maximum HDD depth of 25m below ground level has taken account of the water surface level being up to 6 metres below the river bank level; the surface water level being up to 5 metres deep to the silt level and the silt level likely being 1 metre deep before the river bed level. With the average depths for a HDD being 3m below the river bed level this leads to an assumed HHD at 15 meters below river bank level. The maximum HDD depth of 25 metres below ground level is considered to offer some flexibility to account for variation in depths. It has been agreed with the Canal and River Trust that the HDD will be a minimum of 5m below the river bed. The **7.13_B Concept Design Parameters and Principles [EN010132/EX3/WB7.13_B]** has been updated to include this requirement.
CRT-03	Protective Provisions and Land Agreement	Land rights for the dredging tip	The Trust is working with the Applicant on Protective Provisions for the Trust using those agreed with the Gate Burton and Cottam projects as the basis, whilst expanding them to cover specific matters relating to the dredging tip. We are also working with the Applicant to reach agreement for the land rights they require in respect of the dredging tip, but in case	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			sufficient progress is not made, the Trust would wish to appear at the Compulsory Acquisition Hearing in the week commencing 22nd January 2024. If an agreement has been reached, we would not need to attend unless the Examining Authority needs us to.	
CRT-04	Draft DCO	Legislation	The applicant seeks to disapply certain local legislation by way of article 6(1)(i) of the draft DCO. That legislation, which is listed in Schedule 3 of the draft DCO includes the Trent (Burton-upon-Trent and Humber) Navigation Act 1887 and Great Northern Railway (Doncaster to Gainsborough) Act 1864. The 1887 Act contains powers to dredge the River Trent at the location that the applicant proposes the grid connection cable will cross under the river. The 1864 Act contains protections for navigation of the river, relating to the railway crossing the river. The applicant agrees the principle that the West Burton project does not need to prevent dredging of the river and has no intention to preclude those powers. Similarly, the project does not need to	Article 6 of the draft DCO was amended as agreed with the Canal and River Trust in the version of the draft DCO submitted at Deadline 1 **[REP1-007]**.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			interfere with existing protections for navigation of the river. The applicant has confirmed to the Trust that it will amend the wording of article 6(1)(i) in the version of the draft DCO submitted at DL1 to read: the legislation listed in Schedule 3 (legislation to be disapplied) in so far as the provisions still in force are incompatible with the powers contained within this Order and do not impact on the operation or maintenance of the River Trent as a navigable river.	

3.2 Canal and River Trust [REP1-081]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
CRT-05	The Scheme	Cable Connection	The proposed route of the cable connection for the Project would have one interface/crossing (underground) with the River Trent, just south of Trent Port, Marton. The River Trent in this location is a tidal commercial waterway used by both large commercial vessels and for leisure purposes. As navigation authority, the Trust is responsible for navigational safety for this part of the river. The Trust is also the owner and operator of the dredging tips for the deposition of river dredgings to maintain the navigational safety of the River Trent. The southern bund and edge of the western dredging tip is located within Works Package 5A. This is a rural stretch of river with a mixture of open fields and mature hedgerows within the managed river flood plain. The river corridor is well used for leisure and recreation and the west riverbank carries the long-distance Trent Valley Way path.	The Applicant notes the CRT's role as the navigation authority for the River Trent. Paragraph 4.5.44 of **6.2.4 Environmental Statement - Chapter 4 Scheme Description [APP-042]** details the design parameters for Horizontal Directional Drill (HDD) across the River Trent in relation to the laying of the Cable Route Corridor. The Applicant is cognisant of the significance of the countryside for physical and mental wellbeing and as such, likely impacts on the desirability and use of recreational facilities in the countryside, such as public rights of way, have been assessed in Section 18.7 of **6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]**. The likely anticipated impacts on the recreational use of the River Trent during construction are short-term minor adverse (para. 18.7.64) and during operation are long-term minor adverse (para. 18.7.111). The greatest effect to the Trent Valley Way is anticipated to be a short- to medium-term temporary moderate adverse during construction (see Table 18.15 and para. 18.7.62). This effect is therefore **significant adverse**. The Trent Valley Path is not however anticipated to experience any significant long-term effects during

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				Scheme operation (para. 18.7.109), or during the Scheme's decommissioning (Table 18.29). The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).
CRT-06	Cumulative Development	Interrelationship with other applications for solar NSIPs	We welcome a joint working approach with all four solar schemes (Gate Burton, Cottam, West Burton and Tillbridge) to ensure efficiency in the consenting process and to limit the potential for short and long term economic, environmental, and social impacts on the navigation and its users.	The Applicant notes this comment.
CRT-07	Draft DCO	Disapplication of legislation	There are a number of provisions within the draft DCO which would impact the Trust as navigation authority for the River Trent. The draft DCO was not shared with the Trust as part of a pre-application consultation. On first review, we have concerns with article 16 (discharge of water); article 19 (authority to survey and investigate land); article 20 (compulsory acquisition of land); article 22 (compulsory	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			acquisition of rights), article 25 (acquisition of subsoil); article 30 (temporary use of land); article 31 (statutory undertakers). We have not yet ascertained whether the disapplication of legislation proposed by article 6 and schedule 3 impacts the Trust's responsibilities welcome further explanation from the applicant about the legislation to be disapplied, particularly whether and, if so, how it impacts the Trust.	
CRT-08	Draft DCO	Protective provisions	The draft DCO does not contain any specific protective provisions for the Trust. The Trust notes that other statutory undertakers have been afforded protective provisions within schedule 16. Following the acceptance of the Application for examination, we have asked the applicant if they would be willing to include protective provisions for the Trust. To aid the examination we have prepared a set of protective provisions which would resolve and satisfy our principal	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			concerns. The protective provisions have been adapted from the Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 (made 7 December 2022). A copy of these is appended to this letter. The Trust reserves the ability to add to and amend the draft protective provisions as part of the examination process.	
CRT-09	Draft DCO	Code of Practice	As with other nationally significant infrastructure projects (NSIPs) that include works that interface with the Trust's network, any parts of the Project with the potential to affect the River Trent should be carried out in accordance with the Canal & River Trust Third-Party Works Code of Practice (CoP). DCOs for these NSIPs have included an express obligation obliging the applicant to have regard to the CoP in the detailed survey, design, construction, and approval of the relevant works. The protective provisions enclosed with this	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			representation contain appropriate wording. The Trust's CoP s designed to safeguard all users of the navigation and to deal with the nuances of developing adjacent to a commercial waterway with an ever-changing tidal riverbed. The extent of potential impacts from development adjacent to, or under, navigational waters could reach far beyond the crossing point proposed. Ensuring that development is appropriately located and controlled on land adjacent to network is crucial to limit the potential for risk to users of the river and the associated economic, environmental, and social consequences.	
CRT-10	Draft DCO	Code of Practice	Through the CoP, developers engage with the Trust's engineers who are specialists in navigational safety, the protection and safeguarding of the riverbed and the ecology of the waterway. It is essential that the proposals incorporate appropriate	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			measures to protect the users of the river before, during and after construction for all temporary and permanent works affecting the waterway, including surveying and sampling within the waterway. Engaging with the Trust's engineers ensures the appropriate measures are taken.	
CRT-11	Draft DCO	Code of Practice	The protective provisions and use of the CoP will deal with the Trust's concerns which relate to: • Horizontal Directional Drilling and surveys • Protection of the Trust's dredging tip • Discharge of water into, and prevention of siltation etc. of, the river • Noise & Vibration • Ecology & Biodiversity in the river • Lighting during construction	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/ EX3/WB3.1_C]**).

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			• Landscape & Visual Impact • Use of River Trent for Works Traffic	
CRT-12	Horizontal Directional Drilling	Depth of drilling	Whilst HDD methods are proposed, we can find no reference to the proposed depth of the drilling beneath the riverbed. Survey would therefore appear a necessary precaution to establish the geological substrate and depth of riverbed silt in order to calculate an appropriate depth for HDD beneath the tidal waters of the River Trent to prevent sediment mobilisation. This would inform the design process and prevent the mobilisation of silt from the riverbed which would have potentially detrimental impacts on the navigational safety of the River Trent and its ecology. We look forward to ensuring that all survey work of the River Trent, including ground investigations carried out with full consideration for navigational safety within this commercial waterway and reviewing the technical drawings of the	Please see the response to CRT-02 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			project in relation to the riverbed. The dredging tip site should also be fully surveyed and protected as an operational asset. We propose that this would be in accordance with the mechanisms contained in the protective provisions. Similarly, we look forward to working with the applicant in relation to the launch and reception areas for the river crossing, ensuring appropriate measures are put in place to protect and safeguard our assets, particularly in relation to the dredging tip and its bund. The dredging tip is the subject of an environmental permit, and the Trust will need to be satisfied that the proposed works would not cause any of the conditions of that permit to be breached.	
CRT-13	The Scheme	Other impacts	The Trust welcomes the measures in the Outline Construction Environmental Management Plan and the Outline Ecological Protection and Mitigation Strategy that:	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			• Seek to prevent silt and contaminants entering watercourses; • Propose noise monitoring; • Propose careful siting of drilling entry and exit pits, suitable depth control and visual monitoring to minimise the potential for the release of sediment during drilling; • Set out measures to minimise the need for lighting.	
CRT-14	The Scheme	Use of river for works traffic	Should the applicant propose to use the waterway for commercial use, the Trust would wish to have oversight of this and anticipates this would be done through protective provisions.	The protective provisions have now been agreed with the Canal and River Trust and included in the draft DCO submitted at Deadline 3 (**Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**).

