

West Burton Solar Project

Change Application and Consultation Report

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Infrastructure Planning (Compulsory Acquisition) Regulations 2010
Planning Inspectorate Advice Note Sixteen (Version 3), March 2023



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Issue Sheet

**Report Prepared for: West Burton Solar Project Ltd.
Change Application**

Change Application and Consultation Report

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1 Introduction

1.1 Purpose of this Report

- 1.1.1 This report constitutes a Change Application which has been prepared in accordance with PINS Advice Note 16 (Ref. 5), along with accompanying documents listed in Section 6 below, proposing changes to the Order Limits of the Application for a Development Consent Order for West Burton Solar Project (the 'Scheme').
- 1.1.2 The Scheme is a solar farm with energy storage which will generate and store renewable electricity for export to the National Grid at a Point of Connection (PoC) which will be located at the existing West Burton 400kV National Grid substation, within the site of the West Burton Power Station.
- 1.1.3 The Scheme comprises a number of land parcels (the 'Site' or 'Sites') described as West Burton 1, 2 and 3 which will house the solar arrays, grid connection infrastructure and energy storage; and the Cable Route Corridor between the Sites and to the PoC. The Sites are located approximately 7km southeast of Gainsborough (see the Site Location Plan [EN010132/CR1/C2.1_B]).
- 1.1.4 The Scheme is described in full in Chapter 4 of the Environmental Statement (ES), Scheme Description [APP-042] supporting the application.
- 1.1.5 Each of the three Sites have a generating capacity that exceeds 50 megawatts (MW), and as such, the Scheme is defined under the Planning Act 2008 as a Nationally Significant Infrastructure Project (NSIP). It therefore must be consented by way of a Development Consent Order (DCO) made by the Secretary of State.
- 1.1.6 The Scheme is being developed by West Burton Solar Project Limited (the 'Applicant'). The Applicant is part of Island Green Power Limited (IGP), who is a leading international developer of renewable energy projects, established in 2013.
- 1.1.7 The Applicant has endeavoured to undertake open and meaningful engagement with stakeholders before and during the Examination. As a result of this, the Applicant is now seeking to make five changes to the Order Limits of the Scheme.
- 1.1.8 The proposed changes and their rationale are set out in more detail in Section 3, below. Briefly, they consist of:

Change 1: Access to West Burton 1 from A1500

- 1.1.9 Change 1 comprises an extension to the Order Limits along the highway from the West Burton 1 Site to the A1500 Tillbridge Lane, to the north of Broxholme in order to facilitate access to the Site during the construction phase.

Change 2: Cable Corridor Widening, Stow Park

- 1.1.10 Change 2 comprises an extension to the Order Limits to the east of the Lincoln-Gainsborough railway line within Stow Park to allow flexibility in relation to the separate proposed solar farm development at Stow Park Farm.

Change 3: West Burton 3 Railway Crossing

1.1.11 Change 3 comprises an extension to the Order Limits along the Lincoln-Gainsborough railway line within the West Burton 3 Site to allow flexibility in relation to the method of constructing the cable under the railway.

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

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

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

1.1.13 Change 5 comprises an extension to the Order Limits to include the existing main vehicular access road to West Burton Power Station from Gainsborough Road to provide access during the construction and operational phases.

1.2 Structure of this Report

1.2.1 Section 2 of this Report sets out the legislative and regulatory framework relevant to the examination of a DCO Change Application.

