

West Burton Solar Project

Written Summary of the Applicant's Oral Submissions & Responses at Issue Specific Hearing 5 and Responses to Action Points

Prepared by: Pinsent Masons LLP

April 2024

PINS reference: EN010132

Document reference: EX5/WBWB8.1.32

The Infrastructure Planning (Examination Procedure) Rules 2010 8(1)(c)



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Issue Sheet

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

Issue Specific Hearing 5 on 13 March 2024

Landscape and Visual Impact, Cultural Heritage, and Cumulative Impacts

Written Summary of the Applicant's Oral Submissions and Responses to Action Points

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1 Summary of Oral Submissions at Issue Specific Hearing 5

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1. Welcome and Introductions	The ExA introduced the hearing and made some preliminary remarks.
2. Purpose of the Issue Specific Hearing	<p>Purpose of the hearing is to address matters raised by the ExA following its consideration of the application documents.</p> <p>The following parties introduced themselves during ISH5:</p> <p><u>The Applicant</u></p> <ul style="list-style-type: none"> • Claire Brodrick, Legal Director at Pinsent Masons LLP (solicitors for the Applicant) • Alice James, Archaeological consultant at Lanpro • Emily Mercer, Archaeological consultant at Lanpro • Wendy Wright, Landscape Architect at Lanpro • Mark Topping, Landscape Architect at Lanpro • Tara Sethi, EIA consultant at Lanpro • Daniel Clampin, Climate Change consultant at Bureau Veritas UK • Rob Roughan, Transport consultant at Transport Planning Associates • Harry Fox, Ecologist at Clarkson & Woods • Daniel Baird, Soils and Agriculture consultant at Daniel Baird Soil Consultancy Ltd • Stephen Flynn, Socio-economic consultant at Lanpro

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	<p><u>Lincolnshire County Council</u></p> <ul style="list-style-type: none"> • Neil McBride, Head of Planning • Jan Allen, Historic Environment Officer • Matthew Adams, Archaeological Advisor <p><u>Nottinghamshire County Council</u></p> <ul style="list-style-type: none"> • Stephen Pointer, Planning Policy Manager • Ursilla Spence, County Archaeologist <p><u>West Lindsey District Council</u></p> <ul style="list-style-type: none"> • Shemuel Sheikh, Counsel, Kings Chambers • Russell Clarkson, Development Management • Alex Blake, Associate Director, Atkins <p><u>Historic England</u></p> <ul style="list-style-type: none"> • Tim Allen <p>Mr McBride, on behalf of LCC, raised concerns about the hearing being held virtually and the impacts on participation from Interested Parties (IPs). Mr Sheikh on behalf of WLDC supported Mr McBride's submissions.</p> <p>Ms Brodrick advised that the Applicant would respond to the concerns in writing. Ms Brodrick noted that the examination is largely a written process and issue specific hearings (ISHs) are designed for the detailed examination</p>

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	<p>of technical aspects. Ms Brodrick noted that the relevant technical experts from the Councils were present at the hearing.</p> <p>Post Hearing Note: <i>The Planning Inspectorate's Advice Note 8.6 relates to virtual examination events, explaining that they were initially developed in response to the Covid-19 pandemic. Since then, the Planning Inspectorate has continued to provide virtual hearings for the wider efficiency benefits, including time and cost savings. These are typically 'hybrid' events, allowing for greatest participation, however virtual-only hearings continue to be held.</i></p> <p><i>During Covid-19, numerous examinations were conducted using only virtual-only hearings. Notable amongst these are the East Anglia One North Offshore Wind Farm (Order granted in 2022) where a total of 17 virtual issue specific hearings were held, as well as compulsory acquisition and open floor hearings.</i></p> <p><i>Fully virtual hearings (with no in-person element) have also been held since 2022 (i.e. after all Covid-19 lockdowns had been lifted) in numerous examinations, including:</i></p> <ul style="list-style-type: none"> • <i>Longfield Solar Farm: all hearings were virtual only in 2022.</i> • <i>Bramford to Twinstead Reinforcement: ISH5 on the draft DCO, CAH2, ISH6 on access, transport and public rights of way were all virtual only in 2023.</i> • <i>Hinckley National Rail Freight Interchange Project: ISH5 on the draft DCO was virtual only in 2023.</i> • <i>Medworth Energy from Waste Combined Heat and Power Facility: ISH3, ISH4, ISH5, ISH6 and ISH7, each on environmental matters, were virtual only in 2023.</i> • <i>Cambridge Waste Water Treatment Plant Relocation: ISH5 on traffic and transport matters was virtual only in 2024.</i> <p><i>In response to concerns raised by LCC that Interested Parties may not have the opportunity to raise concerns at a virtual only hearing relating to cumulative matters, the Applicant notes, by way of example, that 7,000 Acres (the main Interested Party to make oral submissions at other hybrid hearings on the Scheme and who chose not to attend ISH5) has made 19 written submissions (Examination References listed below) that raise concerns around cumulative matters. As confirmed by</i></p>

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	<p><i>Advice Note 8.6, written submissions to an examination carry the same weight as oral submissions. Interested Parties have therefore had the opportunity to make substantial submissions about the cumulative aspects of the topics on the hearing agenda for ISH5, each of which will be considered in the same way as any oral submissions made during a hearing. The submissions made by the Applicant are summarised in this Written Summary and the recording and transcript of the hearing is available on the PINS website. The Applicant is therefore confident that the holding of a virtual-only hearing on cumulative matters did not impact the participation of Interested Parties in the Examination of the Scheme, as all submissions that may have been made orally in person may still be submitted in writing.</i></p> <p><i>7,000 Acres Submissions on Cumulative Matters: [REP1A-013], [REP1A-014], [REP1A-016], [REP1A-018], [REP1A-020], [REP1A-021], [REP1A-024], [REP4-086], [RR-01], [REP1-083], [REP1-084], [REP1-085], [REP1A-010], [REP1A-015], [REP1A-017], [REP1A-022], [REP1A-027], [REP3-049] and [REP4-087].</i></p>
<p>3. Cultural Heritage</p> <p>a) Study Area Selection</p>	<p>The ExA requested clarification for how the study area was selected and what was agreed with the LCC Historic Places team and Historic England. Alice James on behalf of the Applicant confirmed that new study areas suggested by LCC had been used, and in addition, the Applicant considered if there was anything beyond the study area that needed to be considered. Ms James confirmed that the Applicant consulted with Historic England and undertook several site visits, not only within the Scheme Order limits, but in the wider area. However, the Applicant did not find any heritage assets beyond the suggested study area that would warrant expanding the study area further.</p>
<p>b) Whether there has been a reasonable baseline assessment of the archaeological resource and the nature of development impacts upon it</p>	<p>The ExA asked if any further discussions between the Applicant and LCC's archaeological advisors had taken place. Ms Allen on behalf of LCC advised there had not been, but confirmed that LCC has had sight of the without prejudice WSIs for the Cottam and Gate Burton NSIPs.</p> <p>In response, Ms Brodrick on behalf of the Applicant confirmed that the Applicant had received comments from LCC on the without prejudice WSI submitted into the Cottam examination. A number of points in the without prejudice WSI apply across both the Cottam and West Burton Schemes, in terms of the approach and suitability of mitigation generally. The Applicant will be responding to these comments at Deadline 5.</p>