3.3 Environment Agency [REP1A-006]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
EA-01	General	SoCG	The points raised in our letter of 05 June are currently being considered by means of a Statement of Common Ground initially drafted by Delta-Simons and Clarkson and Woods Ltd on behalf of the applicant. This was received by us on 11 October 2023. We responded to this on 30 October 2023 with some initial comments and discussions are still ongoing at the time of writing this letter. 2.2 We wish to maintain all the points in the letter of 05 June unless resolved by means of the Statement of Common Ground or referred to in this written representation submission. 2.3 These written representations therefore give an update on matters that have progressed since our letter of 05 June 2023 or any new matters that have come to light which we consider you need to be made aware of	The Applicant notes these comments.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
EA-02	Other Environmental Matters (EMF)	Electromagnetic Fields / Ecology	Since sending our letter of 05 June 2023, there have been ongoing discussions about the impact of Electro Magnetic Fields (EMFs) on marine life in connection with the Examination of another solar farm proposal at Gate Burton (Your reference EN010132). In connection with the Gate Burton development, a technical note has been prepared in response to the Examining Authority's Third Written Questions (ExQ3), specifically Q3.3.1 and, also, in response to a request from the Environment Agency which was submitted at Deadline 4 [REP4-063]. This is relevant to the West Burton solar project because, together with the Gate Burton proposal and others at Cottam and Tillbridge, there will be the installation of 400kV cables within the same location underneath the River Trent as part of a shared grid connection corridor. We have asked that this matter is looked into because	A Risk Assessment of the potential impacts of EMF on fish associated with the cable route crossing of the River Trent has been undertaken and has been submitted at Deadline 3. Please see Appendix 1 to this document (**Applicant's Responses to Written Representations Part 1 [EN010132/EX3/WB8.1.17]).** Furthermore, discussions are ongoing between the Applicant and the EA on this point. The Applicant confirms that this topic will be included in the next iteration of the SoCG with the Environment Agency.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			the cables will generate EMFs and it needs to be examined whether there is the potential for adverse impacts on fish within the River Trent during the operational phase of all of these schemes. Discussions on this topic are now taking place in connection with the Statement of Common Ground for the West Burton project and we wish to highlight it as a potential concern if the situation on this matter cannot be resolved through the process of agreeing that document.	
EA-03	Hydrology, Flood Risk and Drainage Ecology and Biodiversity	Water Quality	Further to comments made in paragraphs 3.4 and 3.9 of our letter dated 05 June 2023, we wish to comment further that we would expect to see evidence that the applicants have looked at the catchment in terms of farming and likely fertiliser input rates into the system (i.e. is it arable/pasture, what crops are grown). Then they can assess what they are removing out of the catchment into a	The Applicant note this comment. Current fertiliser input rates have been gathered from the existing land users and this will be provided to the Environment Agency through the SoCG discussions.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			value so that they can say they are removing x% or tonnes from the system. The applicants have been made aware of this and are currently looking into it. The aim is that the discussions will be resolved via the Statement of Common Ground. However, in the event that they are not, we wish to maintain this additional comment	
EA-04	Hydrology, Flood Risk and Drainage	Floodplain	The only additional comment we wish to make on this topic relates to paragraph 4.9 of our response of 05 June 2023. In this, we commented that there will need to be consideration and calculation of the cumulative loss of floodplain volume from the posts supporting the photovoltaic panels and we queried whether this loss needs to be reasonably compensated for as part of the proposals. In response to this, the applicant's consultant has advised that, of the three areas to be covered by the	The Applicant notes this comment and will ensure the SoCG is updated accordingly.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			proposal the proposal, WB2 and WB3 are the ones that require volumetric calculations for the piles given that they cross a flood extent. Their calculations in relation to this were: • WB2 catchment for the fixed panels has a minute volume displacement of 0.00034mm for the 1 in 100-year flood event and for the tracker a similar 0.000082mm volume displacement. • Similarly, the WB3 catchment for the fixed panels has a small volume displacement of 0.061mm for the 1 in 100-year flood event and for the tracker a similar 0.011mm volume displacement. We have considered this information and agree that the volumes calculated are insignificant in comparison to the size of the floodplain. We have therefore advised we are happy for this point to be moved to the agreed section of the Statement of Common Ground.	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
EA-05	Grond Conditions and Contamination	General	We have no points to add to those in our letter of 05 June 2023 on these topics.	The Applicant notes this comment.
EA-06	dDCO	Requirements	Our comments remain the same as in our letter of 05 June 2023.	Please refer to the Applicant's response to this matter under EA-32 and EA-33 in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050].**
EA-07	dDCO	Protective Provisions	Based on legal advice, I wish to emphasise the following two points: In relation to article 6 of the draft DCO, we do not agree to disapply the requirement for licences under sections 24 and 25 of the Water Resources Act 1991 (water abstraction and impounding). We do not agree to disapply the requirement for a flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016 until the protective provisions are agreed. The protective provisions drafted into Part 9 of Schedule 16 of the draft DCO are not agreed and we note that there are variations to our standard protective	Discussions are ongoing with the EA regarding the disapplication of the Environmental Permitting (England and Wales) Regulations 2016 and the drafting of the protective provisions for the benefit of the EA as stated within the **8.3.5 Environment Agency Statement of Common Ground (Draft) [REP1-065].** The Applicant considers that it would be appropriate to disapply the requirement for a flood risk activity permit for works within 8m of non-tidal main rivers and 16m of tidal rivers subject to agreement on the wording of protective provisions for the Environment Agency.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			provisions which we need to consider with the applicant. The variations are not substantial, and we believe that we will be able to reach agreement with the applicant during the examination period.	

3.4 Natural England [REP1A-007]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
NE-01	Ecology and Biodiversity	Internationally Designated Sites	Natural England's overall position regarding internationally designated sites has not changed since submission of our Relevant Representations (RR-233). Our position regarding impacts to internationally designated sites is as set out in our Relevant Representation (RR-233). This is also summarised within our Written Representation Part III. It should be noted that paragraph 4.1.1 of the applicant's iHRA states: '*According to the Conservation of Habitats and Species Regulations 2017 (as amended), the network of national sites receiving protection under this legislation is limited to SACs and SPAs. Notably, Ramsar wetland sites are no longer considered part of this network although in effect receive protection through their overlap with SACs and SPAs.*' Natural England have discussed this with the applicant, as it is also government policy that Ramsar sites, potential SPAs, possible SACs and sites used to compensate for adverse effects on European Sites are considered in the HRA process. This is described in paragraph 181 of the National Planning Policy Framework: '*181. The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites; and c) sites identified, or required, as compensatory*	The Applicant notes this comment. This issue has been discussed by the Applicant and Natural England and it is considered common ground that the iHRA provides sufficient detail to conclude that there would be no likely significant effects on the Ramsar site. The **WB7.18_A - Information to Support a Habitat Regulations Assessment (the 'ISHRA') [EN010132/EX3/WB7.18_A]** has been updated to include an assessment of the potential for significant effects on Ramsar Sites within the zone of influence of the project as is specified within Paragraph 187 of the NPPF.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.' The overlap between the SAC/SPA designations and Ramsar designation is noted, both geographically and with regard to the designated features. However, this should not warrant the omission of consideration of the Ramsar designation in it's own right. All but one of the Ramsar site's features are also features of the SAC/SPA. Natterjack Toad are a feature of the Ramsar site only. Due to the physical separation of the site from the proposed development, and the limited range of the Natterjack Toad, Natural England do consider that impacts on this feature are unlikely, however, this should be noted within the application documents for completeness.	
NE-02	Ecology and Biodiversity	Nationally Designated Sites	Natural England's position regarding nationally designated sites has not changed since submission of our Relevant Representations (RR-233). Our position regarding impacts on nationally designated sites is as set out in our Relevant Representation (RR-233). This is also summarised within our Written Representation Part III.	Natural England's Relevant Representation **[RR-233]** confirms that **"***Due to the physical and Hydrological separation of these SSSIs from the order limits, we consider impacts to be unlikely".* The Applicant notes this comment.
NE-03	Ecology and Biodiversity	Protected Species	Natural England's position regarding European protected species has changed since submission of our Relevant Representations (RR-233). Our updated advice, as set out	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			below, is based on our engagement with the applicant regarding the Statement of Common Ground. The wording of section ECO-09 of the SoCG is not yet completed, however, given the absence of any identified need for a licence at this stage, Natural England consider the applicant has taken the necessary steps to reduce the likelihood of Protected Species Licencing becoming an impediment to the implementation of the DCO. As such, we have re-categorised this subject to GREEN.	
NE-04	Ecology and Biodiversity	Biodiversity Net Gain	Natural England's position regarding provision of biodiversity net gain has not changed since submission of our Relevant Representations (RR-233). Our position regarding biodiversity net gain provision is as set out in our Relevant Representation (RR233). This is also summarised within our Written Representations Part III. Whilst the Biodiversity Net Gain plans are welcomed, Natural England consider the Biodiversity Net Gain requirement (Requirement 9) could be strengthened to specify a minimum of 10% biodiversity net gain, in the event that post-consent design alterations impact the Biodiversity Metric calculations.	Requirement 9 of Schedule 2 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C** requires a BNG strategy to be submitted for approval and it must be in accordance with the habitat creation and management prescriptions contained within the Outline LEMP [REP1-042]. The Applicant considers that the benefits of the measures set out in the Outline LEMP can therefore be taken into account when considering the potential benefits of the Scheme. However, as the detailed design of the Scheme has not yet been confirmed, and there is the potential for the metric to

