

West Burton Solar Project

Written Summary of the Applicant's Oral Submissions & Responses at Issue Specific Hearing 3 and Responses to Action Points

Prepared by: Pinsent Masons LLP
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Issue Sheet

**Report Prepared for: West Burton Solar Project Ltd.
Examination Deadline 4**

Issue Specific Hearing 3 on 7 February 2024

General and Cross-Topic, Need, Electricity Generated and Climate Change; Safety and Major Incidents, Landscape and Visual, Soils & Agriculture, Biodiversity & Ecology and Water Environment:

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<p>1. Welcome and Introductions</p> <p>The Examining Authority (ExA) will welcome participants and lead introductions. The live stream and recording will start.</p>	<p>The ExA introduced the hearing and the following parties introduced themselves:</p> <p><u>The Applicant</u></p> <ul style="list-style-type: none"> • Claire Brodrick, Legal Director at Pinsent Masons LLP (solicitors for the Applicant) • Eve Browning, Senior Project Development Manager at Island Green Power • Si Gillett, Humbeat, consultant for the Applicant on energy need (attended virtually) • Daniel Clampin, Bureau Veritas UK, climate change consultants for the Applicant (Mr Clampin introduced himself at agenda item 4A) • Paul Gregory, BST&T Consultancy Services, battery safety and testing consultant for the Applicant (Mr Gregory introduced himself at agenda item 4C) • Chris Jackson, Landscape Architect at Lanpro (planning and EIA consultants for the Applicant) (Mr Jackson introduced himself at agenda item 5) • Daniel Baird, Soils and Agriculture consultant at Daniel Baird Soil Consultancy Ltd, soils consultant for the Applicant (Mr Baird introduced himself at agenda item 6A) • Harry Fox, Clarkson and Woods, ecologist for the Applicant (Mr Fox introduced himself at agenda item 6B) • Josh Rigby, Mabbett & Associates Ltd, hydrology consultant for the Applicant (Mr Rigby introduced himself at agenda item 6C) <p><u>Lincolnshire County Council</u></p> <ul style="list-style-type: none"> • Neil McBride, Head of Planning • Stephanie Hall, Counsel, Kings Chambers • Martha Rees, Senior Solicitor • Oliver Brown, AAH Landscape (landscape consultants for LCC) <p><u>Nottinghamshire County Council</u></p> <ul style="list-style-type: none"> • Stephen Pointer, Planning Policy Manager (attended virtually) <p><u>West Lindsey District Council</u></p> <ul style="list-style-type: none"> • Russell Clarkson, Development Manager • Alex Blake, Associate Director, Atkins • Tim Carter, Associate Director, Atkins (attended virtually) <p><u>7,000 Acres</u></p> <ul style="list-style-type: none"> • Mark Prior • Peter O'Grady • Tony Court <p><u>Local residents</u></p> <ul style="list-style-type: none"> • Simon Skelton • Christine Warren

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<p>2. Purpose of the Issue Specific Hearing</p>	<p>The ExA introduced the purpose of the hearing and noted that the landscape and visual impact assessment (LVIA) topic would not be covered in detail in this hearing, and that the cultural heritage agenda item for Issue Specific Hearing 4 (ISH4) would also not be covered in detail. Due to resourcing issues, these topics would be postponed to be heard at a future hearing.</p> <p>Ms Brodrick requested that the Applicant be given the opportunity to provide an update on LVIA matters, in light of ongoing discussions between the Applicant and Lincolnshire County Council (LCC), to make best use of the time and to help inform further written questions. Ms Brodrick also requested that an opportunity be provided in ISH4 for the Applicant to provide an update on cultural heritage matters.</p>
<p>3. General and Cross-Topic</p> <ul style="list-style-type: none"> a) Implications of the revisions to National Policy Statements for the assessment of the Project b) Implications of technological improvements for electricity generated, scheme design and environmental impacts c) Consideration of the nature and purpose of the community benefits package 	<p>A – Implications of the revisions to National Policy Statements for the assessment of the Project</p> <p>In response to the ExA requesting further explanation of the Applicant's response to the Examining Authority's written questions and requests for information (ExQ1) First Written Question (FWQ) 1.1.3, [REP3-038] Ms Brodrick referred to paragraph 5.4.16 of the updated Planning Statement [REP3-030]. She noted the Planning Statement was updated prior to the National Policy Statements (NPS) being designated, in January 2024. At the point the Planning Statement was updated they had been published, but they had not yet been designated by the Secretary of State, and so marginally less weight should have been afforded to them, as at that point there was still a chance Parliament could have amended them. She went on to state that, now that the policies have been designated, the Applicant's case is that they have more weight than when they were just published. She added that the extent to which the new NPSs are important and relevant is a matter for the relevant Secretary of State to consider, within the framework of the Planning Act 2008, noting provisions in section 105 of the Act and with regard to specific circumstances of each development consent order application.</p> <p>Ms Brodrick added that the November 2023 NPSs deal with solar development specifically and set out the government's current policy ambitions for renewable energy, which includes solar. She noted that section 1.6 of NPS EN-1 (November 2023) sets out the transitional arrangements, which states that the 2011 versions of the NPS are "important and relevant" to the DCO application for the Scheme. However, as NPS EN-3 (2011) does not apply to solar, the Applicant's case is that the newly designated NPSs should be given more weight than the 2011 NPSs. Ms Brodrick also noted that the transitional arrangements in section 1.6 of NPS EN-1 (November 2023) apply to all DCO applications accepted for Examination prior to the designation of the November 2023 NPSs, including those dealt with under both sections 104 and 105 of the Planning Act 2008. She noted that these transitional arrangements are more important for schemes that fall under section 104, because they are required to be determined under the previous 2011 versions of the NPSs. This is not the situation with this Scheme, because it remains to be decided under section 105.</p> <p>In response to comments relating to section 4.2 of NPS EN-1 (November 2023) and the designation of low carbon infrastructure as "critical national priority" (CNP), Ms Brodrick noted that the comments raised by interested parties were that they do not agree with the policy itself, rather than it not being applicable to the Scheme. She confirmed that the Applicant's position is that the Scheme is CNP as it meets the definition of low carbon infrastructure in section 4.2 of NPS EN-1 (November 2023), and so policies relating to CNP should be taken into account by the Secretary of State as an important and relevant matter in respect of the planning balance.</p> <p>In response to comments from the ExA relating to NPS EN-3 (November 2023) and the reference to "typical 50MW solar farms" in paragraph 2.10.17, Ms Brodrick responded that the NPSs apply to Nationally Significant Infrastructure Projects (NSIPs), albeit they are important and relevant for other developments (including applications for planning permission under the Town and Country Planning Act 1990). She noted that the threshold for onshore generating stations to be NSIPs, as set out in the Planning Act 2008, is if they are generating stations with a generating capacity of 50MW or more. She added that the Applicant's interpretation of paragraph 2.10.17 of NPS EN-3 (November 2023) is that it is describing a typical solar project that will meet the capacity threshold to be an NSIP. She added that there is nothing in NPS EN-3 (November 2023) to suggest larger schemes will not be supported, and she noted that paragraph 2.10.10 of NPS EN-3 clarifies that "government expects a five-fold increase in combined ground and rooftop solar deployment by 2035".</p> <p>In response to submissions from Mr O'Grady, Ms Brodrick responded that section 4.2 of NPS EN-1 (November 2023) is clear that all renewable generation is CNP, which includes solar. She noted that Mr O'Grady has misquoted paragraph 2.10.17 of NPS EN-3 (November 2023), which states that a "typical 50 MW solar farm will consist of around 100,000 to 150,000 panels and cover between 125 to 200 acres", rather than a "typical solar farm". In respect of comments made by Mr O'Grady relating to overplanting, she referred the ExA to the Applicant's Written Summary of Issue Specific Hearing 1 [REP1-052], which covered the matter in detail.</p> <p>In response to a question from the ExA relating to paragraph 4.2.3 of NPS EN-1 (November 2023) and whether the Scheme could properly be regarded as a single scheme given the dispersed nature of the sites, Ms Brodrick responded that the Applicant's position is that via the site selection process and design evolution both pre-application and</p>