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	<p>Ms Brodrick further clarified her understanding that there was an action falling on LCC and NCC whereby, if they wished for a different approach to be taken from that set out in the WSI, LCC and NCC were to put forward that approach. The Applicant would then comment those proposals on a without prejudice basis.</p> <p>In response to a query from the ExA about the status of evaluation trenchwork work, described as interim in 6.3.13.6 Environmental Statement - Appendix 13.6 Archaeological Evaluation Trenching Reports [APP-120 and APP-121], Ms James on behalf of the Applicant confirmed that work is being progressed. She confirmed that whilst it is unlikely that there will be updated reports by end of the examination period, the information within the interim reports is sufficient to characterise the archaeology and understand the nature and type of archaeology that will be encountered. The further work will not fundamentally change the conclusions of the interim reports or the findings in terms of understanding the archaeological resource. Ms James noted that there will be a continuous analysis of the archaeological record, including works undertaken as part of the programme of mitigation post-determination, to fully understand all of the archaeological resource that has been impacted by the Scheme to ensure that this is added to the historic environment record for this area to record the archaeology and its significance and importance.</p> <p>Ms Brodrick confirmed that it is the Applicant's position that the information in the interim reports is sufficient for carrying out the EIA and developing the mitigation measures to inform the Written Scheme of Investigation [EX5/WB6.3.13.7_B]. The further work being undertaken will feed into the detailed design of the Scheme post-consent.</p> <p>In response to a query from the ExA about how the ES Addendum Chapter 13: Archaeological Trial Trenching Evaluation Fieldwork Report for the Shared Cable Corridor [REP4-076] is intended to assist the examination, Ms James clarified that, as the report was updated for the other NSIP examinations, the Applicant felt it was pertinent to also submit it into this Examination. Ms James confirmed that West Burton uses a smaller section of the shared cable corridor than the Cottam and Gate Burton schemes, namely the land between Stow Park Road and a field to the west of the River Trent, after which the grid connection cable for the Scheme diverts to the north towards West Burton Power Station, whilst the other NSIP projects sharing the shared cable corridor each connect to the Cottam</p>

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	<p>Power Station to the south. The conclusions in terms of where archaeology has been identified is the same between the two versions of the Report with regards to West Burton, and there is no required update to the mitigation strategy.</p> <p>Ms James for the Applicant advised that various techniques have been used to survey the cable corridor, including geophysical surveys and LIDAR analysis. These surveys were very successful in identifying several concentrations of buried archaeological remains. The Applicant has suggested archaeological monitoring (watching brief) where the evaluation undertaken has not identified a potential for buried archaeological remains, so that the whole cable route would be monitored from an archaeological perspective. Where archaeological remains have been found, a more intensive exercise (strip, map and sample) will be undertaken to record any archaeology before the cable route is constructed.</p> <p>In response to concerns raised by NCC that remains may be masked by alluvium and may not be picked up by LIDAR, Ms James on behalf of the Applicant noted that more trenching was undertaken within the shared cable corridor. There were several features identified by geophysical, photographic and LIDAR surveys that were not identified by trenching. Ms James on behalf of the Applicant explained that the various survey techniques were cross-referenced against each other either side of the River Trent in the shared cable, to maximise and test the information derived from data sets, which was complemented by a desk-based assessment. Trenching was used to test the non-intrusive surveys, confirming that archaeological features were present where the non-intrusive surveys indicated, and, equally important, were not present where the non-intrusive surveys showed no sign of archaeology. The non-intrusive survey techniques used have been successful in identifying archaeology, as confirmed by targeted trenching.</p> <p>The ExA asked if there had been 100% coverage of the West Burton sites by the geophysical surveys. Ms Brodrick confirmed that the ExA was referring to those areas within the Order limits that are available for geophysical survey, and not the non-surveyable areas such as roads and woodlands. On this basis, Ms James on behalf of the Applicant confirmed that all areas of the West Burton Order limits had been surveyed.</p>

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	<p>The ExA asked the councils to clarify a comment from their joint statement regarding the use of LIDAR for identifying features (with NCC's reference to Figure 4 of the WSI). Ms Spence on behalf of NCC raised concerns about the accuracy of being able to date cropmarks without physical evidence both in the areas shown on Figure 4 of the WSI and across the site generally.</p> <p>In response to concerns raised by NCC that it is not possible to date features from aerial photographs, and that 'ground truthing' has not been carried out over 80% of the site, Ms Brodrick, on behalf of the Applicant, referred to the policy tests that apply to assessing archaeological impacts. Both National Policy Statements EN-1 and EN-3 require that the level of detail in any investigative work must be proportionate to both the heritage assets and the nature of the Scheme. Ms Brodrick explained that the question is therefore what is proportionate for this Scheme to inform the Environmental Impact Assessment (EIA), and what is proportionate for this Scheme to inform the mitigation measures. It is accepted that further work will need to be undertaken throughout the detailed design and construction process, and further detail will be made available should the Scheme get consent. The approach used to assess the archaeological potential / significance within the Scheme is standard to the EIA process. The impression being given by LCC and NCC is that an applicant would need to trench the entirety of the site in order to have sufficient information for EIA purposes – this cannot be the case. Ms Brodrick reiterated that the question is therefore what is the proportionate amount of trenching to be undertaken for this Scheme in this location.</p> <p>In relation to the use of non-intrusive surveys to interpret the date or age of assets, without needing to undertake intrusive surveys, Ms James on behalf of the Applicant explained that interpretation and mapping of archaeological features from aerial photography and LIDAR was taken by an independent expert consultant who is a nationally recognised expert that advises key organisations including Historic England (formerly English Heritage). The various non-intrusive techniques are used together to layer up information and make assumptions about dates of features.</p> <p>Ms James further noted that the approach taken on other solar schemes is to carry out non intrusive evaluation to inform the Application, and then carry out further work post-consent to keep building as required, to understand the archaeological resource. The Applicant has carried out extensive work to inform the Application, and has tested</p>

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	<p>the non-intrusive surveys with trenching. This has demonstrated that the non-intrusive surveys have been very good at identifying archaeology.</p> <p>In response to comments about the sensitivity of the site, Ms Brodrick noted that whilst there may be a great quantity archaeology in the area, she had understood the ExA's question to be asking how this area may be different from other areas of the country, such that the approach taken in other areas for similar schemes would not be appropriate here. The Applicant notes that LCC and NCC did not respond to this point in the hearing.</p> <p>In relation to comments about the geology, particularly around the River Trent, Ms Brodrick confirmed it was for this reason that additional trenching was carried out in this area for the shared cable route. The reference to the Minerals Local Plan is not appropriate to this Scheme. Large excavations for mineral extraction are not comparable with the type of construction activities that will be undertaken for this Scheme. It is not clear why LCC and NCC consider why this Scheme requires additional levels of survey when compared to other types of Schemes in other locations in the country.</p> <p>Ms James on behalf of the Applicant confirmed that the Applicant's techniques have been appropriate for solar schemes and that the non-intrusive methods had been very informative and provided a reliable data set. Ms James acknowledged that a number of references had been made to the 'unexpected' discovery of burial sites in relation to the Cottam Scheme. Buried archaeological remains were not unexpected . The area had been covered by geophysical survey and a series of ditches and other anomalies had been found. Therefore, the Applicant identified an archaeological site in this area and positioned trenches to specifically target those anomalies. The trenches found a series of burials. The finds were only unexpected insofar as the Applicant had not, until that point, fully understood the character of the archaeology, however this was the reason the trenches were positioned in this area. By undertaking trenching in an informed way, the Applicant was able to fully characterise the archaeology. The burials had been heavily damaged by agricultural activity, and the Cottam scheme provided the opportunity and mechanism to preserve the archaeology rather than continue to let it be subject to plough damage.</p> <p>In response to a question from the ExA about the significance of a new definition of "field evaluation" given in guidance from the Chartered Institute of Archaeologists, published in December 2023, Ms James on behalf of the</p>

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	<p>Applicant confirmed that the Applicant considers that the evaluation carried out for the Scheme still meets this new definition. The new definition is still stated to be for a programme of non-intrusive and/or intrusive field work; the Applicant has done this. It also still states that it seeks to determine the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts. The Applicant has done this.</p> <p>The Universal Guidance for Field Evaluation, at paragraph 2.8, states that wherever possible, non-intrusive methods should be considered as the best option, with intrusive techniques used only when necessary to achieve the purpose of the archaeological field evaluation. The works undertaken by the Applicant have met those requirements.</p> <p>Ms James confirmed that the Applicant would submit the Universal Guidance for Field Evaluation into the Examination to assist the ExA.</p> <p>Post-Hearing Note: The Universal Guidance for Field Evaluation has been provided at Appendices B and C of WB8.1.34 Applicant's Responses to ExA Second Written Questions [EX5/WB8.1.34].</p>
<p>c) Approaches to mitigation and the management of identified non-designated archaeological remains</p>	<p>The ExA asked whether concrete anchors could cause harm where there is uncertainty about the underlying soil and the potential for significant archaeology. Ms James for the Applicant advised that all areas where concrete anchors have been proposed have been trenched. Concrete anchors have been successfully used on other projects and the archaeology encountered through trenching is deemed suitable for concrete anchors, based on the evidence from those other schemes. There is no evidence of compaction or any adverse effect from using concrete anchors, and concrete anchors are identified in guidance as an acceptable form of mitigation for preserving archaeological remains in-situ. Taking the land out of its current agricultural use and putting concrete anchors on top would be a better situation for preserving the archaeology for future generations, compared to the current baseline of damage from agricultural activities like ploughing.</p> <p>Ms James also explained in that in the WB7.1_C Outline Construction Environmental Management Plan Revision C [REP4-042], Cultural Heritage Table 3.2 identifies the monitoring requirements that will be put in place. The works will then be undertaken in accordance with the WSI [EX5/WB6.3.13.7_B]. The intention for areas where preservation</p>