1.2.2 Section 3 describes the detail of the proposed changes and why they are required.

1.2.3 Section 4 describes the engagement carried out prior to this Change Application being submitted.

1.2.4 Section 5 proposes a timetable for the examination of the Change Application.

1.2.5 Section 6 lists the documents submitted as part of the Change Application.

1.2.6 Section 7 concludes this Change Application.

2 Legislative Context

2.1 Examination Guidance and Advice Note

- 2.1.1 The Examination Guidance (Ref.7) states, at paragraph 109 that *“the Government recognises that there are occasions when applicants may need to make material changes to a proposal after an application has been accepted for examination”*.
- 2.1.2 The reasons for such a material change *“could include, for example, regulatory changes, technical developments or the discovery of previously unknown factors arising from representations received after acceptance or examination submissions.”*
- 2.1.3 The changes being proposed are the result of representations made by Interested Parties and landowners since the start of the Examination.
- 2.1.4 The Examining Authority (ExA) may accept an application for a material change provided that the changed project would “not constitute a materially different project” (paragraph 110), that there is sufficient time to examine the change (paragraphs 113 and 115) and that other procedural requirements are met (paragraph 113).
- 2.1.5 The assessment by the Applicant as to whether the change would constitute a materially different project is set out in Section 3.7 below. The proposed timetable for meeting the procedural requirements is provided in Section 5 below.
- 2.1.6 The Examination Guidance recommends that the Applicant discusses changes with the relevant statutory consultees. Details of pre-application engagement conducted by the Applicant are provided in Section 4, below.
- 2.1.7 Advice Note 16 includes a list of information required for a change application at Figure 2b. The location of the information accompanying this application is set out in Table 2.1.

Table 2.1: Requirements in Figure 2b of Advice Note 16

Requirement	Location
1. Description of the proposed change	Section 3 of this Report
2. Rationale and pressing need	Section 3 of this Report
3. Schedule of application documents	Section 6 of this Report lists the documents that accompany this Application. The revised WB1.3_E Guide to the Application [EN010132/CR1/WB1.3_E] provides a full list of all submitted documents.
4. Revised draft DCO and Explanatory Memorandum	WB3.1_D Draft Development Consent Order [EN010132/CR1/WB3.1_D] WB3.2_A Explanatory Memorandum [EN010132/CR1/WB3.2_B]

5. Compulsory Acquisition documents (Book of Reference, Land Plan, Statement of Reasons, Funding Statement)	WB4.3_D Book of Reference [EN010132/CR1/WB4.3_D] WB2.2_B Land Plan [EN010132/CR1/WB2.2_B] WB4.1_A Statement of Reasons [EN010132/CR1/WB4.1_A] WB4.2_A Funding Statement [EN010132/CR1/WB4.2_A]
6. Assessment of changes to significant environmental effects	WB9.3 Supporting Environmental Information Report [EN010132/CR1/WB9.3]
7. Consultation Report	Section 4 of this Report

2.2 Compulsory Acquisition Regulations

2.2.1 The Applicant is seeking a Development Consent Order which includes powers authorising the compulsory acquisition of land under Section 123 of the Planning Act 2008. This would include the land to be added to the Order Limits through this Change Application. Therefore, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the 'CA Regulations') are considered to apply to this Change Application.

2.2.2 Regulations 5 to 18 of the CA Regulations set out the procedure for consulting on and examining an application for the compulsory acquisition of land. The proposed timetable in Section 6 below sets out how this Change Application can be examined in accordance with the CA Regulations.

2.3 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

2.3.1 Section 5(2)(a) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('APFP') requires that applications for orders for development consent must be accompanied by an environmental statement that meets the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations').

2.3.2 This Change Application is accompanied by a Supporting Environmental Information Report ('SEIR') [EN010132/CR1/WB9.3] that considers the conclusions of the Environmental Statement ([APP-038 to APP-061, REP1-012 and REP3-010]) in relation to the proposed changes, and in particular whether there are any changes to potential significant effects compared to those reported in the Environmental Statement for the Scheme. The SEIR concludes that there are no new or different likely significant environmental effects.

2.3.3 Advice Note 16 notes that there is no statutory requirement to consult on the environmental information. Given the nature and scale of the changes, the targeted

consultation already carried out as well as the consultation required with local authorities and prescribed consultees pursuant to the CA Regulations, the Applicant considers that further consultation would not be proportionate. However, if the ExA considers that further consultation is required, the Applicant would suggest that this can be carried out in parallel with the CA Regulations consultation.

3 Description of Changes and Rationale

3.1 Introduction

- 3.1.1 The changes that form part of this Change Application are being proposed in response to comments from stakeholders following the submission of the DCO application and during the Examination period.
- 3.1.2 Changes 2 and 3 relate to the route of the cable between the Sites. Changes 1 and 4 relate to the arrangements for access during the construction phase. Change 5 relates to arrangements for access during the construction and operational phases.

3.2 Change 1: Access to West Burton 1 from A1500

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

3.3 Change 2: Cable Corridor Widening, Stow Park

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

3.4 Change 3: West Burton 3 Railway Crossing

- 3.4.1 Change 3 comprises an extension to the Order Limits along the Lincoln-Gainsborough railway line within West Burton 3. The current Order Limits include a narrow strip for the cable connecting the eastern and western parts of West Burton 3, with the intention that the cables be routed under the railway in a trench through the existing tunnel. Following submission of the DCO application, ongoing discussions with Network Rail and further site surveys have indicated that other methods of constructing the cable under the railway at other locations via Horizontal Directional Drilling may be a preferable design solution. An extension to the Order

Limits would allow these alternative options to be considered at the detailed design stage.

