

# West Burton Solar Project

## Applicant's Responses to ExA Second Written Questions

Prepared by: Lanpro Services Ltd  
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## Issue Sheet

**Report Prepared for: West Burton Solar Project Ltd.  
Deadline 5**

### Applicant's Responses to ExA Second Written Questions

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## **1 Introduction**

- 1.1.1 This report responds to the Examining Authority's (ExA) first written questions, issued on 19 March 2024 **[PD-014]**. It responds to each of the questions posed to the Applicant.
- 1.1.2 Section 2 of this report is tabularised to include the ExA's questions and a response to each question as follows:

## 2 Topic Questions

### 2.1 General and Cross-topic Questions

ExQ	Respondent	Question	Applicant's Response
2.1.1	All parties	<p><b>Revised National Planning Policy Framework</b></p> <p>The Revised National Planning Policy Framework (NPPF) was published in December 2023. All parties are invited to comment on the implications of any changes made the consideration of the proposed development.</p>	<p>Footnote 62 of the NPPF states that <i>"The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development"</i>.</p> <p>Footnote 62 of the NPPF should be read in the context of NPS EN-3 (November 2023) which recognises that solar farms may be located on agricultural land where necessary (Paragraph 2.10.29).</p> <p>As set out in <b>WB6.3.5.1 ES Appendix 5.1 Site Selection Assessment [APP-071]</b>, selection of the Site accounted for agricultural land classification. Paragraph 3.3.30 states that the Scheme maximises the utilisation of low grade, non best and most versatile (BMV) agricultural land with 73.76% of the land being classified as non BMV land. The land required for the Scheme has been demonstrated within <b>WB6.3.5.1 ES Appendix 5.1 Site Selection Assessment [APP-071]</b> to perform better than 3 of the assessed Potential Development Areas (PDAs) and equal to the remaining one following the site selection process. Consequently, it has been concluded that there are no obviously more suitable locations for the Scheme within the Search Area.</p> <p>The Applicant has no further additional comments to add regarding the National Planning Policy Framework (NPPF) December 2023 beyond what has already been stated in section 5.5 of the <b>WB7.5_B Planning Statement [REP4-048]</b>. The Applicant considers that the</p>

ExQ	Respondent	Question	Applicant's Response
			changes do not change the compliance of the Scheme with the NPPF as assessed in the <b>WB7.5_B Planning Statement [REP4-048]</b> .
2.1.2	All parties	<p><b>Cumulative Assessments</b></p> <p>Concerns have been raised about the adequacy of the cumulative assessments before the Examination (for example, by West Lindsey District Council (WLDC) in its Written Representation [REP1A-004]). Specifically, WLDC set out that in order for the decision maker to have adequate information before them to make a sound decision, a cumulative assessment that addresses various combinations of solar NSIP are required. The information before us in the Joint Report sets out the cumulative impacts of 4 NSIPs, with additional information relating to 3 others set out in the Technical Note on Cumulative Effects.</p> <p>The EIA Regulations Schedule 3 paragraph 1(b) refers to the consideration of the cumulation with other projects. Also the provisions set out in NPS EN-1 paragraph 4.2.5 are that 'when considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence). With these provisions in mind:</p>	<p>The Applicant has responded to WLDC's Written Representation <b>[REP1A-004]</b> at Section 2.4 of <b>WB8.1.17 Response to Written Representations at Deadline 1 Part 1 [REP3-034]</b>. The Applicant reiterates its position that the assessment of cumulative effects in the <b>Environmental Statement [APP-039 to APP-061, REP1-012, REP3-010]</b>, provides a sufficient level of detail to satisfy EIA Regulations 2017 Schedule 3 paragraph 1(b) and paragraph 4.2.3 of the recently adopted NPS EN-1 (Nov 2023). The Applicant is also confident that the approach is consistent with the provisions set out in NPS EN-1 (2011) as referred to by the ExA. The Applicant's approach has been to assess the worst-case scenario of all NSIPs within the assessment area coming forward, and as such, to provide additional assessment of each combination of schemes would serve no additional purpose to the Secretary of State for determining the likely significant cumulative effects of any combination of cumulative NSIP schemes. As such, the Applicant does not intend to provide this additional assessment as requested by WLDC.</p> <p>That notwithstanding, the Applicant is providing a number of updated documents to demonstrate its continued awareness and assessment of NSIPs progressing through the DCO Application process. At Deadline 5 this includes:</p> <ul style="list-style-type: none"> <li>• <b>WB8.2.5_A Technical Note on Cumulative Effects of Additional Schemes Revision A [EN010132/EX5/WB8.2.5_A]</b>; and</li> </ul>

ExQ	Respondent	Question	Applicant's Response
		<p>a. The Applicant is asked to comment on the extent to which this additional information can and should be provided to the Examination; and,</p> <p>b. Other parties are asked to set out what further information should be required.</p>	<ul style="list-style-type: none"> <li>• <b>WB8.4.23.1 ES Addendum on Cumulative Effects [EN010132/EX5/WB8.4.23.1].</b></li> </ul>
2.1.3	Applicant and host authorities	<p><b>Statements of Common Ground (SoCG)</b></p> <p>The ExA notes that the SoCGs with the Host Authorities indicate a number of matters are still under discussion. These include a number of factual matters eg site description. The ExA considers that it should be possible for many of these matters to be agreed at this point in the Examination. Please provide updated SoCGs at Deadline 5 which clearly identifies the outstanding matters in dispute between the Applicant and each Host Authority and provides details of each party's position in respect of them.</p>	<p>Updated Statements of Common Ground with each of the host authorities have been submitted at Deadline 5:</p> <ul style="list-style-type: none"> <li>• <b>WB8.3.2_A Statement of Common Ground – West Lindsey District Council DRAFT Revision A [EN010132/EX5/WB8.3.2_A];</b> and</li> <li>• <b>WB8.3.8_A Statement of Common Ground - Nottinghamshire County Council and Bassetlaw District Council DRAFT Revision A [EN010132/EX5/WB8.3.8_A].</b></li> </ul> <p>The Statements of Common Ground have been updated to reflect progress on discussions and agreements between the Applicant and the host authorities since Deadline 1, and have been updated to ensure consistent approach to topic matters with Cottam Solar Project <b>[EN010133]</b>. This is summarised in the updated <b>WB8.1.11_C Statement of Commonality - Revision C [EN010132/EX5/WB8.1.11_C]</b>.</p> <p>Updates to the Statement of Common Ground with Lincolnshire County Council have progressed substantively, however are still ongoing as of Deadline 5 and will be submitted to the examination at the next suitable opportunity.</p>

ExQ	Respondent	Question	Applicant's Response
2.1.4	Applicant	<p><b>Implications of the increase in the life of the Proposed Development from 40 to 60 years</b></p> <p>WLDC sets out that, with reference to the implications of the increase from 40 to 60 year life, 'the impacts of this change have not been re-assessed so that all parties can understand how this significant increase in the lifetime (to become effectively a permanent development) has been considered.' [REP4-083].</p> <p>More specifically, WLDC suggest that the replacement of BESS/panels associated with the increase in lifespan is likely to give rise to significant environmental effects (especially as the frequency and extent of the replacement is unknown), particularly in relation to traffic, noise, air quality and waste, noting also there could be cumulative effects associated with the other solar projects currently in the system. Furthermore, in the event that significant additional environmental effects were to occur, there is no formal mechanism in place to address this.</p> <p>The Applicant is invited to comment on these concerns, particularly in terms of:</p> <p>a. how additional impacts have been accounted for,</p> <p>b. the accessibility of this information,</p>	<p>a. and b. The Applicant is confident that the implications of the Scheme lifetime being up to a maximum of 60 years is suitably set out in <b>WB6.2.23_B Summary of Significant Effects Revision B [REP3-010]</b> and <b>8.2.3 Review of Likely Significant Effects at 60 Years [REP1-060]</b>. The methodology for how each topic has comparatively assessed the likely significant effects of a 40-year Scheme versus a 60-year Scheme are explained in <b>[REP1-060]</b>.</p> <p>c. The Applicant does not agree that the Scheme can be defined as permanent. Whilst the Applicant is cognisant that the lifetime of the Scheme is long-term, whether that be for 40 years or up to a maximum of 60 years, the DCO contains provisions for the requirements of the Scheme to be fully decommissioned and the land be restored to agricultural use. As this requirement is secured by Requirement 21 in Schedule 2 of the <b>draft DCO [EN010132/EX5/WB3.1_F]</b> it is not reasonable to suggest that the Scheme be considered even "effectively" permanent, as the duty for the Scheme operator to decommission the Scheme will not be removed.</p> <p>d. The Applicant understand that the "24% replacement figure" referred to by WLDC is derived from the anticipated panel failure (and therefore replacement rate) of 0.4% per annum over a 60 year operational lifetime of the Scheme. With regard to mechanism for monitoring if the ES assessment conditions are exceeded, the Applicant defers to their answer to Question 2.9.3 below. The Applicant furthermore refers to Part 2, paragraph 5(3) of the <b>draft DCO [EN010132/EX5/WB3.1_F]</b> which sets out that in regard to</p>



ExQ	Respondent	Question	Applicant's Response
		<p>c. the suggestion that the development would, in effect, be permanent.</p> <p>d. The suggestion that, should the 24% replacement figure be exceeded, there is no mechanism for requiring the Applicant to demonstrate that no significant environmental impacts would occur.</p>	<p>maintaining the proposed development, the draft DCO <i>“does not authorise the carrying out of any works which are likely to give rise to any materially new or materially different effects that have not been assessed in the environmental statement.”</i> Failure to comply would therefore constitute a breach of the DCO which is automatically a criminal offence and thus the Applicant is confident that this will be complied with.</p>
2.1.5	Applicant	<p><b>Concept design parameters</b></p> <p>In their Cover letter for Deadline 4 submissions [REP4-072], the Applicant refers to the work of their technical adviser in relation to the design of the cable route, and specifically the reduction in the separation of the cables connecting Work No 3c (the WB3 substation) with Work No 4 (the National Grid Substation). The Applicant is asked to please explain the implications of this for the scheme design and land requirements?</p>	<p>The <b>WB7.13_C Concept Design Parameters [REP4-053]</b> was updated to specify that where set in horizontal directional drilling sections, the 3no. cables making up a single electrical cable circuit will be drilled through individual bores separated by approximately 3.0m, instead of 5.0m, set within the 50m cable corridor. The implications for scheme design are that permanent easement within the already identified and surveyed 50m cable corridor will be reduced through the ability to position the cables closer together and consequently no additional environmental impacts over and above those already identified are anticipated. However, flexibility to microsite the cables within the cable corridor is still required due to the need to carry out further surveys and the detailed design post consent. Therefore the ability to seek temporary possession and compulsory acquisition powers over the entire cable corridor is still necessary and proportionate.</p>

## 2.2 Agriculture and Soils

ExQ	Respondent	Question	Applicant's Response
2.2.1	Applicant	<p><b>Future Agricultural Use – Grazing</b></p> <p>The Applicant states that the land is 'available' for agricultural purposes, however there is no firm commitment to making the land available for such purposes. ES Chapter 19 Soils and Agriculture [APP-057] (para. 19.9.18) states that during operation <i>"grass below and between the solar panels will need to be managed. This management <b>can</b> include grazing by livestock <b>where appropriate</b>"</i></p> <p>Furthermore, para. 19.10.8 states that, during operation, <i>"opportunities for farm enterprises to utilise the land within the sites will be <b>limited to periods</b> of grazing small livestock"</i>.</p> <p>There is no guarantee that the land will be used for grazing, that there is no decision made on whether it is appropriate to do so. If it is utilised, that use may be limited. This impact is concluded as being a 'significant beneficial' effect despite the scope and availability of land for the production of food being reduced.</p>	<p>At present, no farmer with land within the Scheme is under any obligation to manage that agricultural land to a minimum intensity or to manage for food production. Agricultural land within the Scheme will remain available for grazing by small livestock. Management of this grazing will take into account the quantity and quality of forage available, and the needs and welfare of the grazed livestock, as is the case on pasture that is not within a solar farm. Attempting to place a commitment to grazing on the land, in terms of numbers of livestock or duration of grazing, would interfere with the objective management of the grazing for no identifiable benefit.</p> <p>The significant benefit identified in the Soils and Agriculture Chapter of the Environmental Statement [APP-057] is for the land owning farm businesses that obtain a new diversified enterprise (renewable energy generation) that does not make a demand upon farm labourers, machinery time or capital. This benefit is obtained by each individual land owning farm business with land within one of the cumulatively assessed projects. Increases in the extent of land and/or number of farm businesses involved does not dilute or negate this benefit. The Applicant is confident that the conclusion of a significant beneficial effect in Chapter 19 is robust.</p> <p>It is further noted that the Environmental Statement has been prepared on the basis that land would be available for sheep grazing – the <b>Outline Landscape and Ecological Management Plan [REP4-044]</b> makes allowance for this, at paragraph 4.8.8. The assessment</p>

ExQ	Respondent	Question	Applicant's Response
		<p>Please can the Applicant explain how, at WBSP and cumulatively across other projects, it has concluded the significant benefit effect? With regard to cumulative impact on agriculture, of multiple solar projects within the county, will there come a point at which the impact is not assessed as beneficial?</p>	<p>presented in Chapter 19 of the ES [APP-057] is however not reliant on the ongoing use of the land for grazing to reach its conclusions on likely significant effects, rather it is a management tool during operation (to manage the growth of grass).</p>
2.2.2	Applicant	<p><b>Agriculture – Long-term Impact</b></p> <p>Environmental Statement (ES) Chapter 18 – Socio-economics, Tourism and Recreation [APP-056] concludes in paragraph 18.1.4 that socio-economic impacts during operation on the agricultural industry will be limited to impacts on the agricultural industry through taking the land out of production for the lifetime of the Scheme. Para 18.7.15 quantifies the impact, concluding that:</p> <p><i>“The Scheme is projected to impact on up to 769 hectares of agricultural land for the operational lifetime of the Scheme, this will therefore cause approximately 13 FTE agricultural sector jobs to be lost ...This impacts approximately 0.3% of the agricultural sector employment, and as such is</i></p>	<p>Paragraphs 18.7.15 and 18.7.77 of <b>6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]</b> refers to the long-term loss of 13 FTE agricultural sector jobs as a result of the worst-case scenario of loss of all employment on the four owner-occupier farm businesses at Sites West Burton 1, 2, and 3. All are owner occupiers of the land occupied and all own and occupy additional agricultural land outside of the Sites. The figure of 13 FTE jobs is derived from Section 7.1 of <b>6.3.19.1 Environmental Statement - Appendix 19.1 Agricultural Land Quality, Soil Resources and Farming Circumstances Report [APP-137]</b>. This is a deliberately conservative approach to demonstrate a worst-case scenario has been assessed, i.e. that agricultural practice at the four farm businesses would cease entirely during the Scheme's lifetime (from construction through to completion of decommissioning).</p> <p>Should sheep grazing underneath the panels be undertaken as a management measure, alongside any other diversified or continued agricultural use of land owned and operated by the four farm businesses that lie beyond the Order Limits, this would therefore go</p>

ExQ	Respondent	Question	Applicant's Response
		<p><i>a low magnitude impact. Due to its low sensitivity this results in a long-term minor adverse effect to the Local Impact Area. In the Regional Impact Area, this is a 0.03% reduction in agricultural employment, representing a negligible change to a receptor of low sensitivity. Therefore, the effect is long-term negligible adverse”.</i></p> <p>This is based on the assumption that sheep farming would continue agricultural use of the site underneath the panels. However, LCC has stated that the type of agriculture change to grazing is not like-for-like replacement.</p> <p>Please can the Applicant confirm the proportions of land locally and regionally which may be removed from agricultural use, and provide comments on how the potential 60 year removal equates to a 'long-term negligible adverse' effect. Other IPs may optionally comment.</p>	<p>some way to mitigate the impact on agricultural employment and economic performance in the assessment area (as set out in paragraph 18.8.11-12 and 18.8.17 [APP-056]). Relatedly, the assessment presented in Chapter 19 of the Environmental Statement [APP-057] is not reliant on the ongoing use of the land for grazing to reach its conclusions on likely significant effects, rather it identifies grazing is a management tool during operation (to manage the growth of grass).</p> <p>Furthermore, in the UK there is a long term decline in agricultural employment and a shortage of farm labour, which is anticipated will further mitigate the worst case scenario presented for the impact upon agricultural employment in Chapter 18 of the ES.</p> <p>The Applicant also refers to <b>8.2.3 Review of Likely Significant Effects at 60 Years [REP1-060]</b> which confirms that there are no anticipated changes to the outcome of Chapter 18 [APP-056] with the change from 40 to 60 years.</p> <p>With regard to proportion of “land locally and regionally which may be removed from agricultural use”, the below table has been derived from DLUHC (2022) Official Statistics – Land use in England, 2022 and is based on 769 hectares of agricultural land being required for the Scheme:</p>

ExQ	Respondent	Question	Applicant's Response		
			Reference Area	Area of Agricultural Land	Proportion of Agricultural Land required for the Scheme
			West Lindsey	97,815	0.79%
			Lincolnshire	494,085	0.16%
			East Midlands	1,148,680	0.07%
			England	8,225,085	0.01%
2.2.3	All Parties	<p><b>Farming Methods</b></p> <p>IPs familiar with local agricultural methods have stated that much of the crop growing land around the Order area is almost never ploughed, just harrowed. Please can IPs and the Applicant provide further information on this, and if or how it may affect the assumptions, reasoning and conclusions of relevant parts of the ES.</p>	<p>There are many forms of cultivation tool and activity. Harrows (implements that exert a downwards force as they are drawn across and through the soil) include cultivators that perform different operations. A disk harrow will invert soil and incorporate surface material in a manner similar to a mouldboard plough – and may be used as a primary cultivation alternative to a plough. Other forms of harrow such as a spring tine and power harrows act to break up the larger soil clods left by the preceding primary cultivation. Were these to be used directly on a stubble without any preceding primary cultivation, they would have little to no practical effect. Therefore simply to claim that the land is harrowed rather than ploughed adds little information.</p> <p>A disk harrow loosens and inverts the topsoil as part of a process of preparing a fresh seed bed after a preceding crop. In doing this it creates the conditions for a decline in soil health down towards a low equilibrium in the same way as ploughing. Under a solar farm, such as</p>		

ExQ	Respondent	Question	Applicant's Response
			<p>the Scheme, topsoil will not be cultivated by plough or harrow, and will have year-round growing plant cover, enabling a recovery of soil health back towards the higher equilibrium of grassland.</p> <p>Therefore the substitution of ploughing for another primary cultivation, such as a disk harrow, does not affect the assumptions, reasoning and conclusions in Chapter 19 of the ES.</p>
2.2.4	Applicant	<p><b>Isopropyl Alcohol – Impact on Soil</b></p> <p>At ISH3, and in its submission at DL4 (Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 3 and Responses to Action Points) [REP4-070] the Applicant confirmed that only water is used for cleaning and that <i>"The panels require minimal cleaning as they have a self-cleaning coating"</i>.</p> <p>Can the Applicant confirm that this is de-ionised water? Further, that if or where soiling remains on the panels after rinsing, what is the procedure? IPs suggest that cleaning with de-ionised water is repeated. Where any soiling continues to prove stubborn, IPA (Isopropyl Alcohol) with a concentration of less than 10% may be used.</p>	<p>De-ionised water will be used to clean the panels. If soiling remains on the panels they can be further cleaned with a soft cloth or brush. An update to include this commitment is provided in the <b>WB7.14_D Outline Operational Environmental Management Plan Revision D [EX5/WB7.14_D]</b> at Deadline 5. Isopropyl alcohol will not be used to clean the panels.</p>

ExQ	Respondent	Question	Applicant's Response
		If this is the case then can the applicant confirm that the use of IPA will have no effect on the soil health?	
2.2.5	Applicant	<p><b>Cutting and Mowing Management</b></p> <p>The OLEMP [REP4-044] states, at paragraph 4.8.11 that cutting or mowing can be carried out relatively quickly, and at 4.8.9 <i>“cutting will be carried out using a cut-and-collect system so as to minimise nutrient build up in the soil which stifles species diversity... there may be an opportunity to use the cuttings within local composting sites such as anaerobic digesters or open air windrows”</i>.</p> <p>Can the Applicant please explain this apparent contradiction between these measures and the continued use for sheep grazing. How is the balance between cutting and maintenance for long-term management assessed in the ES conclusions?</p>	<p>Management of land by grazing is preferred as it is typically cheaper – mowing requiring the use of dedicated narrower track equipment than would be used for harvest of hay or silage crops. The DCO does not commit to a single form of land management during the operation of the Scheme, and therefore none of the conclusions set out in the Environmental Statement are reliant on one form of management. The O-LEMP [REP4-044] has been prepared on the basis that either (or indeed both) grazing or mowing/cutting could be used as a field management technique for each year of operation.</p> <p><b>WB7.16_A Outline Soil Management Plan Revision A [REP3-016]</b> has been agreed by Natural England in the final and signed version of <b>Natural England Statement of Common Ground [EX5/WB8.3.7_A]</b> which is submitted at Deadline 5.</p> <p>If there is a need to mow in addition to, or instead of, grazing in any year, the cut forage can be removed as described in paragraph 4.8.9 of the O-LEMP [REP4-044]. However, the dominant factor preventing nutrient build-up (or maintenance of high nutrient status) in the soil will be the suspension of application of fertiliser to the land for the duration of the construction period and operational life of the Scheme.</p>
2.2.6	Lincolnshire County Council, Nottinghamshire County Council, West	<p><b>Best and Most Versatile land</b></p> <p>Do the amendments to the Outline Soil Management Plan: Revision A REP3-016</p>	<p>The ALC system was specifically designed to be insensitive to the standard of land management, with ALC assessment of land assuming a good standard of management regardless of the management when</p>

ExQ	Respondent	Question	Applicant's Response
	Lindsey District Council, Natural England	provide additional confidence for Natural England and the Host Authorities to ensure the correct Agricultural Land Classification (ALC) will be identified and the soil managed to ensure that any disturbed land will be restored to a similar ALC grade. If not please explain why not.	<p>assessed. This is because the ALC system was developed solely to inform land use planning decisions and it is important not to create an incentive for a landowner to deliberately degrade land to help secure planning consent.</p> <p>ALC grading for land within the Sites will therefore be insensitive to the temporary presence of the Scheme. Defra R&amp;D Project LE0206 demonstrates that the soil management plan provisions recommended can retain ALC grade through the stripping, storage and restoration of the whole soil resource at open cast sites. For the the Scheme where topsoil will be stored from a marginal extent (mostly access tracks), the restoration work is significantly less challenging than for an open cast or landfill site. All parties can therefore have confidence in the ability to retain ALC grade through the SMP.</p>
2.2.7	The Applicant, Lincolnshire County Council, Nottinghamshire County Council, West Lindsey District Council, Natural England	<p><b>Written Ministerial Statement 25 March 2015</b></p> <p>Please can IPs comment on the extent to which the Written Ministerial Statement of 25 March 2015 in relation to BMV, if they have not already done so. Please comment how it is relevant and important to the consideration of the effects of the development on BMV in this case.</p>	<p>The Written Ministerial Statement (WMS) of March 2015 states that <i>"where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference of a higher quality"</i> and <i>"any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence"</i>.</p> <p>The Government updated the National Policy Statements (NPSs) for energy infrastructure on 22 November 2023. These NPSs were then designated by the Secretary of State on 17 January 2024. This represents the latest Government position for new energy infrastructure and it is therefore the Applicant's position that the WMS</p>



ExQ	Respondent	Question	Applicant's Response
			<p>needs to be read in the context of NPS EN-1 and EN-3 (November 2023)</p> <p>.</p> <p>Paragraph 2.10.29 of the NPS-EN3 states that <i>"Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of "Best and Most Versatile" agricultural land where possible. "Best and Most Versatile" agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification"</i>.</p> <p>Paragraph 2.10.31 goes on to state that <i>"It is recognised that at this scale, it is likely that applicants' developments will use some agricultural land. Applicants should explain their choice of site, noting the preference for development to be on suitable brownfield, industrial and low and medium grade agricultural land"</i>.</p> <p>The Applicant's site selection process set out within <b>Appendix 5.1: Site Selection Assessment [APP-071]</b> and within <b>ES Chapter 5: Alternatives and Design Evolution [APP-043]</b> took a sequential approach to the assessment of agricultural land seeking to find a suitable site on Grade 4, 5 and unclassified land before sites on Grade 3 land were considered. Paragraphs 2.1.23 to 2.1.31 of <b>ES Appendix 5.1 Site Selection Assessment [APP-071]</b> detail the consideration of brownfield land and roof tops and set out why these were discounted as unsuitable. The final Scheme includes only 26.24% BMV land as a result of this process and the reasons for the small amount of BMV land included are explained and justified within Table 5.9 of <b>ES Chapter 5: Alternatives and Design Evolution [APP-043]</b>. It is noted that the site selection and pre-application consultation processes led to</p>

ExQ	Respondent	Question	Applicant's Response
			<p>the removal of the West Burton 4 Site from the Scheme. This significantly reduced the amount of BMV land within the Scheme from 42.3% to 26.24%.</p> <p>The Scheme therefore complies with the requirements of Paragraph 2.10.29 and Paragraph 2.10.31 of NPS-EN3 (November 2023). It also meets the test set out in the 2015 WMS because non-BMV land has been used as far as practicable and compelling evidence as to the need to include a small element of BMV land within the Scheme has been provided.</p>
2.2.8	All Parties	<p><b>Permanent or Temporary Nature of Loss of Agricultural Land</b></p> <p>The ExA notes that LCC does not consider that the removal of agricultural land for a period of 60 years can be classed as temporary and this should be assessed as a permanent loss of agricultural land. REP3-042 states that <i>"A 60 year lifespan is all but equivalent to an entire life time and, on a human scale, is hardly "temporary" in the common use of this word. The effects of this longevity should be assessed as essentially permanent effects as that is how they are experienced in reality"</i>.</p> <p>IPs are invited to comment on the temporary nature and provide any evidence</p>	<p>The Applicant respectfully disagrees with LCC's position that the "removal of agricultural land for a period of 60 years" cannot be classed as a temporary effect.</p> <p>LCC do not provide a period of time that they would consider the threshold between temporary and permanent, nor any rationale as to why they consider 60 years to not be temporary.</p> <p>At the end of the operational life of the Scheme, the Scheme will be decommissioned. The agricultural land will not have been lost at any point during the lifetime of the Scheme, and will be restored to its current use once decommissioning activities have completed. It differs from the restoration of agricultural land at minerals and landfill sites in that the agricultural land remains available for productive use throughout the operational period. It is therefore not correct to describe the land as having been permanently lost. The requirement to decommission the Scheme is secured via requirement 21 in Schedule 2 to the DCO [EX5/WB3.1_F].</p>