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	<p>post-acceptance for examination, identified adverse impacts are being minimised wherever practicable, and therefore the Scheme is compliant with paragraph 4.2.3 and other relevant policies. Paragraph 4.2.3 of NPS EN-1 (November 2023) states that:</p> <p><i>"4.2.3 With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions."</i></p> <p>She noted that paragraph 4.2.3 needs to be read in the context of the section on CNP as a whole (section 4.2). Ms Brodrick added that, the question of the benefits and disadvantages of conjoined site design versus dispersed site design covers a wide variety of environmental topics, notably LVIA. She noted that the Applicant's LVIA consultants were available to provide more information on the benefits of dispersed sites and conjoined sites, if necessary.</p> <p>In response to submissions made by Mr Blake on behalf of West Lindsey District Council (WLDC) relating to site selection and land use, Ms Brodrick responded that two separate points were being made:</p> <ol style="list-style-type: none"> 1. The site selection process and why a contiguous site was not identified for solar and battery energy storage in the identified study area. She noted that Chapter 5 of the Environmental Statement (ES) [APP-043] and ES Appendix 5.1 Site Selection Assessment [AS-004] sets out this process in detail. 2. She added that there is then a separate question regarding the efficient use of land for the Scheme, which the Applicant has spoken in detail about. She referred to the Applicant's Written Summary of Issue Specific Hearing 1 (ISH1) [REP1-052] and the detailed discussion relating to overplanting, panel spacing and other matters at that hearing. She noted that the Applicant has included in the Order Limits [APP-041] sufficient land for enough solar arrays to generate the capacity of the Applicant's grid connection in an efficient way based on the technology currently available. She added that the Order Limits also include a number of other elements associated with the Scheme, such as cabling and mitigation areas, and that the areas for solar panels have been designed to take into account various constraints and mitigation measures that need to be put in place. She confirmed it is the Applicant's position that the Order Limits are not larger than they need to be, but they reflect a combination of different factors that are required at this stage in a process absent a detailed design for the Scheme, noting that this approach is very typical for NSIPs of this type. <p>In response to further questions from Mr O'Grady, Ms Brodrick noted that load factor and solar technology were dealt with in ISH1, so directed the ExA to the written summary of this hearing [REP1-052] (see agenda items 3b and the response to Action Point 2). She added that the Applicant has set out in detail the steps it has taken to reduce and mitigate the environmental impacts identified in the Environmental Statement. Ms Brodrick confirmed that, where there are residual impacts, as is common for these types of nationally significant schemes, it is the Applicant's position that the benefits of the Scheme outweigh any adverse effects.</p> <p><u>B – Implications of technological improvements for electricity generated, scheme design and environmental impacts.</u></p> <p>In response to the ExA's questions relating to the Applicant's response to ExQ1 FWQ 1.1.6 [REP3-038], Ms Brodrick responded that the development is permitted in the areas for each work number shown on the Works Plans [EX4/WB2.3_D], and then the actual detail of the design of each work number is controlled by the requirements which require further details to be submitted prior to the commencement of construction. She added that when these requirements are being discharged, the Applicant will have to state whether any materially new or different environmental effects will arise because of the detailed design. She noted that a conservative approach has been taken to the environmental impact assessment, so it may be that the effects at the detailed design stage are materially less than anticipated. As an example, she confirmed that the efficacy of landscape planting will be monitored throughout the operation of the Scheme, as set out in the Outline Landscape and Ecological Management Plan (OLEMP) [EX4/WB7.3_D], and confirmed that this same approach to monitoring would also be taken for other aspects of the Scheme (such as soils). She noted that steps may need to be taken during the lifetime of the Scheme to ensure the mitigation is performing in the way anticipated in the Environmental Statement.</p> <p>In response to the ExA requesting confirmation on the use of the Rochdale Envelope and noting comments from Interested Parties that the Applicant has not adopted a reasonable worst case approach to the Environmental Assessment in accordance with PINS Advice Note 9¹, Ms Brodrick confirmed that the Environmental Impact Assessment methodology is set out in Chapter 2 of the ES [APP-040], which sets out the Rochdale Envelope approach and how the Applicant has complied with PINS Advice Note 9. She</p>

¹ Planning Inspectorate Advice Note 9: Rochdale Envelope (July 2018 (version 3)).