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

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

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

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

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

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

3.7 Materiality

3.7.1 There is no statutory definition of a 'material' change to a DCO application, although the term is used in the Examination Guidance. The judgment as to whether this Application constitutes a material change is therefore one for the Examining Authority to make. The changes proposed in this Change Application include the addition and removal of land which has resulted in changes in the assessment of potential environmental impacts, which are reported in the SEIR [EN010132/CR1/WB9.3]. The Applicant has prepared this Application on the basis that the proposed changes are material.

3.7.2 The Applicant considers that the proposed changes, set out above, are not so substantial as to constitute a materially different project. Changes 2 and 3 relate to minor changes to the routing of the cable between the Sites. Changes 1 and 4 relate to the arrangements for access during the construction phase. Change 5 relates to arrangements for access during the construction and operational phases. No changes are proposed to the principal elements of the Scheme.

4 Consultation Report

4.1 Introduction

4.1.1 The Applicant has conducted targeted pre-application engagement with parties likely to be affected by the proposed changes to the Order Limits. The list of parties, along with the reason for their interest, is provided in Table 4.1. Further details of the engagement are given in the following subsections.

Table 4.1: Parties subject to pre-application targeted engagement

Party	Interest
EDF	Land interests in the area of the existing Order Limits at and adjacent to West Burton Substation in respect of Change 5
NGET	Connection agreement at West Burton substation in respect of Change 5
Network Rail	Land interests in the area of the existing Order Limits at and around the Lincoln-Gainsborough railway line in respect of Change 3
Nottinghamshire County Council	Host authority in respect of Change 5
Lincolnshire County Council	Host authority in respect of Changes 1, 2, 3 and 4
West Lindsey District Council	Host authority in respect of Changes 1, 2, 3 and 4
Bassetlaw District Council	Host authority in respect of Changes 1 and 2
Historic England	Potential impacts on designated and non-designated heritage assets in respect of Changes 1, 2, 3, 4 and 5
Land Interests	Land within the areas proposed for inclusion within the Order Limits in respect of Changes 1, 2, 3, 4 and 5

4.2 Section 42 of Planning Act 2008

4.2.1 The Applicant has engaged with the relevant statutory stakeholders in accordance with Section 42(1)(a) of the Planning Act 2008.

4.2.2 The proposed changes would not affect any of the areas specified in Section 42(2) of the Planning Act 2008. Consultation under Section 42(1)(aa) of the Planning Act with the Marine Management Organisation is therefore not required.

4.2.3 In relation to Section 42(1)(b) of the Planning Act 2008, the Applicant has engaged with the host authorities only.

- 4.2.4 The land is outside the Greater London area and consultation with the Greater London Authority is not required under Section 42(1)(c).
- 4.2.5 The consultation carried out with parties with land interests under Section 42(1)(d) is detailed below.
- 4.2.6 The Applicant considers that the pre-application consultation carried out and described in this section is proportionate in view of the limited nature of the proposed changes to the Order Limits and to the available time for the changes to be examined, which includes publicity requirements, a period of statutory consultation and opportunities for the submission of comments.
- 4.2.7 The Applicant notes that the Regulation 7 of the CA Regulations requires the Applicant to send a notice of the Change Application to each local authority (as defined in Section 43 of the Planning Act 2008), the prescribed consultees listed in Schedule 3 of the CA Regulations and all persons within the categories set out in Section 57 of the Planning Act 2008 (i.e. persons with an interest in land or who would or might be entitled to make a relevant claim).

4.3 Consultation with EDF

- 4.3.1 In relation to Change 5, the Applicant has been engaging with EDF throughout the application process.
- 4.3.2 The Applicant emailed EDF on 3 October 2023 detailing the proposed change to be made to the Order Limits at West Burton Power Station, and EDF responded on 19 October 2023 stating that they were content with the Order Limits extension subject to the following:
1. The rights over the access road being temporary (for construction / maintenance)
 2. EDF retaining flexibility to alter those routes / limit access when necessary (i.e. during demolition events)
 3. The Applicant paying maintenance / security costs associated with their use of the road.
- 4.3.3 The Applicant has since agreed a statement with EDF in relation to the Change Request, which is included in Appendix 2 of this Report.