ExQ	Respondent	Question	Applicant's Response
		as to how they consider the relative degree of permanence V temporary loss.	For further details, please see the Applicant's previous response reference SOI-05 in the Applicant's Response to Deadline 2 and 3 Submissions [REP4-066].
2.2.9	Applicant and Natural England	<p><b>Soil Health</b></p> <p>Through NE's work with the applicant on the SoCG, it has been agreed that a programme of soil health monitoring will be undertaken throughout the operation of the proposed development to better understand the impact of solar development on soil health. Please can both parties provide an update on the soil health monitoring programme and confirm the extent to which matters are resolved.</p>	<p>The Applicant has requested that NE provide examples of existing long term monitoring so that monitoring work within the Scheme can be to a specification that compliments and adds value to the existing data. Natural England have not yet provided the Applicant with any guidance on what soil monitoring sampling (number of samples, location of samples, interval of sampling) that they would wish to see.</p> <p>The Applicant will keep the Examining Authority updated as discussions on this matter progress.</p> <p>Please refer to the final and signed version of <b>Natural England Statement of Common Ground [EX5/WB8.3.7_A]</b> which is submitted at Deadline 5 for the areas of agreement between the parties on matters relating to soil.</p>

## 2.3 Biodiversity and Ecology

ExQ	Respondent	Question	Applicant's Response
2.3.1	Applicant	<p><b>Cumulative Impact on Harvest Mice</b></p> <p>Please can the Applicant explain why the effect on harvest mice is not included in the Joint Report on Interrelationships between NSIPS Revision C [REP4-059].</p> <p>Chapter 9: Ecology and Biodiversity APP-047 identifies a potential cumulative impact on harvest mice, depending on the degree of habitat retention and suitable grassland creation within the three nearby schemes: <i>"a minor cumulative adverse effect operating at a Local or District scale may be caused by the combination of all three projects with the Scheme"</i>. Please explain the apparent inconsistency as it applies to harvest mice, and if there are other species to which the response applies.</p>	<p>At the time of writing of the Joint Report on Interrelationships between NSIPs Revision C [REP4-059], insufficient information on the potential for impacts on harvest mice from Tillbridge Solar and Gate Burton Solar was available, especially since both schemes appeared to have scoped this species out, leading to the omission of this receptor from the document. Currently the Tillbridge scheme is due for submission imminently, once the full suite of information is available this be reviewed and if possible, will be included in the next update to <b>WB8.1.19_C Joint Report on Interrelationships between Nationally Significant Infrastructure Reports Revision C [REP4-059]</b> at Deadline 6. This discrepancy does not apply to any other species.</p>
2.3.2	All Parties	<p><b>Biodiversity Net Gain</b></p> <p>The ExA notes that Requirement 9 now provides that the BNG Strategy must include details of how the strategy will secure a minimum of 69.4% biodiversity net gain in habitat units, a minimum of 43.7% biodiversity net gain in hedgerow units and a minimum of 26.6% biodiversity net gain in river units for all of the authorised development during the operation of the authorised development, and the metric that has been used to calculate that those percentages will be reached.</p>	<p>The Applicant considers that the proposed substantial Biodiversity Net Gain (BNG) resulting from extensive habitat enhancement and creation would confer a key benefit from the Scheme on local biodiversity. However, the Applicant is mindful that BNG as an initiative is relatively new and yet not mandatory for NSIPs. The application of any updated BNG calculation methodologies as may be required by Defra in the intervening period between now and the commencement of construction may give rise to unforeseen changes in BNG scores upon finalisation of the BNG strategy following DCO consent, despite the actual proposals and measures remaining the same.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>The units quoted differ from those set out in e.g. the Planning Statement, in order to act as a 'buffer' in the event that circumstances change over time. Please can the Applicant provide a comment on the BNG Units secured within the dDCO and rationale as to the specific level of buffer selected. Please can IPs comment on the same.</p> <p><i>Note Question 2.5.12 addresses the BNG Requirement 9 dDCO approach to wording.</i></p>	<p>Therefore, the Applicant considers it proportionate to include a buffer in the fixed percentages referred to in the draft DCO as failure to comply is automatically an offence.</p> <p>This reflects the approach taken in the final draft DCO submitted as part of the Mallard Pass Solar Farm examination.</p> <p>Consequently, in the case of Habitat Units and Linear Units, a 20% buffer was chosen in order to ensure a minimum level of Biodiversity Net Gain was committed to which could be confidently expected to be achieved as a worst-case scenario. While the ExA can therefore rely on the achievement of these figures, it is expected that actual figures greater than these are achievable.</p> <p>Notwithstanding the buffer, the Applicant's position is that is has committed to delivering all of the habitat enhancement measures set out in the <b>WB7.3_D Outline Landscape and Ecological Management Plan Revision D [REP4-044]</b> and therefore significant weight can be attributed in the planning balance to the benefits of such measures.</p>
2.3.3	Applicant	<p><b>HGV and AIL Access - Impact on Hedgerow</b></p> <p>The Applicant's Response to ExA First Written Question 1.14.7 [REP3-038] sets out measures to enable abnormal load deliveries. It states that <i>"all necessary preparations for ordinary HGV deliveries and the Abnormal Indivisible Load (AIL) deliveries will occur before the deliveries take place"</i> and that this forms part of the final Construction</p>	<p>Indicative locations for the hedgerow removals required for the access points are set out in Appendix C of <b>WB7.3_D Outline Landscape and Ecological Management Plan Revision D [REP4-044]</b> and should be read in tandem with the access point plans in Appendix D, Appendix E and Appendix F of <b>WB6.3.14.1_C Environmental Statement Appendix 14.1 Transport Assessment - Revision C [REP4-036]</b>.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>Traffic Management Plan, secured by Requirement 15 of the draft Development Consent Order.</p> <p>Can the Applicant confirm that, apart from at specified access points, hedgerow removal is not proposed to accommodate such deliveries, e.g. alongside country lanes that will be used for access.</p>	<p>As set out in paragraph 1.2.1 of the <b>WB7.3_D Outline Landscape and Ecological Management Plan Revision D [REP4-044]</b>, existing gaps may need to be widened slightly or works carried out to hedgerows adjacent to private tracks or the public highway. These minor hedgerow works: pruning and removal, widening of existing gaps, and works to hedgerows adjacent to private tracks and the public highway, are required for the passage of vehicles during the construction, maintenance and operational phases or for any apparatus used in connection with the Scheme.</p> <p>Paragraph 1.2.6 then states that the extent of these minor hedgerow works (pruning and removal) and widenings of existing gaps will be confirmed post DCO consent. No hedgerow works (pruning and removal) can take place until a detailed Landscape and Ecological Management Plan has been approved by the relevant planning authority, as secured by Requirement 7 of Schedule 2 of <b>WB3.1_F Draft Development Consent Order Revision [EN010132/EX5/WB3.1_F]</b>. All minor hedgerow works (pruning and removal) will be carried out in accordance with the final, approved version(s) of the Landscape and Ecological Management Plan.</p>
2.3.4	Applicant/ Environment Agency	<p><b>EMF Risk Assessment</b></p> <p>The Environment Agency's views are sought on the submitted 'Risk Assessment on EMF Impacts on Fish' document which is appended to Appendix 1 of the Applicant's Response to Written Representations at</p>	<p>The Applicant can confirm that this matter has been agreed with the Environment Agency as set out in matter ECO-12 in the <b>Environment Agency Statement of Common Ground Revision A [EX5/WB8.3.5_A]</b> which is submitted at Deadline 5.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>Deadline 1 Part 1 [REP3-034]. Both the Environment Agency and the Applicant are requested to provide a progress update and progress through an updated SoCG at Deadline 5.</p>	
2.3.5	Applicant, Natural England, Environment Agency, Canal & River Trust	<p><b>Cable Depth</b></p> <p>The Applicant concludes that burying the cables to a minimum depth of 0.9m and given the limited span of the corridor this would provide sufficient mitigation to prevent adverse effects on aquatic life and in particular protected species. The Outline Design Principles provide a minimum buried depth below the bed of the river Trent of 5m. Please can IPs comment on the potential impact on aquatic life from cable depth of 5m.</p>	<p>The Applicant submitted a Risk Assessment of EMF Impacts on Fish as Appendix 1 in <b>WB8.1.17 Response to Written Representations at Deadline 1 Part 1 [REP3-034]</b> at Deadline 3.</p> <p>The Applicant and the Environment Agency have continued discussions on the matter and the Environment Agency concluded that in the light of the above Risk Assessment, likelihood of impacts on aquatic life resulting from the proposed cables being buried at 5m below the riverbed was low. Furthermore, agreement has been reached that a programme of monitoring will take place and is secured by measures in Table 3.3 in the outline <b>Operational Environmental Management Plan Revision C [REP4-042]</b>.</p> <p>The Statement of Common Ground with the Environment Agency has been updated accordingly with an amended version submitted for Deadline 5 [<b>EX5/WB8.3.5_A</b>].</p>
2.3.6	Applicant	<p><b>Decommissioning – Significance of Effects</b></p> <p>The significance of effects for decommissioning are not listed in the ES. Can the Applicant explain how decommissioning effects have therefore been considered and assessed as the ES should assess the</p>	<p>The Applicant's position is that as a reasonable worst-case the effects at decommissioning would be the same as during the construction phase. However, the Applicant acknowledges that it is difficult to know what statutory conservation legislation will be in effect at that point in the future and there is therefore the</p>

ExQ	Respondent	Question	Applicant's Response
		<p>worst case scenario for all stages of the Proposed Development.</p> <p>If it considers that a reasonable worst-case is that the effects at decommissioning would be the same as during the construction phase, please explain how it has accounted for future changes beyond the construction phase. Also, please set out whether or not the potential for significance of effects may increase over time, and how this has been included in the assessment.</p>	<p>potential for the significance of effects to increase at decommissioning beyond those identified at construction. For example, if more species become legally protected.</p>
2.3.7	Applicant and Local Authorities	<p><b>Waste</b></p> <p>Table 3.13 of the oOEMP (Rev C) [REP4-054] has been updated to refer to the waste management strategy which <i>"will be provided as a standalone document requiring approval from the Waste Management Authority as set out under Requirement 14 of the DCO [EX4/WB3.1_E] to ensure operational waste is managed suitably, and that waste arisings are sent for handling at facilities within the waste local authorities that have capacity to do so without adversely impacting upon their capacity to handle waste arisings for all other waste streams in the authority area"</i></p> <p>Further amendments set out topics to be included.</p> <p>LCC has previously requested additional assurances relating to future waste arising from the project. Please can the Applicant and LCC comment on progress, and set</p>	<p>LCC have indicated to the Applicant that the updates made to the Outline Operational Environmental Management Plan at <b>Revision C [REP4-054]</b> are acceptable.</p> <p>The updates made to the oOEMP <b>[REP4-054]</b> and to Requirement 14 of Schedule 2 in <b>WB3.1_E Draft Development Consent Order - Revision E [REP4-024]</b> (and subsequently in <b>[EX5/WB3.1_F]</b>) are consistent to those agreed towards the close of the examination for Cottam Solar Project <b>[EN010133]</b>.</p> <p>The Applicant is confident any further outstanding concerns from LCC, including those relating to mitigation of cumulative impacts of waste, can be addressed through agreement of the relevant sections of the Statement of Common Ground, an updated draft of which will be submitted to the examination at the next suitable opportunity.</p>



ExQ	Respondent	Question	Applicant's Response
		out LCC as waste authority concerns regarding impact of waste both from WBSP and also cumulatively.	
2.3.8	Applicant	<p><b>Opportunity Cost of Renewable Energy Sources</b></p> <p>How has the loss of arable crops which are used for production of renewable energy been taken into account in the assessment of effects on climate change in the Environmental Statement Chapter 7: Climate Change Revision A [REP1-012].</p>	<p>The loss of arable crops has not been accounted for within the climate change calculations [REP1-012]. As outlined in paragraph 19.5.2 [APP-057], a solar farm requires considerably less land to produce a kWh of electricity than energy crops such as miscanthus, biodiesel and crops for anaerobic digestion and the associated change in emissions is not considered significant.</p> <p><b>Statement of Need [APP-320]</b> Section 7.6 and Table 7.1 quantify the relative annual output of low-carbon electricity per Ha of different low-carbon technologies. The table provides evidence that solar and onshore wind produce similar amounts of electricity per Ha as each other, while electricity generation from biogas produces only a small fraction of that amount. This analysis supports the Applicant's position that there would be no 'opportunity cost' associated with any loss of arable crops used for electricity generation if that land was instead used for solar generation.</p>

## 2.4 Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

ExQ	Respondent	Question	Applicant's Response
2.4.1	Affected persons	<p><b>Affected persons positions</b></p> <p>Affected persons are asked to please respond if they have any further comments to raise regarding:</p> <p>a. The legitimacy, proportionality and necessity of the Compulsory Purchase (CA) or Temporary Possession (TP) powers sought by the Applicant that would affect the land that they own or have an interest in;</p> <p>b. Any inaccuracies in the Book of Reference [REP4-032], Statement of Reasons [REP4-028] or Land Plans [REP4-006]. If there are, please set out what these are and provide the correct details.</p>	
2.4.2	Applicant	<p><b>Progress with agreement to CA/TP</b></p> <p>The Schedule of Negotiations [REP4-064], the Schedule of Progress Regarding Protective Provisions and Statutory Undertakers [REP4-065] and the Schedule of Progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight [REP4-063] identify a number of plots for which the owners have not agreed to the CA of their land. The Applicant has indicated that it is hopeful that agreement will be reached soon. Where such agreement is reached, does the Applicant anticipate the formal withdrawal of the objections?</p>	<p>The Applicant confirms that it expects statutory undertakers who registered an objection will withdraw their objection after agreement is reached.</p> <p>With regard to individual landowners, there may be some instances where the objection is not formally withdrawn once agreement is reached. For example, this may be because an individual wishes to maintain an objection to the Scheme in principle, notwithstanding it has agreed terms in the event the Scheme is granted development consent.</p>

ExQ	Respondent	Question	Applicant's Response
2.4.3	Applicant	<p><b>Land Plans</b></p> <p>The Statement of Reasons [REP4-028] at paragraph 1.4.3 does not indicate how the powers sought under Article 25 of the dDCO relating to the acquisition of all interests in land, including freehold in respect of subsoil only, is shown on the land plans.</p> <p>The Applicant is asked to provide clarification on this point, and to give consideration to whether land to which this provision applies should be specifically identified on the land plan.</p>	<p>The areas in which subsoil and rights in the subsoil can be acquired under Article 25 is the same as the area where powers of compulsory acquisition under Article 20 or compulsory acquisition of rights under Article 22 may be exercised, which is coloured pink and blue on the Land Plan [REP4-007].</p> <p>It is typical to impose restrictions on activities on the surface of the land in order to prevent damage to the underground cable. However, there may be circumstances where this is not necessary and the power in Article 25 is more appropriate. However, as the detailed design of the Scheme is not known and flexibility to microsite the underground elements of the Scheme (such as the cables) is required, the Applicant does not consider it appropriate or necessary to specify exactly where on the land plan the power in Article 25 will be exercised as opposed to Article 20 or Article 22.</p>
2.4.4	Parochial Church Council of the Parish of Stow-with Sturton	<p><b>Chancel Repair Liability</b></p> <p>The Applicant has responded to the concerns raised by the Parochial Church Council of the Parish of Stow with Sturton (the PCC) in relation to the suggested possible implications of the Proposed Development for the Parish Council's right to Chancel Repair Liability. This is set in the Applicant's Response to Relevant Representation [REP1-050] and in response to the ExA First Written Questions at 1.4.16 [REP3-038]. The PCC is asked to please consider and</p>	<p>The Applicant notes that this question is directed at the PCC and maintains its position as set out in <b>the Applicant's Response to Relevant Representation [REP1-050]</b> and in response to the ExA First Written Questions at 1.4.16 <b>[REP3-038]</b>.</p>

ExQ	Respondent	Question	Applicant's Response
		respond to the question of whether these responses address their concerns.	
2.4.5	Applicant	<p><b>Funding Statement</b></p> <p>The Applicant's position in relation to project funding is set out in the Funding Statement [AS-045], with further detail provided in response in relation to WQ 1.4.14 [REP3-038] in relation to the availability of funding. In terms of the availability and adequacy of funding, the Applicant is asked to further comment on key risks associated with securing funding, including the implications of external matters, including recent global events, supply chain issues and fluctuations in prices and interest rates for the ability to fund the Proposed Development. Further, the Applicant is asked to comment on the measures on place to prevent the exercise of compulsory acquisition powers until the Secretary of State has approved a form of security from the Applicant.</p>	<p>The Applicant refers to <b>WB4.2_B Funding Statement [REP4-030]</b> which confirms at paragraph 2.3.1, that the Applicant is able to procure the necessary funds to construct the Scheme through its parent companies. The current cost estimate of the Scheme is £500 million and this figure takes into account recent global events, supply chain constraints, fluctuations in commodity prices and potential changes in inflation and interest rates. IGP and its shareholders are experienced solar and energy developers and have secured funds for numerous other energy projects. As set out in paragraph 2.3.4 of the Funding Statement <b>[REP4-030]</b>, advice has been sought from numerous professionals on the viability of the Scheme. The Applicant believes that its approach has ensured that it has minimised any risk of it being unable to secure the necessary funds to construct the Scheme.</p> <p>Article 47 prevents the exercise of the compulsory acquisition powers until the Secretary of State has approved the form of security. This drafting has precedence in numerous made Orders and is considered to be sufficient as failure to comply with Article 47 is an offence.</p>
2.4.6	Applicant	<b>Castle Farm, High Ingleby</b>	The Applicant confirms that comments made by the Affected Party are addressed at NE-01 to NE-06 (pg. 322-

ExQ	Respondent	Question	Applicant's Response
		Noting the additional submission made by the AP to which this property relates [AS-063], the Applicant is asked to provide a response to the specific matters raised.	326) of <b>WB8.1.23 The Applicant's Response to Deadline 2 and 3 Submissions [REP4-066]</b> .
2.4.7	Applicant	<p><b>Unknown Interests</b></p> <p>Noting the Applicants response to first written questions 1.4.3 and 1.4.8 [REP3-038]; and also the additions to the Book of Reference in Revision D [AS-047] and Revision E [REP4-032], has any further progress been made with the identification of unknown persons? What further steps will be taken to identify these owners prior to the exercise of CA powers?</p>	<p>The Applicant has and will continue to undertake diligent enquiries including through refreshes of the HM Land Registry information to facilitate updates to the Book of Reference. Where it has been possible to identify the identity of unknown interests, the Book of Reference has been updated accordingly.</p> <p>As noted in 1.4.3 [REP3-038] the Applicant shall continue to use reasonable endeavours to identify unknown interests ahead of the exercise of CA powers.</p> <p>The Applicant notes that specific statutory procedures apply when exercising the CA powers in respect of unknown owners depending on whether the Notice to Treat or General Vesting Declaration procedure is used.</p>
2.4.8	Applicant and SNSE Ltd/SNSE Ltd	<p><b>SNSE Ltd/SNSE Ltd</b></p> <p>Comments made in the Schedule of Progress regarding objections and agreements in relation in Compulsory Acquisition, Temporary Possession, other land rights and blight, Revision B [REP4-063] refer to further negotiation with SNSE Ltd/SNSE Ltd over their land interests. Specifically, this refers to discussions having been held with 'RES' regarding their Steeple DCO solar development proposed on part of this landowner's land, where it was</p>	<p>At a meeting between the Applicant and RES (the promoter of the Steeple Renewables Project) on 15 February 2024 the parties discussed the two proposed solar projects, with RES confirming that they were fully aware of the Scheme, i.e. that the cable route passes through the land proposed for their solar farm to the south of West Burton Power Station, and that RES would design their scheme to take that into account. The parties agreed to draft and negotiate a co-operation agreement which would set out how each</p>

ExQ	Respondent	Question	Applicant's Response
		agreed to work together to minimise impacts upon each renewable energy scheme. The Applicant and SNSE Ltd/SNSE Ltd are asked to please clarify the nature of these discussions and any implications for the current Application at this stage, if known.	developer would act to ensure any conflicts are minimised so that the two projects can co-exist.
2.4.9	Applicant and Canal and River Trust	<p><b>Canal and River Trust</b></p> <p>Comments at DL4 relating to the implications of the Land South of Marton Grid Connection Options Report [REP2-009] with the suggestion that if 'Option 2' were taken forward this would include land in the southeast corner of the eastern dredging tip. Noting that the Canal and River Trust have already approached the Applicant on this matter, the parties are asked to please clarify their respective positions on this matter.</p> <p>Noting that the parties continue to negotiate the agreement for the rights required for the project in respect of the cable route beneath the Trust's dredging tip (parcel 07-121), the parties are asked to provide an update on discussions.</p>	<p>The <b>Land South of Marton Grid Connection Options Report [REP2-009]</b> was undertaken to explore the route of the cable in this location in response to comments made by affected persons (Mr and Mrs Hill). The report concludes that the existing route within the Order limits is the preferred route. The Applicant is therefore not proposing to proceed with Option 2.</p> <p>Discussions are ongoing with the Canal and River Trust regarding the voluntary property agreement. The Applicant awaits evidence of comparable agreements obtained by the Canal and River Trust, as the compensation currently asked for is larger than the Applicant has offered. The Applicant notes that protective provisions for the benefit of the Canal &amp; River Trust have been agreed.</p>
2.4.10	Applicant and Marine Management Organisation (MMO)	<p><b>Marine Management Organisation</b></p> <p>The MMO's attention is drawn to the Applicant's update on the Deemed Marine Licence (DML) at ISH2 (see [REP4-067]) where it was explained that the inclusion of the DML was to safeguard against the risk of an existing exemption falling away. The Applicant has also sought to address the</p>	<p>The Applicant notes that this question is directed at the MMO. The Applicant considers that the information in the <b>Technical Note on Horizontal Directional Drilling and Cabling under the River Trent [REP4-074]</b> provides a suitably comprehensive and proportionate assessment of the licensable activities associated with the Scheme.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>issues raised by the MMO in their letter of 9 January 2024 [REP3-047] by providing a Technical Note on Horizontal Directional Drilling and Cabling under the River Trent [REP4-074]. This sets out where the construction activities associated with Horizontal Directional Drilling (HDD) and cabling under the River Trent have been assessed within the ES and the proposed mitigation measures as they relate to the except and potentially licensable activities.</p> <p>Noting the MMO's position that a DML may not be required, the MMO is asked to provide comments on the following in a without prejudice basis:</p> <ol style="list-style-type: none"> <li>a. The updated DML (including any comments on conditions) as set out in the dDCO Revision E [REP4 024].</li> <li>b. Whether the information contained in [REP4-074] provides, as the Applicant suggests, a suitably comprehensive and proportionate assessment of the licensable activities associated with the Scheme.</li> </ol>	
2.4.11	Applicant	<p><b>Marine Management Organisation</b></p> <p>The Applicant is asked to please comment on the suggestion made by the MMO in their letter of 9 January 2024 [REP3-047] in terms of the nature of the activities licensed, that the Applicant seeking to make provision for situations in which they are unable to undertake activities as anticipated, enabling different activities to be</p>	<p>Please refer to the Deadline 4 submission <b>Technical Note on Horizontal Directional Drilling and Cabling under the River Trent [REP4-074]</b>. The objective of the Technical Note is to demonstrate that the Applicant has provided a suitably comprehensive and proportionate assessment of the licensable activities associated with the Scheme. The activities outlined in the Technical Note outline the limits of the activities under the DCO.</p>

ExQ	Respondent	Question	Applicant's Response
		undertaken to achieve the same end, but not falling within exempted activity.	The Applicant also refers to Appendix A to the <b>Applicant's Response to Deadline 2 and 3 Submissions [REP4-066]</b> which sets out the Applicant's detailed responses to the comments made by the MMO in REP3-047.
2.4.12	Applicant and Network Rail Infrastructure Ltd	<p><b>Network Rail</b></p> <p>The ExA requests that the parties please provide a further update on the voluntary property agreement with Network Rail being sought by the Applicant, noting the submission from Network Rail Infrastructure Ltd in response to first written questions [REP3-051], and the Applicant's update provided at CAH1 [REP4-069], which included reference to the importance of such agreements being in place before any limitations on compulsory acquisition powers in protective provisions are agreed to.</p>	Network Rail accepted the Heads of Terms on 14 <sup>th</sup> February 2024 regarding the easement for the cable route. The property agreements are under negotiation. A strategy on how the Framework Agreement and Protective Provisions will interact in relation to the proposed restriction on compulsory acquisition powers for the project has been agreed. This strategy will enable Network Rail to withdraw its objection to the compulsory acquisition following completion of the Framework Agreement. The wording of the Framework Agreement and Protective Provisions is being negotiated.
2.4.13	Applicant and EDF Energy (Thermal Generation) Ltd	<p><b>EDF Energy (Thermal Generation) Ltd</b></p> <p>The ExA requests a further update on the voluntary property agreement with EDF Energy being sought by the Applicant, noting the comments provided by EDF Energy in response to first written questions [REP3 052], and the update provided by the Applicant at CAH1 [REP4-069], including reference to the importance of such agreements being in place before any limitations on compulsory acquisition powers in protective provisions are agreed to.</p>	Discussions are ongoing with EDF regarding the voluntary property agreements. As detailed in <b>WB8.1.13_B Schedule of Negotiations Revision B [REP4-064]</b> , the commercial values requested by EDF are much higher than those offered by the Applicant. Whilst discussions are ongoing, the Applicant and EDF have not yet agreed the terms of a voluntary property agreement for the necessary rights to construct, use and maintain the grid connection across EDF's land. In the absence of voluntary agreement, any



ExQ	Respondent	Question	Applicant's Response
			<p>restriction on the use of the compulsory acquisition powers would result in a material impediment to the delivery of the Scheme. As the protective provisions require the technical details to be approved by EDF prior to carrying out any works that may affect EDF's apparatus, the Applicant's position is that the use of compulsory acquisition powers will not result in any serious detriment to EDF's undertaking.</p>
2.4.14	Crown Estate Commissioners  Applicant	<p><b>Crown Land</b></p> <p>Noting the Applicants response to 1.4.10 [REP3-038], and comments made at CAH1 [REP4-069], the Applicant is asked to report on progress. Further, the Schedule of Negotiations Revision B [REP4-064] refers to the fact that the Crown are <i>'seeking a yearly payment for the easement which is being reviewed along with other commercial points'</i>.</p> <p>The Applicant and Crown Commissioners are asked to please:</p> <p>a. Explain the current position and provide an update regarding ongoing discussions, an indicated of the potential outcome, including whether this will be concluded by DL7 (8 May 2024, the close of the Examination);</p> <p>Could the Applicant:</p>	<p>a. The Applicant awaits a response from the Crown regarding updated proposed compensation values offered by the Applicant and whether they are acceptable.</p> <p>b. The Applicant is confident that a voluntary property agreement will be reached with the Crown Estate. If agreement is not reached before the end of the examination, negotiations will continue and evidence of agreement will be submitted to the Secretary of State.</p> <p>In respect of consent pursuant to s135 of the Planning Act 2008, the Applicant remains confident that consent will be obtained prior to the Secretary of State's decision. The Applicant notes that consent has been obtained for the Gate Burton Energy Park and the consent for the Cottam Solar Project has been agreed and is in the process of being signed.</p>