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
				change prior to the commencement of the authorised development, the Applicant has not included a commitment to delivering specific percentages for habitat, hedgerow or river units in the draft DCO.
NE-05	Ecology and Biodiversity	Nationally Designated Landscapes	Natural England's position regarding nationally designated landscapes has not changed since submission of our Relevant Representations (RR-233). Our position regarding nationally designated landscapes is as set out in our Relevant Representation (RR-233). This is also summarised within our Written Representation Part III.	The Applicant's response to this matter can be found in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050]** under NE-07.
NE-06	Ecology and Biodiversity	Soils and Best and Most Versatile Agricultural Land	Natural England's overall position regarding soils and the best and most versatile agricultural land has not changed since submission of our Relevant Representations (RR-233), although progress has been made with regard to the issues raised in those representations. Our updated advice, as set out below, is based on discussions held with the applicant regarding the Statement of Common Ground. Where matters previously raised in Natural England's relevant representations are not further discussed here, it can be	The Applicant notes this comment. With regard to a breakdown of ALC grade areas by elements of the Scheme, the dimensions of many of these elements can below the resolution of a detailed ALC assessment where sample points are placed on a 100m grid. For instance, existing farm tracks are frequently not mapped as Non Agricultural Land by an ALC assessment. The overwhelming extent of the agricultural land (including

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			considered that Natural England have no further comments or concerns. The omission of assessment of the impact of all elements of the development on soils and Best & Most Versatile land – GREEN Within the latest version of the SoCG received by Natural England, the applicant states: '*The Applicant's position is that the effect of the Scheme on agricultural land resource across each of the components referred to by NE is the same.* *There will be no permanent loss or sterilisation of agricultural land to substation and BESS structures, as noted in paragraph 19.9.3 of the ES [APP-057].* *All elements of the development, including tracks, substation and BESS, will be decommissioned with the land restored to its current extent and ALC grade using soil material stored within the Site. Defra R&D project LE0206, Evaluation of Mineral Sites Restored to Agriculture (https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=3621) demonstrates that the more challenging restoration of landfill sites is routinely achieved without loss of ALC grade.* *Biodiversity opportunity areas will not entail any loss of, or degradation to, the agricultural land resource, best and most versatile land or otherwise. As noted in Paragraph 19.6.5 of the ES [APP-057] ALC assessment is deliberately limited to features of*	the BMV land) within the Sites will be occupied by a land use (mounting of temporary solar panels) that will have no adverse effect on agricultural land resource. The information presented in the ES is appropriate for the assessment of potential effects of the proposed development on Soils and Agriculture.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			the land and soil that are beyond the practical influence of land management.' Natural England note the justification provided. Where commitment is made for restoration of the site to the same ALC grade, and an appropriate Soil Management Plan is implemented, would raise have no further concern. However, presentation of the ALC grades across the site, and clear representation of the amount of land (including BMV) which will not be affected for the lifetime of the development, would be beneficial to inform the Planning Inspectorate's assessment of the overall impact of the development. However, it is acknowledged that the ALC survey itself is satisfactory; as such Natural England do not raise the representation of the data as a major concern, but an additional recommendation. Hence this matter has been reclassified to GREEN	
NE-07	Ecology and Biodiversity	Soil Management Plan	Natural England made a number of comments regarding the oSMP in our relevant representations. Aside from the restoration of the site following decommissioning, all of these have been addressed by the applicant through the statement of common ground. Each matter raised in our relevant representations is set out below (in bold) along with our additional advice and a Red/Ember/Green classification for each point:	The Applicant notes this comment. **6.3.19.2_A Environmental Statement - Appendix 19.2 Outline Soil Management Plan Revision A [EN010132/EX3/WB6.3.19.2_A]** has been updated to incorporate comments agreed with NE in the SoCG.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			1- The proposed requirements in oSMP section 8 should make reference to the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. The British Society of Soil Science has published the Guidance Note Benefitting from Soil Management in Development and Construction which sets out measures for the protection of soils within the planning system and the development of individual sites, which we also recommend is followed. GREEN The applicant has stated within their SoCG (SOI-04) that the oSMP is to be updated to include reference to this guidance. In addition, the applicant has also proposed to use the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings (2021), which is welcomed. 2- oSMP section 4.1.1 sets out the requirement for soil sampling along the cable route. As discussed previously, soil sampling along the cable route should be made a requirement of the DCO, to ensure operations and restoration are correctly informed and the cable route is restored to it's current ALC grade. AMBER Section 4.1.1 of the oSMP specifies the requirement for further soil survey along the cable route. Natural England advise that this should also be updated to specify that the cable route will be restored to its current ALC grade post-construction. This is necessary in order to conclude that the	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			project will not cause any permanent loss of Best and Most Versatile land. 3- oSMP section 7.1.2 states 'A map of topsoil units will be prepared as a requirement of the SMP and retained to ensure topsoil units are restored to their original location', which is welcomed. The stockpiled soils should be labelled and protected from trafficking and damage. Any soil stockpiles in place for more than 6 months need to be seeded. GREEN The applicant has stated within the SoCG (SOI-04) that: 'Soils stored in bunds will be labelled and recorded. Soil bunds retained through the operational phase of the development will be seeded. 7.16 Outline Soil Management Plan [APP-138 / APP-325] will be updated to include this for Deadline 1.' Natural England welcome this and have no further concern.	
NE-08	Ecology and Biodiversity	Soil Management Plan	4- The restoration criteria need to be set out in the detailed SMP, including the restored ALC grade for all land within the Order Limits. This could be set out similarly to the proposals for mapping stored soils in section 7.1.2. AMBER 5- Section 8.7 of the oSMP sets out the details of the decommissioning requirements, however, Natural England consider that specific requirement for restoration of arable land to its former ALC grade, should be secured through the SMP. This would comprise an example of implementing good	Noted **6.3.19.2_A Environmental Statement - Appendix 19.2 Outline Soil Management Plan Revision A [EN010132/EX3/WB6.3.19.2_A]** has been updated to incorporate comments agreed with NE in the SoCG