4.4 Consultation with NGET

- 4.4.1 In relation to Change 5, and for cable route planning within the existing Order Limits, the Applicant undertook a site visit to West Burton Power Station with a representative from NGET on 8 June 2023. No concerns were raised by NGET.

4.5 Consultation with Network Rail

- 4.5.1 In relation to Change 3, the Applicant has had ongoing engagement with Network Rail regarding the cable crossing design options. An email was sent to a Technical Surveyor at Network Rail on 30 September 2023 outlining that the Applicant intends to amend the crossing location of the cable across the railway. This was followed by

an email detailing the proposed change on 13 October 2023 to extend the crossing location. Network Rail acknowledged the proposed change over email on 17 October 2023 and no concerns have been raised to date.

4.6 Consultation with additional affected persons

4.6.1 The Applicant has provided an updated Book of Reference [EN010132/CR1/WB4.3_D] alongside the Change Application, which identifies the affected persons of additional land.

4.6.2 The land at the railway between the east and west parts of the West Burton 3 Site, affected by Change 3 is currently unregistered at HM Land Registry. Network Rail have claimed ownership of this land.

4.6.3 The Applicant has carried out pre-application engagement with the relevant landowners of the additional land, and other affected persons as set out in **Table 4.2** below.

Table 4.2: Engagement with landowners

Plot	Landowner	Record of Engagement
05-052a 05-054a 06-072ca 06-072d Changes 2 and 3	Andrew David Barker	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits. The Affected Party has therefore been in receipt of s.48 and s.56 notices and the Applicant has separately discussed with the landowners the proposed change.
10-183b 10-194a Change 5	Church Commissioners For England	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits in respect of mines and minerals. The Affected Party has therefore been in receipt of s.48 and s.56 notices.
07-099a Change 4	Claire Amanda Hunt	The Affected Party holds a subsoil interest in High Street, Marton. The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
07-099a Change 4	Dorothy Annette Wright	The Applicant has previously consulted with the Affected Party as they hold a subsoil interest in High Street Marton. The Affected Party has therefore been in receipt of s.48 and s.56 notices.

10-183a 10-183b 10-183c 10-183d 10-194a Change 5	EDF Energy (Thermal Generation) Limited	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits. The Affected Party has therefore been in receipt of s.48 and s.56 notices. Further information regarding consultation is given in Section 4.3 above.
07-099a Change 4	Greta Mary Hill	The Affected Party holds a subsoil interest in High Street, Marton. The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
04-052a 05-054a 05-059a 05-059b Changes 2 and 3	Horace Malcolm Barker	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits. The Affected Party has therefore been in receipt of s.48 and s.56 notices and the Applicant has separately discussed with the landowners the proposed change.
01-002a Change 1	John Stuart Mark Bradshaw	The Affected Party holds a subsoil interest in Main Street, Broxholme. The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits. The Affected Party has therefore been in receipt of s.48 and s.56 notices.
07-099a Change 4	Jonathan Hill	The Affected Party holds a subsoil interest in High Street, Marton. The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
01-002a 07-099a Changes 1 and 4	Lincolnshire County Council	These plots relate to land that is part of the public highway. The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits and as set out in Section 4.7. The Affected Party has therefore been in receipt of s.48 and s.56 notices.

07-099a Change 4	Matthew Colin Wright	<p>The Applicant has previously consulted with the Affected Party as they hold a subsoil interest in High Street Marton.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p>
06-072a 06-072b 06-073a 06-073b 06-074a Change 3	Network Rail Infrastructure Limited	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>Further information regarding consultation is given in Section 4.5 above.</p>
10-183d 10-194a Change 5	Nottinghamshire County Council	<p>These plots relate to land that is part of the public highway. The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits and as set out in Section 4.7.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p>
07-099a Change 4	Prime Life Limited	<p>The Applicant has previously consulted with the Affected Party as they hold a subsoil interest in High Street Marton.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p>
04-052a 05-054a 05-059a 05-059b Changes 2 and 3	Robert Simon Barker	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices and the Applicant has separately discussed with the landowners the proposed change.</p>
04-052a 05-054a 05-059a 05-059b Changes 2 and 3	Robin Andrew Barker	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices and the Applicant has separately discussed with the landowners the proposed change</p>

4.7 Consultation with Local Planning Authorities

Order Limits Changes 1, 2, 3, 4 and 5

4.7.1 In relation to Changes 1-5, the Applicant has engaged with the host local authorities.

4.7.2 The Applicant discussed the proposed changes, summarising the reasons for each of them, with Lincolnshire County Council by telephone on 2nd January 2024. The Head of Planning confirmed that he did not envisage there being any fundamental problems with the changes.