ExQ	Respondent	Question	Applicant's Response
		b. Provide an explanation of the action to be taken by the ExA in the event that Crown consent is not received by the close of the Examination.	
2.4.15	Applicant	<p><b>Land interests</b></p> <p>Please confirm that the additional interests included in the Book of Reference at Revision D [AS-047] and Revision E [REP4-030] have been made aware of their inclusion.</p>	<p>Pursuant to Regulation 7 of The Infrastructure Planning (Compulsory Acquisition) Regulations 2010, the Applicant contacted all new affected parties that had been identified as a result of the change request to notify them of the acceptance of the request for additional land and their opportunity to make representations. Additional interests added at Revision E had previously been identified as affected parties in earlier iterations of the Book of Reference (and notified accordingly) and therefore the Applicant does not believe that further notification under Section 102A is necessary.</p>

## 2.5 Draft Development Consent Order (DCO)

ExQ	Respondent	Question	Applicant's Response
2.5.1	Applicant	<p><b>Article 2 (Interpretation)</b></p> <p>With reference to the "Order Land", set out in Article 2 [REP4-24], whilst recognising that this definition has been amended to in response to Section 51 advice, the Applicant is asked to please give further consideration to whether the current definition is sufficiently precise in its reference to the land plans.</p>	<p>The definition of 'Order Land' was updated in Revision E of the draft Development Consent Order [REP4-023] in response to comments made by the Examining Authority for the Cottam DCO application on the identically-drafted definition.</p> <p>The Applicant is satisfied that the definition is sufficiently precise, and accurately reflects that the Order Land includes all land over which the Applicant will be granted any powers of compulsory acquisition or temporary possession.</p>
2.5.2	Applicant	<p><b>Article 2 (Interpretation)</b></p> <p>With reference to the definition of "Maintain" set out in Article 2 [REP4-24], as noted in first written question 1.5.3 [REP3-038], and discussed in ISH2, is wide ranging in being able to 'alter, remove, refurbish, reconstruct, replace and improve any part' of the authorised development to the extent it would not be possible to 'remove, reconstruct or replace the whole of, the authorised development'. This definition does not rule out the possibility that all, or the large majority, of the development, including the panels, may be replaced during the operation period of the Proposed Development. Noting particularly the anticipated 60 year operational life of the Proposed Development, the Applicant is asked to clarify:</p> <p>a. Why it is necessary for there to be flexibility within the draft DCO such that most of the panels could be replaced</p>	<p>a) The definition of 'maintain' in the form included in the draft DCO is well precedented, and can be traced to the Model Provisions. The requirement for a project to be repaired, adjusted, altered, removed, reconstructed or replaced has consistently been recognised by the Government.</p> <p>The development of DCO drafting has resulted in the definition of 'maintain' being restricted so that it cannot be interpreted so broadly as to allow for the whole project to be replaced – something that would require a new development consent. It has also been limited so that it does not allow activities that would constitute materially new or different environmental effects to those assessed in the environmental statement.</p> <p>The flexibility to repair the Scheme is necessary to ensure that it remains operational. Were the definition limited further, the risk is that the Scheme could not be adequately repaired,</p>

ExQ	Respondent	Question	Applicant's Response
		<p>over the operation period, albeit such works would not be all carried out at the same time?</p> <p>b. Based on available evidence, what percentage of panels on existing solar farms are replaced for maintenance during their operation (on an annual basis and overall across their operational period to date)?</p> <p>c. Noting Article 5 (Power to maintain authorised development), does the Applicant foresee the possibility that the large-scale replacement of panels (for example 25%, 50%, 75% or 90% of solar panels within the Order Limits) would be likely to give rise to any materially new or materially different effects that have not been assessed in the environmental statement?</p>	<p>impairing the ability of the Scheme to operate as a generating station. The broad definition is wholly compliant with the policy position that renewable energy generation is critical national priority infrastructure, and any restriction on the ability to repair the Scheme as necessary would limit long-term reliability and generating capacity.</p> <p>The Applicant is not aware of a made DCO that does not include an equivalent definition of 'maintain' including those DCOs that are not time limited.</p> <p>b. Please see the response to question 2.9.3 below regarding the percentage of replacement panels. There are no solar farms that have been in operation for over 40 years.</p> <p>c. As stated in the response to question 2.9.3, if the rate of failure and replacement turned out to be much higher than the 0.4% assumed rate at an early stage within the Scheme's expected lifespan, 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>
2.5.3	Applicant and LCC	<b>Article 11/15 (Temporary prohibition or restriction of use of streets and public rights of way/ Traffic regulation measures)</b>	The outline Construction Traffic Management Plan (oCTMP) provided at Deadline 4 [REP4-039] was amended to included provisions requested by LCC. The Applicant awaits any further comments that LCC may have on the contents of the oCTMP,

ExQ	Respondent	Question	Applicant's Response
		<p>With reference to Articles 11/15 [REP4-24], noting the comments made at ISH2 and the ongoing discussion between the Applicant and LCC in relation to the mechanisms for obtaining approval, and update is requested on the discussions seeking to gain agreement which ensures consistency between the DCO and the Outline Construction Management Plan. If agreement has not been reached then the parties are asked to please clearly set out their respective positions. If necessary, LCC is asked to please provide alternative wording.</p>	<p>and notes that DCO Requirement 15 requires the Applicant to comply with the final CTMP (which must be approved by LCC). The Applicant notes that this approach is typical of DCOs, with the DCO granting broad powers which are then controlled in detail by management plans, and does not consider that there is any inconsistency between the DCO and the oCTMP.</p>
2.5.4	Applicant	<p><b>Article 29 (Temporary use of land for constructing the authorised development)</b></p> <p>With reference to Article 29(1)(a)(ii) [REP4-24] which has the effect of extending the temporary possession powers to allow temporary possession of any Order land, and noting the Applicants response to 1.5.19 [REP3-038], the Applicant is asked to explain the steps that have been taken to alert all landowners/occupiers of land within the Order limits of this possibility.</p> <p>Further, noting that under Article 29(3) not less than 14 days notice would be given before taking temporary possession is taken, and in relation to Article 30(3) not less than 28 days notice would be given before taking temporary possession, the Applicant is asked to further consider the justification for this, noting that Chapter 1 of</p>	<p>All landowners, occupiers and persons with interests in land within the Order Limits have been notified of the application for powers of compulsory acquisition and temporary possession, as relevant, over their land. The Applicant confirms that it has complied with all requirements in relation to notifying affected persons of the request for compulsory acquisition powers and temporary use powers.</p> <p>The Applicant's approach to the use of temporary possession powers is set out in Section 5.5 of the <b>Statement of Reasons [REP4-028]</b>.</p> <p>This is similar to the approach proposed in the voluntary agreements being negotiated with landowners where the Applicant is seeking an Option with the grant of a licence to undertake the construction works and then a permanent</p>

ExQ	Respondent	Question	Applicant's Response
		<p>Part 2 of the Neighbourhood Planning Act 2017 provides for three months notice.</p>	<p>easement being granted once the as-laid location of the cables has been determined.</p> <p>The use of a 14-day notice period for temporary possession of land for construction is well precedented, including in the recently made DCOs of the Boston Alternative Energy Facility Order 2023 and the Medworth Energy from Waste Combined Heat and Power Order 2024. The Applicant notes that the majority of the Order land is agricultural land and there are no residential properties. The Applicant notes that this is the minimum amount of notice required and typically the Applicant will give more notice.</p> <p>Compensation is payable for any damage caused (such as the removal of crops). A 14-day notice period is considered to be appropriate for the Scheme.</p> <p>The Applicant considers that 28 days' notice of temporary possession for the purpose of maintaining the Scheme is reasonable, proportionate and widely precedented. This balances the likelihood that the extent of possession for maintenance is likely to be less than is required for construction, but that it is harder for landowners to anticipate when a requirement for temporary possession may be required. The Applicant has checked the following recently made DCOs, finding that 28 days' notice is required for each: The Medworth Energy from Waste Combined Heat and Power Facility Order 2024; The Hornsea Four Offshore Wind Farm</p>

ExQ	Respondent	Question	Applicant's Response
			Order 2023; The Longfield Solar Farm Order 2023, Article 28; The Awel y Môr Offshore Wind Farm Order 2023, Article 28.
2.5.5	Applicant	<p><b>Article 39 (Trees Subject to tree preservation orders)</b></p> <p>With reference to Article 39 [REP4-24], noting the provisions of Advice Note 15, Section 22, and the suggestion that it is not appropriate to include this power on a precautionary basis, the Applicant is asked to please provide a Schedule and plans specifically identifying the affected trees.</p>	<p>There are three trees subject to a Tree Preservation Order which are on the boundaries of the Shared Cable Corridor to the east of the River Trent, between the river and the A156. The locations of these trees are shown on the first plan in Appendix C of the OLEMP Rev D [REP4-044].</p> <p>The Applicant's proposed drafting is consistent with the drafting in Article 37 of the Longfield Solar Farm Order 2023 and Article 37 of the Hornsea Four Offshore Wind Farm Order.</p>
2.5.6	Applicant	<p><b>Schedule 1 (Authorised Development)</b></p> <p>With reference to Schedule 1 [REP4-24], noting that, in addition to the wide-ranging list of works set out, there is additionally reference to and the end of this Schedule 'further associated development comprising such works or operations as may be necessary or expedient', the Applicant is asked to please provide justification for the inclusion of this provision.</p>	<p>The inclusion of this paragraph within Schedule 1 is intended to ensure that all works and operations that are required to construct, operate and maintain the Scheme are authorised by the DCO. The alternative to including a provision authorising other works that are necessary or expedient for, or in connection with, the construction, operation and maintenance of the Scheme would be to list every potential or possible work that may be required. That approach would be inconsistent with both the DCO authorising the outline Scheme design, and with statutory instrument drafting standards which focus on avoiding excessive and unnecessary detail. The flexibility provided by this paragraph is restricted by the final words:</p>

ExQ	Respondent	Question	Applicant's Response
			<p><i>"insofar as they are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement".</i></p> <p>This restriction ensures that the draft DCO provides the maximum flexibility for the Applicant when undertaking detailed design, whilst also ensuring that the detailed design does not exceed the Rochdale Envelope that has been assessed.</p> <p>This approach is well precedented, including in the recent National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024, the Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024, and The Medworth Energy from Waste Combined Heat and Power Facility Order 2024.</p>
2.5.7	West Lindsey District Council (WLDC) and the Applicant	<p><b>Schedule 2 (Requirements)</b></p> <p>With reference to Schedule 2, Requirement 2 [REP4-24], the Applicant is asked to explain the rationale for the inclusion of a written scheme setting out the phase or phases of construction. Noting the comments made previously relating to the need for a phasing requirement, WLDC is asked to comment on the suitability of this provision.</p>	<p>Requirement 2 has been updated to include that the Scheme cannot be commenced until a written scheme setting out the phase or phases of construction of the Scheme has been submitted to the relevant planning authorities. This provision was included in response to a specific request from the local planning authorities, particularly West Lindsey District Council, to be kept informed of the timing of the construction of the Scheme. The drafting is intended to ensure that the local planning authorities have the requested level of oversight for when the Scheme will be brought forward, noting the number</p>



ExQ	Respondent	Question	Applicant's Response
			of other schemes that may be brought forward in the same area in the same timeframe.
2.5.8	Applicant	<p><b>Schedule 2 (Requirements)</b></p> <p>With reference to Schedule 2, [REP4-24] and the suggestion by WLDC that retention and/or maintenance clauses should be included in relation to requirement 6 (Battery Safety Management), requirement 8 (Ecological protection and mitigation strategy), requirement 9 (Biodiversity net gain), requirement 16 (Operational noise) and requirement 20 (Skills, supply chain and employment), the Applicant is asked to please clarify why the inclusion of such clauses is not considered necessary, noting the precedents for this.</p>	<p>The Applicant does not consider that additional wording about maintaining or retaining the management plans is necessary within the Requirements. The implementation of the management plan, required in each of the specified Requirements, inherently includes compliance with all ongoing measures contained within the relevant management plan. The Applicant does not propose to add the unnecessary wording to Requirements as this would be unnecessary duplication and contrary to the principles of statutory drafting.</p> <p>Precedents for this approach include The Medworth Energy from Waste Combined Heat and Power Facility Order 2024 and The Longfield Solar Farm Order 2023.</p>
2.5.9	Applicant	<p><b>Schedule 2 (Requirements)</b></p> <p>With reference to Schedule 2, Requirement 5 (Detailed Design Approval) [REP4-24], noting the Applicants response to first written question 1.5.21 [REP3-038] relating to this, the Applicant is asked to clarify how the design details relating to Work No 6, such as the 'provision of security and monitoring measures such as CCTV columns, lighting columns and lighting, cameras, weather stations, communication infrastructure' and 'signage and information boards' would be controlled.</p>	<p>The parts of Work No. 6 that are relevant for the construction of the Scheme (such as construction signage and security) are controlled through the Construction Environmental Management Plan [REP4-043], which must be approved under Requirement 13 (for example, site security is referred to in section 2.11).</p> <p>The parts of Work No. 6 that will be retained during operation, such as CCTV columns and lighting, are controlled through the Operational Environmental Management Plan [REP4-055], which must be approved under Requirement 14 (for example,</p>

ExQ	Respondent	Question	Applicant's Response
			control of lighting is referred to in section 2.5 and site security is referred to in section 2.8).
2.5.10	Applicant and Lincolnshire County Council (LCC)	<p><b>Schedule 2 (Requirements)</b></p> <p>With reference to Schedule 2, Requirement 12 (Archaeology) [REP4-24] LCC have provided suggested alternative wording for this requirement [REP4-079].</p> <p>a. LCC are asked to please clarify the rationale for this in terms of how it would address their concerns; and,</p> <p>b. the Applicant is asked to please provide comment on this alternative wording in terms of whether it required for the Proposed Development to comply with relevant policy and guidance.</p>	<p>The Applicant does not propose to adopt LCC's proposal for Requirement 12 of Schedule 2 to the draft DCO [EN010132/EX5/WB3.1_F] as the Applicant's preference is for the WSI to be in an approved form now rather than requiring further approval from the relevant planning authority to ensure the Scheme can be delivered on time and without impediment.</p> <p>The Applicant has held a without prejudice discussion with LCC on the methodology detailed in the <b>Written Scheme of Investigation (WSI) [REP4-034]</b> and is revising the WSI on a without prejudice basis for LCC to consider and is submitted at Deadline 5 [EX5/WB6.3.13.7_B].</p> <p>The WSI proposed by the Applicant is a detailed methodology for the investigation and management of archaeological finds within the Order limits, having full regard to historic environment records and surveys and assessments of the Order limits. The WSI is a detailed document as opposed to an outline management plan that will need to be updated during the detailed design of the Scheme. There is therefore no reason for approval of the WSI to be delayed until after the DCO has been granted. The Applicant also notes that it would be unusual for Historic England to comment on archaeological WSIs produced to mitigate impacts on non-designated heritage assets as part of the planning process, and where</p>

ExQ	Respondent	Question	Applicant's Response
			<p>there is no potential for direct impacts on any designated heritage assets. Historic England's remit is focused on designated heritage assets as detailed by the Historic England Proposals for Development Management. This is reflected in Historic England Advice Note 7 (Second Edition), at Paragraph 27, which states:</p> <p><i>"Non-designated heritage assets may also be identified by the local planning authority during the decision-making process on planning applications, as evidence emerges. Any such decisions to identify non-designated assets need to be made in a way that is consistent with the identification of non-designated heritage assets for inclusion in a local heritage list, properly recorded, and made publicly available, for instance through an addition to a local heritage list, and through recording in the Historic Environment Record (HER)."</i></p> <p>Therefore, the Applicant questions LCC's proposal to consult with Historic England on the approval of the WSI. The Applicant believes that LCC is sufficiently able to oversee the works required to mitigate any potential impacts to non-designated heritage assets through the implementation of the WSI. Paragraphs (3) and (4) of the proposal constitute standard archaeological conditions and the Applicant believes that the WSI <b>[EX5/WB6.3.13.7_B]</b> achieves these requirements. The Applicant is looking forward to receiving any further comments on the content of the WSI, and notes</p>

ExQ	Respondent	Question	Applicant's Response
			that if further requirements are needed, it would be most appropriate to update the WSI.
2.5.11	Applicant and the Environment Agency	<p><b>Schedule 2 (Requirements)</b></p> <p>Noting the insertion of the Requirement 22 into dDCO Revision E [REP4-024] relating to Long Term Flood Risk mitigation, and the comments made in the Statement of Commonality [REP4-061], the parties are asked to provide further justification for this Requirement, noting that on this basis information regarding long term flood risk effects would be provided after the Secretary of State has made their decision.</p>	<p>Requirement 22 has been included to address concerns raised by the Environment Agency that there may be different flood risk effects to those assessed in the Environmental Statement between years 40 and 60 of the Scheme.</p> <p>The Applicant has undertaken further engagement with the Environment Agency on this matter. It is understood that further data is available from the Environment Agency which includes appropriate climate change allowances up to the 2080's epoch. However, the Environment Agency has only recently been able to provide the data to the Applicant and it may not be possible for the modelling to be completed prior to the close of the Examination. Once this modelling has been completed, the Applicant will update the Flood Risk Assessment accordingly.</p> <p>The approach taken to this Requirement was agreed with the Environment Agency on a call on 21 February 2024 that an updated flood risk assessment should be submitted for approval prior to construction (rather than prior to year 40 as originally proposed by the Applicant) as this will ensure that appropriate mitigation is in place taking into account climate change allowances up to the 2080s epoch.</p> <p>Requirement 22 in Schedule 2 to the draft DCO Deadline 5 requires the Applicant to submit the updated flood risk</p>

ExQ	Respondent	Question	Applicant's Response
			<p>assessment to the Environment Agency prior to commencement of the authorised development and has been agreed with the Environment Agency as set out in the Statement of Common Ground <b>[EX5/WB8.3.5_A]</b>.</p> <p>The Applicant is confident that the Secretary of State may include such a requirement, as it would fall within the scope of s120(2)(a) of the Planning Act 2008 which provides that the Secretary of State may impose Requirements corresponding to conditions that could have been imposed as part of a planning permission under the Town and Country Planning Act 1990 (TCPA).</p> <p>Section 72 (conditional grant of planning permission) of the TCPA expressly states that a condition may be "(a) for regulating the development or use of any land under the control of the applicant [...] or requiring the carrying out of works on that land, so far as appears to the [Secretary of State] to be expedient for the purposes of or in connection with the development authorised by the permission".</p> <p>The Applicant submits that it would be expedient to include Requirement 22 within the Order to ensure appropriate mitigation is in place for the operational life of the Scheme.</p> <p>In the alternative, Requirement 22 would fall within the scope of s120(2)(b) of the Planning Act 2008, being a "requirement to obtain the approval of the Secretary of State or any other person, so far as not within paragraph (a)".</p>

ExQ	Respondent	Question	Applicant's Response
2.5.12	Applicant	<p><b>Schedule 2 (Requirements)</b></p> <p>With reference to the Question relating to inclusion of the BNG% increase in Requirement 9, and the noted 'buffer' (cross reference Question 2.3.2), are there other appropriate mechanisms and drafting options available to address future changes in the biodiversity metric? What alternatives to the buffer have been considered?</p>	<p>The Applicant requests this response is read alongside the response to Question 2.3.2 above.</p> <p>As an emerging area, and as no NSIP-specific guidance on BNG has yet been published by Government, no consistent approach to BNG has yet emerged. By way of example, the Gate Burton application does not have a specific requirement setting out the percentages of BNG to be provided.</p> <p>The flexibility provided by the buffer is required due to the nature of the DCO, as an amendment to the Order would be required if a small change occurred due to changes to the metric. This occurred in The Longfield Solar Farm Order 2023, where The Longfield Solar Farm (Correction) Order 2023 was made shortly after, amending the requirement to give greater flexibility to the metric to be used.</p>
2.5.13	Applicant and National Grid Energy Transmission PLC (NGET)	<p><b>Schedule 16 – Protective Provisions, Part 3</b></p> <p>With reference to Schedule 16, Part 3 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and NGET are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of</p>	<p>The Applicant understands that the PPs for NGET are nearly agreed, however discussions are ongoing as to the terms of an agreement. A draft agreement is currently with NGET for comment. The Applicant is confident that an agreement will be reached before the end of Examination, but notes that NGET does not intend to confirm the PPs are agreed until this agreement is completed.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>each party's position on areas of disagreement, together with any alternative wording proposed.</p>	
2.5.14	Applicant and National Grid Electricity Distribution PLC (NGED)	<p><b>Schedule 19 – Protective Provisions, Part 4</b></p> <p>With reference to Schedule 16, Part 4 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and NGED are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>The Applicant understands that the PPs for NGED are agreed, however discussions are ongoing as to the terms of an agreement. A draft agreement is currently with NGED for comment. The Applicant is confident that an agreement will be reached before the end of Examination, but notes that NGED do not intend to confirm the PPs are agreed until this agreement is completed.</p>
2.5.15	Applicant and Northern Powergrid	<p><b>Schedule 19 – Protective Provisions, Part 5</b></p> <p>With reference to Schedule 16, Part 5 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and Northern Powergrid are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>The Applicant understands that the PPs for NPG are agreed.</p>

ExQ	Respondent	Question	Applicant's Response
2.5.16	Applicant and Cadent Gas Ltd	<p><b>Schedule 19 – Protective Provisions, Part 6</b></p> <p>With reference to Schedule 16, Part 6 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and Cadent Gas Ltd are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>The PPs for Cadent are in the agreed form. The Applicant understands that Cadent will confirm this to the Examining Authority directly.</p>
2.5.17	Applicant and the Environment Agency (EA)	<p><b>Schedule 19 – Protective Provisions, Part 9</b></p> <p>With reference to Schedule 16, Part 9 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and the EA are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>The protective provisions included in Part 9 of Schedule 19 have been updated at Deadline 5 to take into account comments by the EA. This version of the protective provisions is in an agreed form.</p>



ExQ	Respondent	Question	Applicant's Response
2.5.18	Applicant and Network Rail Infrastructure Ltd	<p><b>Schedule 16 – Protective Provisions, Part 10</b></p> <p>With reference to Schedule 16, Part 10 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst draft PP have been included in the draft DCO, discussions are ongoing.</p> <p>Noting the comments made by Network Rail in response to first written question 1.4.6 [REP3-051], the Applicant and Network Rail are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>A strategy on how the Framework Agreement and Protective Provisions will interact in relation to the proposed restriction on compulsory acquisition powers for the project has been agreed. This strategy will enable Network Rail to withdraw its objection to the compulsory acquisition following completion of the Framework Agreement. The wording of the Framework Agreement and Protective Provisions is being finalised.</p>
2.5.19	Applicant and Uniper UK Ltd	<p><b>Schedule 16 – Protective Provisions, Part 13</b></p> <p>With reference to Schedule 16, Part 13 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst draft PP have been included in the draft DCO, discussions are ongoing.</p> <p>Noting the comments from Uniper at Deadline 1A [REP1A-032], the Applicant and Uniper are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details</p>	<p>Discussions with Uniper on the drafting of the protective provisions is ongoing and the Applicant is waiting for comments back from Uniper.</p>

ExQ	Respondent	Question	Applicant's Response
		of each party's position on areas of disagreement, together with any alternative wording proposed.	
2.5.20	Applicant and Exolum Pipeline System Ltd	<p><b>Schedule 16 – Protective Provisions, Part 15</b></p> <p>With reference to Schedule 16, Part 15 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst draft PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and Exolum are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	The Applicant has agreed the form of the PPs with Exolum.
2.5.21	Applicant and Tillbridge Solar Project Ltd	<p><b>Schedule 16 – Protective Provisions, Part 17</b></p> <p>With reference to Schedule 16, Part 17 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst draft PP have been included in the draft DCO, discussions are ongoing.</p> <p>The Applicant and Tillbridge Solar are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	The PPs for Tillbridge Solar are in the agreed form.

ExQ	Respondent	Question	Applicant's Response
2.5.22	Applicant and EDF Energy (Thermal Generation) Ltd	<p><b>Schedule 16 – Protective Provisions, Part 18</b></p> <p>With reference to Schedule 16, Part 18 [REP4-24], the Applicant's Deadline 4 Update on Schedule of Progress regarding Protective Provisions (PP) and Statutory Undertakers [REP4-063] noted that, whilst draft PP have been included in the draft DCO, discussions are ongoing.</p> <p>Noting the comments made by EDF Energy on response to first written question 1.4.7 [REP3-052], the Applicant and EDF Energy are requested to submit a single, jointly prepared set of PP, identifying any areas where agreement cannot be reached and providing details of each party's position on areas of disagreement, together with any alternative wording proposed.</p>	<p>The PPs are agreed with the exception of the restrictions on the use of CA powers. Please see the response to question 2.4.13 above.</p>

## 2.6 Health and Wellbeing

ExQ	Respondent	Question	Applicant's Response
2.6.1	All Parties	<p><b>Involvement of Health Authorities</b></p> <p>Given the number of schemes in the vicinity of WBSP, and the population living within these schemes, mostly rural, some urban, the cumulative impact is such that a number of Interested Parties assert that a Health Impact Assessment should be carried out with involvement of the local health bodies. IPs are invited to provide any justification for this, and summarise what further evidence this may reveal. The Applicant and all IPs are invited to make further comments.</p>	<p>As the Applicant has stated previously, including at Issue Specific Hearing 4 (see <b>WB8.1.28 Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]</b>), the Applicant does not consider that a Health Impact Assessment was necessary for this Scheme, given the inclusion of human health as a topic in the Environmental Impact Assessment (refer to Section 21.5 of <b>6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059]</b> and <b>WB8.4.21.1 Environmental Statement - ES Addendum 21.1: Human Health and Wellbeing Effects [REP4-077]</b>). Furthermore, a HIA was not requested by the host authorities nor statutory health bodies at the Scoping stage of the Scheme, nor was it requested in the Scoping Opinion [<b>APP-068</b>].</p> <p>The Applicant is confident that the assessment undertaken to date and the level of involvement from statutory health bodies is proportionate to the likely impacts of the Scheme.</p> <p>To address concerns raised by Interested Parties, <b>ES Addendum 21.1: Human Health and Wellbeing Effects [REP4-077]</b> was submitted into the Examination to collate the human health and wellbeing impacts assessed in the ES, provide additional signposting to assessment outcomes with regard to human health and wellbeing impacts as assessed in each of the relevant ES topic chapters, and a summary of the key comments on human health and wellbeing that have been discussed during Examination.</p>

ExQ	Respondent	Question	Applicant's Response
2.6.2	WLDC and Applicant	<p><b>WLDC Policy</b></p> <p>WLDC refers to its adopted Health SPD in various answers to first written questions [REP3-044]. Please can WLDC provide a copy of, or a hyperlink to the SPD, and identify relevant parts. The Applicant is invited to provide specific comments.</p>	<p>The Applicant is confident that the assessment of health and wellbeing at Section 21.5 of <b>6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059]</b> and <b>WB8.4.21.1 Environmental Statement - ES Addendum 21.1: Human Health and Wellbeing Effects [REP4-077]</b> is consistent with the aims as set out in Policy S54 of the Central Lincolnshire Local Plan, and in the Central Lincolnshire Local Plan Health Impact Assessment for Planning Applications: Guidance Note (April 2023).</p> <p>The Applicant specifically points to page 6 wherein the SPD reads:</p> <p><i>"HIAs can be a freestanding report, or they can be incorporated into another required appraisal, such as an Environmental Impact Assessment, to avoid duplication. Where HIA is integrated into another assessment, it is recommended that a separate chapter is included in the assessment on health impacts, with cross-referencing to other relevant chapters, such as transport, noise, and air quality."</i></p> <p>The Applicant is confident that the Environmental Statement [<b>APP-059</b> and <b>REP4-077</b>] suitably covers the same assessment requirements, and to perform a Full HIA as a freestanding report would be a duplicate assessment, and would be disproportionate to the likely impacts of the Scheme. It would also be inconsistent with the Scheme's Scoping Opinion [<b>APP-068</b>], which did not request a standalone Health Impact Assessment.</p>
2.6.3	7000 Acres	<p><b>Health Assessment</b></p> <p>7000 Acres is concerned that the various Health reports have not been prepared by <i>"an expert in health"</i>. Please</p>	See response to 2.6.4 below.