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			practice to assure restoration of the land to the baseline ALC grade, minimising the potential loss of soil functions. AMBER Comments on points 4 & 5 above: The applicant has stated within the SoCG (SOI-04): '*The oSMP [APP-138 / APP-325] will include the requirement for the appointment of a suitably qualified soil scientist who will assess disturbed and undisturbed land within the Sites for any degradation of the baseline ALC Grade and soil functionality. It should be noted that ALC assessment assumes a good standard of land management even if this is not apparent at a site. Remediation of any soil degradation will not be limited to only that needed to maintain the ALC Grade baseline. The oSMP will be updated to include this for Deadline 1.*' Natural England welcome this clarification and the appointment of a soil scientist to identify any degradation of the baseline ALC grade and soil functionality. Whilst it is acknowledged that the oSMP will be updated to reflect this, Natural England consider that a specific requirement for the restoration of the order limits to the same ALC grade would not inhibit this and is necessary in order to conclude that the project will not cause any permanent loss of Best and Most Versatile land.	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Through discussions regarding the SoCG, the applicant has agreed to this, however, the wording of any update has not yet been finalised. Section 8.7.4 notes that where problematic areas are identified by a soil scientist, these will be remediated prior to their return to arable production. To ensure restoration has been effective, Natural England would also recommend that post-restoration sampling/soil pits are excavated to confirm success. It is acknowledged that the current 1988 ALC methodology may no longer be relevant when the site is restored. If the 1988 ALC methodology is superseded, its replacement should be adopted to inform the restoration of land to its current ALC grade. Natural England will continue to work with the applicant to ensure the above updates are incorporated appropriately	
NE-08	Ecology and Biodiversity	Soil Management Plan	6. Areas of the site which are not to be stripped or used for stockpiling, haul routes or compounds must be clearly marked by signs and barrier tape and protected from trafficking and construction. GREEN 7- The Scope of the oSMP should also be expanded to include the soil management of the soil which has remained in situ. Although there is no soil movement proposed in these areas, soil trafficking will occur during decommissioning and	Noted **6.3.19.2_A Environmental Statement - Appendix 19.2 Outline Soil Management Plan Revision A [EN010132/EX3/WB6.3.19.2_A]** includes outline guidance on minimising the trafficking of construction vehicles and plant over in situ soils that are outside of

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			therefore mitigation measures need to be in place to minimise the potential impact on the soil resource, most notably soil compaction, which can have a major detrimental impact on the soil structure. This needs to be checked and monitored via aftercare. GREEN Comments on points 6 & 7 above: The Applicant has stated within the SoCG (SOI-04): '*The SMP will include measures to control traffic within the Sites (to be carried through into the CEMP and CTMP), avoiding any unnecessary movements off the temporary track network and further restricting any vehicle access off the tracks until the soil has dried to below the plastic limit. This traffic control does include identification of Biodiversity opportunity areas, avoiding any vehicle traffic over such areas that is not directly related to the establishment and maintenance of these areas.*' This is welcomed; however, we recommend that this should be referenced within the oSMP for clarity.	demarcated working areas. In addition guidance is given on the suspension of all trafficking over soils after rainfall until it is established that the soil material is sufficiently dry to be below the soil plastic limit.
NE-09	Ecology and Biodiversity	Time Limited Consent	Natural England welcome the amendment made to the draft DCO requirement 21, to implement a 60 year time limit on the consent. The wording of this requirement appears to be incorrect, as it states that: *'The date of decommissioning must be no later than 60 years following the date of final decommissioning'*	The **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C** submitted at Deadline 2 was corrected to refer to the date of *'final commissioning'*.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			It is assumed this should be 60 years following the date of final commissioning. Natural England's comments on the wording of this requirement are also noted in our Written Representations Part II below.	
NE-10	Ecology and Biodiversity	Soils and Best and Most Versatile land	In addition to that provided above, additional advice has been provided in relation to other large solar projects in the East Midlands. Natural England feel that it would be beneficial to share this with the applicant. - The detailed ALC Survey data should be used wherever possible to inform restoration practises, i.e., to ensure the soil is restored to the same depth and profile described during the ALC survey. - The proposals do not currently include any monitoring of soil health or land quality during the operational phase. Issues with soil protection may occur where, for example, vegetation cover fails to establish, or areas of bare ground appear during operation. Natural England would recommend ongoing monitoring to prevent any unexpected impacts to soil health and/or land quality. It is noted that vegetation management will be secured via the oLEMP, however this should be cross-referenced within the oSMP to ensure the role of this in protecting soil is apparent during the operational period.	Paragraph 7.1.2 of **6.3.19.2_A Environmental Statement - Appendix 19.2 Outline Soil Management Plan Revision A [EN010132/EX3/WB6.3.19.2_A]** includes an intention to restore soil profiles to their existing baseline. The Plan is secured by Requirement 19 to Schedule 2 of the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C].** Although the long term effects of solar panels above grassland on soil health is currently unknown, the significant beneficial effects (including upon soil health) of arable reversion to grassland are well understood. Any detectable effect of the presence of solar panels is predicted to be marginal when considered alongside the beneficial effects of the extended fallow period.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			- Although arable reversion to grassland has been shown to benefit soil quality (through increased Soil Organic Matter (SOM)), it is unclear what impact solar arrays will have on soil properties such as carbon storage, structure and biodiversity. For example, as a result of changes in shading; temperature changes; preferential flow pathways; micro-climate; and vegetation growth caused by the panels. Therefore, it is currently unknown what the overall impact of a temporary Solar development will be on soil health. In the absence of this information, we suggest that the developer could commit to a programme of soil health monitoring for the lifetime of the project to support development of the evidence base around long-term impacts to soil health from solar.	This is as there is no apparent effect attributable to solar panels observed so far in UK solar farms, and no plausible mechanism for the presence of solar panels to negate the soil health benefits of reverting arable land to pasture.
NE-11	Ecology and Biodiversity	Ancient woodland and ancient/veteran trees	Natural England's position regarding ancient woodland and ancient/veteran trees has not changed since submission of our Relevant Representations (RR-233). Our position regarding ancient woodland and ancient/veteran trees is as set out in our Relevant Representation (RR-233). This is also summarised within our Written Representation Part III.	Please refer to the Applicant's response to this matter under NE-20 in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050].**
NE-12	Site Description Transport and Access	Connecting People with Nature	Natural England's position regarding access has not changed since submission of our Relevant Representations (RR-233). Our position regarding access is as set out in our Relevant	Please refer to the Applicant's response to this matter under NE-21 in **8.1.2 The Applicant's Responses to Relevant Representations [REP1-050].**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
	Socio-economics, Tourism and Recreation		Representation (RR-233). This is also summarised within our Written Representation Part III.	
NE-13	General Conclusions		Natural England's only remaining concerns are regarding soils and Best and Most Versatile land, of which we are in dialogue with the applicant to work to resolve. The remainder of the issues regarding the natural environment within our remit have been resolved through the Statement of Common Ground. Natural England will continue to work with the applicant, including engaging our soil specialists to ensure the new information provided is considered appropriately, and any changes in our advice will be captured within the Statement of Common Ground	The Applicant notes this comment and will continue to work with Natural England.
NE-14	Principle of Development (DCO) Landscape and Visual Impact Ecology and Biodiversity	Draft DCO	"Requirement 7 – Landscape and Ecological Management Plan: Natural England welcomes the inclusion of a requirement for the LEMP"	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
NE-15	Principle of Development (DCO) Ecology and Biodiversity	Draft DCO	"Requirement 8 – Ecological Protection and Mitigation Strategy: Natural England welcomes the inclusion of a requirement for the EPMS"	The Applicant notes this comment.
NE-16	Principle of Development (DCO) Ecology and Biodiversity	Draft DCO	"Requirement 9 – Biodiversity Net Gain: Natural England welcome the inclusion of a requirement for a Biodiversity Net Gain strategy to be produced. Although we note the significant calculated gains for biodiversity within the Biodiversity Net Gain Report, we recommend that this requirement could make it a necessity for a minimum of 10% Net Gains in habitat, hedgerow and river units to be delivered.	Please see the response to NE-04 above.
NE-17	Principle of Development (DCO)	Draft DCO	"Requirement 13 – Construction Environment Management Plan: Natural England welcomes the inclusion of a requirement for the CEMP"	The Applicant notes this comment.
NE-18	Principle of Development (DCO)	Draft DCO	"Requirement 14 – Operational Environment Management Plan: Natural England welcome the inclusion of a requirement for the OEMP."	The Applicant notes this comment.
NE-19	Principle of Development (DCO)	Draft DCO	"Requirement 17 - Permissive Paths: Natural England welcome the specific requirement for the proposed permissive footpath; timing of it's opening"	The Applicant notes this comment.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
NE-20	Principle of Development (DCO)	Draft DCO	"Requirement 18 – Public Rights of Way: Natural England welcome the requirement for a Public Rights of Way Management plan to retain access throughout all development phases."	The Applicant notes this comment.
NE-21	Principle of Development (DCO) Soils and Agriculture	Draft DCO	Requirement 19 – Soils Management: Natural England welcome the inclusion of a 60-year time limit within requirement 21. However, the wording of this requirement required amendment to state 'The date of decommissioning must be no later than 60 years following the date of final commissioning.'	The **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C** has been updated to reflect the 60 year time limit,. Requirement 21(1) sets out: *'The date of decommissioning must be no later than 60 years following the date of final commissioning'.*
NE-22	Principle of Development (DCO)	Draft DCO	"Requirement 21 – Decommissioning and Restoration: Natural England welcome the requirement for a decommissioning plan. As noted within our above comments on Soils and best and most versatile agricultural land, we consider the implementation of a time limit within the DCO would reduce the potential long-term impact on agricultural land and BMV land."	The Applicant notes this comment.