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	<p>noted that the basis of the assessment is a reasonable worst case assessed based on information available, and foreseeable circumstances, rather than the absolute worst case one could possibly imagine.</p> <p>In response to Mr Prior's comments about the Environmental Statement's compliance with PINS Advice Note 9, and the ExA requesting information on the change from an estimated 40 year operational life of the Scheme to a limit of up to 60 years in the DCO [EX4/WB3.1_E], Ms Brodrick responded that the Applicant has set out in detail in its written submissions and in Issue Specific Hearing 2 (ISH2) (see the Written Summary of the Applicant's Oral Submissions at the Issue Specific Hearing (ISH2) [EX4/WB8.1.24]) its reasoning for including a 60 year time limit for the operational life of the Scheme in the DCO [EX4/WB3.1_E].</p> <p>She added that a review of the assessments and conclusions in Environmental Statement in terms of an up to 60 year operational period was undertaken and is set out in the Review of Likely Significant Effects at 60 Years: Environmental Statement Review [REP1-060]. She added that this document goes through each of the sections in the Environmental Statement where a typical operational time period of 40 years was mentioned, and then it goes through each of the environmental topics one by one, to consider whether there would be any changes to the assessment that was undertaken should the Scheme be in place for up to 60 years.</p> <p>Ms Brodrick confirmed that Applicant does not agree that there is an inconsistency between the assessments in the Environmental Statement and the inclusion of a 60 year time limit in the DCO. She noted that the application needs to be read as a whole and that the DCO is an evolving document in which the drafting changes over time. She noted that where amendments have been made to the DCO [EX4/WB3.1_E], the Applicant has submitted information to confirm the changes are consistent with the effects assessed in the Environmental Statement. She also flagged the Schedule of Changes [EX4/WB8.1.8_C] sets out the reasons for each amendment to the DCO and other application documents. She noted that the point on hedgerows raised by Mr Prior has been covered in great detail previously (see, for example, agenda item 5C of the Written Summary of the Applicant's Oral Submissions at the Issue Specific Hearing (ISH2) [EX4/WB8.1.24]), but flagged the overall point that the powers in the DCO must be read together with the management plans that constrain how they can be exercised.</p> <p><u>C - Consideration of the nature and purpose of the community benefits package</u></p> <p>In response to the ExA introducing this agenda item referring to ExQ1 FWQ 1.13.6 [REP3-038] and asking the Applicant to comment on the need for an appropriate package of community benefits, Ms Brodrick responded that there are a number of different elements that are relevant.</p> <p>She noted there is mitigation included as part of the Scheme, to reduce and avoid adverse impacts, which is secured through the DCO process. She further noted that there are also enhancements proposed relating to landscape and Biodiversity Net Gain (BNG), new planting and new hedgerows, and habitat management areas secured through the DCO ([EX4/WB3.1_E] – see requirements 7 and 9 in Schedule 2).</p> <p>She noted that compensation by way of financial contributions is not something that can be taken into account as part of the DCO application process. She confirmed, however, that the Applicant has stated its commitment to providing a Community Benefit Fund (CBF), which will be developed post DCO consent with stakeholders. Ms Brodrick requested clarification from LCC on what non-financial benefits they would like the Applicant to consider.</p> <p>Ms Hall on behalf of LCC noted that she did not consider that there was much difference between the Applicant and LCC on this matter, and that the point was taken regarding the different between mitigation secured in the DCO and separate community benefits through a CBF.</p> <p>In response to comments made by Mr O'Grady, Ms Brodrick referred to the response to ExQ1 FWQ 1.13.6 [REP3-038], noting that the Applicant is open to hearing ideas about how the Applicant can support other initiatives being undertaken in the local area, and is working with LCC on this (which Mr McBride for LCC confirmed). However, she noted the CBF will not be set up until after the Scheme has been granted consent. She reiterated that the CBF is being set up to provide community benefits, not to mitigate impacts from the Scheme.</p>
<p>4. Need, Electricity Generated and Climate Change; Safety and Major Incidents</p> <p>a) Failure rate of Photo Voltaic (PV) panels, and the impact on</p>	<p><u>A – Failure rate of Photo Voltaic (PV) panels, and the impact on replacement, and consideration in climate change analysis.</u></p> <p>In response to the ExA requesting information on the assessment of the impacts of panel replacement during the operation of the Scheme, Ms Brodrick referred to the Applicant's response to ExQ1 FWQ 1.9.10 [REP3-038], which provided more information on the figures used for the calculation of Green House Gas (GHG) emissions and predicted waste arisings, these figures coming from discussions with panel manufacturers. She noted that the assessment took into account the fact that there is not currently any firm data available about the effective life and replacement rates for panels for these types of projects because these types of projects that are in operation at</p>

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<p>replacement, and consideration in climate change analysis</p> <p>b) Consideration of PV Panels and associated infrastructure at macro scale - Ground mounted and rooftop PV, provenance, size</p> <p>c) BESS Management and Safety, noting revisions to Outline Battery Storage Safety Management Plan (OBSSMP) [REP3-032]</p>	<p>the moment have not reached the end of their operational life. Therefore, there is limited data available in terms of the frequency of the failure rates and whether those panels that fail are replaced.</p> <p>Ms Brodrick added that there is a distinction between complete panel failure, and a general decline in efficiency as the panel gets older. She noted that the maintenance regime is therefore not fixed. She noted that a reasonable worst case was used for the assessment, taking into account the limited amount of data available. She further noted that experience of the day-to-day management of operational solar farms at the beginning of their operational life was taken into account when assessing failure rates and day to day maintenance vehicle movements. She also added that the assessments are based on the Applicant's experience of operating solar projects.</p> <p>Mr Clampin further added that the Applicant had worked on the assumption of 0.4% replacement of panels per annum. He confirmed that ES Chapter 7 – Climate Change [REP1-012] and ES Chapter 20: Waste [APP-058] sets out the assumptions that have been made, and that a reasonable assessment has been undertaken of what the change in solar PV module failure rate would be. He noted that the assessment of maintenance trips was based on twice monthly trips during the operation of the Scheme and was regarded as a reasonable basis for the GHG assessment.</p> <p>Post hearing note: The Applicant notes that paragraph 14.7.65 of Chapter 14: Transport and Access of the Environmental Statement [APP-052] refers to approximately 5 visits to each Site per month for maintenance purposes (less than one trip per day on average). Access may be required for maintenance of the grid connection cables but this is only likely to be once or twice a year. Any increase in emissions associated with this number of maintenance visits is negligible.</p> <p>In response to submissions from Ms Warren, Ms Brodrick noted that the question related to whether there would be an increase in failure rate as a result of the operational period of the Scheme being up to 60 years. She noted that there is data from existing operational solar schemes that has been used for the assessment, but there is no data available relation to much older panels. She confirmed that, using the Rochdale Envelope approach, the Applicant has assumed a 0.4% panel replacement rate over the 60 years which the Scheme could be operational. She noted that the Scheme is constrained by the assessments undertaken in the Environmental Statement. She confirmed that if the rate of failure and replacement turned out to be much higher, the Applicant would need to evidence there would be no materially new or different environmental effects as compared to the ES as a result of an increased replacement rate, or it would need to apply to change the DCO. In that scenario, the increased rate of replacement would need to be assessed as part of any change application.</p> <p>In response to the ExA requesting information on the process for monitoring the failure rate of panels and waste arisings from replacement, Ms Brodrick responded that the way the DCO works is that the relevant planning authority (LCC or WLDC, depending on the nature of the matter) would be responsible for ensuring compliance and taking action in the event of non-compliance with the requirements in the DCO [EX4/WB3.1_E]. She noted that it is automatically a criminal offence to breach a requirement itself or one of the approved management plans, and therefore there is a significant deterrent to being in breach. She added that this is different from a planning permission where a local authority can decide if it wants to take enforcement action or not, and only then it becomes an offence if the enforcement action is not complied with.</p> <p>Ms Brodrick noted that the Outline Operational Environmental Management Plan (OOEMP) [EX4/WB7.14_C] governs these matters during the operational life of the Scheme. She noted that a number of updates were made to the Deadline 3 version of the OOEMP to deal with the waste management strategy ([REP3-022], now superseded by [EX4/WB7.14_C]) and to provide forecasts for the amounts of waste arisings predicted during operation. She confirmed that the OOEMP will be updated when local waste plans are updated, so there is an ongoing requirement for the waste management strategy to be kept updated. She noted that the Applicant is therefore of the view that waste arisings can be managed adequately, but would welcome any suggestions from LCC about any additional wording it would like to see included.</p> <p>Post hearing note: The OOEMP submitted at Deadline 4 [EX4/WB7.14_C] has been updated to include further details relating to waste management.</p> <p>In response to submissions made by WLDC, Mr Prior and Ms Warren, Ms Brodrick noted that in respect of WLDC's comments on monitoring compliance with DCO requirements, if the plan itself has ongoing requirements including the provision of information or a requirement to do certain things at certain times, these would be taken into account as part of the approval of the plan. She requested WLDC provide their suggested wording to address the concerns raised by Mr Blake relating to the cumulative effect of waste arisings from this Scheme and others in the local area, so the Applicant could consider including this in the OOEMP submitted at Deadline 4.</p>