ExQ	Respondent	Question	Applicant's Response
		<p>can 7000 Acres provide a reference to a requirement for such evidence to be prepared by a health expert, and identify specifically what it considers to be lacking from the various reports.</p>	
2.6.4	Applicant	<p><b>Health Assessment</b></p> <p>7000 Acres is concerned that the various Health reports have not been prepared by <i>"an expert in health"</i>. Is the Applicant able to provide a reference to a requirement for such evidence to be prepared by a health expert?</p>	<p>The Applicant is confident that the competence of the authoring team is suitable for undertaking an assessment of health and wellbeing as part of an Environmental Impact Assessment (EIA), and qualifies for the definition of "EIA practitioners" as set out in paragraph 2.4 and 2.5 of IEMA's Effective Scoping of Human Health in Environmental Impact Assessment (Nov 2022) and throughout IEMA's Determining Significance For Human Health In Environmental Impact Assessment (Nov 2022). This was made clear in the Applicant's oral submissions during Issue Specific Hearing 4. Please see agenda item 5(a) of the <b>Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]</b>, where the Applicant confirmed that the health assessment has been carried out in accordance with IEMA guidance, and that there is no requirement for it to be undertaken by a medical professional.</p> <p>The professional ability, background, and level of experience of the chapter authors and supporting team at Lanpro is set out in <b>6.3.1.1 Environmental Statement - Appendix 1.1 Statement of Competence [APP-062]</b>.</p> <p>Wales Health Impact Assessment Support Unit (WHIASU) Health Impact Assessment: A practical guide (2020) states: <i>"HIAs are conducted by a whole range of individuals and organisations – from</i></p>

ExQ	Respondent	Question	Applicant's Response
			<p><i>community groups to private specialist consultancies.</i>" Dependent on the type and scope of HIA, this may therefore be undertaken by those from a planning and EIA background, such as (but certainly not limited to) local authority planning officers undertaking desktop or rapid HIAs for planning policies.</p> <p>Training for HIA is suggested to be targeted to a wide variety of professional backgrounds including (but not limited to) public health practitioners, local authority officers, land use and transport planners, and Environmental Health Officers, as referenced on page 34 of the Health Impact Assessment Training and Capacity Building Framework, WHIASU (June 2019).</p> <p>Government guidance for HIA in spatial planning (Public Health England, Oct 2020) is directed to local authority public health and planning teams to support the use of HIA for developing planning policy and guidance and determining the local authorities responsibility in screening and scoping for HIA. Again, no definition of a HIA practitioner is given, stating only <i>"The guide is targeted towards local authority public health and planning teams, planning applicants, impact assessment practitioners, and others involved in the planning process."</i> (pg.6).</p>
2.6.5	Applicant, and other IPs (optional).	<p><b>Health Impact Assessment</b></p> <p>Paragraph 4.3.18 of Environmental Statement Addendum 21.1: Human Health and Wellbeing Effects February 2024 [REP4-077] explains that the Applicant's view is that Policy S54 requirement for a HIA is for TCPA</p>	<p>The Scheme has been assessed in the context of legislative requirements, national policy, and local policy, relevant to the Scheme in <b>WB7.5_B Planning Statement [REP4-048]</b>. The Applicant considers that appropriate weight should be given to planning policy hierarchically from national policy, to local policy, with any</p>

ExQ	Respondent	Question	Applicant's Response
		<p>planning applications, and the HIA scoping process is therefore determined by the local planning authority, whereas HIA scoping for NSIPs is determined by the Planning Inspectorate. A separate HIA had not been scoped in, and therefore was not required to be undertaken for this Scheme.</p> <p>Elsewhere, other 'local' policy requirements in adopted plans where a local planning authority determines TCPA planning applications are readily addressed, with compliance being demonstrated. Examples include the OLEMP para 4.8.4 reference to the Lincolnshire BAP priority, and references to the Central Lincolnshire Local Plan (2017) and Draft Bassetlaw District Local Plan (2021) at Paragraph 14.3.2 of Chapter 14: Transport and Access. In the latter's case, it states that "The proposals have also been considered in the context of the following documents".</p> <p>Please can the Applicant (and other IPs, optionally) comment further on why various local policies provide relatively greater context for consideration of the proposals.</p>	<p>further guidance being material considerations alongside policy matters.</p> <p>With specific regard to Central Lincolnshire Local Plan Policy S54, the only reason this is not considered in the same context as other local planning policies is because it is the Applicant's position that the policy requirements are at odds with the nationally set HIA Scoping requirements. The Applicant refers to Figure 2 of Public Health England's "Health Impact Assessment in spatial planning" (2020) guidance for local authorities, which sets out that a HIA for major infrastructure projects (i.e. NSIPs) should fall within EIA or as a standalone comprehensive document, and is the responsibility of PINS and planning applicant[s] (which the Applicant understands to mean that the Secretary of State, via PINS, is the body ultimately responsible for making decisions on scoping for HIA) with the addition of stakeholder and community engagement. The Applicant therefore does not consider that the requirement for a standalone HIA as set out in S54 is consistent with this guidance. However, the Applicant is confident that the health and wellbeing assessment in the ES <b>[APP-059 and REP4-077]</b> is consistent with the principle aims of Policy S54 and its supporting SPD (see responses to Q2.6.2 above), as was stated at Issue Specific Hearing 4 (please see agenda item 5(a) of the Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]).</p>
2.6.6	Applicant	<b>Health Inequality - Travellers</b>	As discussed during Issue Specific Hearing 4 (see Agenda Item 5b of <b>WB8.1.28 Written Summary of the Applicant's Oral Submissions</b>



ExQ	Respondent	Question	Applicant's Response
		<p>7000 Acres, in its response to First Written Questions 1.6.2 [REP3-049] refers to a Gypsy and Traveller site in the vicinity of the Order limits in relation to the potential for increased flood risk on those communities. These concerns were also raised in previous written representations. The concern is that there may be a health inequality. To date the Applicant's submissions in ES chapters do not appear to have identified or considered these communities, nor potential effects on them. Accordingly, the Applicant's views are sought in this regard, as well as on the application of the Human Rights Act (1998) and the Equality Act (2010), and the duties they contain.</p>	<p><b>and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]</b>, the Gypsy and Traveller Site at Odder is not anticipated to experience any greater level of flood risk as a result of the Scheme, and there is no disproportionately greater risk to this community than to any other community group.</p> <p>The Applicant notes that the Environment Agency has agreed with the methodology and conclusions of the flood risk assessment as set out in the draft Statement of Common Ground submitted at Deadline 5 <b>Environment Agency Statement of Common Ground Revision A [EX5/WB8.3.5_A]</b>.</p> <p>As such, this was not identified as a health inequality and therefore not presented in the ES.</p> <p>Section 21.5 (Human Health) of <b>6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059]</b> and <b>WB8.4.21.1 Environmental Statement - ES Addendum 21.1: Human Health and Wellbeing Effects [REP4-077]</b> does not identify any population group that is likely to be disproportionately affected by the Scheme in comparison to the population as a whole. This is consistent with the outcomes of the <b>7.12 Equality Impact Assessment [APP-321]</b>, which was submitted as part of the DCO Application to assist the Secretary of State in meeting their obligations under the Equality Act (2010). This group formed part of the baseline data for the population study area which were assessed in Chapter 21 <b>[APP-059]</b> and <b>[REP4-077]</b>. However, as the Gypsy and Traveller population group was not deemed to be</p>

ExQ	Respondent	Question	Applicant's Response
			<p>disproportionately affected by the Scheme, no explicit reference is made.</p> <p>The Applicant has already responded to concerns raised by 7000 Acres on the application of the Human Rights Act 1998 at 7A-113 (pg.66-71) of <b>WB8.1.18 Response to Written Representations at Deadline 1 Part 2 [REP3-035]</b>. The Applicant reiterates its position that it has properly considered the impacts of the Scheme in the context of the Human Rights Act 1998. Further details are set out in Section 9 of the <b>Statement of Reasons [REP4-028]</b>.</p> <p>In specific regard to Gypsy and Traveller communities, no infringement of their human rights is anticipated as no land used for Gypsy and Traveller Sites is included in the DCO Order Limits and no greater flood risk will occur as a result of the Scheme.</p>
2.6.7	All Parties	<p><b>Electromagnetic field (EMF) - Effects on Human Health</b></p> <p>The Applicant has provided further information in response to questions and comments by members of the public, including those living near or adjacent to the Grid Connection Cable to show that even those closest to the cable route would not experience long-term health impacts as exposure rates would be significantly below ICNIRP monitoring levels.</p> <p>Environmental Statement Addendum 21.1: Human Health and Wellbeing Effects February 2024 [REP4-077] paragraph 4.3.3 discusses various references to EMF</p>	<p>The Applicant notes this question and awaits responses from other parties.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>and Human Health throughout other documents. It has provided technical information which sets out the peak EMF likely to be generated by the Scheme and in the Shared Cable Route Corridor and has explained why there are no adverse associated health impacts.</p> <p>Please can IPs and other relevant health bodies confirm whether the explanation provide by the Applicant satisfactorily addresses concerns, and if not explain why not.</p>	
2.6.8	Applicant and WLDC	<p><b>500 Metre Buffer</b></p> <p>WLDC states that the 500m buffer area fails to capture the wider community that will experience the impacts of the project during construction, operation and decommissioning. It identifies that the role of a stand-alone (non-EIA) HIA would be to capture all impacts and demonstrate policy compliance in the context of the planning balance. It states that the reliance on an EIA to remove the requirement of a HIA is flawed, unless it can be demonstrated that a precautionary approach has been taken and that all impacts have been identified, assessed and mitigated [REP4-082]. Following receipt of the Deadline 4 Submission [REP4-077] please comment on the extent to which a stand-alone HIA could capture impacts on the wider community.</p>	<p>The Applicant refers to Agenda Item 5a of <b>WB8.1.28 Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]</b>, and their response to WLDC-14 in <b>The Applicant's response to Deadline 4 and Deadline 4a Submissions [EX5/WB8.1.31]</b>.</p> <p>Please also refer to the responses to questions 2.6.1 and 2.6.2 above relating to a standalone HIA.</p>

ExQ	Respondent	Question	Applicant's Response
2.6.9	Applicant	<p><b>Long-term Health Impacts</b></p> <p>WLDC does not believe the Applicant's assessment adequately considers the construction and long-term impacts of the cumulative schemes on local residents' health and wellbeing who use these roads for recreational purposes.</p> <p>Please can the Applicant set out how the ES has taken into account the local amenity impact of the cumulative construction traffic associated with the proposed solar schemes, as well as access to local health services, and the impact on the mental health that traffic could have on the community.</p>	<p>The recreational use of highways for non-vehicular users such as pedestrians, cyclists, and horse riders, has been assessed in <b>6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]</b> and is based on the assessment outcomes set out in <b>6.2.14 Environmental Statement - Chapter 14 Transport and Access [APP-052]</b>. Where these are deemed to have adverse effects on recreational use, the health implications are explored in Section 21.5 (Human Health) of <b>6.2.21 Environmental Statement - Chapter 21 Other Environmental Matters [APP-059]</b> and <b>WB8.4.21.1 Environmental Statement - ES Addendum 21.1: Human Health and Wellbeing Effects [REP4-077]</b>.</p> <p>Construction works traffic from the Scheme has been assessed at para. 14.7.44-46 <b>[APP-052]</b> as having no greater than a temporary <b>minor adverse effect</b> on fear and intimidation to non-vehicular road users. Resultantly, at para. 18.7.63 <b>[APP-056]</b> this is translated to having a peak medium-term <b>moderate-minor adverse effect</b> on the recreational use of highways, and resultantly on the health and wellbeing of recreational road users. These are not significant effects.</p> <p>Impacts on access to local services (including health services) during construction consider the impact of construction traffic on:</p> <ul style="list-style-type: none"> <li>• Community severance: temporary negligible adverse (Table 14.24 <b>[APP-052]</b>);</li> </ul>

ExQ	Respondent	Question	Applicant's Response
			<ul style="list-style-type: none"> <li>• Driver delay: temporary minor adverse (Table 14.24 [APP-052]); and</li> <li>• Pedestrian/cycle/equestrian delay: temporary minor adverse (Table 14.24 [APP-052])</li> </ul> <p>This is considered at para 18.7.41 [APP-056] (with regard to the impact on drivers) as having a medium-term <b>minor adverse effect</b> on driver accessibility for commuting, and thus also for access to local services by vehicular means. At para. 18.7.42 [APP-056] this is determined to have up to a <b>moderate-minor adverse effect</b> to pedestrian/cycle/ equestrian traffic movement including to access localised services. These effects are temporary and are not significant effects. As such, the health and wellbeing impacts have not been assessed further.</p> <p>No additional cumulative effects have been identified, as compared to the residual effects for the Scheme (para. 14.9.9 [APP-052]). As no additional cumulative effects were identified, no further recreational, or subsequential health and wellbeing impacts were assessed as being anticipated (para. 18.10.20 [APP-056]).</p> <p>Para. 18.7.110 [APP-056] demonstrates that the long-term effect on Public Rights of Way and other recreational routes from traffic movements during the Scheme's operation is a <b>neutral effect</b> due to the low number of traffic movements. As such, there are no long-term adverse impacts on recreational use of highways, public amenity due to traffic, or subsequent health and wellbeing impacts. Furthermore, paragraphs 18.10.53-54 [APP-056] identify no</p>

ExQ	Respondent	Question	Applicant's Response
			<p>additional cumulative effects from traffic on recreational use of highways, PRoWs or any other recreational routes.</p>
2.6.10	Applicant	<p><b>Local Agricultural Character – Community Health and Identity</b></p> <p>The local community has a strong connection with agricultural culture of the area, which is reflected in its landscape, land use and the way in which people live. Changes for the proposed operational life of the scheme will alter the character and culture of the West Lindsey and the connection communities have with it.</p> <p>Please can the Applicant respond to this issue, highlighting where and how it has assessed, and if relevant mitigated, these impacts.</p>	<p>The Applicant acknowledges that the Scheme will change elements of the landscape character and public perception of the Till Valley Area.</p> <p>The effects to landscape character over the Scheme's operational lifetime are assessed in <b>6.2.8 Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046]</b> and its supporting documents, which concludes that there will not be any Significant Adverse Long Term Effects on Landscape Character as a consequence of the Scheme. Mitigation measures related to impacts on landscape character are set out in <b>WB7.3_D Outline Landscape and Ecological Management Plan - Revision D (Clean) [REP4-044]</b>.</p> <p>The effects on employment and the economy are set out in <b>6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]</b>, which identifies a worst-case long-term minor adverse effect on agricultural employment (para. 18.7.15) and long-term minor adverse effect on the agricultural economy (para. 18.7.48). Neither of these are significant effects and therefore do not significantly change the community connection to agriculture as a way of life.</p> <p>The effects of the Scheme on people's connection to the agricultural landscape in terms of how it is enjoyed for recreation is explored through assessment of the long-term desirability and use of recreational routes in the countryside. This assessment concludes</p>

ExQ	Respondent	Question	Applicant's Response
			<p>there is no greater than a long-term moderate minor adverse effect to desirability and use of public rights of way and other recreational routes (para. 18.7.109 <b>[APP-056]</b>), which is not a significant effect.</p>

## 2.7 Historic Environment

ExQ	Respondent	Question	Applicant's Response
2.7.1	Applicant and Lincolnshire County Council (LCC)/ Nottinghamshire County Council (NCC)	<p><b>Conclusions against Archaeological Policy and Guidance</b></p> <p>The Applicant and LCC/NCC are asked to set clearly set out, ideally in tabular form, their positions on the Applicant's approach to archaeological management and mitigation in terms of how this either complies with, or does not comply with, the provisions of relevant legislation, policy and guidance. This should include consideration of the implications of the Applicants 'without prejudice' Written Scheme of Investigation [REP4 075]. Where references are made to current professional guidance, clear references and links to these provisions should be given.</p> <p>In addition, where it is suggested that the Applicants approach does not comply with relevant provisions, LCC/NCC are asked to clearly identify what further field evaluation and mitigation work would be required in order to address any suggested inadequacies.</p>	Please see Appendix A for Table A.1, which evidences how the Applicant's approach to archaeological management and mitigation complies with relevant legislation, policy and guidance.
2.7.2	Applicant and LCC/ NCC	<p><b>Archaeological management and mitigation</b></p> <p>Paragraph 2.10.110 of the National Policy Statement (NPS) EN-3 sets out that archaeological deposits may be protected by a solar PV farm if the site is removed from regular ploughing and shoes or low-level piling is stipulated. The Design Parameters [REP3-020] states that the maximum depth of the Mounting Structure piles will be 3.5m below ground. Table 3-3 of the outline Construction</p>	In line with NPS EN3 (November 2023) Paragraph 2.10.110, the Applicant considers that mitigation in the form of concrete feet, as detailed in the WSI [REP4-034] and Table 3.2 of the outline Construction Environmental Management Plan [REP3-018], to be adequate mitigation for buried archaeological remains, and will cause a positive effect through the removal of the land within the Order Limits from regular ploughing



ExQ	Respondent	Question	Applicant's Response
		Environmental Management Plan [REP3-018] states that areas where concrete feet are required will be laid out by a surveyor in line with the requirements of the Written Scheme of Investigation (WSI). Further detail of this is set out in paragraphs 3.14 to 3.18 of the outline WSI [APP-122]. Noting the concerns expressed by LCC/NCC about the use of this means of mitigation (for example in LCC Local Impact Report, para 12.18 [REP1A-022]), comments are invited on the implications of Para 2.10.110 of EN-3 for the scheme as proposed.	(See paragraph 2.10.110 NPS EN3 (November 2023)), the impact of which was evidenced during the evaluation trial trenching (see page 9 of [APP-120]).  As detailed at ISH5, the Applicant is not aware of any information that provides evidence to support LCC/NCC opinion that concrete feet cause adverse effects such as compaction. In contrary, available guidance states concrete feet are an acceptable form of mitigation for preserving archaeological remains in-situ (i.e. guidance by Cornwall Council <sup>1</sup> and historic England <sup>2</sup> ).
2.7.3	LCC/NCC	<b>Archaeological field evaluation</b>  In their response to WQ 1.7.2 [REP3-042], LCC have suggested that other NSIPs in Lincolnshire have undertaken full coverage of the redline boundary and as a result have identified significant archaeological sites during the trenching phase which are then dealt with as part of an informed effective mitigation strategy. Similarly, NCC have suggested that the Applicant has not adequately or systematically identified the nature of the archaeological deposits [REP3-043].	

<sup>1</sup> BRE (2013) Planning guidance for the development of large scale ground mounted solar PV systems (Online, last Accessed 03.04.24)  
[https://files.bregroup.com/solar/KN5524\\_Planning\\_Guidance\\_reduced.pdf](https://files.bregroup.com/solar/KN5524_Planning_Guidance_reduced.pdf)

<sup>2</sup> Historic England. 2021. Commercial Renewable Energy Development and the Historic Environment. Historic England Advice Note 15. Swindon, Historic England. Paragraph 68, p. 16

ExQ	Respondent	Question	Applicant's Response
		The Applicant's further report ' <i>Comparison of Archaeological Evaluation Investigations on Solar Schemes</i> ' [[REP4-001] concludes that there is a lack of a standard approach to archaeological evaluation works. LCC/NCC are asked to comment on the implications of this report for the field evaluation undertaken by the Applicant for the Proposed Development.	
2.7.4	LCC/NCC	<b>Field Evaluation</b>  Noting that the comments made jointly by LCC/NCC [REP4-080] refer to the offer to facilitate 'an appropriate scheme of trenching evaluation before the determination to allow the results to inform a reasonable and robust site specific mitigation strategy'. LCC/NCC are asked to please clarify exactly what is envisaged in terms of the additional percentage required and where this would be targeted, and also when this would need to take place.	
2.7.5	Applicant	<b>Evaluation trenching</b>  There is a reference at 3.30.2 of the WSI [APP-122] to the West Burton Cable Shared Cable Route Corridor which refers specifically to the Evaluation Trenching. Elsewhere the 'Cable Route Corridor' and 'Shared Cable Corridor' are referred to as two separate elements.  The Applicant is asked to please clarify whether the reference in para 3.30.2 is to the shared part of the cable corridor, leading to the Cottam Power Station, or to the	Section 3.30 of the WSI relates solely to the Shared Cable Corridor. The Shared Cable Corridor is intended to be used by up to three Schemes (Gate Burton Energy Park, Cottam Solar Project and the Scheme), and for the Scheme traverses across land from the south of Stow Park Lane to a field to the west of the River Trent.  The Cable Route Corridor that runs between West Burton 1 and West Burton 3, and between the field to

ExQ	Respondent	Question	Applicant's Response
		whole route of the cable corridor for the Scheme to WB Power Station?	the west of the River Trent and the West Burton Power Station would be used solely by the Scheme.
2.7.6	Applicant	<p><b>Mitigation measures</b></p> <p>The WSI [APP-122] paragraph 7.2.3 sets out that sub-surface directional drilling will be employed beneath mitigation area WBCR/16 of the Cable Route Corridor (see Figure 4), where the cable route crosses the western boundary of Stow Park Medieval Deer Park (MLI50418).</p> <p>The Applicant is asked to please clarify how was it determined that this was an appropriate mitigation?</p>	The western boundary park pale of the Stow Park Medieval Deer Park (MLI50418) belongs to the Medieval Bishop's Palace and Deer Park, Stow Park (NHLE 1019229) Scheduled Monument. Through the use of subsurface direction drilling the cable route can be installed without causing a direct impact to the section of the Scheduled Monument.
2.7.7	Applicant	<p><b>Cumulative Impacts</b></p> <p>The Joint Report on Interrelationships [REP4-059] refers to shared archaeological mitigation measures at Section 5.3. Presumably this refers largely to the shared grid connection corridor. The Applicant is asked to please clarify whether or not it includes anything else?</p>	Archaeological mitigation measures referenced in Section 5.3 of the Joint Report on Interrelationships [REP4-059] relate to the Shared Cable Corridor (shared grid connection corridor) only.
2.7.8	Applicant	<p><b>Stow Park Medieval Bishops Place and Deer Park</b></p> <p>The Applicant is asked to please clarify how the presence of the Scheduled Monument has influenced scheme layout and design.</p>	Please refer to the <b>Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10]</b> .
2.7.9	Applicant and Historic England	<p><b>Stow Park Medieval Bishops Place and Deer Park</b></p> <p>Following on from the discussion at ISH5 in relation to the nature of the harm to the Scheduled Monument, that</p>	Please refer to the <b>Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10]</b> .