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	<p>in situ is proposed (which are mainly ecological mitigation areas) is for them to be left undisturbed by the Scheme, as this is required for the ecological mitigation to be effective. The Applicant has received comments from the County Archaeologists and is in the process of updating the documents in line with those comments and to provide greater clarity.</p> <p>Ms Brodrick on behalf of the Applicant explained that all of the DCO documents have to be read as a whole. The management of ecological areas is set out in other management plans, but will have consequential benefits from an archaeological perspective. These aspects are controlled, but in another management plan, meaning the full suite of documentation needs to be read as one to get a full picture of the activities that are secured by the DCO. The Applicant will identify if any additional signposting can be included, for example within the WSI, to direct the reader to where a specific measure is secured in a separate management plan, for example monitoring requirements detailed in the Construction Environmental Management Plan [REP4-034]. Mitigation measures have to be considered for all environmental topics e.g. a fence may be beneficial for archaeology but not for ecology. The Applicant is seeking to achieve a balance across a multitude of environmental topics.</p> <p>In response to LCC's comments about impacts from proposed ecological mitigation measures, Ms James responded on behalf of the Applicant by noting that the land is currently used for farming which is more intensive than the land use for the Scheme. Ms James confirmed that the WSI includes archaeological monitoring for any areas of ground disturbance where the archaeological evaluation has identified a low likelihood of archaeological remains. The Applicant's position is that sufficient evaluation has been undertaken and it is satisfied with the proposed mitigation approach. Where there is ground disturbance, the WSI suggests appropriate mitigation options based on the extent and nature of archaeology identified and level of ground disturbance.</p> <p>In response to concerns around long-term monitoring, Ms Brodrick on behalf of the Applicant explained that under the Planning Act 2008 it is an offence not to comply with both the Requirements in Schedule 2 of the DCO and the management plans secured under them. The Applicant is seeking to understand specifically what is required by the Councils, so that it can ensure that key requirements are included within the outline management plans, with greater detail added as part of the detailed design of the Scheme, post consent. At this stage, NSIPs are very much</p>

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	<p>outline projects, and a range of parameters have been assessed as part of the Rochdale Envelope. The Applicant does not undertake detailed design until post-consent.</p> <p>In response to the ExA querying if it would be helpful if LCC and NCC provided further information about what they are looking for in terms of future monitoring, Ms Brodrick confirmed that the comments received to date are largely reiterating their position that there has been insufficient evaluation. Detailed comments about how LCC and NCC would like the drafting of the WSI to be changed and if there is any specific drafting that they would like to see included in the WSI, this would be helpful. To date, the comments have simply reiterated the Councils' position that they cannot agree with the WSI because there hasn't been sufficient trenching done to date. Ms Brodrick further confirmed that the management plans include provisions relating to future monitoring, and if the local authorities would like additional provisions or more detail, it would be helpful for the local authorities to make specific requests that the Applicant can consider.</p> <p>Ms James on behalf of the Applicant explained that the WSI has been written so that there are different options in terms of the mitigation and provisions that are to be carried out. The WSI provides the mechanism for mitigation to be provided, irrespective of what the detailed design looks like.</p> <p>In response to comments from LCC about insufficient design information and there being a lack of full coverage of trenching across the site, Ms Brodrick on behalf of the Applicant advised that the level of trenching has not been agreed. Previous discussions took place about the correct percentage of trenching to taken place, but there was no agreement to a percentage. There was an agreement to undertake an initial stage of trenching that was put forward by the Applicant, and this has been carried out. The local authority has made submissions that the level of trenching on the Gate Burton project was sufficient, that 2% trenching is required, and more recently that 3% to 5% of the site must be trenched. LCC and NCC have not put forward a consistent position on the level of trenching required. Further trenching is not required to make the assessment adequate or to inform the mitigation. Additional trenching would not address the concern that it is necessary to understand what archaeology is present in every particular field. The Applicant is struggling to understand how and why additional information would lead to a different position in terms of the amount of mitigation required generally, as it would only inform the areas that have been</p>

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	<p>directly trenched. Further evaluation trenching would not significantly change the proposed mitigation measures, and it is not necessary or proportionate to carry out additional trenching prior to the Secretary of State making a decision.</p> <p>Ms James confirmed that the Applicant believes that it has undertaken an extensive assessment and the evaluation undertaken is sufficient to inform the Application. Within the mitigation structure within the WSI, there is a very robust strategy to mitigating any archaeological impacts that could be caused by the Scheme. The level of trenching has been a point of disagreement throughout the process. The Applicant undertook the trenching program because it wanted to further understand the archaeology. For areas not trenched, the Applicant believes the baseline information suggests further evaluation trenching would not significantly change the proposed mitigation measures.</p> <p>Ms James emphasised that even at the suggested 2% trenching level, 98% of the area would remain unsampled. Trenching is a sampling methodology and discrete/isolated features could still be missed. In Ms James' experience on other solar schemes, occasionally unidentified features are found, but they generally are not of archaeological interest that would warrant further mitigation, and additional trenching does not guarantee that any such features would be found.</p> <p>The ExA asked the Applicant to comment on the Without Prejudice WSI, specifically the comment in the document about 552 untargeted trenches. Ms James on behalf of the Applicant replied that the Applicant has already trenched where it thought there was potential for archaeology. For the Without Prejudice WSI [EX5/WB8.2.9_A] the trenches were not targeted on any features suggested to have an archaeological origin, i.e. are located in "blank areas". Trenches were placed with consideration to features interpreted as likely being of an agricultural / geological origin etc , to confirm they are not archaeological.</p> <p>In response to comments from NCC that the Applicant cannot understand the impacts of the Scheme as it had not trenched 80% of the site, Ms Brodrick reiterated that the question is one of proportionality for this Scheme, both in terms of the extent and type of activities to be undertaken. Ms Brodrick cautioned against comparing NSIP schemes. The Heckington Fen example given had less than 2% trial trenching (estimated by the Applicant to be 1.63% - please see the Comparison of Archaeological Evaluation on Solar Scheme [REP4-001]) but this was due to the non-intrusive</p>

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	<p>surveys providing significantly less information due to issues with the underlying geology, which does not apply here. For Gate Burton, the Applicant understands that the trenching sample was just over 1%, but was considered by the local authorities to be completely appropriate and capable of informing the mitigation for that scheme.</p>
<p>d) The assessment of effects of the scheme on the Stow Park medieval bishops' palace and deer park, the identified harm and consideration of mitigation measures</p>	<p>In response to the ExA's question about the significance that can be attached to the Scheduled Monument from the surviving elements and the degree to which they can be experienced as a coherent whole, Emily Mercer on behalf of the Applicant explained that there is agreement that the three elements forming the Scheduled Monument (South West Pale, South East Pale and the Bishop's Palace) derive their significance from the archaeological and historical interest. What is in dispute is how the setting contributes to the significance.</p> <p>Ms Mercer explained that there is a railway and a former MoD storage facility running through the site, that compromises its setting in understanding its former function as a deer park. It is not possible to see between the Bishop's Palace and South West Pale, for example. Although remnants of a deer park can be seen from each individual element, from the middle of the site no features can be seen that it once was a deer park, unlike other examples in the country. The Scheduled Monument's elements are experienced kinetically by moving through the space rather than as a whole.</p> <p>In response to submissions from Mr Allen on behalf of Historic England that solar arrays would change the setting of the Scheduled Monument, Ms Mercer confirmed that none of the landscape features or field boundaries will be removed and the landscape will still be completely legible, as it is now.</p> <p>In response to the ExA asking how the design of the Scheme and its layout have sought to respond to the presence of the Scheduled Monument, Ms Brodrick on behalf of the Applicant advised that the scheme design is an iterative process. ES Chapter 5: Alternatives and Design Evolution [APP-043] sets out the reasons each parcel of land was selected for the Scheme and, as the environmental impacts became known, the Scheme was reviewed to see whether changes should be made. The Applicant's understanding of Historic England's position is that it would require no solar panels in the area at all. It would not be possible to address Historic England's concern with a specific height of panel, or by removing panels from particular areas within the deer park. Opportunities for mitigation are limited because Historic England's position is all or nothing. The Applicant's position is that there</p>

