

From: [REDACTED]
To: [West Burton Solar Project](#)
Cc: [REDACTED]
Subject: FW: EN010132 – West Burton Solar Farm
Date: 09 January 2024 19:22:00

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Dear Sir/Madam,

With respect to the Examining Authority's written questions and requests for information, Nottinghamshire County Council has the following responses to make. For speed, these comments are made in the form of an email rather than a formal letter.

1.1.22 Sturton le Steeple Quarry

Nottinghamshire County Council is happy to review potential impacts upon Sturton le Steeple Quarry and update the SoCG accordingly.

1.1.23 West Burton A Spherical Tokamak for Energy Production, (STEP) fusion project

The masterplan referenced in paragraph 6.6 of the Notts LIR is in fact a proposal for a "vision" emerging from the STEP Strategic Collaboration Group which held its inaugural meeting on 20 September 2023. The STEP SCG is chaired by Sir John Peace (Midlands Engine) with representatives from EDF, UKAEA, Nottingham University and the Energy Research Accelerator (ERA), MPs, Midlands Connect, Nottinghamshire County Council and Bassetlaw District Council. The Group was set up to support and create an attractive inward investment environment for fusion and associated industries in the region. Its aims are to maximise the benefits of the STEP programme being located in Nottinghamshire, and to promote wider enabling matters not covered by the STEP programme but complementary to it.

Following the direction given by the Group, consideration is now being given to how best to develop a strong and coherent partner vision for STEP, to act as a platform for the longer term development of the programme and the North Notts area. It is intended that the vision will set out how STEP is an anchor for the wider area and a cluster point for green industries, helping STEP partners to attract major industry, innovative businesses and research and design, and other investment in fusion, in clean energy, and related supply chains from around the world. North Nottinghamshire has real potential, with its energy infrastructure of former coal fired power stations, alongside other opportunities from Government, such as the East Midlands Investment Zone with its focus on green industry and advanced manufacturing, to be a national and internal focal point for inward investment over the coming decades.

The vision for STEP will also consider emerging Nationally Significant Infrastructure Projects (NSIPs) in the area, to support a proactive approach to integrated development that will best support STEP and ensure the greatest and most sustainable set of benefits for the region. Given the desire to develop a unified vision for the area, driven by green industry and advanced manufacturing that offers both high skills and high-volume employment, STEP partners will look to work collaboratively with all private sector partners (including energy promoters) to deliver and achieve shared long-term objectives for energy generation in the area. Work is underway to consider the joint commissioning approach for the wider vision described above. In addition, the UKAEA has appointed transport consultants to commence the site-specific transport requirements. This will interrelate with the wider visioning work to ensure a comprehensive and strategic long-term consideration of transport requirements

1.4.9 Are Lincolnshire County Council (LCC) and Nottinghamshire County Council (NCC) in their role as the Highway Authorities aware of: a) Any reasonable alternatives to the CA or TP sought by the Applicant; and/or b) Any areas of land or rights sought by the Applicant that they consider would not be needed.

In terms of compulsory acquisition (shaded blue on the Land Plan), this primarily relates to land associated with the cable corridor. Whilst this route does cross the public highway it will have no effect on its legal status as Highway. All public highway is subject to the legal maxim, 'once a highway always a highway' which applies regardless of any change in ownership, unless a separate stopping up order is granted by the Secretary of State for Transport. Regardless of ownership the provisions of the Highways Act 1980, Traffic Management Act 2004, and associated legislation such as the New Roads and Street Works Act 2004, will still apply. Any works contained within the Highway would be subject to legal provisions, agreements and licences required under the associated legislation.

These provisions regulate construction works within the highway as well as other associated activities such as the laying of services and cables etc. Consequently, it is unclear why any change of ownership or compulsory acquisition of land within the Highway Boundary would be required.

The same applies to land for which temporary possession is being sought (shaded yellow on the land plan). Any temporary works within the Highway required for access etc, would be covered by the relevant legislation. There may be an argument that temporary possession of land outside of the Highway may be required to facilitate access for larger vehicles and abnormal loads. However, having reviewed the Abnormal Load strategy contained within Appendix F of the Transport Assessment, for the access points located in within Nottinghamshire (access points AC103 – AC108), it would appear only access point AC108 is likely to require third party land, presumably to allow vehicles to turn around at the end of the route.

There are a number of smaller areas of land shown as temporary possession direct adjacent to access points located at AC103, AC104, and AC107. These do not appear to be required for access purposes, it is presumed given their proximity to the Highway that they are being acquired by the developer on a temporary basis for use as site compounds / staging areas. We are unable to comment as to whether or not these areas are excessive as the area required will be subject to operation requirements determined by the developer.

1.7.1 Archaeological Study Area Selection The study areas were not agreed with NCC Archaeology.

1.7.2. Archaeological Investigations - Noting the comment from Historic England, LCC and NCC are asked to please explain what

information is required to achieve the understanding of archaeological sensitivity and importance, and to therefore manage archaeological risks. Specific reference to relevant guidance and policy is requested.

The only way to completely assess the archaeological potential of an area of ground is to strip it completely of top soils and overburden. This would clearly be impracticable, unreasonable and unnecessary. It is therefore normal for archaeological professionals to assess risks and agree a proportion of the area should be subject to trial trenching, also known as field evaluation. This may complement other survey techniques, such as geophysical investigation, or may be the only means of assessing risk where other survey techniques have not been used or will not work. Ideally trench locations will be based on known archaeological features, such as findspots, or on a topographic basis, using our understanding of optimal locations for different types of activity at different times in the past. Local knowledge will often make a massive difference in the success of the approach. Increasingly archaeologists are identifying trenching as an overall % of the site.

Most curatorial archaeologists will regard 2% or less as highly likely to be inadequate. Some authorities, such as Devon, require a minimum of 5%. Emerging policy from East Midlands Association of Local Government Archaeological Officers is expected to recommend that a range of between 3% and 5% trenching of the overall site will offer a more balanced approach to risk, while acknowledging that some archaeological sites will still be missed. Further phases of evaluation may also be needed.

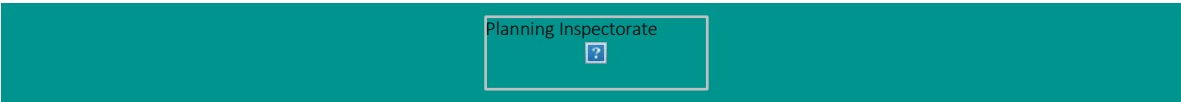
It may be noted that the professional body, CIfA, in December 2023, re-defined evaluation as “a programme of non-intrusive and/or intrusive fieldwork which seeks to determine the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts. It may form a single or final phase of work within a defined area or site on land, in an inter-tidal zone or under water”. This replaces the previous wording of the Standard which described evaluation as “A *limited* programme of non-intrusive or intrusive work”. Without understanding the variability of the archaeological resource across the site, its condition, and the level of current soil depth protecting it, adequate mitigation is simply not possible.

Kind regards

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Application by West Burton Solar Limited for an Order Granting Development Consent for the West Burton Solar Project

Planning Act 2008 (as amended) and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 13 and 17

Notification of Hearings

Dear Sir / Madam

Interested Party Reference number: WEBS-ISP001

Please find below a link to the Examining Authority's letter providing notification of the hearings and request for information.
<https://infrastructure.planninginspectorate.gov.uk/document/>