ExQ	Respondent	Question	Applicant's Response
		<p>parties are asked to clearly set out their respective positions in relation whether and how policy provisions differentiate between physical harm to designated heritage assets and harm to their setting.</p>	
2.7.10	Applicant and Historic England	<p><b>Stow Park Medieval Bishops Place and Deer Park</b></p> <p>Historic England concludes that the Proposed Development would cause substantial harm to the significance of the Scheduled Ancient Monument (SAM) through the loss of its character as a bounded architectural space. Should the Secretary of State agree with that conclusion, the parties are asked to set out the implications for the determination of the Proposed Development, with reference to relevant policy provisions, including reference in NPS EN-1 2011 and NSP EN-1 2023 setting out that 'substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments.....should be wholly exceptional'.</p> <p>Additionally, noting the Applicants conclusions that there would be less than substantial harm at the upper end of the spectrum, should the Secretary of State accept this position, the Applicant is asked clearly set out how the suggested public benefits would outweigh that harm.</p>	<p>Please refer to the <b>Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10]</b>.</p>
2.7.11	Applicant	<p><b>Historic landscape character</b></p> <p>The response to first written question 1.7.13 [REP3-038] sets out that the in-combination beneficial effects on historic landscape character would be due to the</p>	<p>As stated in Appendix 13.8 <b>[APP-123]</b>, Cultural Heritage Impact Assessment Tables, Table 13.8-10 'Operational Phase Impact Assessment – Non-Designated Historic Landscape', the overall significance of effects on</p>

ExQ	Respondent	Question	Applicant's Response
		<p>reinforcement of existing woodland/scrub and hedgerows and the addition of new hedgerow trees, which will help to reinforce the historic landscape character of the wider rural setting within which the designated heritage assets are experienced. This would be achieved primarily by strengthening the existing and historical field pattern and creating a multi-layered landscape.</p> <p>Looking in Appendix 13.8 [APP123], Cultural Heritage Impact Assessment Tables, Table 13.8-10 'Operational Phase Impact Assessment – Non-Designated Historic Landscape'. Here, the significance of effects on various landscape elements ranges from moderate adverse to neutral at best. The Applicant is asked to please clarify how this then result in the suggested beneficial effect in the operational phase (as set out in para 13.9.5 of Chapter 13 'Cultural Heritage' [APP-051]).</p>	<p>various landscape elements would range from moderate adverse to neutral for the duration of the Scheme as a result of the change to the historic landscape use of land within the Scheme.</p> <p>Paragraph 3.3.16 of 6.3.13.5 Environmental Statement - Appendix 13.5 Heritage Statement [<b>APP-117 to APP-119</b>] highlights the reversable nature of the Scheme and the potential for in-combination beneficial effects with the landscape topic, whereby the reinforcement of existing woodland/scrub and hedgerows and the addition of new hedgerow trees would help to reinforce the historic landscape character of the wider rural setting within which the designated heritage assets are experienced. While a beneficial effect to this extent would be experienced during the operational phase of the Scheme, an overall beneficial effect to the historic landscape character would be experienced following decommissioning of the Scheme where landscaping mitigation is retained, and following the reversal of any adverse impact that the Scheme would cause as a result in the change of historic land use.</p>

## 2.8 Landscape and Visual

ExQ	Respondent	Question	Applicant's Response
2.8.1	Applicant	<p><b>Management Prescriptions</b></p> <p>The Outline Landscape and Ecological Management Plan [REP4-044] sets out at 4.12 that, following the Landscape and Visual Impact Assessment, there would be an intention to review the management prescriptions associated with the operation of the Scheme at Year 15, with the Supplementary Visual Tables [REP1-059], setting out that this will enable an understanding of where tertiary mitigation can be applied. The Applicant is asked to please set out how this would be secured and how the outcome of such a review would be taken forward.</p>	<p>In summary, the tertiary mitigation is secured through the approval and subsequent implementation of the final Landscape and Ecological Management Plan, which must be substantially in accordance with the Outline Landscape and Ecological Management Plan (the 'OLEMP') [REP4-044], as secured through requirement 7 in the draft DCO [EX5/WB3.1_F]. The OLEMP follows industry best practice and sets out a framework for the planting, management and monitoring of landscaping and ecological mitigation and enhancement habitats for the Scheme throughout its lifetime. The Management Prescription Timetable (Appendix B to the OLEMP) [REP4-044] has been prepared by the Applicant's project Ecologists Clarkson &amp; Woods. The final version of the LEMP will set out the planting, management and monitoring prescriptions to be followed by, or on behalf of the undertaker up to year 60 (at 5-year intervals). This final LEMP must be substantially in accordance with the OLEMP, must be approved by the relevant planning authority and must be implemented as approved pursuant to the Requirement 7 in Schedule 2 the Draft Development Consent Order [EX5/WB3.1_F]. The Management Prescription Timetable will therefore include prescriptions spanning between construction through to Year 60 in relation to the duration of the Scheme.</p>

ExQ	Respondent	Question	Applicant's Response
			<p>As the ExA has identified, the O-LEMP contains a mechanism for the review of the management prescriptions associated with the operation of the Scheme at Year 15. The outcome of the Year 15 Review of the management prescriptions will be taken forward as part of the landscape mitigation measures, as part of the ongoing implementation of the final LEMP through the operational lifetime of the Scheme. This review will assess that the new planting is effective in line with the Supplementary Visual Tables [REP1-059], which will include new native hedgerows and tree cover, and this review will also include the management and maintenance for the new planting and its effectiveness in mitigating the visual effects.</p>
2.8.2	Applicant	<p><b>Supplementary Visual and Landscape effects tables</b></p> <p>The Applicant has produced Supplementary Visual and Landscape effects tables ([REP1-058] and [REP1 059]). The Applicant is asked to please provide clarification of the difference between the assessments set out in Table 1 and Table 2 of these documents. It would be helpful to provide further clarification of this point in the introduction to each document. This should assist with understanding why, for example, terms of landscape effects, different conclusions have been drawn in each table in relation to the effect on LCA Unwooded Vales.</p>	<p><b>Table 1</b> sets out the assessment of the effects on each of the individual landscape and visual receptors on an individual and separate site by site basis. These are then compiled together to identify the effects associated with the Scheme in its entirety. This is referred to as the 'In-Combination' assessment and is contained within <b>Table 2</b>.</p> <p><b>Table 2</b> sets out both the 'Cumulative Significance of Effect' and the 'In-Combination Significance of Effect'. For clarity, 'In-Combination' refers to the combination of effects resulting from all development within the Order Limits (the West Burton 1, 2 and 3 Sites, including sub-stations).</p> <p>The conclusions of the 'In-Combination' Assessment, and thereby the conclusions of the effects associated with the Scheme in its entirety and are set out within Chapter 8.9 In-</p>

ExQ	Respondent	Question	Applicant's Response
			Combination Effects of the LVIA [APP-046], with detailed assessments contained within Environmental Statement - Appendix 8.2 Assessment of Potential Landscape Effects [APP-073], and then repeated for succinctness within <b>Table 2</b> of the Supplementary Visual and Landscape effects tables [REP1-058] and [REP1 059].
2.8.3	Applicant	<p><b>Glint and Glare Assessment</b></p> <p>Looking at the assessment of effects on local road users, the Applicant has suggested, in response to concerns raised in the Local Impact Reports REP3-037] that 'traffic density of local roads is low and the speed at which traffic will be travelling is low. Therefore, a low magnitude of effects is predicted and detailed modelling is not required'.</p> <p>The Applicant is asked to please respond to the question of whether it is reasonable to exclude possible effects on the basis of low traffic volumes?</p>	<p>Reflections from solar panels will be that of a similar intensity to the natural environment that road users come across, such as water-logged fields, puddles, and windows/greenhouses. Any solar reflections will also be fleeting in nature as the road user passes the Scheme.</p> <p>Any local roads will have far fewer road users travelling through them and already have fewer safety features such as road markings and signals, i.e. traffic lights.</p> <p>Furthermore, the Scheme proposes vegetational screening surrounding the sites, which will further reduce visibility of any potential solar reflections.</p> <p>Due to the lowered safety risk towards local roads based upon the above reasoning, a low impact is predicted at worst for any user travelling along a local road surrounding the scheme. The full detail of the conclusions of the glint and glare assessment is set out in section 16.7 of Chapter 16 (Glint and Glare) of the Environmental Statement [APP-054].</p>
2.8.4	Applicant	<b>Visual effects: Sub-station at WB3</b>	The assessment of both the landscape and visual effects of the substations is set out within the LVIA Chapter [APP-046]



ExQ	Respondent	Question	Applicant's Response
		<p>The Applicants response to first written question 1.8.15 [REP3-038] referred to the visual effects of the sub station at WB3. It set out that 'the location of the substation was identified to allow it to sit within some of the lower lying landform of the West Burton 3 Site, be suitably offset from visual receptors and benefit from some immediate softening provided by the existing field boundary vegetation'.</p> <p>The Applicant is asked to please explain in more detail how the landform informed the siting of the sub station, with reference to submitted documentation.</p>	<p>within the detailed receptor sheets at Appendix 8.2.12 [APP-074] and Appendix 8.3 [APP-075].</p> <p>The discrete areas of land in the Scheme are placed so far apart that the Scheme, including the site substations and associated equipment and structures will not be perceived in their entirety as three combined substations within the landscape. The substation is located 'in and amongst' the surrounding landscape features and this helps to assimilate these structures into their immediate landscape setting. The provision of each substation within a discrete area of land therefore offers a more favourable approach compared to having a single contiguous large site, as it allows for a distributed and less obtrusive deployment of the substation, associated equipment and the solar panels.</p> <p>The substation on the West Burton 3 Site has been located within some of the lower lying land that sits at approximately 10m AOD. The landform to the west of the substation rises to approximately 17m AOD as far as Bunkers Hill Warren before sharply falling towards the Trent river corridor to the west. This local variation in landform creates a lip that runs along the western edge of the West Burton 3 Site that extends south from the village of Marton as far as the village of Brampton. Please refer to the landform drawings [APP-155] which shows the lip as being visually apparent both on Site and then extending within the surrounding area. Along the top of this lip, and upon its western slopes are existing blocks of</p>

ExQ	Respondent	Question	Applicant's Response
			<p>established woodland, which also help with enclosure in this direction. These enhance the enclosure provided by the rising landform and provide a wooded horizon along the lip in views back towards the site (and notably, the location of the substation) from the wider landscape to the west.</p> <p>To the north west of the substation the landform continues to rise to approximately 22m AOD towards the settlement of Marton. Large areas of scrub and tree lined field boundaries layer together to form a visual connection with the woodland blocks to the south to maintain the appearance of a wooded horizon along the western site boundary, and again screening views into the substation site form the west. Vegetation surrounding Marton encloses the southern and eastern edges of the village and limits views into the Site.</p> <p>To the east, visual enclosure is provided by the railway line (and vegetation along it), and the rising landform to the east of the railway, where it climbs to approximately 20m AOD towards the hamlet of Westwoods.</p> <p>These rising flanks of land to the east and west of the substation site are clearly visibly upon the landform drawings [APP-155] and form a low-lying corridor of land in which the substation could be accommodated with limited visual impact.</p> <p>To the north, the landform gently rises up towards the A1500, with roadside vegetation and the layering of existing field boundary vegetation helping screen views and provide</p>

ExQ	Respondent	Question	Applicant's Response
			<p>separation from road users and the proposed substation. Similarly, to the south there are very few visual receptors, which allows for existing field boundary vegetation to layer together and provide screening and enclosure across the West Burton 3 site.</p> <p>The proposed substation location also benefits by being located immediately adjacent to an existing run of large-scale transmission lines which cross the West Burton 3 Site. This proximity would help provide some continuity and association between the substation and this existing energy infrastructure.</p> <p>The landscape proposals for West Burton 3 as set out in <b>6.4.8.18.3_A Figure 8.18.3 – Landscape and Ecology Mitigation and Enhancement Plan - West Burton 3 [REP1-030]</b> includes for significant woodland planting along the western site boundary to reinforce the existing woodland blocks along this elevated lip. Similarly, a new woodland block is proposed immediately north of the existing transmission lines to the north of the proposed substation, with new sections of hedgerow spread throughout the site to the south of the substation site and along the site boundary to the east.</p> <p>It is considered, that once this new landscape planting has established, it would significantly reinforce the existing landscape framework across the site, as well as helping to further screen and enclose the substation.</p>

ExQ	Respondent	Question	Applicant's Response
2.8.5	Applicant	<p><b>Landscape effects</b></p> <p>The ES Chapter 18 (Socio Economics Tourism and Recreation) [APP-056] para 18.7.116 refers to the fact that development of the Scheme will have a 'long-term impact on the landscape character of some tourism and recreation receptors that are reliant on the landscape context for their value, such as viewpoints, landmarks, and cultural heritage assets'.</p> <p>Whilst the Applicants assessment of landscape effects [APP-073] indicates that there would only be beneficial effects on landscape character, this reference suggests a recognition that there would be adverse effects on landscape character. The applicant is asked to please provide clarification on this point.</p>	<p>In <b>6.2.18 Environmental Statement - Chapter 18 Socio Economics Tourism and Recreation [APP-056]</b>, the assessment of impact on local tourism and recreation receptors that are reliant on the landscape context for their value relies on the assessment of impacts to landscape character, and visual impacts to specific receptors in <b>6.2.8 Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046]</b>, and applies professional judgement to conclude a reasonable worst-case scenario impact on these receptors in terms of their desirability and value as tourism attractions. Section 18.7 [APP-056] is reliant on likely pre-mitigation impacts to determine whether or not there are likely significant effects that require additional mitigation.</p> <p>For operation, para. 18.7.104 [APP-056] identifies a peak moderate-minor adverse effect on the tourism value of landscape-based tourism attractions. This is based on the adverse impacts identified to landscape character during operation from Year 1 to Year 15 (as identified in Tables 8.50-8.56 [APP-046]) and on significant adverse impacts identified to visual receptors from Year 1 to Year 15 (as identified in Tables 8.57-8.66 [APP-046]). Consideration of the likely reduction in impact and onset of beneficial effects over time as mitigation planning matures has been considered and is why the likely level of significance during operation is less than that during construction.</p>

ExQ	Respondent	Question	Applicant's Response
			<p>Where likely effects on tourism and recreation receptors during operation are summarised at paragraph 18.7.116 <b>[APP-056]</b>, this is based on pre-mitigation effects. The effects of mitigation during the operation of the Scheme are set out in paragraphs 18.8.16 which identifies that while impacts on tourism and recreation receptors are likely to reduce, the level of significance of impact is assessed to remain the same. This however is an assessment of the tourism value and desirability of these receptors, some of which are landscape-sensitive or landscape-dependent, but is distinct from the assessment of landscape and visual impact as assessed in the LVIA <b>[APP-046]</b>.</p> <p>Please refer to the LVIA Chapter <b>[APP-046]</b>, the LVIA Appendix 8.2 Assessment of Potential Landscape Effects <b>[APP-073]</b> and the LVIA Supplementary Landscape Effects Tables <b>[REP1-058]</b> for the conclusions on effects on landscape character, which comprise beneficial, neutral and adverse effects. The assessment does not identify that effects would be only beneficial.</p> <p>The Applicant would like to take this opportunity to confirm that the only beneficial effects identified to landscape character within the West Lindsey Landscape Character Assessment (WLLCA) is to RLCT 4a Unwooded Vales and LCA 3 The Till Vale (both host character areas), with these effects being identified as Minor, and Not Significant at Year 15 only.</p>

ExQ	Respondent	Question	Applicant's Response
			<p>Minor beneficial effects are also identified for Land Use at Year 1 and Year 15.</p> <p>The LVIA finds that for all other landscape receptors, effects are considered Neutral or Adverse, as set out within the Environmental Statement - Appendix 8.2 Assessment of Potential Landscape Effects [APP-073] and within the Supplementary Landscape Effects Tables [REP1-058]</p> <p>ES Chapter 8 (LVIA [APP-046]) takes account of a different set of factors to ES Chapter 18 (Socio Economics Tourism and Recreation [APP-056]) in reaching conclusions over effects on the landscape receptors and landscape character. The set of factors taken into account within the LVIA and the reason why there are beneficial effects to landscape receptors and landscape character are set out below.</p> <p><b>Landscape Mitigation:</b> The LVIA considers the new tree planting and hedgerow improvements as a recreational benefit and/or to aid carbon offsetting, providing biodiversity net gain and the associated green infrastructure benefits. This mitigation seeks to enhance the visibility of the Scheme from public vantage points including transport routes, public footpaths, permissive footpaths and green lane networks. This mitigation is aimed to benefit the community as a whole as well as tourists, visiting walkers, local residents, ornithologists and cyclists. The landscape mitigation measures will seek to provide new planting, which will include</p>

ExQ	Respondent	Question	Applicant's Response
			<p>new native hedgerows and tree cover, and this will also include their management and maintenance.</p> <p><b>Offsets:</b> There would be retention of tree and hedgerow cover along recreational routes and where works are required for the Scheme, reinstatement is proposed where applicable. Public Rights of Way (PRoW) would be buffered with 15m to the outer edge of the solar panel and other infrastructure to allow the establishment of existing hedgerows and woodland cover to each side. Proximity to major watercourses would allow 20m and to minor watercourses there would be an 8m offset.</p> <p><b>Permissive Path:</b> The proposals for the West Burton 2 Site include for a new Permissive Path looping through the Site and this is considered in the balance of the effects, giving permissive access to land where there was previously none.</p> <p><b>Connectivity:</b> The existing footpath network is particularly sporadic in the landscape and due to these inconsistent links, the local lanes are used to supplement for local recreation and lack of connectivity limiting opportunities to explore and enjoy the wider countryside. The character of these local lanes is defined by the broader setting of the settlements, particularly as a landscape with long views. Whereas the PRoW network is often confined to the settlement edges where woodland and tree cover closes down views of this broad landscape setting. The LVIA considers these broad views from the connecting local lanes are a key part of the</p>

ExQ	Respondent	Question	Applicant's Response
			<p>landscape character of the area and they have the ability to accept the Scheme without undue adverse effects to that character. In fact, the Scheme brings forward improvements to these local lanes through new planting and reinforcement of existing.</p> <p><b>Destination:</b> The local routes tend to follow an east west and north south direction. Where they follow an east-west direction, these routes tend to be smaller in scale comprising local lanes, used for passing between local settlements. Tourism considers those from outside the area, where north-south routes are more likely to be the draw as tourists approach and leave Lincoln.</p> <p><b>Policy Compliance:</b> Policy ST40 of the Bassetlaw Local Plan recognises that biodiversity and geodiversity are important components of the planning system where the supporting text notes that <i>"Policy ST40 aims to prevent harm to biodiversity and geodiversity from direct impacts such as land take, and from indirect impacts such as recreation..."</i>.</p> <p><b>Biodiversity Opportunity Mapping:</b> The study provides an overview of the spatial characteristics of Central Lincolnshire's ecological network and recreation forms a key part of this.</p> <p><b>Heritage Receptors:</b> It should also be noted that the LVIA Chapter 8 [APP-046] and supporting appendices, addresses the effects on views from recognised heritage receptors (where these features include recognised viewpoints), but</p>



ExQ	Respondent	Question	Applicant's Response
			<p>effects on the 'setting' of the heritage receptors do not form part of the LVIA process. Please refer to Chapter 13 [APP-051].</p> <p><b>Specific Locations:</b> The LVIA has considered effects from recreational sites and specific locations that are popular vantage points or tourist destinations, and those suggested through Section 42 and Section 47 consultation. 6.2.8 ES Chapter 8 Landscape and Visual Impact Assessment [APP-046] (the 'LVIA') takes account of the landscape and visual features that are likely to appeal to visitors, tourists or new people to the region. The LVIA also takes account of intervisibility between the Scheme and Lincoln Castle and Lincoln Cathedral.</p> <p>Additional views within the LVIA suggested by the Canal &amp; River Trust, Lincolnshire County Council and Bassetlaw District Council that take account of locations where heritage assets may be affected are taken into account at Section 8.2 of chapter 8. This includes viewpoint VP35 that is representative of views from the Fosdyke Canal in addition to viewpoints VP35 and VP49 which are next to water spaces. This assessment has included boaters as a receptor at low speed as their users are likely to be impacted as walkers and horse riders. In addition, boaters mooring on the Fosdyke Canal, who may be in situ for long term, are also taken into account in the LVIA.</p> <p>The LVIA has also included the River Trent as a visual receptor with viewpoints VP49 and LCC-C-K, which are representative</p>

ExQ	Respondent	Question	Applicant's Response
			<p>viewpoints along this river corridor. For West Burton 3, Bassetlaw District Council also suggested adding Torksey Viaduct as viewpoint LCC-C-N., given it sits at a higher elevation.</p> <p>The LVIA at section 8.5 has also taken account of recognised documents and guidance such as The Historic Landscape Character Assessment of the County of Lincolnshire (September 2011) to ensure the Scheme has been designed in a way that is sensitive to the historic landscape. The relevant section for the Scheme is TVL1 – The Northern Cliff Foothills.</p>
2.8.6	Applicant	<p><b>Management of mitigation/enhancement measures post-consent</b></p> <p>The Outline Landscape and Ecological Mitigation Plan (OLEMP0 [REP4-044], sets out Management Prescriptions, the Applicant including work to keep hedgerows, hedgerow trees and woodland copse and shelter belts weed free for 3 years; and also the replacement of dead plants in relation to hedgerows, hedgerow trees and woodland copse and shelter belts weed free ending after 5 year. The Applicant is asked to review the adequacy of these provisions. Specifically, the ExA notes that landscape (and ecological) mitigation is of great importance in managing the effects of the scheme. In particular there is a reliance on landscape effects being mitigated after 15 years of the operational period. Whilst Section 4.11 of the OLEMP sets out the ecological monitoring strategy, it is not clear that this would</p>	<p>Please refer to the response to question 2.8.1, which details how the O-LEMP [REP4-044] follows industry best practice and sets out a framework for the planting, management and monitoring of landscaping and ecological mitigation and enhancement habitats for the Scheme throughout its lifetime, which is secured via requirement 7 in Schedule 2 to the DCO [EX5/WB3.1_F]. The O-LEMP sets out the principles for how the land will be managed throughout the operational phase of the Scheme, following the completion of construction, which includes ongoing provision for the maintenance of the landscape planting beyond year 5. In particular, this includes a review of the identified management prescriptions at Year 15 of operation, to determine whether any changes need to be made to the agreed mitigation and enhancement measures to ensure that they are fully effective on an ongoing basis.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>address the point about the need for regular maintenance and management beyond the 3/5 year periods.</p> <p>In this context, is there a need for a longer term maintenance/management prescription?</p>	<p>The detailed Decommissioning Plan will also control / manage how the land management is dealt with post operation.</p>
2.8.7	Applicant	<p><b>Cumulative landscape and visual effects</b></p> <p>In response to first written questions 1.8.19 [REP3-038] with reference to how cumulative landscape and visual effects have been identified, the Applicant sites Draft NPS EN-3 para 2.51.2, quoting from this that solar project are '<i>likely to be in low-lying areas of good enclosure</i>'. The ExA notes equivalent reference in the NPS EN-3 para 2.10.94 is to low-lying area with good <u>exposure</u>. The suggestion in the text following is that the Applicant has adjusted their assessment to make allowances for these factors in reaching conclusions on the sensitivity and the capacity of the landscape.</p> <p>The Applicant is asked to please address the inference that, on the basis of the NPS references, this type of landscape is less susceptible to the change proposed and that the Proposed Development is well placed.</p>	<p>The Applicant recognises this as a typographical error contained in the response to first written question 1.8.19 [REP3-038]. However, the Applicant draws attention to the LVIA Chapter 8 [APP-046] para 8.3.21 which correctly quotes paragraph 2.51.2 of Draft NPS EN-3:</p> <p><i>"Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure. However, whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of zone of visual influence could be zero."</i></p> <p>This was the policy requirement that was taken into account in the landscape and visual impact assessment, and proposed mitigation measures, set out in Chapter 8 of the ES [APP-046] and associated documents such as the Outline Landscape and Ecological Management Plan [REP4-044].</p> <p>The Applicant refers to the first written questions 1.8.1 and 1.8.19 [REP3-038] which set out how this type of landscape is less susceptible to the change proposed and that the Scheme is well placed.</p>

ExQ	Respondent	Question	Applicant's Response
			<p>The Applicant believes that provision of a solar scheme within dispersed parcels of land is a more favourable approach than having a single large site, as it allows for a distributed and less obtrusive deployment of the solar panels and more scope for landscape and ecological mitigation.</p> <p>The ES Outline Landscape and Ecological Management Plan Revision D [REP4-044] plans and the ES Landscape and Ecology Mitigation and Enhancement Plans Figure 8.16.1 Revision A [REP-024] to Figure 8.16.10 Revision A [REP-025] show the delivery of significant areas of new planting in the context of the Scheme, which is an energy project that is 'overlaid' on the landscape and the effects are reversible.</p> <p>In reaching conclusions on the sensitivity and capacity of the landscape, the Applicant has therefore concluded that the Scheme is well-placed for the reasons set out above, in the responses to the first written questions 1.8.1 and 1.8.19 [REP3-038] and within Table 8.49 of the LVIA Chapter 8 [APP-046].</p>
2.8.8	Applicant	<p><b>Cumulative landscape and visual effects</b></p> <p>The Applicant is asked to provide clarification on the following points:</p> <p>a. How the differences in professional opinions relating to the assessment of landscape and visual impacts (as set out in the Joint Report on Interrelationships [REP4-059]), have been</p>	<p>A.</p> <p>Cumulative landscape and visual effects relating to the Cumulative Developments have been considered at section 8.10 of the LVIA [APP-046]. The cumulative assessment has been undertaken in accordance with 6.3.8.1 Environmental Statement - Appendix 8.1 LVIA Methodology [APP-072] that was agreed with LCC at the series of workshops as set out in 6.3.8.4 Environmental Statement - Appendix 8.4 Consultation</p>

ExQ	Respondent	Question	Applicant's Response
		<p>interpreted and addressed when reaching conclusions on cumulative impacts.</p> <p>b. The Joint Report on Interrelationships also notes there has been limited assessment of the cumulative landscape and visual impacts with the Tillbridge scheme, though there is the potential for significant cumulative effects on landscape character at a local level or potentially at a wider (National Character Area) level during the construction and Operation, based on the Preliminary Environmental Information Report. The Applicant is asked to please indicate whether any further information on cumulative landscape effects is now available.</p>	<p>[APP-075]. The cumulative assessment is based on the additional effects resulting from the Scheme in combination with other similar developments.</p> <p>A cumulative assessment is included within the LVIA Chapter [APP-046] and findings are set out within the individual receptor sheets within Appendix 8.2 [APP-073] and Appendix 8.3 [APP-074]. Proposed cumulative sites are shown on LVIA Figure 8.14 [APP-266] and proposed cumulative developments are shown on LVIA Figure 8.15 [APP-271].</p> <p>The Cumulative Assessment within the ES Chapter 8 (LVIA [APP-046]) takes the conclusions of the effects of West Burton alone and then considers the cumulative effects on those West Burton landscape and visual receptors, in addition, with the cumulative developments of Tillbridge, Cottam and Gate Burton solar schemes.</p> <p>GLVIA3 states at para 7.4 that: <i>"It is always important to remember that the emphasis in EIA is on likely <b>significant effects</b> rather than on comprehensive cataloguing of every conceivable effect that might occur."</i> [Author's emphasis].</p> <p>And at Para 7.28, that: <i>"The emphasis must always be on the main project being assessed and how or whether it adds to or combines with the others being considered to create a <b>significant cumulative effect</b>"</i> [Author's emphasis].</p>

ExQ	Respondent	Question	Applicant's Response
			<p>Therefore, the focus of the cumulative assessment is on the additional effect of the project in conjunction with the other identified Cumulative Developments.</p> <p>The Cumulative Assessment undertaken within the LVIA [APP-046] for the Scheme has been undertaken independently from the assessments undertaken by the environmental consultants in the environmental statements for the other Cumulative Developments. Each independent assessment has included the use of professional judgement in reaching its conclusions. There is no requirement for one scheme's cumulative assessment to "interpret" or "address" any other schemes, in either the EIA Regulations or PINS AN 17. Appendix E of the updated 8.1.9_B Joint Report on Interrelationships between Nationally Significant Infrastructure Projects Revision B [REP2-010] summarises the respective findings of these independent assessments.</p> <p>The Environmental Impact Assessments for each of the schemes have been undertaken independently, and different impact assessments can reach different conclusions, as professional opinion can lead to varying judgements on conclusions of effects. The difference in the conclusions on cumulative effects is covered in the WB8.1.9_C Joint Report on the Interrelationships with other National Infrastructure Projects (Revision C) [REP4-059] and includes a review of cumulative impacts at Appendix E, based on expert specific</p>