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	<p>In respect of the comments made by Mr Prior, Ms Brodrick noted that a number of different impacts associated with panel replacement have been considered: climate change, waste and transport. She noted that the transport movements associated with panel maintenance and replacement are very minor and the ongoing maintenance impacts are very minor and will be controlled by the OOEMP [EX4/WB7.14_C]. She described an example of a maintenance personnel visiting the Site, undertaking a transport movement, replacing a panel and then coming away from the site, noting these works would not result in significant impacts to local people.</p> <p>Ms Brodrick added that the Applicant has not assessed effects of the complete replacement of the Scheme, and this does not form part of the application and is not permitted in the dDCO. She noted that any operator of a generating station will want it to be operating as efficiently as possible, and decisions will be taken throughout the life of the Scheme on whether to replace panels.</p> <p>In response to questions regarding the assumptions used to assess the degradation of panels, Mr Clampin confirmed that 1% degradation level was assumed in the first year of operation of the Scheme, and then 0.4% per annum thereafter.</p> <p>B – Consideration of PV Panels and associated infrastructure at macro scale - Ground mounted and rooftop PV, provenance, size.</p> <p>In response to the ExA requesting further information on the sourcing of materials from the Scheme, Ms Brodrick referred to ExQ1 FWQ 1.9.2 [REP3-038] which set out the Applicant's assumption that 50% of materials would be sourced from China and 50% from Europe. She noted that it was assumed in this response that the panels would come from China, and other types of apparatus and materials could be sourced from a closer place of manufacture. She also referred to the statement in the Outline Skills Supply Chain and Employment Plan (OSSCEP) [EX4/WB7.10_A] about the steps that will be taken to ensure materials are sourced from ethical supply chains (see section 7.3). She noted that the actual procurement process when the Scheme is being delivered will be driven by pressures such as meeting the grid connection date, meaning supply chain availability is an important factor, as it is for any large scale infrastructure project which is working to a timetable.</p> <p>In response to a further comment from Ms Warren about the climate change impacts of the Scheme's construction, Ms Brodrick referred to the climate change assessment in Chapter 7 of the Environmental Statement [REP1-012]. Mr Clampin confirmed that the emissions deriving from constructing the Scheme have been taken account of, including the embedded carbon in the materials and the carbon associated with transporting goods to the sites. He confirmed that the assessment concludes that the benefits of generating renewable energy far outweigh the emissions associated with constructing the Scheme.</p> <p>In response to a comment from Mr O'Grady, Ms Brodrick responded that most of his points related to government policy in relation to rooftop solar. She noted that the Applicant has said throughout the application process that ground mounted solar is required in addition to rooftop solar.</p> <p>Ms Brodrick noted that, for this Scheme, the Applicant was looking for a site to develop 480MW of electricity close to the point of connection at West Burton power station. The Site Selection Assessment undertaken for the Scheme [AS-004] showed that ground mounted solar was the only viable option for delivering the grid connection offer, and no viable brownfield sites or rooftop sites were identified. She added that the requirement for other types of development (such as new housing) to have rooftop solar is a matter for the local planning authority and so is not relevant to this Scheme.</p> <p>In response to a further question from the ExA relating to solar farms with panels of comparable height to what has been assessed for this Scheme, Ms Brodrick referred to ExQ1 FWQ response 1.1.19 [REP3-038] which referred to comparable schemes currently under construction. The Applicant agreed to provide further information on the schemes referred to in this response, as well as any international examples.</p> <p>Post hearing note: Please see the response to Action Point 1 in the table below.</p> <p>In response to further submissions from Mr Prior, Ms Brodrick noted that the Xlinks Morocco-UK Power Project referred to by Mr Prior requires a DCO, for which an application has not been submitted yet, so this is not a project which will be operational in the near future. She added that the West Burton Power Station site was not available for solar development, as an alternative to the sites selected, due to other development proposals on the site and the fact that some of the land is operational land or is being decommissioned. She also directed 7,000 Acres to section 3.2 of NPS EN-1 (January 2024), which sets out the urgent need for all types of infrastructure, and the Secretary of State is not required to consider separately the specific contribution of any individual project to satisfy the need established in the NPS. It also sets out (at</p>