3.5 Cadent Gas [REP1A-027]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
CG-01	dDCO	Protective Provisions	INCLUSION OF DEFINITIONS RELATED TO ACCEPTABLE INSURANCE AND SECURITY AND TEXT TO BE INCLUDED IN PARAGRAPH 72(5) AND (6) Provision needs to be included within the dDCO that the works in the vicinity of Cadent's apparatus are not commenced unless: (1) there is third party liability insurance effected and maintained for the construction period of the relevant works; and (2) the person or body undertaking the works (acknowledging the ability to transfer the benefit of the DCO) has the appropriate net worth at the time of commencing works to enable it to meet any liability arising from damage to Cadent's apparatus or that there is appropriate security in place through a bond or guarantee. Cadent derives no benefit from the Project and needs to ensure that it is not be exposed to any costs or losses as a result of the Project. Money spent and costs incurred by Cadent is ultimately passed on to consumers in their energy bills. This is not	Protective Provisions are being discussed with Cadent Gas and further amendments to address the concerns raised have been included in Part 6 of Schedule 16 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]**. Discussions are ongoing in respect of the associated side agreement and the Applicant is confident that agreement will be reached prior to the close of the Examination.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			appropriate in respect of losses caused by a third party and Cadent requires, therefore, the comfort that works near its apparatus are the subject of appropriate insurance and security.	
CG-02	dDCO	Protective Provisions	DEFINITION OF APPARATUS AND CADENT'S UNDERTAKING The definition of apparatus and references to gas supply need to capture a broader spectrum of apparatus as Cadent becomes responsible for delivering low carbon hydrogen pipelines.	Please see the response to CG-01 above.
CG-03	dDCO	Protective Provisions	DEFINITION OF "SPECIFIED WORKS" AND PARAGRAPH 69 A new limb needs to be added to reflect Cadent guidance CD/SP/SSW/22 "Cadent's policies for safe working in the vicinity of Cadent's apparatus". The importance of these industry standards is explained above.	Please see the response to CG-01 above.
CG-04	dDCO	Protective Provisions	ON STREET APPARATUS (PARAGRAPH 63) This needs to align with Cadent's template protective provisions. Importantly a new	Please see the response to CG-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			sub-paragraph (3) needs to be added. The Applicant is not a major transport provider and so does not ordinarily benefit from the cost sharing provisions.	
CG-05	dDCO	Protective Provisions	ACQUISITION OF LAND (PARAGRAPH 67) Due to Cadent's statutory functions and the importance of its apparatus, regardless of any provision in this Order or anything shown on the land plans or contained in the book of reference to the Order, the Applicant should not be allowed to acquire any land interest or appropriate, acquire, extinguish, interfere with or override any easement, other interest or right and/or apparatus of Cadent otherwise than by agreement. Paragraph 67(1) needs to be expanded to capture the underlined wording. Cadent will naturally work with the Applicant and where alternative apparatus is provided	Please see the response to CG-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			together with the necessary rights the protective provisions ensure that existing apparatus can be removed/decommissioned and/or diverted (as appropriate) and the rights of Cadent in respect of existing apparatus extinguished. The current drafting needs to include provisions to deal with where decommissioned apparatus is left in situ (which is emerging as environmental best practice for decommissioning gas pipelines). The undertaker needs to accept a surrender of any existing easement and/or other interest of Cadent in such decommissioned apparatus and consequently acquire title to such decommissioned apparatus and release Cadent from all liabilities in respect of such de-commissioned apparatus from the date of such surrender.	
CG-06	dDCO	Protective Provisions	REMOVAL OF APPARATUS (PARAGRAPH 68(3)) Where the Applicant is unable to afford the facilities and rights to Cadent because	Please see the response to CG-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			alternative apparatus needs to be provided outside the order limits or on land which the Applicant does not control, the Applicant is seeking to place an obligation on Cadent to assist in obtaining the facilities and rights. The reason that Cadent is seeking amendments to this sub-paragraph is that Cadent (and its personnel) has in the past been placed under significant pressure to obtain rights and facilities in land where an absolute obligation has been placed on it. Cadent will of course assist the Applicant. However it is key that Cadent and the Applicant work in partnership to obtain rights and facilities and that it is not left to Cadent in isolation to secure. This goes back to the point that we make above that Cadent derives no benefit from the Project. As such, an absolute obligation on it to assist in securing rights and facilities is not appropriate	
CG-07	dDCO	Protective Provisions	RETAINED APPARATUS (PARAGRAPH 70)	Please see the response to CG-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Sub-paragraph (4) and (8) seek to impose deadlines on Cadent's response. Cadent's approvals are not to be unreasonably withheld or delayed. Cadent cannot agree to curtail the time for responses due to Cadent's statutory functions and the legislation governing pipelines. 1. Major Accident Hazard pipelines are regulated by the Pipeline Safety Regulations 1996. Under Regulation 15, it is an offence to cause damage to a pipeline as may give rise to a danger to persons and could result in enforcement action by the HSE. 2. The Pipeline Safety Regulations 1996 requires that pipelines are operated so that the risks are as low as is reasonably practicable. In judging compliance with the Regulations, the HSE expects duty holders to apply relevant good practice as a minimum. 3. Well established national standards and protocols for major accident hazard pipelines assist the HSE in	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			ascertaining whether the risks incurred in working with such pipelines have been mitigated as much as reasonably practicable. 4. These industry standards have the intention of protecting: a. integrity of the pipelines, Cadent's network and distribution of gas; b. safety of the local area surrounding gas pipelines; and c. safety of personnel involved in working near to gas pipelines. Cadent therefore needs to ensure that the industry regulatory standards are being complied with and that there are no health and safety risks which could have potentially serious consequences for individuals or property located in proximity to the pipeline/s. Cadent has the benefit of a gas transporter licence (the Licence) under section 7 of the Gas Act 1986 (the Act). Cadent has a statutory duty under its Licence to ensure that these Regulations and protocols are complied with.	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			For all of the above reasons, it is for Cadent, as an experienced gas undertaker under statutory and Licence obligations, to determine what measures are reasonable for the protection and integrity of its network and not a third party and it cannot be rushed into those decisions.	
CG-08	dDCO	Protective Provisions	EXPENSES (PARAGRAPH 71) Cadent derives no benefit from the Project and needs to ensure that it is not be exposed to any costs or losses as a result of the Project and therefore all expenses that it could be put to needs to be covered. Paragraph 71(3) needs to acknowledge that whilst it may be possible to replace apparatus like for like that may not be appropriate in the circumstances.	Please see the response to CG-01 above.
CG-09	dDCO	Protective Provisions	INDEMNITY (PARAGRAPH 72) Cadent needs to ensure that it is not be exposed to any costs or losses as a result of the Project and therefore all expenses, costs etc need to be covered. For clarity, the indemnity only applies in respect of third party claims as follows: "any other expenses,	Please see the response to CG-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			loss, demands, proceedings, damages, claims, penalty or costs properly incurred by or recovered from Cadent, by reason or in consequence of any such damage or interruption or Cadent becoming liable to any third party as aforesaid other than arising from any default of Cadent". The indemnity also provides that Cadent must give the Applicant reasonable notice of any such third party claim or demand and that "no settlement, admission of liability or compromise must, unless payment is required in connection with a statutory compensation scheme, is to be made without first consulting the undertaker and considering their representations". Therefore, before the Applicant could be liable to Cadent for a third parties' costs under the indemnity, three things would need to occur: 1. First, the Applicant must have caused damage or in any interruption in any service provided, or in the supply of any goods, that have caused loss to the third party;	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			2. Second, that third parties' costs must have been properly incurred by or recovered from Cadent; and 3. Third, Cadent must have either settled that claim having consulted and considered the Applicant's representations or have been obliged to make the payment in under a statutory compensation scheme. This procedure ensures that the indemnity only applies to properly incurred or recovered costs, and provides the Applicant with the opportunity to make representations on any such claim. This is sufficient protection for the Applicant. The additional wording at sub-paragraphs (2) and (5) enables a dispute to be created and a risk that Cadent is unable to recover all costs or losses. On this point, money spent and costs incurred by Cadent is ultimately passed on to consumers in their energy bills. This is not appropriate in respect of losses caused by a third party.	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
CG-10	dDCO	Protective Provisions	ARBITRATION (PARAGRAPH 76) Paragraph 76 of the Protective Provisions needs to regulate the matters that are subject to arbitration, and those that are not subject to arbitration. As drafted all disputes are referable to arbitration. Cadent seek to carve out of the scope of arbitration certain paragraphs from arbitration for the same reasons noted above in terms of retained apparatus and limiting Cadent's proper consideration. Cadent cannot agree to certain matters being determined by arbitration due to Cadent's statutory functions and the legislation governing pipelines. It is for Cadent, as an experienced gas undertaker under statutory and Licence obligations, to determine what measures are reasonable for the protection and integrity of its network and not a third party.	Please see the response to CG-01 above.