ExQ	Respondent	Question	Applicant's Response
			<p>methodologies which reach conclusions that are unique to each topic.</p> <p>Variations in the receiving landscape lead to differences in the starting baseline for any assessment. For example, the Gate Burton scheme is located within an Area of Greater Landscape Value (AGLV), and so is considered a High Value Landscape. However, the landscape within which the Scheme is located is not an AGLV. The Scheme is also a series of disparate sites that are separated with tracts of land and with landscape features between that assist with integration, whereas the Gate Burton and Tillbridge schemes both occupy one large continuous area of land.</p> <p>In relation to the comment regarding the cumulative landscape assessments for the Scheme, please also see the Applicant's response to First Written Question 1.8.19 in the Applicant's Response to the First Written Questions [<b>REP3-038</b>].</p> <p>B.</p> <p>The Applicant acknowledges that further information on cumulative landscape effects with the Tillbridge Scheme is not yet available. The Applicant understands that the Tillbridge DCO application is due to be submitted in April 2024 at which point, the Applicant hopes to be able to review their ES and update the Interrelationships Report for Deadline 6. It is the</p>

ExQ	Respondent	Question	Applicant's Response
			<p>responsibility of each individual application to undertake its own independent cumulative assessment. The findings of which are dependent on various factors applicable to that specific application in its own right, and it would not be appropriate to comment directly upon the approach and assessment being undertaken by others.</p> <p>A cumulative assessment is included within the LVIA Chapter [APP-046] and findings are set out within the individual receptor sheets within Appendix 2 and Appendix 3. Proposed cumulative sites are shown on LVIA Figure 8.14 [APP-266] and proposed cumulative developments are shown on LVIA Figure 8.15 [APP-271].</p> <p>The Cumulative Assessment within the ES Chapter 8 (LVIA [APP-046]) takes the conclusions of the effects of West Burton alone and then considers the cumulative effects on those West Burton landscape and visual receptors, in addition, with the cumulative developments of Tillbridge, Cottam and Gate Burton solar schemes.</p> <p>GLVIA3 states at para 7.4 that: <i>"It is always important to remember that the emphasis in EIA is on likely <b>significant effects</b> rather than on comprehensive cataloguing of every conceivable effect that might occur."</i> [Author's emphasis].</p> <p>And at Para 7.28, that: <i>"The emphasis must always be on the main project being assessed and how or whether it adds to or</i></p>



ExQ	Respondent	Question	Applicant's Response
			<p><i>combines with the others being considered to create a <b>significant cumulative effect</b>" [Author's emphasis].</i></p> <p>Therefore, the focus of the cumulative assessment is on the additional effect of the project in conjunction with the other identified Cumulative Developments.</p> <p>Cumulative landscape and visual effects relating to the Cumulative Developments have been considered at section 8.10 of the LVIA <b>[APP-046]</b>. The cumulative assessment has been undertaken in accordance with 6.3.8.1 Environmental Statement - Appendix 8.1 LVIA Methodology <b>[APP-072]</b> that was agreed with LCC at the series of workshops as set out in 6.3.8.4 Environmental Statement - Appendix 8.4 Consultation <b>[APP-075]</b>. The cumulative assessment is based on the additional changes caused by the Scheme in combination with other similar developments.</p> <p>The Cumulative Assessment identifies there to be an Adverse impact on the following landscape receptors:</p> <ul style="list-style-type: none"> <li>• RLCT 3a Floodplain Valleys (Construction: Negligible Adverse – Not Significant).</li> <li>• BLCA LCT Trent Washlands (individual Policy Zones TWPZ21, TWPZ22, TWPZ23, TWPZ24 and TWPZ48) (Construction: Negligible Adverse – Not Significant).</li> <li>• Land Use (Construction: Minor Adverse – Not Significant).</li> </ul>

ExQ	Respondent	Question	Applicant's Response
			<ul style="list-style-type: none"> <li>Nationally and Locally Designated Landscape (construction, operation (year 1 and year 15) and decommissioning: Negligible Adverse – Not Significant).</li> </ul> <p>More detail is provided within 6.3.8.2 Environmental Statement - Appendix 8.2 Assessment of Potential Landscape Effects [APP-073], 6.3.8.3 Environmental Statement - Appendix 8.3 Assessment of Potential Visual Effects [APP-074] and within the Supplementary Landscape Effect Tables [REP1-058] and the Supplementary Visual Effects Tables [REP1-059].</p>

## 2.9 Need, the Electricity Generated and Climate Change

ExQ	Respondent	Question	Applicant's Response
2.9.1	Applicant	<p><b>Cumulative climate change effects</b></p> <p>Appendix E of the Joint Report on Interrelationships with other NSIPs [REP4-059] refers to the professional judgements made on the cumulative effect on climate change. The Applicant is asked to please explain why it is possible to assess cumulative effects on Climate Change given the national rather than local scale of the impact.</p>	<p>The effect of cumulative schemes has been considered within the specific context of the inter-relationship of the multiple proposed NSIP solar projects. As each of these developments, in isolation, has concluded that there would be a beneficial effect on climate change, a cumulative beneficial effect was identified. It is considered that this aligns with best practice Institute of Environmental Management (IEMA) guidance 'Assessing Greenhouse Gas Emissions and Evaluating their Significance (2<sup>nd</sup> Edition), which states <i>"The contextualisation of GHG emissions, as discussed in Section 6.4, should incorporate by its nature the cumulative contributions of other GHG sources which make up that context"</i>.</p> <p>Based on the above, a conclusion on the cumulative effect of schemes on climate change was included within the assessment of Climate Change. It is recognised that a more conservative approach has been taken by Gate Burton and Tillbridge and no additional cumulative beneficial effects have been identified as a result of their interpretation of the Guidance. That interpretation considers that 'cumulative effects' are not possible to assess for climate change given the national, rather than local, scale of the impact.</p> <p>In light of this difference in interpretation, the SoS may decide to place limited weight on the beneficial cumulative effects identified by the Applicant (albeit, each Scheme has identified beneficial effects for each Scheme, assessed individually). Discussion between</p>

ExQ	Respondent	Question	Applicant's Response
			the different authors of the Climate Change Assessments for the projects has taken place to understand the approach taken in each environmental statement.
2.9.2	Applicant	<p><b>Electricity Generation</b></p> <p>Interested parties have challenged the rationale for the use of the grid connection at the West Burton 400kV substation for this solar project in terms of its electricity generating capacity (see, for example <b>REP4-116</b>), with the suggestion that such valuable high-capacity Grid connections need to be used effectively. The Applicant is asked to please respond to this point with reference to relevant policy provisions.</p>	<p>The Applicant refers to the response to reference SSk-01 in <b>WB8.1.31 Applicant's Response to Deadline 4 and Deadline 4A Submissions [EN010132/EX5/WB8.1.31]</b>, which directly responds to <b>[REP4-116]</b> on the matter of connection to the National Grid at the West Burton 400kV substation.</p>
2.9.3	All Parties	<p><b>Panel Replacement</b></p> <p>Concerns are expressed by a number of parties relating to the Applicants reference to an assumed replacement rate of 0.4% of panels per year, as set out in ES Chapter 7 Climate Change <b>[APP-045]</b>. Paragraph 7.8.52 sets out that this figure is based on 'supplier input' and has been applied to the estimated 40 year life of the development. With reference to this information:</p> <p>a. The Applicant is invited to set out further details of the assumptions on which this figure is based;</p> <p>b. Set evidence to justify the application of the 0.4% replacement rate as a linear rate over 60 years;</p>	<p>a. The figure of 0.4% replacement rate per annum was provided by a solar engineering, procurement and construction company who also provide operation and maintenance services. The figure is based upon more than ten years' experience of building and operating solar farms across the UK, Europe and Middle East.</p> <p>b. The rate has been assumed to be linear as an estimate of the average failure rate per year. A higher incidence of panel failure could occur at the point of installation, but that would be managed as a part of the construction process as the panels would be tested at the time of the Scheme being commissioned. Towards the end of the panels' lifetime, the failure rate may begin to increase, but that could be the point at which the decision is taken to decommission</p>

ExQ	Respondent	Question	Applicant's Response
		<p>c. Other parties are invited to provide alternative evidence to suggest that this approach is not credible.</p>	<p>the Scheme, at a point expected to be between 40 and 60 years since commissioning.</p> <p>Additionally, as described in <b>WB8.1.27 Written Summary of the Applicant's Oral Submissions &amp; Responses at Issue Specific Hearing 3 and Responses to Action Points [REP4-070]</b> if the rate of failure and replacement turned out to be much higher than the 0.4% assumed rate at an early stage within the Scheme's expected lifespan, 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>The Outline Operational Environmental Management Plan (OOEMP) submitted at Deadline 4 <b>[REP4-054]</b> has been updated to include further details relating to waste management. As set out in the Applicant's response to question 2.3.7, the Applicant is confident any further outstanding concerns from LCC, including those relating to mitigation of cumulative impacts of waste, can be addressed through agreement of the relevant sections of the Statement of Common Ground, an updated draft of which will be submitted to the examination at the next suitable opportunity.</p>
2.9.4	Applicant	<p><b>Proportionate Contribution to Energy of Bishop's Palace and Deer Park Scheduled Ancient Monument</b></p>	<p>Following ISH5 the Applicant has spoken with Historic England to seek to agree the boundaries of the Bishop's Palace and the Deer Park and the two parties have agreed this which is shown in plan form in Figure 1 of <b>Stow Park Cultural Heritage Position</b></p>

ExQ	Respondent	Question	Applicant's Response
		<p>During ISH 5 discussion [EV-063] around the heritage impacts of the Proposed Development on the Bishop's Palace and Deer Park it was noted that the area relating to the Deer Park would be responsible for approx. 128MW of the total energy generated by the Proposed Development (more than one quarter of the total). Please can the Applicant confirm the figures and provide an explanation as to how the area can be responsible for a disproportionately greater generation in relation to its size.</p>	<p><b>Statement [EX5/WB8.2.10].</b> The Applicant confirms that the land area bordered by the Bishop's Palace and Deer Park contains 104MW of installed solar capacity. The boundaries of the Bishop's Palace and the Deer Park that have been agreed between the Applicant and Historic England following ISH5 has resulted in a smaller area than discussed at ISH5 which represented a worst case scenario.</p> <p>This area does not constitute a disproportionately greater generation in relation to its size. Please see <b>WB8.1.6 Written Summary of the Applicant's Oral Submissions &amp; Responses to Actions at Issue Specific Hearing 1 (ISH1) [REP1-052]</b> for an explanation of overplanting. Overplanting is generally commercially and technically rational up to a factor of between 1.3 to 1.5 times. The land area inside the order limits within the deer park is 129.28ha, and the total solar and ecological mitigation site areas are 769.08ha. This makes the land within the deer park approximately 16.8% of the total land area of the Site, excluding the cable route.</p> <p>The ratio of electricity generation compared to land size is also impacted by the location of mitigation areas. For example, the large ecological mitigation area on the eastern side of West Burton 2 does not contain solar panels, and so for West Burton 2, the average generation per land area would be lower than at the West Burton 3 solar site.</p>

ExQ	Respondent	Question	Applicant's Response
			<p>For this reason, and the overplanting reasons detailed above, it can be seen that the land area does not disproportionately contain greater generation in relation to its size.</p>

## 2.10 Noise, Vibration and Air Quality

ExQ	Respondent	Question	Applicant's Response
2.10.1	Applicant	<p><b>Cumulative Effect of Noise and Vibration</b></p> <p>Cumulative effects of noise and vibration to a number of residential receptors is set out in 15.9 of ES Ch15 : Noise and Vibration <b>APP-053</b> . The likely Significance of Effect is: Major Adverse and Significant for TRANSIENT PERIOD ONLY.</p> <p>This is repeated elsewhere, e.g. Para 15.7.20 states: <i>"Given that construction activities for the Cable Route Corridor are transient, it is considered unlikely that a major impact would be experienced for any prolonged duration due to the temporary nature of construction operations."</i></p> <p>The Outline Construction Environmental Management Plan Revision C Feb 2024 <b>[REP4-042]</b> and other documents state that the cumulative environmental effects of the simultaneous or sequential construction of these cables routes has been assessed in the Environmental Statement. A five-year construction duration has been adopted for this, and assessed in the Environmental Statement, in order to accommodate the potential sequential installation of all three projects' ducts and cables. This will be over the period Q4 2024 to Q4 2029. This period has been chosen given that the grid connection date for West Burton is 2028, Cottam 2029 and Gate Burton Energy Park 2028 and it allows for these works to take place within that period. This 5 year period</p>	<p>a) The Applicant's approach to the cumulative assessment methodology is set out in paragraphs 2.5.11 to 2.5.15 in <b>Chapter 2 EIA Process and Methodology [APP-040]</b>. The details of this are referred to in the noise chapter, in Table 15.26 'Potential Cumulative Developments' in <b>6.2.15 Environmental Statement - Chapter 15 Noise and Vibration [APP-053]</b>, showing all potential developments with planning applications. The assessment of noise from cumulative construction activities is based on the noisiest construction activities occurring simultaneously across the cumulatively assessed project. Therefore, the consideration of cumulative projects being constructed simultaneously or consecutively at any point over the estimated 5-year construction period does not alter the outcomes of the assessment.</p> <p>b) The Applicant is unable to give any detail of the structure of a programme of works should the cable routes for the West Burton, Cottam, and Gate Burton projects be constructed sequentially over a 5-year period. The Applicant instead refers to the description of works at Paragraph 4.3.6 c) and 4.5.55 in <b>6.2.4 Environmental Statement - Chapter 4_Scheme Description [APP-042]</b>.</p> <p>With regard to the assessment of noise and vibration impacts, the Applicant refers to Paragraphs 15.9.7 – 15.9.9 <b>[APP-053]</b> which detail the potential impact of the cable route corridors</p>



ExQ	Respondent	Question	Applicant's Response
		<p>introduces uncertainty and raises questions that the cable corridor construction should be considered as transient.</p> <p>Please can the Applicant set out:</p> <p>a) How has uncertainty been assessed, including cumulative uncertainty spanning 5 years?</p> <p>b) In the event that the cable corridor were to be constructed sequentially over a 5 year period, how might the programme of works be structured. Please indicate how this has been assessed as a worst-case scenario.</p>	<p>being constructed sequentially would not change the assessment outcomes, as the assessment is based on the noisiest construction activities (trenching and duct installation) at the closest distance to each of the nearby sensitive receptors operating simultaneously at full capacity over a one-hour period.</p>
2.10.2	7000 Acres	<p><b>Noise and Other Limits</b></p> <p>7000 Acres suggest that the ExA should consider placing limits on Noise and other emissions, but give no indication as to what the figures for these limits should be. Please set out the limits that you would suggest would be appropriate and the reasoning to justify the figures you have provided.</p>	<p>The Applicant's position is that appropriate mitigation has been secured in the draft DCO and outline management plans to minimise any impacts relating to noise or other emissions as a result of the Scheme.</p>
2.10.3	Applicant	<p><b>Process and Methodology</b></p> <p>ES Chapter 2: EIA Process and Methodology [APP-040] states, at Paragraph 2.4.18:</p> <p><i>"Following the classification of an effect, clear statements will be made within the topic chapters as to whether that effect is significant or not significant. As a rule, major and moderate effects are generally considered to be significant, whilst minor and negligible effects are considered to be not significant."</i></p>	<p>The designation of Significant Observed Adverse Effect Level (SOAEL) is set out in planning policy for the purpose of avoiding and mitigating adverse impacts from noise on health and quality of life. This is not the same as significant criteria for EIA, as set out in relevant guidance. The Degrees of Significance criteria set out in Table 2.3 and paragraph 2.4.18 of ES Chapter 2: EIA Process and Methodology [APP-040] are generic and are used "as a rule" across the ES. In the case of noise and vibration, significance criteria has been derived from IEMA's</p>

ExQ	Respondent	Question	Applicant's Response
		<p><i>However, professional judgement will be applied, including taking account of whether the effect is permanent or temporary, its duration / frequency, whether it is reversible, and / or its likelihood of occurrence. "</i></p> <p>Please confirm what professional judgment is applied in not considering moderate as a significant effect and why the moderate magnitude has been defined as the Significant Observed Adverse Effect Level.</p> <p>If the ExA and the Secretary of State decided that moderate effects are significant, how would this alter the findings of ES Ch15 : Noise and Vibration <b>APP-053</b> ? Please explain your answer.</p>	<p>Guidelines For Environmental Noise Impact Assessment (2014) Tables 7-7 and 7-11 which demonstrates "severe/very substantial" effects are significant, while "substantial" effects are more likely to be significant, subject to justification and professional judgement. For the purpose of consistent language across the ES, "severe/very substantial" effects are called major, while "substantial" effects are called major-moderate.</p> <p>The effects stated in <b>6.2.15 Environmental Statement - Chapter 15 Noise and Vibration [APP-053]</b> are all 'moderate/minor', and not considered significant in accordance with the significance matrix. As the effects are all 'moderate/minor', and do not sit wholly within the 'moderate' category they are not significant.</p> <p>If the ExA and SoS were to consider 'moderate' adverse effects with respect to noise and vibration as significant, this would be contrary to best professional guidance. Nonetheless, in this event it would not change the conclusion of our findings in respect of appropriate mitigation but would need to be taken into account in the overall planning balance.</p>
2.10.4	WLDC and Applicant	<p><b>WLDC Methodological Concerns</b></p> <p>The Applicant has responded to the WLDC's comments in its LIR on the noise methodology, surveys, sources and assumptions. WLDC's concerns on the noise assessment</p>	<p>The Applicant confirms that no additional wording has been received from WLDC ahead of Deadline 5 for the Applicant to consider.</p>

ExQ	Respondent	Question	Applicant's Response
		<p>methodology are set out in section 14 of its LIR [REP1A-006]. This was discussed at ISH4 [EV-029].</p> <p>The Applicant's Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 4 and Responses to Action Points [REP4-071] confirms that details have been requested from WLDC of any additional wording they would like to be included in the management plans relating to noise issues.</p> <p>Please provide an update on progress. Has this addressed the Council's concerns?</p>	
2.10.5	Applicant	<p><b>Panel Hum and Noise from Associated Equipment</b></p> <p>Further to the Applicant's Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 4 and Responses to Action Points [REP4-071] regarding noise from associated equipment, it is noted that inverters are the most noise intensive items of equipment to be installed. This is in addition to motors, transformers etc. These were discussed at ISH4 [EV-029]. Please can the Applicant provide reference to example equipment, and a comparison of noise levels from such equipment.</p>	<p>Typical spectrum noise levels for inverters and transformers are shown within <b>6.2.15 Environmental Statement - Chapter 15 Noise and Vibration [APP-053]</b>, with the overall level matching that given for the proposed equipment. Typical inverter equipment used is:</p> <ul style="list-style-type: none"> <li>- Twin Skid Compact</li> <li>- Power Electronics PCSK &amp; Multi-PCSK.</li> </ul>
2.10.6	UKHSA	<p><b>Updated Receipt of Health Related Information</b></p> <p>A number of documents concerning fire risk and battery storage have been revised by the Applicant since the UKHSA</p>	<p>The Applicant can confirm that the revisions to the documents listed below will not affect the views of the UKHSA i.e. 'the proposed development should not result in any significant</p>

ExQ	Respondent	Question	Applicant's Response
		<p>Relevant Representation was received (June 2023). UKHSA Relevant Representation <b>[RR-342]</b> stated that:</p> <p><i>"Following our review of the submitted documentation we are satisfied that the proposed development should not result in any significant adverse impact on public health. On that basis, we have no additional comments to make at this stage..."</i></p> <p>New documents include:</p> <ul style="list-style-type: none"> <li>• Air Quality Impact Assessment of BESS Fire Jan 2024 and <b>REP3-040</b></li> <li>• Revised Outline Battery Storage Safety Management Plan Jan 2024 <b>[REP3-032]</b>.</li> </ul> <p>Please clarify whether the revisions of these documents affect/alter the views of UKHSA as set out in its RR <b>[RR-342]</b>.</p>	<p>adverse impact on public health.' The updates are in accordance with more up to date guidance:</p> <ul style="list-style-type: none"> <li>• <b>WB8.4.17.1 ES Addendum Air Quality Impact Assessment of BESS Fire [REP3-040]</b>; and</li> <li>• <b>WB7.9_A Outline Battery Storage Safety Management Plan Revision A [REP3-032]</b>.</li> </ul>

## 2.11 Other Planning Matters

ExQ	Respondent	Question	Applicant's Response
2.11.1	Applicant	<p><b>Waste (Cross Reference Question 2.1.4)</b></p> <p>LCC's response to First Written Questions states that it is reasonable to ask the applicant to clarify how much waste they anticipate at what points in the scheme and how they propose to manage it. It suggests that <i>"provision needs to be made sooner rather than later to ensure we do not end up with a situation of a 'solar panel mountain' as was the case with the 'fridge mountain' some 15 years ago"</i>.</p> <p>Noting that Question 2.1.4 relates to the extension of time from 40 to 60 years and the cumulative impacts from this, Please can the Applicant and other IPs respond, and update on, progress specifically on waste management matters and the management of this.</p>	<p>The Applicant refers to its responses to Q2.1.4 and Q2.3.7 above.</p>

## 2.12 Safety and Major Incidents

ExQ	Respondent	Question	Applicant's Response
2.12.1	Applicant	<p><b>Stacking of BESS</b></p> <p>Please can the Applicant confirm whether or not BESS containers will be stacked? If so, please explain how the risk to fire loading, potential fire spread and restrictions on access would be satisfactorily addressed?</p>	<p>The Applicant confirms that BESS enclosures (containers) will not be stacked.</p>
2.12.2	Applicant	<p><b>Battery Energy Storage System - Guidance</b></p> <p>Please provide comments on changes to the National Planning Policy Guidance - Renewable and Low Carbon Energy - Battery Energy Storage Systems. Paragraph 33 encourages applicants to consider the guidance produced by the National Fire Chiefs Council. Please provide confirmation on: the role of this guidance, whether and where this has any implications for the scheme, if it has been taken into account, and the weight that should be given to the advice.</p>	<p>National Fire Chiefs Council (NFCC) Grid-Scale Battery Energy Storage System planning – Guidance for FRS (2023) and National Fire Protection Agency (NFPA) NFPA 855 STANDARD FOR THE INSTALLATION OF STATIONARY ENERGY STORAGE SYSTEMS (2023) were the primary safety documents that was consulted to draft the Outline Battery Storage Safety Management Plan <b>[REP3-032]</b>.</p> <p>The NFCC guidance has been developed as a way of promoting consistency around fire service requirements at BESS sites. It is not a requirement for fire services to provide rigid adherence to the guidance, but any deviations from NFCC guidance (applicable at the detailed design stage) will be fully agreed with Lincolnshire Fire &amp; Rescue Service (LFR). Site specific design limitations or evidence-based data provided at the detailed design stage by the Applicant would provide valid reasons for LFR to deviate from NFCC guidelines. NFCC guidelines are reviewed on a 6-monthly cycle i.e. twice a year, which may result in amendments being made to the final Battery Storage Safety Management Plan submitted for approval.</p>

ExQ	Respondent	Question	Applicant's Response
2.12.3	LCC and, optionally Applicant	<p><b>Accidents, Disasters and Health Impacts of BESS</b></p> <p>LCC refers in its LIR [REP1A-002] to the impacts associated with matters relating to accidents and disasters, and health to be neutral. LCC confirmed that this is on the assumption that a financial contribution will be secured through an appropriate mechanism (PP) to enable the necessary inspection of the BESS to confirm the required safety measures and means for dealing with a thermal outbreak are in place and in working order which would minimise the risk of a thermal outbreak within the BESS to an acceptable level. Please provide an update on the assumption and whether or not measures to secure the necessary mitigation appear to be satisfactory</p>	<p>Part 16 of Schedule 16 of the Draft DCO [EN010132/EX5/WB3.1_F] contains protective provisions for the benefit of Lincolnshire Fire and Rescue which require a financial contribution for Lincolnshire Fire and Rescue's attendance at a site familiarisation exercise in the first year of operation, and a smaller contribution each subsequent year until the date of decommissioning. The exercise is for the purposes of providing the necessary assurance to Lincolnshire Fire and Rescue that all the required systems and measures are in place in accordance with the battery storage safety management plan. The protective provisions have been agreed with LCC and Lincolnshire Fire and Rescue.</p>

## 2.13 Socio-Economic Matters

ExQ	Respondent	Question	Applicant's Response
2.13.1	All Parties	<p><b>Skills Supply Chain and Employment Plan</b></p> <p>During ISH4 [EV-029], the Applicant made a number of comments about updating the outline Skills Supply Chain and Employment Plan (oSSCEP). This was originally referenced as [APP-319]. At Deadline 4 a revised (Revision A) version was submitted [REP4-050]. Please can IPs comment on the revision, particularly regarding the relationship with the Organisational Framework, monitoring, consultation and involvement of host authorities.</p>	<p>The Applicant notes this question and awaits responses from other parties.</p>
2.13.2	All Parties	<p><b>Supply Chain, Procurement and Networking</b></p> <p>The ExA notes that within the Outline Skills, Supply Chain and Employment Plan Revision A [REP4-050] and elsewhere, a number of changes have been proposed within the document from 'could' to 'will', e.g. <i>"the Applicant could will reach out to potential suppliers and organise 'meet the buyer' events."</i></p> <p>Please can the Applicant/ IPs comment on this. Please advise on what these changes effect when at a scaled up extent i.e. what this may mean cumulatively, resulting from what appears to be a strengthening of wording regarding potential mitigation.</p>	<p>The updates made to the <b>Outline Skills, Supply Chain and Employment Plan Revision A [REP4-050]</b> have been made at the request of host local authorities to strengthen the commitments therein to mitigation and enhancement measures.</p> <p>The Applicant does not consider that the changes to wording change the assessment outcomes, as the changes only correspond to the commitment to said mitigation, rather than its effectiveness. This is also the same when considered cumulatively – particularly when considered against Cottam Solar Project [EN010133] due to the level of consistency between the two projects.</p>