4.7.3 The Applicant tried to contact Nottinghamshire County Council, West Lindsey District Council and Bassetlaw District Council to discuss the proposed changes, but was unable to speak with them. An email was sent to the three Host Authorities on the 2nd January 2024 outlining the proposed changes and advising of the proposed timetable for the submission of the change notification and Change Application. No comments or concerns have been raised by the Host Authorities to the Applicant.

Order Limit Change 1

4.7.4 Engagement with Lincolnshire County Council Highways Department has been ongoing following their comments within the Host Authority Relevant Representation **[RR-188]** regarding the route to the West Burton 1 Site along the unnamed road from the A1500 dated the 8th June 2023.

4.7.5 A meeting was held between the Applicant's transport consultant (TPA) and the highway officers on the 13th July 2023 to discuss the comments:

"LCC-04: However, concern is raised regarding the access route proposed for West Burton 1. This is proposed to use around 1.2km of the unclassified road south of A1500 (Figure 6.1 of TA). The number of daily vehicles using this, associated with the development, would be five HGVs and 23 cars. This is in addition to the surveyed flows of around 200 existing daily vehicles on this route. This road is a single track road around 3m in width, passing cars need to use the verge and for cars passing HGVs it is problematic. The road is also not straight with several sharp bends over this short length."

"LCC-05: Section 7 of the Transport Assessment (TA) proposes this same route for abnormal loads, with vehicles of 100 tonnes and 36m in length using this route. The TA suggest in Para 8.6 that temporary pass-by bays will be created on narrower sections of the highway and the DCO would allow powers to make adjustments in the highway verge."

"LCC-06: Recommend that for construction traffic, the applicant needs at this stage to identify where passing bays will be located on this route, there should be at least one bay on each straight section of the route, making around three bays over the 1.2km section. The proposed access points (Access 1 and 2) are to be at existing field accesses which are located on the bends. Layouts of the access junctions need preparing with swept paths for HGVs to show that two way movements can occur and the extent of the junction improvements necessary. "

- 4.7.6 TPA prepared a technical note to address the above points (along with others that were raised in the Relevant Representation **[RR-188]**) which proposes passing places on either side of the unnamed road. The proposals have been prepared in conjunction with the project landscape and ecological consultants. This was sent back to the highway officer on the 4th October 2023 and they responded on the 8th October to confirm they were content with the proposed passing places.

5 Proposed Examination Timetable

5.1 Introduction

- 5.1.1 The Applicant submitted a Change Request Notification to the ExA in accordance with Advice Note 16 on 3 January 2024 **[AS-013]**. This included details of the intended changes and set out a proposed timetable for examining the Change Application.
- 5.1.2 The ExA responded to the Change Notification on 10 January 2024 **[PD-010]**.
- 5.1.3 The Applicant notes that the ExA will consider adopting the same approach as that adopted for the examination of the change application for Gate Burton Energy Park, where the Relevant Representations period and the Written Representations period ran concurrently, provided that the requirements of the CA Regulations can be met.

The Applicant further notes that the ExA considers that the period of 4 days between the deadline for relevant representations and the date for the publication of the initial assessment of the issues may be insufficient. However, the Applicant is not anticipating many relevant representations relating to the Changes to be submitted in light of the nature of the changes and the engagement undertaken to date. The ExA also comments that the publication of the timetable, including for hearings, would be of assistance. The proposed timetable for the examination set out in Table 5.1 is the same as the timetable proposed in the Change Notification **[AS-013]**.