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	<p>would be less than substantial harm to the setting of the Scheduled Monument, and the benefits of having panels generating across the fields outweighs the less than substantial harm.</p> <p>A plan showing the area is to be included within the next version of the Statement of Common Ground with Historic England. The plan sets out the agreed position between the Applicant and Historic England on the location of the boundaries of the former Stow Park Deer Park. Were the panels removed from that area it would result in a loss of 128MW of generating capacity from the Scheme. This is not a small proportion, but is around 25% of the Scheme.</p> <p>Post-Hearing Note: Following ISH5 the Applicant has consulted with Historic England to seek to agree the boundaries of the Bishop's Palace and the Deer Park. The two parties met on the 3rd April and have agreed the boundaries which are shown at Figure 1 of the Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10].. The total generating capacity that would be lost if all panels were removed from the area shown on the plan would be 104.145MW; 16.8% of the Scheme capacity.</p> <p>In response to a question from the ExA about whether consideration had been given to the use of 4.5m high tracker panels within the setting of the Scheduled Monument, Ms Brodrick on behalf of the Applicant confirmed that either fixed or tracker panels can be placed in this location. The Applicant understands that Historic England does not consider it to be suitable mitigation for lower height panels to be used. Ms Mercer on behalf of the Applicant advised that the differing height of panels considered did not change the conclusion that less than substantial harm, at the upper end of the scale, would be caused. The Applicant did consider 2m high panels, but in terms of views or impacts to the setting, it did not alter the conclusions. A person walking around the site could not see over a 2m, panel, the same way they could not see over a 3.5m panel or a 4.5m panel.</p> <p>Ms Brodrick, on behalf of the Applicant, confirmed that where there is harm caused, the Secretary of State will need to take into account the public benefits of the scheme and whether they outweigh the harm caused. The greater the generation capacity, by using larger panels, the greater the benefit. The Applicant's position is that, as Historic England's view is that all panels should be removed to mitigate harm, rather than specifying a certain height, then the benefits that can be delivered by the use of the larger 4.5m tracker panels or 3.5m fixed panels should be</p>

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	<p>factored into the assessment of whether the generating capacity and benefits associated with renewable energy generation outweigh the harm caused.</p> <p>Mr Sheikh on behalf of WLDC noted the role of policy that is being relied on. Ms Brodrick explained that there is a distinction between the elements that are part of a Scheduled Monument and those parts which are part of the setting. There are different tests that apply in respect to harm caused to the Scheduled Monument itself. Ms Mercer for the Applicant reiterated that the Scheduling applies to the three elements: the South West Pale, the South East Pale and the Bishop's Palace. There are no impacts to the Scheduled Monument features themselves, only the setting. This led to the conclusion of less than substantial harm – because of the lack of direct impact.</p> <p>Ms Brodrick on behalf of the Applicant explained that the phrase “wholly exceptionable” applies to substantial harm or loss of significance to the actual Scheduled Monument, in terms that that harm must be wholly exceptional. The policy in NPS EN-1 then explains how the Secretary of State should refuse consent in the event of substantial harm to a designated heritage asset, unless it can be demonstrated that the harm is necessary to achieve the substantial public benefits that outweigh the harm. NPS EN-1 continues separately, at paragraph 5.9.36, to discuss applications for development affecting the setting of a designated heritage asset. Ms Brodrick confirmed that the Applicant will set out the policy tests for the next deadline to assist the ExA.</p> <p>Post-Hearing Note: The summary of the relevant policy tests has been provided in response to Question 2.7.1 “Conclusions against Archaeological Policy and Guidance” as found at Appendix A of WB8.1.34 Applicant’s Responses to ExA Second Written Questions [EX5/WB8.1.34].</p>
<p>e) Cumulative impacts, on the wider landscape of heritage assets setting with specific reference to effects</p>	<p>The ExA requested clarification for the Applicant's updated position in the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP4-059] where cumulative impacts have been reduced from Moderate Adverse effects to Slight Adverse effects. Ms Mercer, on behalf of the Applicant, advised that the assessment within Environmental Statement - Appendix 13.5 Heritage Statement [APP-117, APP-118 and APP-119] and the Environmental Statement - Chapter 13 Cultural Heritage [APP-051], was based on a worst-case scenario</p>

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<p>on Roman Villa at Scampton</p>	<p>encapsulating all of the Gate Burton, Tillbridge, Cottam and West Burton schemes. It came to the conclusion that there would be a Moderate Adverse significant effect. In the Report on the Interrelationships with other National Infrastructure Projects [REP4-059], the cumulative effects assessment was reduced to only assessing Cottam and West Burton cumulatively. The other two projects (Gate Burton and Tillbridge) were filtered out, with no direct visibility within the landscape, by existing hedgerows and landscape features. The Applicant has also taken further site visits since the submission of the DCO Application during different seasons (i.e. winter months) and consultation with Historic England. The cumulative effect has subsequently been identified as having a Slight Adverse effect. Ms Mercer also confirmed that weight should be given to the beneficial effects arising from the project being reversible and that it will be removed at the end of its lifetime.</p> <p>The ExA asked about the Environmental Statement - Appendix 13.8 Cultural Heritage Impact Assessment Tables [APP-123] and the conclusion of a beneficial effect during the operational phase. Ms Mercer on behalf of the Applicant confirmed that this topic goes across both Landscape and Visual and Cultural Heritage and there have been ongoing discussions that have moved the conclusions on since the Environmental Statement. The Applicant confirmed that it would respond in writing to confirm how a beneficial effect was identified during the operational phase on historic landscape character.</p> <p>Post-Hearing Note: The Applicant has set out how the cumulative beneficial effect has been identified within The Examiner's Second Written Questions [EN010132/EX5/WB8.1.34].</p>
<p>4. Landscape and Visual</p> <p>a) Review of design coherence and the assessment of landscape and visual effects</p>	<p>Wendy Wright, on behalf of the Applicant, confirmed the understanding of the ExA was correct that there would be no significant difference in the way the 4.5m tracking panels and the 3m fixed panels would be experienced in the Landscape. Table 8.49 of ES Chapter 8: Landscape and Visual Impact Assessment [APP-046] provides further detail of the considerations and mitigation measures for the Scheme. Ms Wright explained that the Scheme would be sitting in a large scale landscape with wide views, appearing in mid-ground in most views from the ridgeline. As a result of the scale of the Scheme, the visual effects would not alter significantly between the two panel options. Existing vegetation is present in the landscape and provides layering from woodland, trees, hedgerows and copses. A lot of the existing vegetation is around 3 metres in height and the Applicant will allow them to grown out to 5</p>