ExQ	Respondent	Question	Applicant's Response
2.13.3	All Parties	<p><b>Local Economic Impacts –</b></p> <p>LIS During ISH4 [EV-029], the Applicant and WLDC made references to the Local Industrial Strategy (LIS). Various IPs have raised concerns that the LIS is not considered at all in the Planning Statement, and felt that extensive large-scale solar would undermine regional objectives for the agrifood and visitor sectors. The ExA notes that Revision B (Appendix D) of the Planning Statement does cross refer the Greater Lincolnshire LIS [REP4-048].</p> <p>IPs are invited to provide an update on the alignment of the project with the LIS.</p>	<p>The Applicant refers to Agenda item 5c of <b>WB8.1.28 Written Summary of the Applicant's Oral Submissions and Responses at Issue Specific Hearing 4 and Responses to Action Points [REP4-071]</b>, which sets out where in the documentation the LIS has been considered.</p> <p>The Applicant has referred to but not assessed the LIS in the Planning Statement [REP4-048] as it is a strategic document forming part of the evidence base for the Central Lincolnshire Local Plan (2023). As such, it is the Local Plan policies that the Planning Statement assesses.</p>
2.13.4	All Parties	<p><b>Community Benefits</b></p> <p>LCC response to First Written questions 1.13.6 [REP3-042] refers to a variety of projects and community benefits. It notes that provision of community benefits is not a material consideration in determining renewable energy planning applications. WLDC [REP3-044] also states that the use of a community to 'compensate' affected persons is also not an appropriate mechanism to address such matters. IPs are invited to comment further on such measures and provide any relevant updates on this aspect.</p>	<p>The Applicant agrees with the statements made by LCC and WLDC in that the Community Benefit Fund referred to at paragraph 4.8.1 of <b>WB7.5_B Planning Statement: West Burton Solar Farm - Revision B [REP4-048]</b> is not a material consideration for the Secretary of State when making a decision on this DCO application, nor is it an appropriate mechanism for compensation of losses to Affected Persons. The Applicant will commence discussion with the local authorities and any other relevant community stakeholders regarding the Community Benefit Fund post consent. However, the Applicant welcomes suggestions during the Examination and prior to a decision being made.</p> <p>The Applicant does however seek to clarify that provision of community benefits directly associated with the Scheme or resulting from the mitigation and enhancement measures secured through</p>

ExQ	Respondent	Question	Applicant's Response
			<p>the requirements in Schedule 2 of the dDCO <b>[EN010132/EX5/WB3.1_F]</b> should be given material weight in the consideration of the Scheme. These include measures such as direct, indirect and induced employment, skill development, promoting localised supply chains, provision of ecological mitigation and biodiversity enhancement areas, a proposed permissive path, and enhancements to hedgerows and planting.</p>

## 2.14 Transport and Access, Highways and Public Rights of Way (PRoW)

ExQ	Respondent	Question	Applicant's Response
2.14.1	Applicant	<p><b>Travel Plan</b></p> <p>LCC's response [REP3-042] to 1st Written Questions 1.14.4 states that the Travel Plan's assumption that 50% of workers will arrive by shuttle bus is achievable "if it is considered in the recruitment and procuring of workers". Please can the Applicant confirm how recruitment and procuring of workers has been considered with the 50% shuttle bus target in mind.</p>	<p>It is likely that a significant proportion of the construction workforce will be non-local. These workers will stay in local hotels. Shuttle buses will be put on between the hotels and the Site and workers will be instructed to use them. Shuttlebuses will also be put on to support travel for the local workforce for key destinations. Through the final CTMP and associated Travel Plan, secured through Requirement 15 of the draft DCO [EX5/WB3.1_F], full details of shuttle bus service will be set out. The contractor will inform potential construction workers of this procedure during the recruitment process.</p> <p>An assumption that 50% of the workforce will arrive by shuttle bus is considered to be reasonable. As set out in Paragraph 5.12 of the <b>Transport Assessment [REP4-036]</b>, Longfield Solar Farm (PINS reference EN010118) assumed that 55% of the workforce would arrive by shuttle bus based on the proportion of the workforce that would be non-local to the Site and would stay in local accommodation. It is noted that the Gate Burton Scheme (PINS reference EN010131) also assumed 55%.</p>
2.14.2	LCC, Applicant	<p><b>Collision Data</b></p> <p>In response to WQ1.14.9 (Collision Data), LCC states that "the dDCO still seems to give too much power to applicant" [REP3-042]. Please can LCC provide more specific details, and the Applicant may also wish to comment.</p>	<p>The Applicant will provide comments once it has had sight of LCC's response to this question.</p> <p>The Applicant assumes this comment by LCC relates to concerns previously raised by LCC relating to the drafting of the highway powers in the draft DCO. The Applicant has addressed these concerns in the updated draft CTMP [REP4-038] which requires</p>

ExQ	Respondent	Question	Applicant's Response
			<p>technical details to be approved by LCC (as highway authority) prior to any works to the public highway. Please see the response to question 2.14.7 below.</p>
2.14.3	Applicant	<p><b>On-site Parking</b></p> <p>Please can the Applicant confirm to what standards will employee parking and visitor parking be provided?</p> <p>The Outline Construction Traffic Management Plan <b>[REP4-038]</b> makes reference to turning areas and allowance for vehicles to egress the site in a forward gear (see e.g. Para 2.14). Please can the applicant set out the standards and whether or not additional area for vehicle parking becomes needed as a result of this.</p>	<p>Paragraph 2.12 of the <b>CTMP [REP4-038]</b> states <i>“Appropriate parking will be provided within each construction compound. No parking by contractors, visitors or delivery vehicles will be permitted on the local highway network or the Site access road at any time during the construction phase, and visitors will be advised of the parking arrangements in advance of travelling to the Site. The Site Manager will monitor that parking is taking place in the designated area on a regular basis”</i>.</p> <p>Lincolnshire County Council do not have adopted parking standards for construction sites. In these instances, parking should be determined on a first principles basis in line with likely demand. Full parking details will be provided as part of the final CTMP, secured through requirement 15 of the <b>draft DCO [EX5/WB3.1_F]</b>. Parking numbers will reflect the target for workers arriving at the Site by Shuttle Bus. It is likely that just a small number of visitor spaces will be required</p> <p>The final CTMP will also provide details of the construction compound layouts, including parking, turning circles, storage areas and welfare units. The allowance for turning circles to ensure vehicles depart the Site in a forward gear will not result in the need for additional parking areas.</p>

ExQ	Respondent	Question	Applicant's Response
2.14.4	Applicant and IPs	<p><b>Joint Construction Traffic Management Plan</b></p> <p>The Outline Construction Traffic Management Plan {<b>REP4-038</b>} refers to a Joint Construction Traffic Management Plan at 7.2 (xxv) that such a document “could” be produced. This was discussed during ISH4 [<b>EV-029</b>]. The Applicant and Local Authorities should be progressing this element, including providing a form of wording to give confidence that congestion can be avoided at critical points where projects are being accessed or constructed simultaneously.</p> <p>IPs are requested to provide an update, including on views to the changes to the dDCO [<b>REP4-024</b>] in Requirement 2.</p>	<p>The Applicant and Local Authorities have been working towards an agreed position on the wording of the Joint Construction Traffic Management. The current status of the discussions with West Lindsey District Council is set out within the updated Statement of Common Ground [<b>EX5/WB8.3.2_A</b>].</p> <p>Regarding the framework for a Joint CTMP referenced by West Lindsey District Council at ISH5, this was requested by the Applicant and they sent through a copy of their response to Deadline 4 [<b>REP4-081</b>]. Please refer to the Applicants responses at WLDC-02-WLDC-11 in <b>WB8.1.31 The Applicant's Response to Deadline 4 and Deadline 4A Submissions [EX5/WB8.1.31]</b>.</p>
2.14.5	Applicant	<p><b>Cumulative Effect of Construction Traffic</b></p> <p>The Applicant's views are sought on whether there would be the potential for broader adverse amenity impacts due to the prolonged period that there would be additional construction traffic on the local highway network. Please respond, and provide specific reference to the cumulative effects (irrespective of whether the roads in highway terms are capable of accommodating this traffic).</p>	<p>Section 5 of the <b>CTMP [REP4-038]</b> and Section 6 of the <b>Transport Assessment [REP4-036]</b> set out the routes for construction vehicles to the West Burton Scheme. These are summarised below.</p> <ul style="list-style-type: none"> <li>• West Burton 1: A15 → A1500 Till Bridge Lane → Road south of the A1500</li> <li>• West Burton 2: A46 → A57 Lincoln Road → B1241 Mill Lane</li> <li>• West Burton 3: A15 → A1500 Till Bridge Lane</li> </ul> <p>The four key Schemes within the cumulative assessment as set out in Chapter 14 of the <b>ES [APP-052]</b> are the West Burton, Cottam, Gate Burton and Tillbridge Schemes. In addition, other Schemes which are currently in the Scoping stage such as One</p>

ExQ	Respondent	Question	Applicant's Response
			<p>Earth and Stow Park have been assessed through the ES Addendum 23.1 Cumulative Effects <b>[EX5/WB8.4.23.1]</b>.</p> <p>The only roads that form part of the West Burton Route that will also be used by these other schemes are:</p> <ul style="list-style-type: none"> <li>• A15 (Cottam, Tillbridge and Stow Park);</li> <li>• A1500 (Cottam 1 south, part of Gate Burton and Stow Park).</li> <li>• A57 (a proportion of Gate Burton)</li> </ul> <p>These A-Roads are designed to accommodate higher traffic flows, including HGVs. The addition of trips associated with the construction phases of each scheme will not have a significant amenity effect in these locations if all Schemes are built out simultaneously.</p> <p>For example, as set out in Table 14.25 of the <b>ES [APP-052]</b>, if all schemes are built out simultaneously there will be the following additional vehicle movements on the A1500:</p> <ul style="list-style-type: none"> <li>• West Burton – 226</li> <li>• Gate Burton – 124</li> <li>• Cottam – 96</li> <li>• Total – 446</li> </ul> <p>For Stow Park, the ES Scoping Report states that there will be around three HGV deliveries per day. Whilst not referenced</p>

ExQ	Respondent	Question	Applicant's Response
			<p>within the Scoping Report, there is also likely to be a handful of car/LGV trips associated with construction worker movement.</p> <p>Baseline traffic flows on the A1500 for 2025 are forecast to be 4,772. Therefore, if all schemes are built out simultaneously, there will be a 9% change in traffic flows, well below the threshold for assessment as referenced in IEMA Guidelines (see response to question 2.14.6)</p> <p>The local roads on the West Burton routes, namely the access road to West Burton 1 and the B1241 will not be used by vehicles associated with the other schemes. Therefore, the cumulative effects in these locations are unchanged compared to the residual effects.</p> <p>Movements along the cable route corridor are low on a daily basis (four HGVs and four LGVs), and the effects only last for approximately 90 days per access. Cumulative effects will only be observed at the shared section of the cable route corridor (between accesses 110-112). Given the low number of vehicle movements, effects will be minor. As set out in Section 7 point 'xxvi' of the CTMP <b>[REP4-038]</b>, <i>"The opportunity to combine mitigation (including some of the above measures) with neighbouring developments, namely Gate Burton Energy Park and Cottam Solar Project will be explored in order to reduce cumulative impacts during the construction phase. This could include sharing the shuttle service to transport construction workers to/ from multiple sites or sharing the Grid Connection Corridor and construction compounds to consolidate trips. Further details will be set out within the Detailed CTMP(s) or</i></p>

ExQ	Respondent	Question	Applicant's Response
			<p><i>potentially as part of a joint CTMP post-consent once further details in relation to the Gate Burton and Cottam are known".</i></p>
2.14.6	Applicant	<p><b>Cumulative Effects on Highway Network</b></p> <p>Following ISH5 [EV-060] it remains unclear where the conclusions on cumulative effects on the highway network are drawn from as set out at paragraph 14.9.5 of ES Chapter 14: Transport and Access [APP-052]. Please reference the figures used to come to this view. The Joint Report on Interrelationships between NSIPs [REP4-059] does not appear to provide further substantive evidence in this regard, beyond stating there would be no changes from the ES.</p>	<p>As set out in paragraph 14.4.23 of the <b>ES Chapter 14: Transport and Access [APP-052]</b>, <i>"The IEMA Guidelines set out two rules which will be used as threshold impacts to define the scale and extent of the assessment, as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>Rule 1: Include highway links where traffic flows will increase by more than 30% (or where the number of HGVs will increase by more than 30%); and</i></li> <li>• <i>Rule 2: Include any other specifically sensitive areas where traffic flows have increased by 10% or more.</i></li> </ul> <p>Paragraph 14.4.24 goes on to state, <i>"It is notable that, on roads where baseline traffic flows are low, any increase in traffic flow may result in a predicted increase that would be higher than the two rules set out in the IEMA Guidelines. However, it is important to consider any overall increase in road traffic in relation to the capacity of the road.</i></p> <p>Paragraph 14.4.25 quotes paragraph 4.5 of the IEMA guidelines, which states, <i>"For many effects there are no simple rules or formulae which define the thresholds of significance and there is, therefore, a need for interpretation and judgement on the part of the assessor, backed up by data or quantified information wherever possible", and "those preparing the Environmental Statement will</i></p>



ExQ	Respondent	Question	Applicant's Response
			<p><i>need to make it clear how they have defined whether a change is considered significant or not"</i></p> <p>The change in traffic flows associated with the Scheme are set out in Table 14.16 of the <b>ES Chapter 14: Transport and Access [APP-052]</b>. For the A15, A1500, A57 and B1241, the change in traffic flows is between 2% and 6%. This is not significant in line with Rule 1 of the IEMA guidance. On the access to West Burton 1, to the south of the A1500, the traffic flows will change by approximately 30%. However, this is from a very low baseline (just 193 movements per day). Therefore, in line with paragraph 14.4.24 and 14.4.25, professional judgement was applied to conclude that this change in traffic flow will only have temporary and non-significant effects.</p> <p>Further changes in traffic flows as a result of cumulative schemes are set Table 14.26 of the <b>ES Chapter 14: Transport and Access [APP-052]</b>. The only link with any significant change in traffic flow is on the B1241. These flows relate to two residential developments in Saxilby. No other solar development has identified this section of the B1241 for access. . Baseline flows are also reasonably low on this road. Therefore, professional judgement concluded that the cumulative effects remain non-significant (and temporary in relation to the West Burton Solar Farm).</p>

ExQ	Respondent	Question	Applicant's Response
2.14.7	Applicant	<p><b>Compulsory Acquisition of Highway Land</b></p> <p>The ExA notes that LCC does not agree with Temporary Possession of Highway Land for use under the DCO and maintains that any works in Highway Land that need to be undertaken should follow existing Street works and permitting procedures and S278 Agreements. Please can the Applicant confirm the extent or otherwise of Highway Land compulsory acquisition and measures to address LCC's concerns regarding street works.</p>	<p>Following discussions with LCC, the <b>CTMP [REP4-038]</b> was updated at Deadline 4 to set out the procedure for undertaking works in the public highway.</p> <p>Paragraph 3.5 of the CTMP states, "<i>Prior to carrying out any works to the public highway pursuant to Articles 9, 10, 11 and 13 of the DCO, the detailed design of such works must be submitted to the highway authority for approval (either as part of the CTMP or separately) and include:</i></p> <ul style="list-style-type: none"> <li>• <i>A programme for the works, method statement and any traffic management proposals;</i></li> <li>• <i>Detailed technical drawings;</i></li> <li>• <i>Any health and safety documentation required under the CDM Regulations;</i></li> <li>• <i>Stage 1/2 Safety Audit; and</i></li> <li>• <i>Details of the contractor".</i></li> </ul> <p>Paragraph 3.7-3.8 of the CTMP states, "<i>The Applicant agrees to pay Lincolnshire County Council (LCC) for the technical approval process at the time the approval is sought, in line with LCC's costs for accesses of the nature proposed. The current LCC costs are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heavy Duty Access Crossing - £912</i></li> <li>• <i>Minor Works Permit - £2,500.</i></li> </ul>

ExQ	Respondent	Question	Applicant's Response
			<i>Exact costs will be agreed with LCC through the Final CTMP, and will reflect the standard LCC costs for the above types of works at the time approval is sought".</i>
2.14.8	Applicant	<p><b>S278 procedure and Deemed Discharge Provision</b></p> <p>LCC is concerned that detailed highways works which affect safety e.g. access details are left to requirement discharge with a deemed discharge provision rather than via s.278 procedure. This includes Highway Authority consent which it states must apply to all works in the public highway. LCC's view is that any works in the highway must have LCC approval (S278 works, and Streetworks and Permitting). The Applicant is invited to respond to the concerns here.</p>	Please see response to 2.14.7 above.

## 2.15 Water Environment including Flooding

ExQ	Respondent	Question	Applicant's Response
2.15.1	Canal and River Trust, and Applicant	<p><b>Dredging Tip (Cross Reference Q2.4.9)</b></p> <p>Comments at DL4 relating to the implications of the Land South of Marton Grid Connection Options Report [REP2-009] with the suggestion that if 'Option 2' were taken forward this would include land in the southeast corner of the eastern dredging tip.</p> <p>The Canal and River Trust have already approached the Applicant on this matter. Parties are asked to please clarify their respective positions on this matter and to provide an update on discussions, together with any implications for the water environment and flooding in the local area.</p>	<p>The Land South of Marton Grid Connection Options Report [REP2-009] was undertaken to explore the route of the cable in this location in response to comments made by affected persons (Mr and Mrs Hill). The report concludes that the existing route within the Order limits is the preferred route. The Applicant is therefore not proposing to proceed with Option 2.</p>
2.15.2	Applicant	<p><b>Layout of PV Panels: allowance for drainage gaps</b></p> <p>The ExA understands that the solar panels will not form a solid impervious unit. The design allows small gaps between panels contributing to water drainage. However, it appears that gaps are not secured within design parameters. Without suitable gaps it could be that a reasonable worst case assumption is that in the future solar panels may form a be single impenetrable unit, increasing the risk of flooding. Please can the Applicant confirm the understanding and how these are secured in the application.</p>	<p>The gaps referred to between solar panels are as a result of how the panels are fixed to the mounting structures and are present to allow for ease of installation. The size of these gaps is not consistent between different panel producers or mounting structure fabricators, and so therefore may depend on tolerances in production. The Applicant therefore considers that securing the requirement for these gaps through the application documentation is a disproportionate measure, especially in the presence of other mitigation measures and control documents (such as the <b>WB6.3.19.2_A Outline Soil Management Plan Revision A [REP3-016]</b> and <b>6.2.10 Environmental Statement - Chapter 10_Hydrology Flood Risk and Drainage [APP-048]</b>) secured</p>

ExQ	Respondent	Question	Applicant's Response
			<p>through Schedule 2 Requirement 19 the <b>WB3.1_F Draft Development Consent Order Revision F [EN010132/EX5/WB3.1_F]</b>.</p>
2.15.3	All Parties	<p><b>The impact of solar photovoltaic (PV) sites on agricultural soils and land</b></p> <p>7000Acres has requested the ExA takes account of recent research by the Welsh Government and others that installing large solar arrays on farmland results in deep soil compaction, increased water runoff and runoff from panels can lead to rivulets, which can lead to soil loss by erosion.</p> <p>The ExA invites the Applicant and others to additionally comment.</p>	<p>7000 Acres mischaracterises the documents published by the Welsh Government. The executive summary of work package 4 of the Soil Policy Evidence Programme notes that the impacts of solar PV panels on land and soil <b>may</b> be caused by compaction, leading to soil structural damage. However, this document recognises the gaps in evidence, knowledge and experience, which are outlined in section 3. Relevantly, these gaps include 'Field evidence of the soil structural conditions on solar PV sites from a baseline survey' and 'Evidence on the extent of run-off from PV panels'.</p> <p>In contrast, soil compaction and erosion of bare soil are both well understood to be existing problems associated with arable land management. We know that the up to 60 year suspension of arable land management will eliminate multiple passes of high axle load vehicles (grain trailers, combine harvesters) with a significant risk that these operations will have to take place over wet and vulnerable to compaction soil or risk loss of crop. Solar farm work has no such risk with the Soil Management Plan confining maintenance works to friable or dryer soil conditions.</p> <p>The solar farm also establishes a year-round green cover over the soil, preventing droplet impact which is a primary cause of soil particle detachment, minimising opportunities for soil erosion. A green cover also promotes rainfall infiltration and slows the movement of any surface runoff, promoting the deposition of any</p>

ExQ	Respondent	Question	Applicant's Response
			<p>detached sediment. The risk of soil erosion with a green cover in place is therefore significantly lower than for arable land that has annual periods of bare soil, regardless of the presence of solar PV overhead.</p> <p>The Applicant also refers to its response to 7A-41A of <b>WB8.1.31 Applicant's Response to Deadline 4 and Deadline 4A Submissions [EN010132/EX5/WB8.1.31]</b>,</p>
2.15.4	Applicant	<p><b>Backfilling Excavated Soil</b></p> <p>With reference to West Burton Cable Corridor, paragraph 4.5.47 of Environmental Statement Chapter 4: Scheme Description [<b>APP-042</b>] states that the <i>"base of the jointing bays will be lined with a concrete floor and sandbags will be stacked above this to support the cables where required. Excavated soil will then be backfilled on top of the installed cables"</i>. It would be helpful if the applicant clarified this point by specifying that backfilling with the excavated soil is subject to confirmation that any contamination of the soil prohibits this.</p>	<p>The Applicant's approach to the storage of soil is set out in <b>Appendix 19.2 Outline Soil Management Plan Revision A [REP3-016]</b>. Specific measures to reduce the risk of any soil becoming contaminated while being stored include:</p> <ul style="list-style-type: none"> <li>• Ensure soil is only stored in designated soil storage areas (paragraph 3.1.1);</li> <li>• Maintain all plant and machinery in good working order to minimise the risk of contamination through spillages; (paragraph 3.1.3); and</li> <li>• Swift return of excavated soil from cable trenches (paragraph 3.1.3).</li> </ul> <p>The Applicant has not been made aware of any significant soil contamination along the cable corridor, and is not aware of any factors that could elevate the risk of contaminated soil being present on this agricultural land. The Applicant does not consider there is a plausible risk that excavation and backfilling the cable corridor will contaminate the soil. As such, the Applicant does not</p>

ExQ	Respondent	Question	Applicant's Response
			<p>consider it necessary to test the soil prior to backfilling the cable corridor. Should soil contamination be found as part of the cable route works, this contamination will likely extend beyond the extent of the material excavated. The response to any such discovery of contaminated soil material is beyond the scope of a soil management plan as it would need to be specific to the contaminant discovered and the risks it presented. It would also need to be guided by the relevant regulators such as the Environment agency. There is however nothing to suggest that any such soil contamination is present on agricultural land along the path of or close to the cable route corridor.</p> <p>Mitigation measures for the discovery of unexpected contamination, and remediation actions for any discoveries of ground contamination are set out in Table 3.11 of <b>WB7.1_C Outline Construction Environmental Management Plan Revision C [REP4-042]</b> which is secured by Requirement 14 of Schedule 2 to the <b>Draft Development Consent Order [EX5/WB3.1_F]</b>.</p>

## Appendix A – Relevant Legislation, Policy and Guidance for Archaeological Assessment Works

Table A.1 - Approach to archaeological management and mitigation with consideration to relevant legislation, policy and guidance<sup>3</sup>.

Legislation / Policy / Guidance	Detail	Approach to archaeological management and mitigation
<b>Overarching National Policy Statement for Energy (EN-1) (November 2023)</b>		
NPS EN-01 Paragraph 5.9.9	The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA, and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	<b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> identified any likely significant heritage impacts of the proposed development, and considers heritage assets located above and below the ground, as well as cumulative impacts on the wider historic environment and impacts to the historic environment character.
NPS EN-01 Paragraph 5.9.10	As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the	The Applicant considers that they have taken a reasonable, proportionate and consistent approach, with consideration to the importance of the heritage asset and potential impact of the Scheme.

<sup>3</sup> This table only relates to policies applicable to archaeology. The policy tests relevant to Stow Park Deer Park can be found in **WB8.2.10 Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10]**



	<p>heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.</p>	<p>An extensive archaeological baseline assessment was undertaken that consulted the Historic Environment Record (see <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b>).</p>
<p>NPS EN-01 Paragraph 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>The Applicant has undertaken an extensive archaeological baseline assessment and non-intrusive evaluation, comprising:</p> <ul style="list-style-type: none"> <li>• <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b></li> <li>• <b>6.3.13.2 Environmental Statement - Appendix 13.2 Archaeological Geophysical Survey Reports [APP-109 to APP114]</b></li> <li>• <b>6.3.13.3 Environmental Statement - Appendix 13.3 Geoarchaeological DBA (Desk-Based Assessment) [APP-115]</b></li> <li>• <b>6.3.13.4 Environmental Statement - Appendix 13.4 AP (Air Photo) and LiDAR Reports [APP-116].</b></li> </ul> <p>The information from these assessments has enabled the successful identification of the absence, presence and</p>

		<p>extent of archaeological sites within the Order limits of the Scheme. An informed programme of evaluation trenching</p> <p><b>6.3.13.6 Environmental Statement - Appendix 13.6 Archaeological Evaluation Trenching Reports [APP-120 to APP-121]</b> both verified the results of the nonintrusive assessments and, where archaeological features had been identified, provided further information regarding their nature, extent, preservation and significance</p>
NPS EN-01 Paragraph 5.9.12	<p>The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> assess the impact of the proposed development on the significance of any affected heritage assets, as well as any indirect impact or in combination impacts (i.e. as a result of noise vibration etc).</p>
NPS EN-01 Paragraph 5.9.13	<p>The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>• enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected</li> </ul>	<p>In line with NPS EN3 Paragraph 2.10.110, the applicant considers that mitigation in the form of concrete feet, as detailed in the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> and Table 3.2 of the outline Construction Environmental Management Plan <b>[REP3-018]</b>, to cause a positive contribution to the Historic Environment through the removal of the land within the Order Limits from regular ploughing (See paragraph 2.10.110 NPS EN3 (November 2023)), the impact of which was evidenced during the evaluation trial trenching (see page 9 of <b>[APP-120]</b>).</p>

	<ul style="list-style-type: none"> <li>• considering where required the development of archive capacity which could deliver significant public benefits</li> <li>• considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme</li> </ul>	
NPS EN-01 Paragraph 5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	Impacts were identified in <b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> with consideration to the nature of the Scheme (i.e. direct or indirect, temporary, or permanent).
NPS EN-01 Paragraph 5.9.16	A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.	<p>The Scheme is considered to cause limited ground disturbance (see NPS EN3 paragraph 2.10.109) and will be reversible following decommissioning.</p> <p>The Applicant has carefully considered archaeological mitigation options, such as preservation <i>in situ</i> (i.e. concrete feet) and preservation by record (i.e. through archaeological excavation). The Applicant therefore considers an appropriate mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b>, is required that is aimed at protecting and, where possible, enhancing the significance of archaeological remains (as stated in Central Lincolnshire Local Plan Policy S57).</p>
NPS EN-01 Paragraph 5.9.17	Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be	

	required to deposit the archive generated in a local museum or other public repository willing to receive it.	<p>With consideration to the low impact of the Scheme (as detailed in NPS EN3 Paragraph 2.10.109), the Applicant considers that preservation <i>in situ</i> using concrete feet should be considered to be a preferable mitigation options for protecting buried archaeological remains.</p> <p>In line with NPS EN3 Paragraph 2.10.110, the applicant considers that mitigation in the form of concrete feet, as detailed in the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> and Table 3.2 of the outline Construction Environmental Management Plan <b>[REP3-018]</b>, to cause a positive contribution to the Historic Environment through the removal of the land within the Order Limits from regular ploughing the impact of which was evidenced during the evaluation trial trenching (see page 9 of <b>[APP-120]</b>).</p>
NPS EN-01 Paragraph 5.9.18	Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.	The Applicant has prepared an appropriate mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b> and has welcomed feedback from the relevant local authority. The WSI is secured by Requirement 12 of Schedule 2 to the <b>draft Development Consent Order [EN010132/EX5/WB3.1_F]</b> .
NPS EN-01 Paragraph 5.9.19	Where the loss of significance of any heritage asset has been justified by the applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:	The mitigation strategy <b>[EN010132/EX5/WB6.3.13.7_B]</b> is secured by Requirement 12 of Schedule 2 to the <b>draft Development Consent Order [EN010132/EX5/WB3.1_F]</b> and ensures that any archaeological remains that are

	<ul style="list-style-type: none"> <li>• imposing a requirement in the Development Consent Order</li> <li>• requiring the applicant to enter into an obligation</li> </ul>	found during the construction of the Scheme are appropriately recorded and managed.
NPS EN-01 Paragraph 5.9.21	Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	<p>The Applicant considers that the extensive archaeological baseline assessment and non-intrusive evaluation is adequate in identifying the absence, presence and extent of archaeological sites within the Order limits of the Scheme, and as such there is a low probability for yet undiscovered heritage assets with an archaeological presence to be identified.</p> <p>If unexpected archaeological remains are identified, the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> provides scope for them to be appropriately mitigated with consideration to their significance and the level of impact that would be caused by the scheme.</p>
NPS EN-01 Paragraph 5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>• relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application</li> </ul>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> sufficiently identifies and assesses the significance of heritage assets that may be affected by the proposed development, and is informed by an extensive archaeological baseline assessment and evaluation, comprising:</p> <ul style="list-style-type: none"> <li>• <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b></li> </ul>

	<ul style="list-style-type: none"> <li>• any designation records, including those on the National Heritage List for England, or included on Cof Cymru238 for Wales.</li> <li>• historic landscape character records</li> <li>• the relevant Historic Environment Record(s), and similar sources of information</li> <li>• representations made by interested parties during the examination process</li> <li>• expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it</li> </ul>	<ul style="list-style-type: none"> <li>• <b>6.3.13.2 Environmental Statement - Appendix 13.2 Archaeological Geophysical Survey Reports [APP-109 to APP114]</b></li> <li>• <b>6.3.13.3 Environmental Statement - Appendix 13.3 Geoarchaeological DBA (Desk-Based Assessment) [APP-115]</b></li> <li>• <b>6.3.13.4 Environmental Statement - Appendix 13.4 AP (Air Photo) and LiDAR Reports [APP-116].</b></li> <li>• <b>6.3.13.6 Environmental Statement - Appendix 13.6 - informed Archaeological Evaluation Trenching Reports [APP-120 to APP-121]</b></li> </ul>
NPS EN-01 Paragraph 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> considers the impact of the Scheme to heritage assets. This assessment also considered the significance of heritage assets and the nature of impact that the Scheme would cause.</p> <p>The Applicant has carefully considered archaeological mitigation options, such as preservation <i>in situ</i> (i.e. concrete feet) and preservation by record (i.e. through archaeological excavation). The Applicant therefore considers an appropriate mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b>, is required that is aimed at protecting and, where possible, enhancing the significance</p>
NPS EN-01 Paragraph 5.9.25	The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.	