Table 5.1: Proposed Timetable

Stage	Proposed Date	Source
Submission of Notification of Change Request	3 January 2024	Advice Note 16
Submission of Change Application	19 January 2024	CA Reg 5
Acceptance by ExA of Change Application, ExA issues timetable	12 February 2024	CA Regs 6 and 12
First press notice / Start of consultation period (local newspaper publishes on a Thursday only)	15 February 2024	CA Regs 7 and 8
Second press notice (local newspaper publishes on a Thursday only)	22 February 2024	CA Reg 8
CA Regs Deadline 1 – Closing date for consultation - Submission of Relevant	24 March 2024	CA Regs 7, 8, 12 and 13

Representations and Written Representations on Change Application		
Submission of Certificate of Compliance	25 March 2024	CA Reg 9
CA Regs Deadline 2 - Deadline for requests to speak at OFH, ISH and CAH	26 March 2024	CA Reg 14
ExA issues notices of hearings and Initial Assessment of Principal Issues (local newspaper publishes on a Thursday only)	28 March 2024	CA Reg 11
CA Regs Deadline 3 - Comments on submissions received at CA Regs Deadline 1	12 April 2024	CA Regs 12 and 13
Additional hearings (OFH, ISH, CAH), if required	24 and 25 April 2024	CA Regs 14, 15 and 16
Existing Deadline 6 or Deadline 7 - Comments on submissions received at CA Regs Deadline 3 and written summary of oral submissions at hearings (if required)	30 April 2024 or 8 May 2024	CA Regs 12 and 13

6 Schedule of Application Documents

- 6.1.1 An updated version of the Guide to the Application [EN010132/CR1/WB1.3_E] provides a full schedule of the application documents, indicating which are the current documents for the main application and which are the current Change Application documents.
- 6.1.2 The new documents being submitted for this Change Application are listed in Table 6.1.
- 6.1.3 The documents for which revised versions are being submitted are listed in Table 6.2.

Table 6.1: New documents submitted with this Change Application

Ref	Title
CR1/WB9.2	Change Application
CR1/WB9.3	Supporting Environmental Information Report

Table 6.2: Revised documents submitted with this Change Application

Ref	Title	Reason for change
CR1/WB1.3_E	Guide to the Application (Revision E) (Change Application)	Updates to list of documents and to introductory text
CR1/WB2.1_A	Location Plan / Order Limits (Revision A) (Change Application)	Update to the Order Limits
CR1/WB2.2_B	Land Plan (Revision B) (Change Application)	Updates in relation to all Changes
CR1/WB2.3_C	Works Plan (Revision C) (Change Application)	Updates in relation to all Changes
CR1/WB2.4_A	Public Rights of Way Plan (Revision A) (Change Application)	Updates in relation to all Changes
CR1/WB2.5_A	Access Plan (Revision A) (Change Application)	Changes to position of Access AC110 and AC112. Removal of Access AC109, addition of Access AC100
CR1/WB2.7_A	Ecology and Nature Conservation Features Plan (Revision A) (Change Application)	Updates in relation to all Changes
CR1/WB2.9_A	Important Hedgerows Plan (Revision A) (Change Application)	Updates in relation to all Changes

CR1/WB2.11_B	Streets Plan (Revision B) (Change Application)	Updates in relation to all Changes
CR1/WB3.1_D	Draft Development Consent Order (Revision D) (Change Application)	Updates in relation to all Changes in Schedule 4, Schedule 5, Schedule 7, , Schedule 10, Schedule 12, Schedule 13
CR1WBC3.2_B	Draft Explanatory Memorandum (Revision B) (Change Application)	Updates to align with amendments to the draft DCO
CR1/WB4.1_A	Statement of Reasons (Revision A) (Change Application)	Updates in relation to all Changes. Updates to Status of Negotiations.
CR1/WB4.2_A	Funding Statement (Revision A) (Change Application)	Updates in relation to all Changes
CR1/WB4.3_D	Book of Reference (Revision D) (Change Application)	Updates in relation to all Changes
CR1/WB6.3.14.1_B	ES Appendix 14.1 Transport Assessment (Revision B) (Change Application)	Updates to include additional access AC100
CR1/WB6.3.14.2_C	ES Appendix 14.2 Construction Traffic Management Plan (Revision C) (Change Application)	Updates to include additional access AC100
CR1/WB6.3.14.3_C	ES Appendix 14.3 Public Rights of Way Management Plan (Revision C) (Change Application)	Updates to Order Limits
CR1/WB7.3_C	Outline Landscape and Ecological Management Plan (Revision C) (Change Application)	Updates to Hedgerow Removal Plan