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	<p>metres. This will provide mitigation for the 4.5 metre panels. The difference between 3.5 and 4.5 metre panels would barely be noticeable by virtue of the existing vegetation, with the reinforcement of this vegetation and other mitigation that the Applicant has also committed to in terms of the colour of the panels and palette of materials. The backdrops of the panels from woodlands and dark vegetation would provide the same level of integration. There would not be any material differences in lighting between the two options. With the landscape character, the physical implementation of new planting within the framework of existing hedgerows can be realised with both panel options. For recreational users of public rights of way, the angle of view would be such that the panels would be disclosed in the same manner, whether 3.5 or 4.5 metre panels are used.</p> <p>The ExA asked about Viewpoint 9 [APP-202]. Ms Wright for the Applicant explained that Viewpoint 9 [APP-202] is located one field away from West Burton One and the view is currently across an open field. Mitigation planting is proposed to ameliorate the views, which would reach 5 metres to mitigate the views towards the panels and be effective for both 3.5 and 4.5 metre panels.</p> <p>Mr Topping explained that during construction, the mitigation would not have reached a height where it would make a significant difference. The existing hedgerows are 2-3 metres, meaning either panel type would be visible above the existing hedgerows. The Applicant has considered the impacts from the tracker panels that will be balanced between 4.5m and tilted as low as 2m, with the constant 3.5m height of the fixed panels. There would be a minimal difference between the 3.5m and 4.5m panels from Viewpoint 9 [APP-202] due to the distance from the Viewpoint, the existing vegetation and the ridgeline. Similar reasoning has been applied across the assessment.</p> <p>The ExA asked the Applicant to explain in more detail from the first written question 1.8.15 [REP3-038] about the design process of the proposed infrastructure at the West Burton 3 site and how it will sit within the lower lying landform of that site. Ms Wright for the Applicant noted that the receptors are located at some distance away from the substation. For example, there is West Park Road to the north and Viewpoint 52 [APP-245] to the west. The appreciation of the substation and the landscape is often at that sort of distance, which assists with how it is read in the landscape. It is not a close-range perception of that infrastructure. The ExA confirmed that it will include a question on this topic within its written questions.</p>

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	<p>Post Hearing Note: The Applicant's response is set out at Action Point 4 in Appendix A below, and in response to question 2.8.4 Visual effects: Sub-station at WB3 as found in WB8.1.34 Applicant's Responses to ExA Second Written Questions [EX5/WB8.1.34].</p> <p>The ExA asked the Applicant to explain its conclusion of the Wooded Vales landscape being of moderate susceptibility to change. Ms Wright on behalf of the Applicant explained the approach was based on the landscape character assessment; whilst the landscape character was largely intact and visually coherent across the Till Vale, agricultural influences had altered parts of it, for example by creating gaps in over-trimmed hedgerows and through intensive management. The scale of this means that intermediary hedgerows have been lost, with fields amalgamated, resulting in a larger scale landscape and changing the character.</p> <p>Mr Topping on behalf of the Applicant explained the strategy for mitigation is to integrate new vegetation into the existing landscape character, including gapping up hedgerows and shelter belt woodland planting. In terms of biodiversity net gain, the Scheme provides 86.8% net gain in habitat units, 54.71% net gain in linear units and 33.25% net gain in river units through changes in management.</p> <p>In response to comments from LCC that it is the magnitude of change and the significance of effects that are in dispute, Mr Topping explained a mix of viewpoints are considered. There are both long distance and close range views, and these have been assessed accordingly in the visual assessment. Mr Topping explained the close range views and gave Viewpoint 5 [APP-198] as an example. The Applicant has sought to maintain elements of openness. Mr Topping referred to Viewpoint 26 [APP-219], explaining that panels are just visible in the middle distance view above existing hedgerow vegetation. Part of the mitigation has been to ground the hedgerows, putting in relatively low level planting to screen the panels but not close off the views of the ridgeline.</p> <p>In terms of landscape character, the Applicant believes that this mitigation will create significant enhancements. The approach is very similar to that taken by the Defra 25 Environmental Plan in terms of hedgerow creation and woodland belts that are aligned to landscape character.</p>

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	<p>In relation to land use, there will be under-panel planting, panel separation and the reversion from arable land to grasslands and wildflowers underneath the panels. The mitigation measures as a whole will introduce a significant positive change to landscape character through reconnecting green infrastructure that has previously been eroded. This is demonstrated in the photomontages showing Year 0 and Year 15 scenarios.</p> <p>Ms Wright on behalf of the Applicant explained that public landscape character assessments and other guidance has been taken into account, in particular relating to green infrastructure planning and biodiversity net gain. The Applicant has also taken account of the Trent Vale Landscape Partnership Review of Landscape Character Assessment. The scheme overlays rather than fundamentally changes the landscape, and is reversible, not affecting landscape structure and framework. The Trent Vale Landscape Partnership character assessment distinguishes between mineral extraction fundamentally changing landscape and power production being overlaid.</p> <p>The ExA confirmed that questions about the Scheme having a long term impact on the landscape character of some tourism and recreation receptors would be put in writing.</p> <p>In response to a question from the ExA about the landscape character informs the configuration of the scheme, Ms Wright on behalf of the Applicant responded by explaining that having the sites set apart allows for the land between each of the sites to provide some mitigation, through vegetation such as hedgerows and tree cover. This provides both visual mitigation and elements of openness between the sites. Ms Wright noted that the separation between the sites provides a "breathing space" when travelling through the landscape sequentially, rather than experiencing one large contiguous site in a single passing. As the sites are in a flat landscape, it is difficult to perceive the separation between sites at close range. The only way to experience the sites together is from ridgeline to the east.</p> <p>A further benefit is that the separation allows for freer passage of ecology networks, and delivers nature conservation benefits by providing open land parcels for green infrastructure and biodiversity networks between the sites. Having separate land parcels delivers physical, visual and ecological benefits compared to a single contiguous site, informed by the existing landscape character.</p>

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<p>b) Identification and control of design parameters, including post-consent</p>	<p>In response to the ExA's query about the Design Champion role, Mr Topping on behalf of the Applicant explained that the role is still ongoing and that it would continue post-consent. He confirmed that overall approach has been landscape-led from the outset, with an environmental masterplan combining appropriate elements from different environmental topic areas to ensure there is a best practice, iterative approach. The final result is the landscape mitigation plans which form part of the LVIA assessment process. The plans will continue to be updated through examination, and the DCO provides for conditions for the discharge of requirements relating to these plans. Mr Topping confirmed that it is not simply the landscape and visual elements that control the design process, but that they work collaboratively with the appropriate environmental topic teams, including cultural heritage and ecology. This ensures a holistic approach is taken throughout the process, managed ultimately through the landscape mitigation plans embedded in the outline Landscape and Ecology Management Plan Revision D [REP4-044]. Ms Brodrick added that the Concept Design Parameters and Principles [EX5/WB7.13_D] contains fixed parameters and design principles that contain more information, and the design will need to be approved by the local authority at the detailed design stage of the Scheme.</p> <p>Mr Topping for the Applicant added that the consultation and design workshops with the local authority have been an important and influential part of the design process. Ms Wright, on behalf of the Applicant, added that they actively engaged with the cultural heritage and ecology topic areas when developing mitigation proposals. The Applicant understands the need to consider the independent impacts between topic areas and refer to the various character assessments underpinning the LVIA in order to understand the nature of planting and species types. The Applicant will be guided by the local authority consultation process when putting together detailed planting plans as part of the detailed design of the Scheme.</p> <p>Ms Brodrick, on behalf of the Applicant, advised that the Applicant would review whether any additional wording could be added into the management plans. NPS EN-1 acknowledges that there are limits to achieving good design when balanced with the technical requirements and constraints of the Scheme. The Applicant has sought to include design principles in the Concept Design Parameters document and will explore opportunities to further inform good design in the detailed design stage, over and above what has already been committed to.</p>