3.6 National Grid Electricity Transmission [REP1A-028]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
NGET-01	dDCO	Protective Provisions	Requires protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.	The Applicant has included protective provisions for the protection of National Grid in Part 3 of Schedule 16 to the **3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C]** to ensure that its statutory undertaking is not subject to serious detriment as a result of the Scheme. Discussions on the form of protective provisions and an associated side agreement are ongoing. The Applicant is confident that agreement on the protective provisions and side agreement can be reached with National Grid prior to the end of the Examination.

3.7 Network Rail Infrastructure Limited [REP1A-029]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
NR-01	dDCO	Compulsory Acquisition Powers	The Application includes provisions which would, if granted, authorise the Promoter to carry out works on and in close proximity to operational railway land in the control of Network Rail, to use such land temporarily and to acquire permanent interests in such land. As set out in the Network Rail's Relevant Representation, the Book of Reference identifies the following plots of land as owned by Network Rail in respect of which compulsory acquisition powers are sought: • 06-068; • 06-069; • 06-070; • 06-071; • 06-072; • 06-073; • 06-074; and • 06-083 (together the Plots).	The Applicant notes this comment. Discussions are ongoing. The Applicant is confident that agreement will be reached prior to the end of the Examination.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			The Applicant is seeking, through compulsory purchase (Compulsory Powers), the permanent acquisition of rights and/or temporary use of land over all Plots. Network Rail objects to the use of Compulsory Powers and temporary powers over the Plots to deliver the development to be authorised by the DCO.	
NR-02	dDCO	Protective Provisions	Network Rail continues to investigate the extent of the risks to its assets and is liaising with the Promoter in relation to any mitigation required and it is anticipated that this will continue during the examination process. In order for Network Rail to be in a position to withdraw its objection to the making of the DCO, it will require the following matters to be concluded and secured to its satisfaction: 1. Network Rail requires its standard protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with the relevant safety standards. As at the date of these Written Representations no progress has been	Discussions are ongoing. The Applicant is confident that agreement will be reached prior to the end of the Examination.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			made between the parties on the form of protective provisions to be included in the DCO and Network Rail still awaits the Promoter's comments on Network Rail's standard protective provisions, which were issued to the Promoter on 13 June 2023. 2. Network Rail requires the completion of a framework agreement to regulate the manner in which rights over railway property are to be granted and in which works are to be carried out in order to safeguard Network Rail's statutory undertaking. Engineers for Network Rail are continuing to review the extent of impacts on operational railway and Network Rail's property and any mitigation required (including Network Rail's review and prior approval of the design proposals for the parts of the DCO scheme which interface with the railway at detailed design and construction stages) will be considered in this agreement. Draft framework agreement was issued to the Promoter on 13 June 2023 and at the date of these Written	

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			Representations the Promoter's comments are still outstanding. Network Rail and the Promoter are in discussions about the effects of the DCO in general and will continue to liaise to address all outstanding matters.	
NR-03	dDCO	General	Until satisfactory agreement has been reached with the Promoter on all matters to Network Rail's satisfaction, Network Rail will not be in a position to withdraw its objection to the making of the DCO. Network Rail reserves the right to be heard at an appropriate hearing to explain in detail the impacts of the scheme on its operations. Network Rail will, of course, respond to any Written Questions that the Examining Authority wishes to ask	The Applicant notes this comment. Discussions are ongoing. The Applicant is confident that agreement will be reached prior to the close of the Examination.

3.8 Uniper UK Ltd [REP1A-031]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
UNI-01	dDCO	Protective Provisions	We have not been able to establish if any Uniper asset, including our high pressure gas pipeline is affected by the proposed scheme. It is not clear as a Statutory Undertaker if Uniper is impacted by the scheme. We reserve our rights to comment further once we have had an opportunity to consider the development in more detail	Uniper assets are identified within **7.15_A Crossing Schedule Revision A [AS-001]**. Discussions are ongoing. The Applicant is confident that agreement will be reached prior to the close of the Examination.

3.9 Marine Management Organisation [REP1A-034] and [REP1A-035]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
MMO-01	dDCO	Deemed Marine Licence	I have had previous communications with Pinsent Masons LLP (who is acting for the developer on all three projects) with regards to the Gate Burton project and you will likely be aware that the MMO has submitted responses to all deadlines and have maintained our position that unless we are provided anything different from the applicant with regards to the methodology (something that is marine licensable and not covered by an exemption, as is currently the case with the borehole element of the proposed activities) we are of the opinion that a Deemed Marine License is not required and could not be included as part of the dDCO due to the fact that no activities are marine licensable. Having looked at the other two projects, it appears that the methodology and activities are exactly the same as Gate Burton and therefore we are of the same opinion as above for these also, that as there are no marine licensable activities, a deemed Marine License shouldn't be included.	The Applicant's position is that a deemed marine licence is required. In the Gate Burton Energy Park examination, the MMO have conceded that, whilst exemptions do apply at present, they could be removed in the future. At the request of the ExA in that Examination, the MMO has provided its comments on the deemed marine licence on a without prejudice basis. The Applicant has reviewed that submission and made a number of the requested amendments to Schedule 9 to the draft DCO submitted at Deadline 3 (**3.1_C Draft Development Consent Order Revision C [EN010132/EX3/WB3.1_C])**

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
MMO-02	General dDCO	Examiner's Questions	I have now seen the first set of Examiners Questions for Cottam Solar which were published yesterday and can see that the MMO has no questions. However, my team will send a response before the deadline, explaining that we will continue to monitor, should anything develop with regards to marine licensable activities. The ExA's third set of written questions of 25th October 23, regarding the Gate Burton project include a question to the applicant, for which we will of course monitor the applicant's response, but it is positive that our position now appears to be fully understood: *Q.3.6.1: Article 44 and Schedule 9 Draft Marine Licence: 1) Confirm that the methodology proposed in the draft Marine Licence is the worst-case scenario and explain why other potential scenarios would not be worst case scenarios or would not be used and how this would be controlled or restricted. 2) Given that the Marine Management Organisation (MMO) maintain its position that the matters proposed are covered by an exemption and they do not*	Please see the response to MMO-01 above.

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
			support the inclusion of a dML in the dDCO there are two options a) remove the provisions; or b) seek to maintain the provisions in the dDCO. Confirm your intentions and if b) provide further justification for the inclusion of the dML including identifying other DCO's where an exemption has applied and a dML has been included in a made DCO. Furthermore, justify each of the suggested conditions in the dML and the basis on which such conclusions are reached.	

3.10 Michael Foster [REP1A-052]

Reference	Theme	Issue	Summary of Issue Raised	Applicant's Response
MF-01	General	Information requested about Affected Land	Concerning your letter, a copy I have included, with this letter. I have a ten acre site [REDACTED]. I have reason my site is affected by the application. I wrote to the company who is putting in the planning application when they sent me a registered letter. The reply I got was the land/ site subsoil is for reasons not known affected. I wrote again for clarity of what will affect my land, i.e. underground cables, any encroachment of the land. I did not get a reply and I am unable to make any future plans until I know what is happening. I am looking for your help in letting me know how the application affects my land and what will affect the land that I should know of.	Mr Foster owns registered land adjacent to an adopted highway within the DCO; as such, he has been included due to the ad medium filum rule whereby there is a presumption that an owner of land which abuts either a public or private highway also owns the soil of the highway up to the mid or centre point. Mr Foster was sent a consultation notice on the 2nd February 2023 and a s56 notice on the 9th May 2023. There has been no other correspondence with Mr Foster.