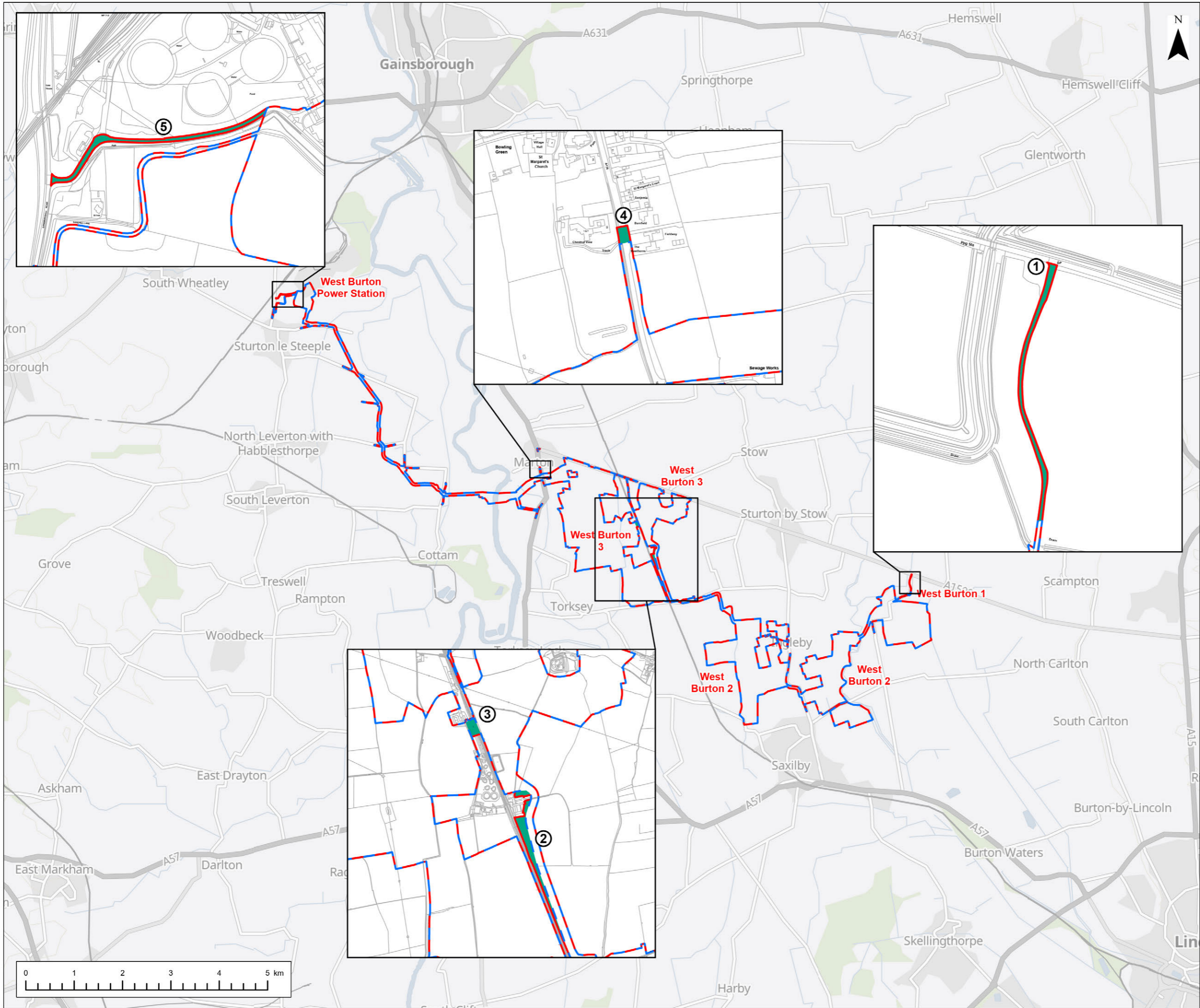
7 Conclusions

- 7.1.1 The Applicant requests that the Examining Authority accepts this Change Application for consideration as part of the West Burton Solar Park Examination.
- 7.1.2 The proposed changes would not constitute a materially different application.
- 7.1.3 Each of the changes proposed is the result of engagement with stakeholders or the Applicant having received new information since the submission of the Application. Change 1 responds to comments from Lincolnshire County Council Highways requesting a passing place during the construction phase. Change 2 seeks to accommodate an adjoining scheme currently seeking planning approval. Change 3 is proposed in response to discussions with Network Rail regarding the construction of a cable under the railway line. Change 4 supports that alignment of a construction accesses with those proposed for Cottam Solar Park and Gate Burton Energy Park. Change 5 has resulted from discussions with EDF regarding construction access to the Grid Connection Point.
- 7.1.4 The Applicant has conducted targeted and proportionate engagement with relevant stakeholders and interested parties. The remaining time within the Examination will allow adequate time for further consultation with interested parties and with the public.
- 7.1.5 The Applicant is grateful to the Examining Authority for confirming its willingness to consider the acceptance of this Change Application.