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	<p>The ExA referred to page 5 of WB8.1.29 The Applicant's Cover Letter for Deadline 4 Submissions [REP4-072], querying the implications for scheme design and land requirements from the separation distances between cables. Ms Brodrick for the Applicant confirmed that the separation distances for the cables connecting Work No. 3C and Work No. 4 were reviewed from a land perspective. While the corridor width could be reduced, the Applicant still requires flexibility to microsite the cable route within the corridor. The Applicant would only seek to exercise compulsory acquisition powers over the as-built area, meaning if a smaller area of land is needed, only that land will be subject to a compulsory acquisition.</p> <p>In response to comments from Mr Sheikh on behalf of WLDC about the methodology used in concluding there would be no change in landscape impacts from extending the duration of the Scheme from 40 to 60 years, Ms Brodrick on behalf of the Applicant confirmed that the same methodology from the Environmental Statement and relevant appendices was used for the extension review. Ms Brodrick agreed that the Applicant would provide further information on how the LVIA conclusions remain the same for the 60-year scenario.</p> <p>Post Hearing Note: Further information on how the LVIA conclusions were reached for the 60-year scenario are set out in Action Point 6 in Appendix A below, and in response to Question 2.1.4 Implications of the increase in the life of the Proposed Development from 40 to 60 years as found in WB8.1.34 Applicant's Responses to ExA Second Written Questions [EX5/WB8.1.34].</p>
<p>c) Management / Control of tree and hedgerow removal, and management of mitigation / enhancement measures post-consent</p>	<p>The ExA advised that they would put their questions relating to parts c) and d) of this part of the agenda to the parties in writing.</p> <p>In response to comments from Mr Sheikh on behalf of WLDC in relation to Tree Preservation Orders, Ms Brodrick, on behalf of the Applicant, advised that a written response will be provided that addresses the various elements of guidance.</p>

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<p>d) Assessment of cumulative landscape and visual effects</p>	<p>Post Hearing Note: The Applicant's response relating to Tree Preservation Orders is provided in response to Question 2.5.5 "Article 39 (Trees Subject to tree preservation orders)" in WB8.1.34 Applicant's Responses to ExA Second Written Questions [EX5/WB8.1.34].</p>
<p>5. Cumulative Impacts</p> <p>a) Overview of the approach to the consideration of cumulative effects:</p> <p>(i) Applicant to provide an overview including methodology, the likely significant effects identified, any updates and the approach to ongoing collaboration</p> <p>(ii) Consideration of whether other plans or projects need to be included in the</p>	<p>(i) The ExA queried how WB8.2.5 Technical Note on Cumulative Effects of Additional Schemes [REP4-073] informed the Cumulative Effects Assessment (CEA) overall. Ms Brodrick for the Applicant explained that the same approach has been used for all of the CEA, including the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP4-059]. This was produced in response to a request from the Examining Authority for the Gate Burton application for specific consideration of the cumulative effects of the Gate Burton scheme with the Cottam, West Burton and Tillbridge NSIP schemes. Due to the history of this document, it will not be updated to include any other projects. The Technical Note was provided as an additional report to the Joint Report on Interrelationships, and includes further projects within the CEA. The use of separate documents reflects the history of the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP1-057], but does not affect the scope or methodology of the CEA.</p> <p>Ms Sethi for the Applicant explained the CEA methodology as set out in the ES. The CEA is topic specific and the assessment is based on a zone of influence based on the likely effects within each topic. Ms Sethi confirmed that the CEA is a live document, and it will be updated during examination. The Applicant will be submitting a further technical note assessing the cumulative effects of the schemes raised by 7000 Acres in their submission, including Fosse Green.</p> <p>Post Hearing Note: These additional schemes have been assessed in Technical Note on Cumulative Effects of Additional Schemes Revision A [EX5/WB8.2.5_A].</p> <p>(ii) In response to a query from the ExA as to whether the cumulative effects assessment would be kept up to date, and from LCC as to the geographical extent of the CEA, Ms Brodrick for the Applicant confirmed the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP4-059] will continue to be updated in</p>

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<p>(iii) Consideration of whether an appropriate level of detail has been considered at construction, operational and decommissioning stages, particularly in terms of how construction activity and mitigation measure would be coordinated</p>	<p>relation to the named schemes. For example, the Joint Report will be updated following the submission of the DCO application for the Tillbridge scheme. It is the purpose of the Technical Note [EX5/WB8.2.5_A] to keep the cumulative effects assessment up to date with further projects. She confirmed that it is the intention for the Applicant to keep the cumulative effects assessment up to date during examination.</p> <p>In response to the ExA's query on whether the cumulative effects assessment for each ES chapter needs to be reviewed, Ms Sethi for the Applicant explained that a cumulative effects addendum will be produced as a Technical Note, with a section for each ES chapter, for Deadline 5.</p> <p>Post Hearing Note: Please refer to the ES Addendum 23.1: Cumulative Effects [EX5/WB8.4.23.1], which has been provided at Deadline 5.</p> <p>(iii) Mr Sheikh on behalf of WLDC raised concerns that there was nothing to secure a coordinated approach. Ms Brodrick for the Applicant confirmed that there is a requirement within the outline Construction Traffic Management Plan (CTMP) [REP4-038] to submit a joint CTMP where applicable. However, the measures to be included in the joint CTMP will differ depending on which schemes are consented and the construction timeframes. The Applicant has sought to retain flexibility as it is not in a position to identify the detail of what may be required to be included in the joint CTMP at this stage. Ms Brodrick confirmed that, if there is additional wording that WLDC would like to be included within the outline CTMP in relation to a joint CTMP, the Applicant will consider this.</p>
<p>b) Topic based discussion (if not already covered earlier in ISH3 and ISH4 discussions):</p> <p>(i) Climate Change</p>	<p>(i) Climate Change: The ExA referred to the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects [REP4-059] and the discrepancy on whether there are cumulative beneficial effects from the NSIP schemes. In response, Ms Brodrick for the Applicant clarified that all of the projects have identified beneficial effects on climate change for the schemes individually. She explained that the difference in professional opinion that has been noted is on whether there is an additional cumulative beneficial effect from the construction of all of the NSIP schemes in the same area within the same timeframe. Mr Clampin, on behalf of the Applicant, explained that part of the area of disagreement is because the receptor for climate change is on a global scale. Ms Brodrick</p>

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<ul style="list-style-type: none"> (ii) Construction traffic management (iii) Cultural Heritage (iv) Landscape (v) Biodiversity and Ecology (vi) Soils and Agriculture (vii) Socio-economic (viii) Waste 	<p>recognised that the Secretary of State may or may not give some weight to the beneficial cumulative effects from several solar schemes coming online around the same time.</p> <p>(ii) Construction Traffic Management: The ExA requested an update on the progress of the joint CTMP. Ms Brodrick, on behalf of the Applicant, stated that section 7.2 (xxv) has been added to the CTMP [REP4-038] to address the areas of overlap between Cottam, Gate Burton, Tillbridge, which primarily relates to the shared cable route.</p> <p>In response to the ExA's further query on whether ES Chapter 14: Transport and Access [APP-052] would be updated, Mr Roughan for the Applicant confirmed the Applicant does not expect any significant update to the cumulative impacts for traffic and access. Mr Roughan advised that the Technical Note on Cumulative Effects of Additional Schemes [EX5/WB8.2.5_A] includes new projects, for example Stow Park Farm that is at Scoping Stage. From the information available, there is minimal overlap with the Scheme and no change to the cumulative effects.</p> <p>In response to a comment from Mr McBride, on behalf of LCC, about the need for the highway authority to consent to works to avoid undesirable cumulative consequences to traffic management, Ms Brodrick advised that Requirement 2 of the draft DCO has been updated to require details of the phasing of construction to be provided to the relevant planning authorities to give more visibility of when construction will come forward. Wording has been included in the outline CTMP [REP4-038] that would avoid duplication of approvals for each of the schemes. She explained that the wording of the final CTMP would include all the detail needed to address Mr McBride's concerns in terms of overlap and timing, if there is any.</p> <p>The Applicant notes that Mr Sheikh on behalf of WLDC advised that WLDC sent a skeleton framework approach for the CTMP for the Cottom NSIP, and that the intention is to do the same for West Burton.</p> <p>(iii) Cultural Heritage: There were no additional points to what had previously been discussed.</p> <p>(iv) Landscape: In response to the ExA's query as to whether the solar schemes had been subject to a cumulative assessment individually against each of the other schemes, Mr Topping on behalf of the Applicant confirmed that</p>