3.11 Rodger Brownlow [REP1A-060]

Reference	Theme	Issue	Summary of Issue Raised	Applicants Response
RB-01	Cultural Heritage Hydrology	Remediation of damage from trenching and from flooding	We are owners of the land which they want to lay cables across and also use to go under the river Trent. Earlier they had done trench work in one of our fields and despite coming back to put right earlier work it is still not right and this will be even worse when they get in our Trentside land which floods regularly and has a delicate grass mix to withstand several weeks of inundation this will not be easily replaced. .Whilst the money looks tempting it is not being paid to us in the way we like.	The Applicant notes this comment. The land was reinstated after trial trenching by subcontractors working on the Gate Burton Energy Park [EN010133]. Further discussions between Gate Burton and this landowner have taken place to ensure the land has been reinstated to the landowner's satisfaction and it is the Applicant's understanding that this has now been resolved. Discussions between the Applicant and the landowners continue regarding the terms of the cable route legal agreements.
RB-02	Landscape and Visual Impact Soils and Agriculture	Permanency of impact on countryside	When first mooted I was in favour of the project but now seeing the scale of it it will spoil our countryside for ever.	The Applicant notes this comment.
RB-03	General	Funding	Not sure who is funding all of this but told foreign investors are involved, it seems wrong that they will benefit and not have to live with all the upheaval involved. Now very much against the whole idea	The Applicant notes this comment. Further details on funding are set out in **4.2 Funding Statement [APP-020].**

Appendix 1 - Risk Assessment of EMF Impacts on Fish

West Burton Solar Project

Risk Assessment of EMF Impacts on Fish

Prepared by: Clarkson and Woods Ltd.
January 2024

PINS Ref: EN010132
APFP Regulation 5(2)(g)

West Burton
SOLAR PROJECT

RISK ASSESSMENT OF EMF IMPACTS ON FISH

WEST BURTON SOLAR PROJECT

carried out by

CLARKSON & WOODS
ECOLOGICAL CONSULTANTS

commissioned by

WEST BURTON SOLAR PROJECT LTD.

JANUARY 2024

CONTENTS

Project title:	West Burton Solar Project		
Document title:	Risk Assessment of EMF Impacts on Fish	Project number:	7479
Client:	West Burton Solar Project Ltd.	Author:	Harry Fox
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Quality Assurance	Checked by:	Approved by:	
	Harry Fox	Tom Clarkson	

1 INTRODUCTION

1.1.1 Clarkson and Woods Ltd. was commissioned by West Burton Solar Project Ltd to provide a Risk Assessment of the potential impacts of electromagnetic fields (EMF) on fish in relation to the crossing of the River Trent by the power export cable within the Shared Cable Corridor.

1.1.2 This issue was raised within the Examining Authority's First Written Questions (ExQ1, [PD-009]), specifically Q1.6.10, which states:

"EMF – Environment Agency Concerns. The ExA notes that the Environment Agency is holding ongoing discussions about the impact of EMFs on marine life in connection with another solar farm proposal [REP1A-007] para 3.1. Please can the Applicant and Environment Agency provide an update in so far as relevant to West Burton Application. This can be by way of update on progress within the SoCG [current draft version reference REP1-065]."

1.1.3 This subject was first raised by the Environment Agency in their Deadline 1 Written Representation [REP-069], specifically within Section 3.0, which states:

"Since sending our letter of 05 June 2023, there have been ongoing discussions about the impact of Electro Magnetic Fields (EMFs) on marine life in connection with the Examination of another solar farm proposal at Gate Burton (Your reference EN010132).

In connection with the Gate Burton development, a technical note has been prepared in response to the Examining Authority's Third Written Questions (ExQ3), specifically Q3.3.1 and, also, in response to a request from the Environment Agency which was submitted at Deadline 4 [REP4-063].

This is relevant to the West Burton solar project because, together with the Gate Burton proposal and others at Cottam and Tillbridge, there will be the installation of 400kV cables within the same location underneath the River Trent as part of a shared grid connection corridor. We have asked that this matter is looked into because the cables will generate EMFs and it needs to be examined whether there is the potential for adverse impacts on fish within the River Trent during the operational phase of all of these schemes.

Discussions on this topic are now taking place in connection with the Statement of Common Ground for the West Burton project and we wish to highlight it as a potential concern if the situation on this matter cannot be resolved through the process of agreeing that document."

1.1.4 The latest draft of the Statement of Common Ground between the Applicant and the Environment Agency lists, under "Matters Under Discussion", ECO-12: Potential impacts from the presence of EMF. Within this, the Environment Agency added the following:

"We would like to add in 'Potential impacts from the presence of EMF' as a topic and echo our comments made on the other applications in the vicinity: The potential impact of EMF on ecology is an emerging issue and we would suggest some form of risk assessment is carried out on the grid connection corridor in order for the Examining Authority to fully understand the risks during the operation of the Scheme and whether mitigation is required."

1.1.5 This document therefore seeks to undertake a Risk Assessment to determine the potential for adverse effects on Atlantic salmon, sea trout, European eel, river lamprey and sea lamprey through EMF which may arise from the introduction of a 400kV AC power cable under the river bed near Trent Port. The Risk Assessment will also take into account potential cumulative impacts from the introduction of similar cables at the same crossing point for the Cottam, Gate Burton and Tillbridge NSIP solar schemes.

2 RISK ASSESSMENT

2.1 Background

2.1.1 The potential effects of electromagnetic fields were scoped out of the Scheme's Environmental Impact Assessment (see section 3.12 of 6.3.2.2 ES Appendix 2.2 EIA Scoping Opinion [APP-068]). Furthermore, such impacts on ecological features were not identified during the scoping exercise carried out with PINS and

consultation (pre-application and statutory) with conservation bodies such as Natural England and the Lincolnshire Wildlife Trust.

2.1.2 The Government sets guidelines for exposure to EMFs in the UK on advice from the UK Health Security Agency (UKHSA). However, there are no legal requirements for shielding EMFs from underground cables to protect human health in the UK because these cables are, by industry-standard, compliant with the ICNIRP 1998 exposure limits in the terms of the 1999 EU Recommendation even when measured directly on top of them Furthermore, in the Statement of Common Ground with the UKHSA [REP-067], it is noted that the UKHSA stated in its Section 42 Consultation that,

"UKHSA notes that electromagnetic fields have been scoped out of the Environmental Statement (ES) assessment, on the basis of the DCO application including a technical report that demonstrates that relevant design standards have been met for all cabling. UKHSA advises that the DCO technical assessment should be based on the voluntary codes of practice described on page 12 -13 of the following advice document, which was also referenced in UKHSA's response to the Scoping Consultation."

2.1.3 The Applicant considers the potential effects of EMF on ecology are an emerging issue. The Applicant is not aware of any such comparable assessment in relation to onshore renewable energy development. Furthermore, there is an absence of any applicable guidance (for example, from the Chartered Institute of Ecology and Environmental Management, or the Chartered Institution of Water and environmental Management) on conducting such assessments, therefore a precautionary assessment based on limited readily-available research findings on the subject is presented.

2.1.4 Electric and magnetic fields are produced from electrical wiring and cables, with electric fields (E-fields, measured in volts per metre, V/m) being produced by voltage and magnetic fields (B-fields, measured in microTeslas, μT) being produced by current[1]. Unlike overhead cables, cables that are buried underground have their electric fields eliminated by a combination of the cable sheathing and the substrate under which they are buried[2][3]. However, magnetic fields are not attenuated in this way, therefore this document is principally concerned with the potential effects from magnetic fields. However, it should also be noted that comparatively weak electric fields can be induced by the movement of water or organisms through such magnetic fields although this is again proportionate to the distance from the source (cable)[4].

2.2 Assessment of Potential Impacts

2.2.1 Natural electromagnetic fields are utilised by many species, with biologically produced electrical fields being used principally for prey detection and the earth's geomagnetic field for navigation and migration. It is feasible, therefore, that the addition of anthropogenic EMFs in the environment could modify these processes depending on the location, extent and magnitude at which they are introduced.

2.2.2 Most of the research conducted to date on the effect of EMFs on fish is based on subsea cables (laid on the seabed, rather than buried). A 2022 literature review of the subject was carried out by the Scottish Government[5] predominantly in relation to marine renewable energy generation and export. The review found that a range of responses to anthropogenic EMF have been observed in a range of fish (predominantly elasmobranchs) and marine invertebrates both in lab trials and field studies. However, it concludes that there is, to date, very little evidence to suggest significant real-world behavioural changes arising from EMF in relation to the installation of subsea cables, characterising potential impacts as likely to be "weak or moderate". One study highlighted the absence of responses in captive Atlantic salmon to a range of artificial magnetic fields[6], while another field study in Pacific salmon species observed a change in migration behaviour in response to subsea cables but no impact on overall migration success[7]. However, the literature

[1] https://www.emfs.info/ - Accessed December 2023. Website operated by the National Grid's EMF Unit.
[2] National Grid (2015) Undergrounding high voltage electricity transmission lines. The technical issues.
[3] https://www.nationalgrid.com/electricity-transmission/document/141896/download - Accessed December 2023
[4] Taormina, B., Bald, J., Want, A., Thouzeau, G., Lejart, M., Desroy, N. and Carlier, A. (2018). A review of potential impacts of submarine power cables on the marine environment: Knowledge gaps, recommendations and future directions. Renewable and Sustainable Energy Reviews, 96, pp.380-391.
[5] Xoubanova, S. and Lawrence, Z. (2022). Review of fish and fisheries research to inform ScotMER evidence gaps and future strategic research in the UK; Evidence Gap FF.07: Electromagnetic Fields. Marine Scotland Science.
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review notes the difficulty of applying the limited research findings in ecological impact assessment and as such identifies knowledge gaps to direct future research.