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	<p>paragraph 3.2.3) that "it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by the NPS. It is for industry to propose new energy infrastructure projects".</p> <p>When looking at alternatives, Ms Brodrick said that it is the ExA's role to assess and report to the Secretary of State whether the Applicant has considered alternatives to the Scheme and that these are reasonable alternatives for providing the 480MW connection offer. She added that the Applicant has looked at whether rooftop solar could deliver it, and it cannot and so the Applicant has satisfied the test.</p> <p><u>C - BESS Management and Safety, noting revisions to Outline Battery Storage Safety Management Plan (OBSSMP)</u></p> <p>In response to the ExA's questions regarding battery safety, Ms Brodrick responded that an updated version of the Outline Battery Storage System Management Plan (OBSSMP) [REP3-032] was submitted at Deadline 3. This has taken on board a number of comments made by the Lincolnshire Fire and Rescue Service and others. She confirmed that the Applicant was content that the plan covers all potential impacts to receptors.</p> <p>Mr Gregory confirmed that the battery chemistry referenced in the OBSSMP and toxic plume analysis referred to Lithium ferro-phosphate (LFP) chemistry which produces more hydrogen in some thermal runaway circumstances. He noted that this chemistry was selected for the assessment because of the larger volumes of Hydrogen Fluoride (HF) it could produce, so this was regarded as a reasonable worst case scenario. He noted that levels of emissions affecting sensitive receptors were modelled using Public Health England (PHE) data, and the conclusion was that there would be no likely significant effects on the receptors. Mr Gregory added that, at the detailed design stage, the emission levels modelled could not be exceeded, and site level consequence modelling would be undertaken to confirm that this is not the case.</p> <p>In response to further questions from the ExA relating to pollution of water run off from firefighting and smoke impacts, Mr Gregory responded that, with regard to water run-off, the OBSSMP [REP3-032] references the latest National Fire Chief Council (NFCC) guidelines. Mr Gregory noted that it is an indicative plan at this stage, and the system would be able to capture the nominal minimum level of 2 hours at 1900 litres per minute plus an additional amount to capture any rainfall.</p> <p>Mr Gregory noted that, if granted consent, there are 3 or 4 different solutions which are capable of capturing firefighting water and either releasing it if there are no pollution concerns, or tankering it offsite in the event that the levels of pollution are above PHE and Environment Agency levels. He noted recent testing of other systems, including boundary cooling, which involves stopping the spread of fire by directing jets at adjacent equipment to stop the spread of a fire and meaning there is no direct impingement on battery systems within the energy storage enclosure. Mr Gregory also noted recent testing of LFP cabinet systems where the level of pollution was below PHE levels and noted recent reports on nickel manganese cobalt (NMC) and LFP systems in New York state, which will be published shortly. He noted that the levels of toxic air emissions and firefighting water run-off in those scenarios were below the levels considered dangerous.</p> <p>In response to further questions from the ExA relating to smoke impacts, Mr Gregory responded that, under operational circumstances, LFP systems will not be releasing emissions that will be of any threat to human health. He noted that the data used for the revised toxic emissions modelling (in ES Addendum Air Quality Impact Assessment of BESS Fire [REP3-040]) was taken from the UK Health and Security Agency. He noted that the Applicant had access to a testing system in the UK, and was able to use data from this to inform the modelling. Mr Gregory confirmed that, in his view, the modelling in ES Addendum Air Quality Impact Assessment of BESS Fire [REP3-040] is the most accurate and up to date information available in the public domain relating to the potential air quality impacts resulting from the BESS fire.</p> <p>Ms Brodrick clarified that the ES addendum includes the modelling undertaken in response to the request for further information from the UK Health Security Agency. In response to comments from Ms Warren, Ms Brodrick clarified that this particular Scheme does not involve any BESS at West Burton Power Station, it is in the West Burton 3 Site, and noted that the impacts that Ms Warren was concerned about have been fully assessed within the Environmental Statement.</p> <p>Ms Brodrick added that battery safety and fire risk management is an evolving area in which the guidance continues to evolve. She noted that the OBSSMP [REP3-032] is based on current and preferred options for how BESS safety will be managed, but noted that the final plan will be based on the appropriate guidelines that apply at that time, and the operational BESS will need to comply with any applicable regulations in force at the time.</p> <p>In response to a question from WLDC regarding the maintenance provisions for the BESS in the event that batteries need to be replaced, Mr Gregory responded that the life span of battery cells commercially available at present is up to 20 years, noting that typically every 2 years there is a new generation of battery produced. He noted that</p>

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	<p>because of data analytics integrated into the battery management system (BMS) which monitors each cell, underperforming cells and / or modules can be identified and replaced / decommissioned, this is known as a 'plug and play' battery system. The safety management plan covers decommissioning from installation through to end of lifecycle decommissioning. .</p> <p>In response to further submissions made by Ms Warren and Mr Prior relating to a previous BESS fire in Liverpool (September 2020), Mr Gregory noted that an emergency response plan was not in place for that BESS, which is not the case for the Scheme. He noted that sufficient water storage would be implemented for the Scheme, as is required for the BESS fire safety system which is selected at the detailed design stage. Mr Gregory further noted that commitment in the OBSSMP [REP3-032] is for firefighting water for boundary cooling only.</p>
<p>5. Landscape and Visual</p> <ul style="list-style-type: none"> a) Review of design coherence and the assessment of landscape and visual effects b) Identification and control of design parameters, including post-consent c) Management / Control of tree and hedgerow removal, and management of mitigation / enhancement measures post-consent d) Assessment of cumulative landscape and visual effects 	<p>Rather than dealing with this agenda item in full, the ExA requested that the Applicant provide a summary of progress to date. Mr Jackson summarised that there have been ongoing discussions between the Applicant, LCC and AAH (LCC's LVIA consultants), to discuss the matters in the draft Statement of Common Ground (SoCG) [REP-061]. Mr Jackson noted that supplementary tables were submitted at Deadline 1 to aid AAH in their review of the LVIA, to drive forward the SoCG [REP1-058 and REP1-059]. He also noted that clarity has been provided on hedgerow and tree loss, with indicative plans being appended to the Outline Landscape and Ecological Management Plan (OLEMP) [EX4/WB7.3_D].</p> <p>On 2 February 2024, a further summary table relating to in-combination effects has been prepared and shared with AAH. The intention is that this will be submitted at Deadline 4.</p> <p>Mr Jackson noted that discussions were also ongoing between the parties in respect of the Cottam Solar Project Scheme (the Cottam Scheme), which has many of the same issues as this project. He added that the Applicant is still keen to understand the main points of disagreement between the parties, and is awaiting some information on these matters from AAH on the Cottam Scheme, which can then be taken forward for this Scheme.</p> <p>Mr Jackson noted that a virtual flyover has been prepared and submitted into the Examination for the Cottam Scheme, which includes information on West Burton as well as Gate Burton and Tillbridge. It is the Applicant's intention to provide an equivalent flyover for West Burton and for it to be submitted at Deadline 4.</p> <p>Post hearing note: Please see the response to Action Point 8 in the table below. The summary tables and virtual flyover have been submitted into the Examination at Deadline 4. [EN010132/EX4/WB8.2.7].</p>
<p>6. Soils & Agriculture, Biodiversity & Ecology, Water Environment</p> <ul style="list-style-type: none"> a) Soil resource impact of change from 40 to 60-year project life b) Implications of the National Planning Policy Framework (NPPF) December 2023 update reference to agricultural land c) Agricultural Land Classification Survey, Food Production and Agricultural Uses of Land during Operation d) Biodiversity Net Gain 	<p>A. Soil resource impact of change from 40 to 60-year project life</p> <p>In response to the ExA introducing the agenda item and requesting information about the use of agricultural land by the Scheme and improvements to soil quality resulting from the up to 60 year operational life for the Scheme, Mr Baird responded that in terms of soil health, the nutrient status of soil is something that a farmer would maintain. He noted that farmers are constrained in what they can apply to the land to prevent nutrient pollution. Soil health relates to soil organic matter and its structural state. Mr Baird noted that ploughing of soil for agricultural purposes leads it to approach a low equilibrium. Mr Baird explained that, by stopping ploughing, over aeration of the soil is prevented. Moving to a grassland allows the soil to recover to a high equilibrium, even though the returns of organic matter may be lower. The loss of soil health is very much faster than the improvement of soil health. Mr Baird stated that an operational phase of the Scheme being up to a maximum of 60 years would increase the duration of the fallow period that benefits the soil health. He referred to paragraph 19.9.13 of Chapter 19 of the ES: Chapter 19 – Soils and Agriculture [APP-057], and concluded that the increase in soil organic matter at 60 years may therefore be only marginally greater than that achieved at 40 years, as the improvements usually occur and are realised over a 10-15 year period. He concluded that, after this, benefits will still be gained and the benefits deriving from better soil health will be realised, but will plateau.</p> <p>In response to comments regarding the impact of cleaning panels and the potential use of chemicals that might impact soil quality, Ms Brodrick responded that it was the Applicant's understanding that only water will be used. However, this will be confirmed as part of the written summary.</p> <p>Mr Baird further noted that the recovering of soil health would allow benefits to accrue such as cleaner water, infiltration, and rainfall.</p> <p>Post hearing note: Please see the response to Action Point 9 in the table below.</p>