8 References

- Ref.1 Planning Act 2008 (<https://www.legislation.gov.uk/ukpga/2008/29/contents>) ('Planning Act 2008')
- Ref.2 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (<https://www.legislation.gov.uk/uksi/2009/2264/contents/made>) ('APFP')
- Ref.3 Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (<https://www.legislation.gov.uk/uksi/2010/104/contents/made>) ('CA Regulations')
- Ref.4 The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 as amended (<https://www.legislation.gov.uk/uksi/2011/2055/contents>)
- Ref.5 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (<https://www.legislation.gov.uk/uksi/2017/572/contents/made>) ('EIA Regulations')
- Ref.6 Planning Inspectorate Advice Note Sixteen (Version 3), *Requests to change applications after they have been accepted for examination*, March 2023 (<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-16/>) ('Advice Note 16')
- Ref.7 Guidance: Planning Act 2008: examination of applications for development consent, March 2015 (<https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>) ('Examination Guidance')
- Ref.8 Guidance: Planning Act 2008: changes to Development Consent Orders, December 2015 (<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>)

Appendix 1 Plan of Requested Changes



Key

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

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

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

**Proposed Changes to Order Limits
December 2023**

WEST BURTON SOLAR PROJECT

Appendix 2 Agreed Statement with EDF

West Burton Solar Project

Agreed Statement with EDF

Prepared by: Lanpro Services

January 2024

PINS Ref: EN010132



Contents

<u>1</u>	AGREED STATEMENT	<u>2</u>
<u>2</u>	SIGNATORIES	<u>3</u>


1 Agreed Statement

- 1.1.1 This Statement has been prepared by the Applicant and EDF Energy (Thermal Generation) Limited in respect of the Applicant's change request for:
1. An extension to the Order Limits to include the existing access to West Burton Power Station to allow access during construction; and
 2. A request seeking powers of compulsory acquisition and/or temporary access rights over the same land to facilitate the construction and operation of the Scheme subject to protective provisions to limit the exercise of any compulsory acquisition powers.
- 1.1.2 The Parties can confirm that they have been engaged in technical and commercial discussion regarding routeing of the high voltage cables for the West Burton Solar Project, plus construction and operational access locations to the West Burton Power Station to complete the grid connection works at the National Grid Substation.
- 1.1.3 An access to the cable route corridor for installation of the high voltage cable is provided to agricultural land to the south of West Burton Power Station. Whilst this access is still required for installation of the high voltage cables on the agricultural land, access to West Burton Power Station via the existing main West Burton Power Station access road is preferred, to complete the grid connection works at the National Grid Substation.
- 1.1.4 As a result, access rights over the additional land to include the existing main vehicular access road to West Burton Power Station from Gainsborough Road has been identified to complete the grid connection works at the National Grid substation via the existing main West Burton Power Station access road (known as Rose Street and South Road).
- 1.1.5 EDF Energy (Thermal Generation) Limited maintain that adequate protective provisions will be required on the face of the DCO to ensure the ongoing demolition project of West Burton power station is not compromised by the construction work and that their land and apparatus are protected. EDF continue to engage with the Applicant in this regard.
- 1.1.6 This statement has been agreed by the Applicant and EDF Energy (Thermal Generation) Limited.

2 Signatories

2.1.1 The above statement is agreed between West Burton Solar Project Ltd (the Applicant) and EDF Energy (Thermal Generation):

Duly authorised for and on
behalf of **West Burton Solar Project Ltd.**

Name:	Eve Browning
Job Title:	Senior Project Development Manager
Date:	19/01/24
Signature:	

Duly authorised for and on
behalf of **EDF Energy (Thermal Generation)**

Name:	Ben Malfroy
Job Title:	Head of Real Estate & Land
Date:	19/1/24
Signature:	