2.2.3 Sea and river lamprey are the two species for which the Humber Estuary SAC/Ramsar is designated which occur in the Trent and its tributaries, although the vast majority of the Humber's populations are actually found in the upper Ouse and River Aire. Both species are sensitive to electrical fields for prey detection and are not understood to be receptive to magnetic fields[8]. Due to the attenuation of electrical fields by cable casing and soil it is unlikely, therefore, that they will be able to sense any electrical fields generated by the cables. As lamprey have no magnetosensing capabilities any magnetic fields which may extend into the water column would also have no effect other than in the induction of smaller electric fields[9].

2.2.4 European eel, sea trout and Atlantic salmon are all believed to make use of natural magnetic fields for navigation[10]. However, it is considered most likely that these species' (or their relatives) magnetic navigational 'map' is set when in their embryonic or juvenile stages[11][12][13].

2.2.5 In the case of sea trout and salmon, spawning and nursery locations are typically found on the shallow, non-tidal tributaries of the Trent in its upper catchment, such as the Rivers Derwent, Soar and Dove, significantly distant from the proposed crossing. The River Trent is tidal up to Cromwell Lock[14], some 5km downstream of Newark, and 17km upstream of the proposed cable corridor crossing points. Typically, these fish would only migrate along the Trent, to/from the Humber and beyond as adult fish or sub-adult 'smolts'.

2.2.6 For juvenile European eels, it is believed that magnetic imprinting is linked to the natural fields experienced when in tidal estuaries as 'glass eels' before entering freshwater as 'elvers'[15]. As glass eels are unlikely to be found in the Trent, it is considered unlikely, therefore, that any possible magnetic field detectable above the proposed cable crossing will have a significant effect on any of these species' migratory movements. This is especially the case when the length of riverbed affected by the cable crossing as a proportion of the wider river is considered.

2.2.7 Nevertheless, it would be prudent to apply a precautionary approach to reducing the exposure to artificial EMF as far as practicable through appropriate burial of the cable.

2.3 Design Mitigation

2.3.1 Section 3.8.236 of the National Policy Statement for Renewable Energy Infrastructure EN-3 (published November 2023) states that "burial of the cable increases the physical distance between the maximum EMF intensity and sensitive species." No recommended burial depth is provided, although National Grid advice indicates that "cables are typically installed 1m below ground".

2.3.2 The Table overleaf shows various calculated and observed magnetic field values for power distribution installations as well as reference values for public exposure and natural background fields. The values show that the power distribution scenario within the Scheme will fall below permitted and recommended thresholds, and is comparable to domestic situations.

[8] Gill, A. B. and Bartlett, M. (2010) Literature review on the potential effects of electromagnetic fields and subsea noise from marine renewable energy developments on Atlantic salmon, sea trout and European eel. Scottish Natural Heritage Commissioned Report No.401.
[9] Gill, A.B. and Desender, M. (2020) 2020 State of the Science Report, Chapter 5: Risk to Animals from Electromagnetic Fields Emitted by Electric Cables and Marine Renewable Energy Devices.
[10] Gill, A. B., Bartlett, M., & Thomsen, F. (2012). Potential interactions between diadromous fishes of UK conservation importance and the electromagnetic fields and subsea noise from marine renewable energy developments. Journal of fish biology,81(2), 664-695
[11] Nishi, T., & Kawamura, G. (2005). Anguilla japonica is already magnetosensitive at the glass eel phase. Journal of Fish Biology, 67(5), 1213-1224.
[12] Naisbett-Jones, L. C., Putman, N. F., Stephenson, J. F., Ladak, S., & Young, K. A. (2017). A Magnetic Map Leads Juvenile European Eels to the Gulf Stream. Current biology : CB, 27(8), 1236–1240.
[13] Gill, A.B. and Desender, M. (2020) *ibid*.
[14] https://canalrivertrust.org.uk/canals-and-rivers/river-trent - Accessed December 2023
[15] Cresci, A., Durif, C.M., Paris, C.B. et al. (2019). Glass eels (Anguilla anguilla) imprint the magnetic direction of tidal currents from their juvenile estuaries. Commun Biol 2, 366.

Example EMF Source/Reference Data taken from multiple sources[16][17][18][19]	**Magnetic field** (microTeslas, μT)
Government Guidelines – maximum permitted (Permitted Public Exposure Limit - ICNIRP 1998 exposure limits in the terms of the 1999 EU Recommendation)	360
ICNIRP "Reference Level" for the public The level above which detailed investigation is required	100
Background Natural Geomagnetic Field	c.50
TV, Washing Machine, Microwave	Up to 50
Vacuum cleaner Appliance surface 1m distance	 800 2
Typical DNO 132kV underground cable (calculated) Normal conditions Maximum capacity	 4.1 54
National Grid 400kV pylons (calculated) Normal conditions Maximum capacity	 5-15 83
National Grid 400kV underground cables (calculated) Normal conditions Maximum capacity	 31 96
National Grid 400kV 0.9m buried cable (monitoring data) At cable 5m from centreline 10m from centreline	 24 3 0.9
Gate Burton Energy Park 400kV cable at 800A (calculated) At 5m from cable centreline	 32

2.3.3 The West Burton Solar Project cable will operate with a maximum amperage of 1100A which is 37.5% greater than that of the Gate Burton Energy Park scheme. Therefore, although proportionately greater, the magnetic fields emitted by the West Burton Solar Project cable are likely to be comparable to that of the Gate Burton Scheme. Magnetic fields are likely to be less than or comparable to natural background levels at 5m from the cable centreline, and within national compliance thresholds.

[16] Energy Networks Association (ENA) (2012). Electric and Magnetic Fields: the facts. Energy Networks Association.
[17] Electric and Magnetic Fields. National Grid Hinkley Connection Project. https://www.nationalgrid.com/electricity-transmission/document/141896/download - Accessed December 2023
[18] Underground Power Lines and Health – Parliament Research Briefings - https://researchbriefings.files.parliament.uk/documents/SN06453/SN06453.pdf - Accessed December 2023
[19] https://www.emfs.info/ - Accessed December 2023. Website operated by the National Grid's EMF Unit.

2.3.4 The West Burton Solar Project 400 kV AC grid connection cable will be buried to a minimum depth of 5m below the lowest point of the riverbed. This depth will significantly reduce the EMF, particularly magnetic (B-field), exposures since it is far greater than compared with a typical installation, as can be seen above. Consequently this is considered a precautionary approach. This depth specification is included in Table 2.4 in **7.13B Concept Design Parameters and Principles – Revision B [EN010132/EX3/WB7.13_B]** which is secured by Requirement 5 in the Draft DCO.

2.3.5 Although it is a DC cable and the proposed cable is AC, the value for the Gate Burton Energy Park cable is considered a good proxy for the likely EMF emitted from the proposed cable.

2.3.6 The grid connection cables for West Burton Solar Project and Gate Burton Energy Park will also be buried to a minimum depth of 5m below the riverbed in the same location and therefore the cumulative EMF exposure will also be significantly reduced. Information is not yet available on the burial depth of the Tillbridge cable, but it is considered likely that a similar approach would be adopted.

2.4 Conclusion

2.4.1 Electric fields generated by the proposed cable are not likely to be perceived beyond the armouring of the cable itself, and certainly not beyond the 5m buried depth below the riverbed, therefore potential effects of electric fields on fish are not considered likely.

2.4.2 Magnetic fields likely produced by the cable are highly likely to be within permitted exposure limits and induced electric fields are likely to be minor. The burial depth is five times greater than that typically used for similar installations, which is considered to significantly mitigate EMF risks.

2.4.3 It is considered that the species assessed will not be exposed to any EMF emitted from the proposed cable during their most sensitive lifestages (juvenile/embryonic stages when it is believed that magnetic imprinting is undergone). Any residual exposure would be during adult or sub-adult stages and would be highly localised and transitory given the mobility of these species.

2.4.4 Current scientific research indicates that while EMF impacts on fish have been observed in controlled and real-world situations, significant population-scale impacts on life-cycles and migration have not been recorded.

2.4.5 On the balance of available evidence and mitigation proposed, it is considered that the risks to the assessed species of fish in the River Trent from EMF associated with the proposed cable are acceptable and the probability of significant adverse effects is extremely low.

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