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<p>e) Consideration of the Impact of the Project on</p> <ul style="list-style-type: none"> (i) Drainage and flooding (ii) Rivers, ditches, and aquatic life 	<p><u>B. Implications of the National Planning Policy Framework (NPPF) December 2023 update reference to agricultural land</u></p> <p>In response to the ExA introducing the agenda item, Ms Brodrick noted that footnote 62 of the NPPF has been updated in the December 2023 edition. She noted the Applicant's position that the NPPF applies to all development. She noted that particular footnote is not directed specifically at energy related development, adding that it relates equally to mixed use housing development or other types of developments, such as mines and minerals that would have a permanent impact on agricultural land.</p> <p>Ms Brodrick added that the footnote needs to be read in the context of the newly designated NPSs, in particular 2.10.29 of NPS EN-3 (November 2023) onwards, which recognises that solar farms may need to be located on agricultural land where necessary. She added that the test set out in NPS EN-3 (November 2023) is that applicants should explain their choice of site, noting the preference for siting on brownfield or lower grade agricultural land. She confirmed that the Site Selection Assessment [AS-004] sets out the reasoning for the siting on agricultural land and explains the inclusion of some BMV land and why it has not be possible to site the Scheme entirely on lower grade land. She noted that it is the Applicant's position that agricultural land remains available for food production (through grazing) for the duration of the operational phase of the Scheme.</p> <p>Mr Baird added that there is no sterilisation or degradation of the agricultural land resource that results from the presence of a solar farm that will be decommissioned. He added that the amendment to the NPPF therefore does not alter the impact assessment given in Chapter 19 of the ES: Soils and Agriculture [APP-057]. He confirmed that the size of the panels would not affect the potential use of the sites for sheep grazing, noting studies from California that highlighted the benefits of sheep grazing near solar farms, as they can provide shade from the heat.</p> <p>Mr Baird further noted that solar farms provide for the same method of land management without the government needing to pay any subsidies for beneficial land management under the Countryside Stewardship scheme. He added that farmers are under no obligation to manage land to a high intensity, in fact, many farmers are offered payments to reduce the intensity of land management. In response to comments relating to the Scheme removing land from agricultural production and impacts on food security, Mr Baird noted that farmers were not responding to any market signals leading them to increase food production to promote food security. He noted that farmers in Europe are currently protesting in response to extremely low grain market prices by occupying town centres across the EU.</p> <p><u>C. Agricultural Land Classification Survey, Food Production and Agricultural Uses of Land during Operation</u></p> <p>In response to the ExA noting that there was no reference in the Joint Report Interrelationship with Other National Infrastructure Projects [EX4/WB8.1.9_C] to the cumulative assessment of impacts on soil from the Scheme, Ms Brodrick responded that the reason for the disparity in the tables in the Report is that for the Cottam and West Burton schemes a separate soil assessment chapter was produced, whereas for Gate Burton this was part of the socioeconomic chapter of the Environmental Statement. She confirmed that at Deadline 4, an update will be provided to include this within the socioeconomic "row" in the Report. This was not included originally, because the Gate Burton project team produced the first version of that document. She confirmed that all projects considered cumulative effects and there have been no changes to the conclusions of the assessment in the Environmental Statement.</p> <p><i>Post hearing note: An updated version of the Joint Report Interrelationship with Other National Infrastructure Projects [EX4/WB8.1.9_C] has been submitted which addresses this point.</i></p> <p>In response to submissions made by Mr Courts relating to the Applicant's response to ExQ1 FWQ 1.2.10 [REP3-038] and the percentages of BMV land included relating to Farm Business C in the Order Limits [APP-041], Ms Brodrick noted that two separate issues are being raised. The first is the reporting of the BMV values for the sites, which the Applicant considers is accurate. The second point relates to the site selection process and why the Applicant considers it necessary and justifiable to include these areas of the West Burton 3 Site in the Scheme. She confirmed that the response to ExQ1 FWQ 1.2.10 [REP3-038] explains this process and sets out why it is the Applicant's position</p>