<p>NPS EN-01 Paragraph 5.9.28</p>	<p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	<p>of archaeological remains (as stated in Central Lincolnshire Local Plan Policy S57).</p> <p>With consideration to the low impact of the Scheme (as detailed in NPS EN3 Paragraph 2.10.109), the Applicant considers that preservation <i>in situ</i> using concrete feet should be considered to be a preferable mitigation options for protecting buried archaeological remains.</p>
<p>NPS EN-01 Paragraph 5.9.33</p>	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>In line with NPS EN3 Paragraph 2.10.110, the Applicant considers that mitigation in the form of concrete feet, as detailed in the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> and Table 3.2 of the outline Construction Environmental Management Plan <b>[REP3-018]</b>, to cause a positive contribution to the Historic Environment through the removal of the land within the Order Limits from regular ploughing the impact of which was evidenced during the evaluation trial trenching (see page 9 of <b>[APP-120]</b>). The benefits of the Scheme are set out in the <b>Planning Statement Revision A [REP3-030]</b>.</p>
<p><b>National Policy Statement for Renewable Energy Infrastructure (EN-3)</b></p>		
<p>NPS EN-03 Paragraph 2.10.107</p>	<p>The impacts of solar PV developments on the historic environment will require expert assessment in most cases and may have effect both above and below ground.</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> identified any likely significant heritage impacts of the proposed development, and considers heritage assets located above and below the ground.</p>
<p>NPS EN-03 Paragraph 2.10.109</p>	<p>Below ground impacts, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching,</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> considers the impact of the Scheme to heritage asset.</p>

	<p>cabling, foundations, fencing, temporary haul routes etc.</p>	<p>The mitigation strategy <b>[EN010132/EX5/WB6.3.13.7_B]</b> was prepared with consideration to the generally limited impact that is caused by solar schemes, as well as the different forms of ground impact that the Scheme would cause.</p>
<p>NPS EN-03 Paragraph 2.10.110</p>	<p>Equally, solar PV developments may have a positive effect, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and shoes or low-level piling is stipulated.</p>	<p>The Applicant acknowledges the positive effects of solar schemes as a result of archaeological assets being removed from regular ploughing and either shoes (concrete feet) or low-level piling being stipulated.</p> <p>The Applicant considers that mitigation in the form of concrete feet, as detailed in the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> and Table 3.2 of the outline Construction Environmental Management Plan <b>[REP3-018]</b>, to be adequate mitigation for buried archaeological remains, and will cause a positive effect through the removal of the land within the Order Limits from regular ploughing, the impact of which was evidenced during the evaluation trial trenching (see page 9 of <b>[APP-120]</b>).</p> <p>This is in line with available guidance, which states concrete feet are an acceptable form of mitigation for preserving</p>



		archaeological remains in-situ (i.e. guidance by Cornwall Council <sup>4</sup> and historic England <sup>5</sup> ).
NPS EN-03 Paragraph 2.10.112	Applicant assessments should be informed by information from Historic Environment Records (HERs) or the local authority.	<p>The Applicant considers that they have taken a reasonable, proportionate and consistent approach, with consideration to the importance of the heritage asset and potential impact of the Scheme.</p> <p>An extensive archaeological baseline assessment was undertaken that consulted the Historic Environment Record (see <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b>).</p>
NPS EN-03 Paragraph 2.10.113	Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. These should be carried out using expertise where necessary and in consultation with the local planning authority, and should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets.	<p>The Applicant considers that they have taken a reasonable, proportionate and consistent approach, with consideration to the importance of the heritage asset and potential impact of the Scheme.</p> <p>An extensive archaeological baseline assessment was undertaken that consulted the Historic Environment Record (see <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b>). The results of which were used to inform an appropriate mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7</b></p>

<sup>4</sup> BRE (2013) Planning guidance for the development of large scale ground mounted solar PV systems (Online, last Accessed 03.04.24)  
[https://files.bregroup.com/solar/KN5524\\_Planning\\_Guidance\\_reduced.pdf](https://files.bregroup.com/solar/KN5524_Planning_Guidance_reduced.pdf)

<sup>5</sup> Historic England. 2021. Commercial Renewable Energy Development and the Historic Environment. Historic England Advice Note 15. Swindon, Historic England. Paragraph 68, p. 16

		<p><b>Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b> and has welcomed feedback from the relevant local authority.</p>
<p>NPS EN-03 Paragraph 2.10.114</p>	<p>In some instances, field studies may include investigative work (and may include trial trenching beyond the boundary of the proposed site) to assess the impacts of any ground disturbance, such as proposed cabling, substation foundations or mounting supports for solar panels on archaeological assets.</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> is informed by an extensive archaeological baseline assessment and evaluation (including the results of an informed programme of evaluation trial trenching). Assessment works comprised:</p> <ul style="list-style-type: none"> <li>• <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b></li> <li>• <b>6.3.13.2 Environmental Statement - Appendix 13.2 Archaeological Geophysical Survey Reports [APP-109 to APP114]</b></li> <li>• <b>6.3.13.3 Environmental Statement - Appendix 13.3 Geoarchaeological DBA (Desk-Based Assessment) [APP-115]</b></li> <li>• <b>6.3.13.4 Environmental Statement - Appendix 13.4 AP (Air Photo) and LiDAR Reports [APP-116].</b></li> <li>• <b>6.3.13.6 Environmental Statement - Appendix 13.6 - informed Archaeological Evaluation Trenching Reports [APP-120 to APP-121]</b></li> </ul>
<p>NPS EN-03 Paragraph 2.10.115</p>	<p>The extent of investigative work should be proportionate to the sensitivity of, and extent of,</p>	<p>The works undertaken by the Applicant are considered to be proportionate to the sensitivity of, and extent of, the proposed ground disturbance caused by the Scheme.</p>

	<p>proposed ground disturbance in the associated study area.</p>	<p>The Applicant undertook an extensive archaeological baseline assessment and non-intrusive evaluation, comprising:</p> <ul style="list-style-type: none"> <li>• <b>6.3.13.1 Environmental Statement - Appendix 13.1 Archaeological Desk-Based Assessments [APP-105 to APP-108]</b></li> <li>• <b>6.3.13.2 Environmental Statement - Appendix 13.2 Archaeological Geophysical Survey Reports [APP-109 to APP114]</b></li> <li>• <b>6.3.13.3 Environmental Statement - Appendix 13.3 Geoarchaeological DBA (Desk-Based Assessment) [APP-115] and</b></li> <li>• <b>6.3.13.4 Environmental Statement - Appendix 13.4 AP (Air Photo) and LiDAR Reports [APP-116].</b></li> </ul> <p>The information provided from these assessments, has enabled the successful identification of the absence, presence and extent of archaeological sites within the Order limits of the Scheme. An informed programme of evaluation trenching <b>6.3.13.6 Environmental Statement - Appendix 13.6 Archaeological Evaluation Trenching Reports [APP-120 to APP-121]</b> both verified the results of the nonintrusive assessments and, where archaeological features had been identified, provided further information regarding their nature, extent, preservation and significance.</p>
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<p>NPS EN-03 Paragraph 2.10.117</p>	<p>Applicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting.</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> considers the impact of the Scheme to heritage assets. This assessment also considered the significance of heritage assets and the nature of impact that the Scheme would cause.</p> <p>The Applicant has carefully considered archaeological mitigation options, such as preservation <i>in situ</i> (i.e. concrete feet) and preservation by record (i.e. through archaeological excavation). The Applicant considers the mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b>, to be sufficient. Where possible the mitigation strategy aims to protect and the significance of archaeological remains (i.e. removal of archaeological remains from current agricultural activity and use of concrete feet).</p> <p>The Applicant considers that the extensive archaeological baseline assessment and non-intrusive evaluation is adequate in identifying the absence, presence and extent of archaeological sites within the Order limits of the Scheme, and as such there is a low probability for yet undiscovered heritage assets with an archaeological presence to be identified.</p> <p>If unexpected archaeological remains are identified, the <b>WSI [EN010132/EX5/WB6.3.13.7_B]</b> provides scope for them to be appropriately mitigated with consideration to</p>
<p>NPS EN-03 Paragraph 2.10.137</p>	<p>The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology.</p>	
<p>NPS EN-03 Paragraph 2.10.138</p>	<p>Where requested by the applicant, the Secretary of State should consider granting consents which allow for the microsite within a specified tolerance of elements of the permitted infrastructure, so that precise locations can be amended during the construction phase if unforeseen circumstances, such as the discovery of previously unknown archaeology, arise.</p>	

		their significance and the level of impact that would be caused by the scheme.
<b>Central Lincolnshire Local Plan</b>		
Policy S57	<p>In instances where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made by its setting, the applicant will be required to undertake and provide the following, in a manner proportionate to the asset's significance:</p> <p>a) describe and assess the significance of the asset, including its setting, to determine its architectural, historical or archaeological interest; and</p> <p>b) identify the impact of the proposed works on the significance and special character of the asset, including its setting; and</p> <p>c) provide a clear justification for the works, especially if these would harm the significance of the asset, including its setting, so that the harm can be weighed against public benefits.</p>	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> describes and assesses the significance of the asset, the impact of the proposed works on the significance and special character of any affected assets.</p> <p>The <b>Statement of Need [APP-320]</b> and <b>Planning Statement Revision A [REP3-030]</b> details the benefits that consenting the DCO application would provide.</p>
Policy S57	<p>Development proposals will be supported where they:</p> <p>d) protect the significance of heritage assets (including where relevant their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, architectural detailing, materials, siting, layout, mass,</p>	<p>The Applicant has carefully considered archaeological mitigation options, such as preservation <i>in situ</i> (i.e. concrete feet) and preservation by record (i.e. through archaeological excavation). The Applicant considers the mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI [EN010132/EX5/WB6.3.13.7_B]</b>, to be sufficient. Where</p>

	<p>use, and views and vistas both from and towards the asset;</p> <p>e) promote opportunities to better reveal significance of heritage assets, where possible;</p> <p>f) take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.</p>	<p>possible the mitigation strategy aims to protect and the significance of archaeological remains (i.e. removal of archaeological remains from current agricultural activity and use of concrete feet).</p>
<p>Policy S57</p>	<p><b>Archaeology</b></p> <p>Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.</p> <p>Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.</p> <p>If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.</p> <p>Wherever possible and appropriate, mitigation strategies should ensure the preservation of</p>	<p>As stated above, the Applicant has undertaken an extensive archaeological baseline assessment and evaluation, which included a range of techniques or both intrusive and non-intrusive evaluation with consideration to site specific conditions and the nature of the proposed development.</p> <p>The information from these assessments has enabled the successful identification of the absence, presence and extent of archaeological sites within the Order limits of the Scheme, as well as provided further information regarding their nature, extent, preservation and significance.</p> <p>The Applicant has devised an appropriate mitigation strategy <b>[EN010132/EX5/WB6.3.13.7_B]</b>, which looks to preserve of archaeological remains in-situ. Where this is not possible, provision has been provided for archaeological remains to be persevered by record.</p> <p>The Applicant has prepared an appropriate mitigation strategy as set out in <b>6.3.13.7 Environmental Statement - Appendix 13.7 Archaeological Mitigation WSI</b></p>

	<p>archaeological remains in-situ. Where this is either not possible or not desirable, provision must be made for preservation by record according to an agreed written scheme of investigation submitted by the developer and approved by the planning authority.</p> <p>Any work undertaken as part of the planning process must be appropriately archived in a way agreed with the local planning authority.</p>	<p><b>[EN010132/EX5/WB6.3.13.7_B]</b> and has welcomed feedback from the relevant local authority.</p>
<p><b>Chartered Institute for Archaeologists (CifA)</b></p>		
<p>Standard for archaeological field evaluation (see Appendix B)</p>	<p>An archaeological field evaluation will seek to determine, record and report on the nature, extent, preservation and significance of archaeological remains within a defined area. The scope of the work will be described in a project design<sup>1</sup> that is fit for purpose and will be carried out by suitably competent persons in accordance with that design and the CifA Code of conduct and give due regard to the guidance for archaeological field evaluation. All archaeological field evaluations will result in a report, published accounts where appropriate, and a stable, ordered, accessible archive.</p> <p>Archaeological field evaluation is a programme of non-intrusive and/or intrusive fieldwork which seeks to determine the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts. It may form a single or final phase of work within a</p>	<p>As stated above, the Applicant has undertaken an extensive archaeological baseline assessment and evaluation, which included a range of techniques or both intrusive and non-intrusive evaluation.</p> <p>The information from these assessments has enabled the successful identification of the absence, presence and extent of archaeological sites within the Order limits of the Scheme, as well as provided further information regarding their nature, extent, preservation and significance.</p>

	defined area or site on land, in an inter-tidal zone or under water.	
Universal guidance for Archaeological field evaluation (see Appendix C)	Wherever possible, non-intrusive methods should be considered as the first option, with intrusive techniques used only where necessary to achieve the purpose of the archaeological field evaluation.	<p><b>6.2.13 Environmental Statement - Chapter 13_Cultural Heritage [APP-051]</b> is informed by an extensive archaeological baseline assessment and evaluation.</p> <p>In the first instance the field evaluation comprised non-intrusive techniques (<b>6.3.13.2 Environmental Statement - Appendix 13.2 Archaeological Geophysical Survey Reports [APP-109 to APP-114]</b> and <b>6.3.13.4 Environmental Statement – Appendix 13.4 AP (Air Photo) and LiDAR Reports [APP-116]</b>), which were used to inform <b>6.3.13.6 Environmental Statement - Appendix 13.6 – informed Archaeological Evaluation Trenching Reports [APP-120 to APP-121]</b>.</p> <p>This approach is considered to meet the Standard and universal guidance as set out by ClfA.</p>



## Appendix B – CIfA Standard for archaeological field evaluation

# Standard for archaeological field evaluation

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An **archaeological field evaluation** will seek to determine, record and report on the nature, extent, preservation and significance of archaeological remains within a defined area. The scope of the work will be described in a project design<sup>1</sup> that is fit for purpose and will be carried out by suitably competent persons in accordance with that design and the ClfA *Code of conduct* and give due regard to the guidance for archaeological field evaluation. All archaeological field evaluations will result in a report, published accounts where appropriate, and a stable, ordered, accessible archive.

## Definition of archaeological field evaluation

Archaeological field evaluation is a programme of non-intrusive and/or intrusive fieldwork which seeks to determine the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts. It may form a single or final phase of work within a defined area or site on land, in an inter-tidal zone or under water.

The ClfA *Code of conduct* and universal guidance for archaeological field evaluation can be found here <https://www.archaeologists.net/codes/cifa>.

<sup>1</sup> Within this Standard *project design* is used as a universal term for the document that sets out how the archaeological work will be conducted. This document may be called something different depending on the jurisdiction of the work.



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## Appendix C – CIfA Universal guidance for archaeological field evaluation

# Universal guidance for archaeological field evaluation

Published December 2023



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# Universal guidance for archaeological field evaluation

<b>1</b>	<b>Compliance with the Standard for archaeological field evaluation</b>	<b>3</b>
<b>2</b>	<b>Project design</b>	<b>3</b>
<b>3</b>	<b>Project execution</b>	<b>6</b>

# Universal guidance for archaeological field evaluation

## 1 Compliance with the Standard for archaeological field evaluation

- 1.1** Archaeological field evaluation may take place for many reasons and in many circumstances: the Standard and this guidance apply to all of them (see <https://www.archaeologists.net/codes/cifa>).
- 1.2** The Standard **must** be met as a professional obligation. This guidance describes universally applicable good practice for archaeological field evaluation that **should** be followed, setting out how the profession currently anticipates that the *Standard for archaeological field evaluation* may be met, and the *Code of conduct* complied with. If the work undertaken fails to meet the *Standard for archaeological field evaluation* because of the way in which it was conducted, that work is 'sub-standard'.
- 1.3** This guidance outlines how outcomes or products **required** by the Standard can be attained and against which performance can be monitored. The archaeologist is free to make a considered selection of appropriate established techniques and to develop new methods. However, it is strongly recommended that the universal guidance for archaeological field evaluation, expressed using '**should**' in this document, is followed to maximise the likelihood of compliance with the Standard. Other clauses indicate permitted actions or identify advisable or desirable actions.
- 1.4** Due regard **should** also be given to the jurisdiction-specific guidance on archaeological field evaluation to ensure the work undertaken is in accordance with the legislation and policy of the country or jurisdiction of the place of work.
- 1.5** Departures from the universally applicable or jurisdiction-specific guidance **should** be undertaken with caution. Clear justification is required, with the reasons formally documented, including information outlining how the different approach will meet the Standard.
- 1.6** Professional practice is always evolving. New methods are being developed, and the circumstances in which archaeological work is commissioned and conducted are subject to changing legal, administrative and ideological perspectives. This information is subject to regular review, and comments and recommendations on this guidance are welcome at any time.

## 2 Project design

*Within this guidance project design is used as a universal term for the document that sets out how the archaeological work will be conducted. This document may be called something different depending on the jurisdiction of the work.*

- 2.1** The project design author and/or project manager **should** be a Member (MCIfA) of CfA.

- 2.2** The project design **should** be specific to the project under consideration, advocating practicable methods of investigation that reflect the nature, extent, preservation and significance of the archaeological remains likely to be found. Templates should therefore be used with care.
- 2.3** The project design **should** set out the proposed scheme of investigation in enough detail that all relevant parties can understand and agree what will be done, assess whether it is fit for purpose and check that it complies with any conditions or obligations. It **should** provide a benchmark against which the results of the work can be monitored and measured.
- 2.4** All those engaged in the project, including monitors and those commissioning work, **should** have read and understood the project design.
- 2.5** The proposed project team **should** have access to suitable expertise and appropriate reference material to assess the significance of remains, including in relation to relevant research frameworks.
- 2.6** The project design **should** outline the research aims and the author **should** examine all appropriate resources.
- 2.7** The project design author **should** consider all available practicable methods of investigation and decide upon the most appropriate to meet the purpose of the work, seeking specialist advice where necessary.
- 2.8** Wherever possible, non-intrusive methods **should** be considered as the first option, with intrusive techniques used only where necessary to achieve the purpose of the archaeological field evaluation.
- 2.9** The project design **should** set out a dissemination approach which addresses where and how the answers to the project's research questions will be publicised to different audiences, during and after implementation. The approach to dissemination and the level of detail reported **should** be proportionate to the anticipated significance of the asset and include a process for review.
- 2.10** Health and safety issues, public liability and commercial confidentiality, while important considerations, **should** not be used as a barrier to public engagement without clear justification.
- 2.11** Any variations to the project design **should** be circulated and understood within the project team and agreed in writing by all relevant parties.
- 2.12** It is advisable for archaeological field evaluation projects to be governed by a written contract or agreement to which the project design may usefully be annexed.

**2.13** It is advisable to include statements on ownership of the paper and digital archive and copyright in a written contract or agreement.

**2.14** The following **should** normally be included in the project design or accompanying documentation, subject to jurisdiction-specific requirements. There is no need to replicate in the project design any information adequately covered by a permit, licence, contract, etc so long as it is available to relevant parties if required.

- (a) non-technical summary
- (b) site location (including map) and descriptions
- (c) context of the project
- (d) geological and topographical background
- (e) archaeological and historical background
- (f) a statement on the relevant technical, research and ethical competences of the organisation undertaking the work
- (g) research aims of the project, including explicit reference to existing research frameworks and objectives, where appropriate
- (h) methods of investigation, including environmental sampling and scientific dating strategies, where appropriate
- (i) methods of recording, including spatial data collection standards
- (j) arrangements for immediate conservation and storage of artefacts in accordance with the *Standard and guidance for the collection, documentation, conservation and research of archaeological materials* (see <https://www.archaeologists.net/codes/cifa>)
- (k) methodology for producing a post-fieldwork assessment and analysis of project data
- (l) archiving strategy, including reference to data management plans, selection strategy and local repository requirements – in accordance with the *Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives* (see <https://www.archaeologists.net/codes/cifa>)
- (m) publication, dissemination and engagement proposals detailing how the needs of relevant audiences will be met, including how the results may be usable for subsequent research
- (n) copyright
- (o) staffing (including specialists, both external and in-house), resources (excluding financial) and consideration of timescale
- (p) a statement on compliance with relevant professional, ethical and technical standards (including data standards), legislation and appropriate guidance
- (q) a tailored statement and plan detailing how public benefit will be delivered, including



consideration of the potential for engagement and participation proportionate to the project

- (r) health and safety considerations
- (s) reference to the environmental protection policy (including carbon reduction plan) applying to the project
- (t) arrangements for monitoring progress and compliance by regulators, clients and their agents
- (u) contingency arrangements

### 3 Project execution

- 3.1** It is the responsibility of the archaeologist undertaking the work to define appropriate staff levels. Sufficient and appropriate resources (staff, equipment, accommodation, etc) **should** be used to enable the successful completion of the project in accordance with the project design. Any contingency elements **should** be clearly identified and justified.
- 3.2** Commissioning bodies and monitors **should** be advised that a reasonable degree of flexibility and professional judgement may be necessary to meet project objectives. It **should** be clear that the nature and scale of post-investigation analyses, publications and the archive will be tailored to the significance and research potential of the assets.
- 3.3** The potential of the data and material to answer the research questions identified in the project design **should** be assessed by competent specialists. Artefacts and ecofacts **should** be assessed and reported on in accordance with *CifA Standard and guidance for the collection, documentation, conservation and research of archaeological materials* (see <https://www.archaeologists.net/codes/cifa>).
- 3.4** The level of recording and analysis **should** be appropriate to the research aims and purpose of the project and **should** take account of the potential of artefacts and ecofacts to contribute to the understanding of the nature, extent, preservation and significance of a site or asset. For example, consideration **should** be given to the processing of environmental samples at the fieldwork stage, where appropriate, to support the assessment of significance and preservation.
- 3.5** Data generated from assessment and/or analysis **should** be included in the project archive in accordance with the archiving strategy, where applicable, and in accordance with the *Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives* (see <https://www.archaeologists.net/codes/cifa>).
- 3.6** The archaeologist undertaking the work **should** respect the requirements of the client or commissioning body concerning confidentiality, but **should** emphasise their professional obligation to make the results of archaeological work available to the wider archaeological community in accordance with the stated timeframe in the project design.

- 3.7** Subject to any reasonable contractual requirements on confidentiality, copies of the report **should** be submitted to an appropriate national or local record in accordance with the stated timeframe outlined in the project design.
- 3.8** The digital report **should** be made available online to ensure that the results of the project are readily available to support public dissemination, future research and/or decisions about the site or asset.
- 3.9** The report **should** normally include
- (a) non-technical summary
  - (b) the project design or appropriate reference to it
  - (c) the aims, objectives and methods used, including any departure from the project design
  - (d) results, referring to the research aims in the project design and including research implications
  - (e) illustrations, plans and essential technical and supporting detail, with accurate spatial information sufficient to locate the areas of investigation in the future
  - (f) conclusions, including a confidence rating on techniques used, and any recommendations for further work that might improve that confidence
  - (g) archive locations (pre and post deposition if known)
  - (h) a list of all sources used
  - (i) copyright
- 3.10** The report need not normally include all the data generated during fieldwork and post-fieldwork assessment, but this data **should** be included in the preserved archaeological archive, subject to the archiving strategy and in accordance with the *Standard and guidance for the creation, compilation, transfer and deposition of archaeological archives* (see <https://www.archaeologists.net/codes/cifa>). The report and archive **should** contain enough detail to allow any further phases of work to be appropriately designed and planned.