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	<p>this is how the assessment had been carried out. Clarification with further details will be provided at the next Deadline.</p> <p>Ms Brodrick advised that assessing the cumulative impact of all schemes is appropriate as this considers the worst-case scenario for the assessment.</p> <p>Post Hearing Note: The Applicant's clarification of how the cumulative LVIA assessment was conducted is found at Action Point 7 in Appendix A below.</p> <p>(v) Biodiversity and Ecology: In response to the ExA's query about the consistency with other projects around securing BNG mitigation, Ms Brodrick for the Applicant replied that the Applicant is committed to delivering all of the mitigation measures as set out in the Landscape Environmental Management Plan [REP4-044]. The provision for a buffer relates solely to allowing flexibility if the BNG metric changes between now and when the Scheme is constructed. The approach of including a buffer to account for uncertainty was used in the Mallard Pass DCO application. The Gate Burton application doesn't have a specific requirement setting out percentages. The flexibility is required due to the nature of the DCO, as an amendment to the Order would be required if a small change in percentage occurred due to changes to the metric.</p> <p>Mr Fox for the Applicant advised that the methodology and approach to the BNG assessment for the Scheme has been influenced by the expert's experience on other solar projects, and from the monitoring of operational sites. The Applicant has taken a precautionary and pragmatic view, and it is a realistic approach to achieving BNG requirements.</p> <p>(vi) Soils and Agriculture: The ExA requested further clarification on that there will be a significant cumulative beneficial effect on soils and agriculture. Mr Baird, for the Applicant, explained that the Sustainable Farm Initiative, which replaces the old Common Agricultural Policy, continues the move towards 'cross-compliance' where farms are paid for environmental goods and services, rather than paid a price for agricultural commodities or paid area</p>

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	<p>payments for land under arable crops with 10% set aside with no agricultural use permitted. It has also been popular to put arable fields to growing wild bird food, or flowering plants, with no agricultural production. The land under a solar farm is still available for agricultural use and can still be grazed, especially by small animals like sheep, which have advantages over mowing. The solar farm provides a significant diversified income stream for the landowner without requiring more capital, labour or machinery inputs, as well as improvements to soil health.</p> <p>In response to concerns as to the wider cumulative impacts, and if the effect will be the same if it occurs at multiple solar farms, Mr Baird explained that farmers are embracing payments where they do not have to farm the land. Farmers are taking up options to earn income from land for set periods while offering soil health recovery, without needing machinery/labour. This is a significant opportunity as farms face issues with weeds, herbicide resistance, and attracting labour.</p> <p>(vii) Socio-economic: The ExA requested further clarity on why there was no cumulative socio-economic impact on community severance. Mr Flynn on behalf of the Applicant explained that the assessment for the Scheme, both in isolation and cumulatively, found that there would be no significant effect on community severance. The mitigation measures in the Public Right of Way Management Plan [EX5/WB6.3.14.3_E] are sufficient to ensure public rights of way within the Scheme remain open enough during construction and operation to avoid impacts on community severance. In relation to the finding in the Joint Interrelationships Report [REP4-059] that the Tillbridge Scheme would have a significant adverse effect on the ability of people to move around via the local highway network or public rights of way, the Applicant notes that this reflects the conservative approach taken on that project at the statutory consultation stage and preliminary environmental information. The Applicant expects this to change in the full Environmental Statement provided with the Tillbridge application, as more detail and development management plans will be available, aligning the conclusions with those on the other schemes in the area.</p> <p>(viii) Waste: In relation to the updated outline Operational Environmental Management Plan (OEMP) [REP4-054], Ms Brodrick on behalf of the Applicant confirmed that it includes the same obligations as on the Cottam scheme. The draft Development Consent Order [EX5/WB3.1_F] contains a specific requirement within Requirement 14 for a</p>

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	waste management strategy to form part of the OEMP. This strategy must be submitted to and approved by the waste planning authority. The Applicant considers that this addresses LCC's concerns about waste matters being dealt with at the district level. The updated outline OEMP includes more detail on the waste management strategy, such as regular reporting and incorporation of the waste disposal hierarchy, prioritising recycling wherever possible.
c) Any other points not already covered on cumulative assessment and impacts	No matters were raised under this agenda item.
6. Other Matters	n/a
7. Close	n/a

2 Action Points

No.	Party	Action	Deadline	Applicant's Response
1.	Applicant	Clarification of the additional information contained in REP4-076, Gate Burton Energy Park and Grid Connection Corridor, Nottinghamshire and Lincolnshire Archaeological Evaluation.	5	Within the 'Gate Burton Energy Park and Grid Connection Corridor, Nottinghamshire and Lincolnshire Archaeological Evaluation' report [REP4-076], the only trenches reported upon that are located within that part of the shared cable corridor that will be used for the West Burton scheme are Trenches 1023 – 1047. These trenches were largely devoid of archaeological remains, except for a large ditch recorded in Trench 1035 in Field 108, and a possible ditch partially exposed in Trench 1029 in Field 106. The only additional information provided in [REP4-076] that was not provided in <i>Environmental Statement Appendix 13.6: Archaeological Evaluation Trenching Reports (2 of 2)</i> [APP-121] is the confirmation that the single sherd of pottery recovered from the fill of the ditch in Trench 1035 was of modern origin. This additional information does not affect the proposed mitigation strategy for the shared cable corridor.
2.	Applicant	Applicant to provide signposting within the WSI to measures in other operational and environmental management plans which provide support to and inform archaeological management and mitigation measures.	5	The Applicant refers to Table 3.2 of the WB7.1_C Outline Construction Environmental Management Plan - Revision C [REP4-042] (oCEMP). The oCEMP provides details of the archaeological mitigation requirements (including by reference to the WSI), and sets out how that archaeological mitigation will be monitored. Signposting to this table in the oCEMP has been added to Section 7 of the WSI [EX5/WB6.3.13.7_B].
3.	Applicant and Historic England	Applicant/HE to provide plans within the SoCG relating to:	5	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 at Figure 1 of Stow Park Cultural Heritage Position Statement [EX5/WB8.2.10] . The green hatched area represents the part of the array Historic England