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	<p>that it is appropriate to include this land in the Scheme. She added that the iterative approach to site selection and avoidance of BMV land for the majority of the Scheme demonstrates that the Scheme complies with relevant policy.</p> <p>Mr Baird noted that use of land has no bearing on Agricultural Land Classification (ALC). He noted that farm business C is an arable enterprise, with all land in arable production currently, referring to Appendix 19.1 [APP-137]). He noted there is no requirement to consider use and tenure of land as part of an ALC survey. He noted that land has been withdrawn from the Scheme since the statutory consultation took place, partly due to the presence of BMV agricultural land.</p> <p>Mr Baird further added that in terms of statistical analysis there is no requirement or need for geostatistical assessment of ALC grades, adding that it would be entirely inappropriate for a system that has been in use since 1988 to try and base this on topographical information. He concluded that Natural England retain expertise in ALC assessment and has confirmed they are happy with the ALC assessment presented as part of the application.</p> <p><u>D - Biodiversity Net Gain (BNG)</u></p> <p>In response to the ExA introducing the agenda item, Ms Brodrick summarised the current approach to BNG, as secured by the DCO. She stated that the current approach set out in the draft DCO [EX4/WB3.1_E] is that the Applicant is obliged to deliver all of the landscape and ecological measures that are set out in the Outline Landscape and Ecological Management Plan (OLEMP) [EX4/WB7.3_D]. This means all of the planting, both in terms of hedgerows and grassland that is proposed in those plans will be delivered by the Scheme.</p> <p>Ms Brodrick added that previously the Applicant had not secured BNG percentages within the DCO itself, due to the concern that there may be a need for flexibility in terms of the actual percentage that the measures to be implemented would achieve, given this is an evolving area, and future iterations of the Defra Biodiversity Metric may need to be employed which may contain amended calculation methods. She noted that for the Cottam Scheme, an updated DCO was submitted on Tuesday 30 January 2024. It is now proposed that specific percentages will be included on the face of both the Cottam and the West Burton DCOs. The Applicant is considering exactly what these percentages will be, taking into account the potential for the BNG metric and guidance to be updated between now and the time the Scheme is implemented. The Applicant is willing to commit to a percentage, it just may need to include a buffer to account for the metric changing, so the figures may not reflect the ambition set out in the DCO application documents for BNG. She concluded that this is to avoid the later need to make a non-material change to the DCO.</p> <p><i>Post hearing note: Please see the response to Action Point 4 in the table below and the updated drafting in Requirement 9 of the DCO submitted at Deadline 4 [EX4/WB3.1_E].</i></p> <p>In response to the ExA raising a query from the Environment Agency in respect of securing BNG and quantifying the impact of the Scheme on local water quality, Mr Fox noted that the Applicant has engaged with the Environment Agency on this matter, noting there is no means by which the metric can quantify the improvements to rivers caused by the cessation of agricultural activity. He noted there is a qualitative means of doing this by considering the coverage of filamentous algae in waterbodies, which is factored into the calculation of net gain for river units. He confirmed that the assessment for the Scheme has been undertaken on a cautious basis. He stated that the Applicant is of the opinion that the benefits set out in the Biodiversity Net Gain Report [APP-088] are reasonably achievable, albeit it is not possible to quantify the impact of cessation of agricultural activities. Mr Fox noted that, at the moment, the Applicant does not know if future iterations of the metric will take into account water quality impacts from the cessation of agricultural activities. The Applicant does not envisage any further concerns will be raised by the Environment Agency on this point, and details will be set out in the next SoCG with the Environment Agency.</p> <p><i>Post hearing note: Please see the response to Action Point 3 in the table below.</i></p> <p><u>E(i) Drainage and Flooding</u></p> <p>In response to the ExA introducing the agenda item, Mr Rigby described the impact of rainwater on the panel areas of the Scheme. He referred to this as the 'drip effect', which is the effect of water hitting a panel and then being concentrated to the front end of a panel and causing over time a rolling effect in the soil and increasing erosion. However, Mr Rigby explained that this tends to be a misconception of how the panels are constructed. The panels are not single pieces of photovoltaic cells, they are broken into several cells. Therefore, the water falls within the gaps and the concentration of water is not all at the front end of the panel. He noted that the grassland under the</p>

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	<p>panels will take away the mechanical action of raindrops falling on the ground. He referred to the Cook & McCeun Report from the USA², which shows that panelled areas on grassed fields have a negligible impact on surface water runoff rates and volumes.</p> <p>In response to comments from Ms Warren, Mr Rigby noted that the specifics of the area of the US report is not a material consideration within the report. He added that the report considers all aspects of hydrology, so it assesses not only the potential rainfall (storm magnitude), but also the slope of an area, Panel Angle, the ground cover and the underlying soils. When taking all of those aspects into account, it can be applied to any region. Ms Brodrick further noted that the hydrology assessment that has been undertaken as part of the Environmental Statement (Chapter 10: Hydrology [APP-048]) specifically relates to this Scheme and therefore relates to the area within the Order Limits, confirmed that the reference to other studies was specifically in relation to the drip effect point.</p> <p>Post hearing note: Please see the response to Action Point 5 in the table below.</p> <p>In response to the ExA requesting information on the impact to soils and drainage resulting from maintenance vehicle movements, Mr Baird responded that the Outline Soil Management Plan (OSMP) [REP3-016] includes an assessment of soil conditions, specifically plasticity, using the guidelines provided by the Institute of Quarrying. He noted that it is fairly simple to assess the plasticity limits of soil in a field, it is routinely carried out by farmers to avoid soil damage. He noted the soils are heavy in this location, and when dry they are very firm and resistant to compaction. He noted the year round grass cover will speed up the drying of the soil as compared to if it was arable land. Mr Baird added that for the maintenance of the Scheme there are not the same constraints as for arable management, which requires large plant to be brought onto the sites during specific periods, for example, harvesting. He noted this results in farmers sometimes damaging the soil when they need to get onto the land in particular windows, whereas the Scheme will have more flexibility to wait for dry periods where the soil will not be affected.</p> <p>Ms Brodrick added that the OSMP [REP3-016] Section 8.6 sets out the measures that will be undertaken to avoid impacts to soil resulting from maintenance of the Scheme.</p> <p>In response to a further question from Ms Warren, Ms Brodrick confirmed that both the sites and the cable route have been assessed for all environmental topics, including any land in Nottinghamshire.</p> <p>The ExA requested a progress update on discussions with the Environment Agency relating to flood risk, referring to their response to the ExA's FWQ [REP3-045]. The ExA noted that the Applicant had provided calculations that the Environment Agency has considered and stated that the Environment Agency agrees with the volumes calculated resulting from the solar panels, that the impact on the floodplain would be insignificant in comparison to the size of the floodplain. He noted that the Environment Agency is therefore happy for this point to be moved to the "matters agreed" section of the Statement of Common Ground (SoCG). He noted the Environment Agency had asked for the calculation to be put on a reference document.</p> <p>Ms Brodrick confirmed that the description by the ExA was correct and that the Applicant will submit the figures relating to loss of floodplain as a result of the Scheme for Deadline 4.</p> <p>Post hearing note: The Applicant is proposing to append the floodplain loss information to the Environment Agency Statement of Common Ground (SoCG). As set out in the Statement of Commonality Revision B [EX4/8.1.11_B] the next version of the SoCG will be submitted at Deadline 5.</p> <p>In response to Ms Warren's further comments in relation to flooding, Ms Brodrick explained that the grid connection cable works have been considered in the hydrology assessment [APP-048]. She confirmed that any impacts during construction activities for the grid connection cable are shown within this hydrology assessment and the Outline Construction Environmental Management Plan [REP3-018] contains a number of provisions to manage construction work sites. She confirmed that the timing of the works will be taken into account when selecting the most appropriate time in the year to carry out construction works in the area. However, in terms of flood impacts, the Applicant has fully assessed all areas within the Order Limits.</p> <p><u>E(ii) – Rivers, ditches, and aquatic life</u></p> <p>The ExA introduced the agenda item, noting the most recent submissions from the Environment Agency relating to Electromagnetic Field (EMF) impacts on fish in the River Trent, and requested an update. Ms Brodrick responded that the SoCG is still being negotiated with the Environment Agency. She added that the form of protective</p>

² Cook LM, McCuen RH (2013) Hydrologic response of solar farms. J Hydrol Eng 18(5):536–541

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	<p>provisions was recently agreed for the Cottam Solar Project, and the Applicant is assuming they will take the same position for this Scheme. In respect of EMF impacts to fish, she noted the Applicant has submitted a further note on this matter. She noted the Environment Agency's desire for monitoring of the impacts, and the Applicant is willing to assist in any research required, but that this should be led by academics. She noted that the requirement for monitoring research is not considered to meet the tests required for it to be a requirement of the Scheme in the DCO. Finally she noted that the Applicant is liaising with the Environment Agency to see how it could assist in providing data to them and their academic researchers, which may include a financial contribution.</p> <p>Post hearing note: Please see the response to Action Point 6 in the table below.</p>
7. Any other matters	None were raised.
8. Review of Actions	Please refer to the table below.
9. Close	The ExA closed the hearing.

List of actions for the Applicant and other parties following the Issue Specific Hearing 3 (7 February 2024)

No	Party	Action	Deadline	Applicant's response
1	The Applicant	To provide an update on comparable schemes, including those referred to in answers to in responses First Written Questions, and internationally if relevant. Update to include status of consented schemes.	4	<p>The Applicant obtained information from a tracker panel manufacturer, who confirmed that tracker panels of comparable maximum dimensions were in use at operational solar sites across the world. This included more than 1.6GW of tracker panel sites in numerous countries across Europe, and primarily in Spain. Comparable tracker panels are also installed and operational at sites in South America, the USA, China and Australia.</p> <p>To update on the response given to question 1.1.19 of Applicant Response to ExA First Written Question (FWQ) [REP3-038] regarding the site in Suffolk that is under construction, the solar panel mounting structure piles have been installed, with the torque beams (the part of the frame that rotates the panels) and panels to follow within the upcoming months. Construction is targeted to finish at the end of April 2024.</p>
2	Interested Parties (IPs)	Community Benefit Fund would be established should the Scheme be consented. Applicant is liaising with Lincolnshire County Council (LCC) and Nottinghamshire County Council	Ongoing	The Applicant has not received any suggestions to date but is committed to continue discussions with the Host Authorities.

No	Party	Action	Deadline	Applicant's response
		(NCC) on the Fund purposes. IPs to note that suggestions relating to the proposed Fund can be made.		
3	Environment Agency and the Applicant	To continue discussions on biodiversity net gain (BNG) and the statement of common ground, and to update on progress.	4	The Applicant has continued discussions with the Environment Agency on these matters. Please refer to Statement of Commonality [EX4/WB8.11_B] .
4	The Applicant	To provide update to working within the development consent order relating to the achievement of a percentage BNG.	4	The Applicant has updated the draft DCO submitted at Deadline 4 [EX4/WB3.1_E] to include specific percentages for BNG. In order to allow for flexibility in case the metric or guidance changes between the close of the Examination and the commencement of construction, the Applicant has included a slightly lower figure than the percentages in the Planning Statement and other DCO Application documents. However, the Applicant reiterates that it has committed to delivering all of the measures set out in the OLEMP [EX4/WB7.3_D] .
5	The Applicant	Applicant undertakes to set out the precise locations of U.S. research into water drop runoff from photovoltaic (PV) panels (if such information is available). And to set out the extent to which geography of the study is material to the conclusions drawn.	4	<p>The locations of the works undertaken to support the Cook & McCeun Report are not referenced within the study. The only location referenced is a photograph included within the report that was taken of a solar farm at Ortho Clinical Diagnostics, 1001 Route 202, North Raritan, New Jersey, 08869. The fact that the location is not referenced lends weight to the conclusion that the location is irrelevant to the findings of the study.</p> <p>The study considers all relevant hydrological factors including:</p> <ul style="list-style-type: none"> • Storm Magnitude; • Ground Slope; • Soil Type; • Panel Angle; • Storm Duration; and • Ground Cover. <p>The study concludes that where appropriate mitigation is employed to provide <i>'a good, well-maintained grass cover beneath the panels and in the spacer section' ... 'The addition of solar panels over a grassy field does not have much of an effect on the volume of runoff, the peak discharge, nor the time to peak. With each analysis,</i></p>

No	Party	Action	Deadline	Applicant's response
				<i>the runoff volume increased slightly but not enough to require storm-water management facilities.'</i>
6	Environment Agency and the Applicant	To continue liaison regarding academically led research into electromagnetic fields impact on aquatic life, and to provide an update to the Statement of Commonality.	4	The Applicant has continued discussions with the Environment Agency on these matters and the agreed approach is set out in the Outline Operational Environmental Management Plan [EX4/WB7.14_C]
7	LCC/West Lindsey District Council (WLDC)	LCC/WLDC to review Waste section of outline Landscape and Ecological Management Plan and to provide comments and suggested wording to the Applicant.	4	N/A
8	The Applicant	To provide video of Flyover of the land within the Order Limits.	4	This is submitted at Deadline 4 [EX4/WB8.2.7] .
9	The Applicant	Cleaning of PV panels – to seek confirmation on products used to clean panels	4	The Applicant can confirm that, as stated in the hearing, only water is used for cleaning. The panels require minimal cleaning as they have a self-cleaning coating.
10	LCC	LCC indicated that it will expand in writing regarding the loss of arable agricultural land and possible use as sheep grazing land.	4	N/A
11	7,000 Acres	7000 Acres indicated that it will make written submissions based on various topics, including soil and agriculture by Deadline 4.	4	N/A
12	All	Written summaries of oral submissions.	4	This document are the Applicant's written submissions for Issue Specific Hearing 3.