No.	Party	Action	Deadline	Applicant's Response
		<p>a. the suggested extent of the medieval deer park, including the area to the North</p> <p>b. HE's suggestion as to which part of the array they would like to see deleted from the Scheme.</p>		<p>would like to see deleted from the Scheme (129.28ha) and represents 104.145MW and 16.8% of the total Scheme capacity.</p> <p>This plan will then be appended to the next and final version of the Historic England Statement of Common Ground which will be submitted at Deadline 6.</p>
4.	Applicant	<p>Provide further information on the approach to managing impacts on the landscape through the reinforcement of the existing landscape character and the way in which this has led to the conclusion of beneficial effects overall. Also further detail as to how landscape impacts and visual impacts have been considered as distinct and separate considerations, albeit with some degree of overlap.</p>	5	<p>Please refer to the Applicant's response to their response to question 2.8.5 in The Applicant's Response to ExA's Second Written Questions [EX5/WB8.1.34].</p> <p>The approach to managing impacts on the landscape, and an explanation for how this has led to the conclusion on beneficial effects overall, is based on the combination of five key considerations:</p> <ul style="list-style-type: none"> LVIA Methodology Proposed Mitigation Independent Land Parcels Biodiversity Net Gain Published Landscape Character Assessments <p>1. LVIA Methodology</p> <p>For information on how landscape and visual effects are considered, please refer to the LVIA Methodology [APP-072], which sets out in detail how landscape impacts and visual impacts have been considered as distinct and separate components of the LVIA process.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>2. Proposed Mitigation</p> <p>In-combination, the Scheme is considered to lead to adverse and neutral landscape effects during Construction and Year 1 phases of the Scheme, but by Year 15, following establishment of the proposed mitigation and landscape enhancement planting, effects on certain receptors are considered beneficial, but only ever at most, minor. No Significant (adverse or beneficial) In-Combination effects are identified.</p> <p>3. Independent Land Parcels</p> <p>The approach to managing impacts on the landscape is assisted by the fact that the Scheme comprises a series of independent areas of land or Sites set within an expansive agricultural landscape. With extensive areas of land between each of the Sites, each is set apart by their associated features such as robust hedgerows, woodland and tree cover, intervening settlements and the road and rail infrastructure. These independent areas of land provide additional scope for the Scheme to be offset from all key receptors such as settlement edges, individual residential properties, PRow and transport routes which further assist with its integration and dispersion across the landscape than if the Site were one composite whole. The discrete areas of land in the Scheme are placed so that the Scheme would not be perceived in its entirety and the solar panels are distributed 'in and amongst' the landscape features to assimilate them into the landscape. The presence of the intervening landscape also provides additional scope for areas of mitigation to help retain landscape pattern and build upon the connectivity of green infrastructure and ecology and nature conservation.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>The conclusion on beneficial effects is influenced by the existing position that the countryside surrounding the Scheme is shaped by an extensive low-lying landscape. This is a landscape with relatively limited woodland cover, where shelterbelts gain greater visual influence as a result. The area has been extensively farmed and the agricultural intensification has diminished the 'sense of place,' including the loss of hedgerows and hedgerow trees. The mitigation planting would therefore influence this existing position by allowing existing hedgerows to grow out, providing improvements and reinforcement to existing hedgerows and new hedgerows and the planting of new woodland belts and large areas of meadow. These are improvements and reinforcements are considered to be the landscape benefits that will continue to be appreciated, even when the associated solar infrastructure is in operation.</p> <p>4. Landscape mitigation and enhancement</p> <p>Beneficial landscape effects are also derived from the significant amount of landscape mitigation and enhancement provided as part of the Scheme, as set out in the Outline Landscape and Ecological Management Plan (the 'OLEMP') [REP4-044]. Across the Scheme, approximately 20km of new native hedgerow will be planted, 10ha of woodland and over 900ha of various grassland types.</p> <p>5. Published Landscape Character Assessments</p> <p>The Applicant's assessment has drawn out the importance of the published landscape character assessments in forming the baseline for the assessment. The Applicant's assessment has taken account of the defining characteristics or 'forces for change' (as set out within the WLDC</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>LCA 1999) that now apply and has bought the landscape baseline more 'up-to-date' for the West Lindsey District Council Character Assessment (August 1999) position. The Applicant's assessment takes account of the current position on climate change in the context of NPS EN-5, the impetus for the provision of renewable energy infrastructure and the capacity for the receiving landscape to adapt to climate change.</p> <p>This landscape mitigation has been designed to build upon and positively respond to the aims and management guidelines of the Regional and Local Landscape Character Assessments. For example, the planting of large blocks of woodland have been avoided, instead native woodland shelter belts, small woodland blocks and individual trees have been utilised to support the existing character of this area.</p> <p>Where visible from within the wider landscape, once established (by Year 15) the new planting would reinforce the already well layered landscape with a backdrop of wooded vegetation in places on the horizon. Both new and existing vegetation would have established and begun to mature, creating a much stronger structure to the landscape locally, retaining and enhancing the overall character of the area.</p> <p>In terms of how landscape and visual impacts are considered as components of the assessment process, whilst intrinsically connected, LVIA involves the separate assessment of effects on landscape (landscape character, landscape fabric) and effects on the visual resource (views experienced by people). There may be some degree of overlap, but there are also clear distinctions.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>Adverse visual effects are typically associated with changes to the nature of views as a consequence of elements of the infrastructure being introduced into the view. Significant adverse effects generally occur where a receptor is within close proximity to the development allowing for direct views of the array or an overall appreciation of the array locally to the receptor.</p> <p>Adverse landscape effects are typically associated with the agricultural intensification that has diminished the 'sense of place.' There has been a widespread change with the loss of hedgerows and increase in field size and the mitigation planting will influence this in a positive way by allowing existing hedgerows to grow out, improvements to existing hedgerows and new hedgerows, all reducing the scale of the landscape. There has also been loss of vegetation and habitats due to the intensive management of watercourses. The mitigation planting will influence this change by providing new scattered tree belts adjacent to watercourses and also open grass buffers adjacent to waterways for biodiversity. The Applicant considers there are benefits derived from the delivery of significant areas of new planting in the context of the Scheme, which is a dispersed energy project that is essentially 'overlaid' on the landscape for a limited period of time and the effects are reversible. This position is in contrast to other large-scale infrastructure such as minerals, landfill and transport projects that are 'laid within' the landscape and they can fundamentally and physically change the nature of the land in which they operate. The experience of the Scheme from a changed landscape to a landscape with these benefits will still be appreciated, even with the panels.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>GLVIA3 sets out that landscape and visual matters are separate components of LVIA at paragraph 3.2 stating that <i>"As a part of an EIA, LVIA is normally carried out as a separate theme or topic study. Landscape and visual matters appear as either separate or combined sections of the Environmental Statement, which presents the findings of the EIA."</i> and also at paragraph 8.4, which states that <i>"In view of the clear differences between landscape effects and visual effects and the potential for them to be confused, it is good practice to report on them separately. They may either be covered in two separate chapters of the Environmental Statement or in two clearly distinguished parts of the same chapter. The choice will depend on the complexity of the proposal and the issues that it raises"</i>.</p>
5.	Applicant	Applicant to review opportunities for references to the good design principles and parameters, and also the design champion role, within the Scheme management plans.	5	<p>The Applicant has provided an updated WB7.13_D Concept Design Parameters and Principles [EX5/WB7.13_D] to commit to the inclusion and definition of a design champion role on the Scheme.</p> <p>The consideration of good design principles and parameters, and also the design champion role can be found in the following management plans:</p> <p>1. Landscape and Ecological Management Plan</p> <p>The Scheme delivers WB7.3_D Outline Landscape and Ecological Management Plan [REP4-044] (the 'OLEMP') that is revised and secured by the Requirement 7 of Schedule 2 of WB3.1_F Draft Development Consent Order Revision F [EX5/WB3.1_F]. The OLEMP is revised at para. 4.11.1 to secure an intention to undertake a review at Year 15 of management prescriptions. These management prescriptions relate to the landscape mitigation and enhancement measures are guided by the</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>assessment undertaken in the LVIA to adopt an iterative approach, which is a key principle of good design. These measures are set out within 6.4.8.18.1_A to 6.4.8.18.3_A Landscape and Ecology Mitigation and Enhancement Plans (Figures 8.18.1_A to 8.18.3_A) [REP1-026 to REP1-031].</p> <p>2. Landscape and Ecology Mitigation Plans</p> <p>Adopted NPS (EN-1) also refers to mitigation in the context of siting and design of infrastructure, noting that:</p> <p><i>“adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials and landscaping scheme.”</i></p> <p>The LVIA has taken this into account within the assessment process as primary mitigation, for example, please refer to VP07: Thorpe Bridge assessment sheet page 2 at ES Appendix 8.3 Potential Visual Effects [APP-074]. This example shows (Page 2) how the design parameters are applied at the early stages of the project to guide the siting and design of the infrastructure and how the landscape and visual topic has worked diligently across with ES to ensure a robust and well considered design interrelationship with other topics. Sections [APP-316].</p> <p>Panels to be set a minimum of 15m from adjacent PRoW.</p> <p>Panels to be set a minimum of 50m from adjacent residential property boundaries.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>Panels to be set minimum of 20m from major watercourses and minimum of 8m from minor watercourses.</p> <p>Panels to be set a minimum of 3m from Site boundaries.</p> <p>Existing hedges are to be allowed to grow out and will be managed to a height of 5m. Hedgerow trees will be encouraged to grow out to add further thickening and growth to the field boundaries with the addition of new hedgerow trees as appropriate, randomly spaced along the length of existing hedges.</p> <p>3. The Iterative LVIA Process</p> <p>The design of the Scheme has changed to respond to the findings of the assessment to ensure that landscape mitigation is fully considered as part of the process and this has been guided by the parameters set out within Table 8.49 of the LVIA [APP-046].</p> <p>4. Outline Battery Storage Safety Management Plan</p> <p>Good design principles and parameters are set out within WM7.9_A Outline Battery Storage Safety Management Plan Revision A [REP3-032] which sets out the Applicants commitments in Section 4, specifically paragraphs 4.1.8 and 4.1.17.</p>
6.	Applicant	With particular reference to the assessment of the magnitude of change to landscape character and how this has been considered following the extension of the project from 40 to 60 years, the Applicant will clarify the approach to the	5	The LVIA Methodology [APP-072] sets out how landscape impacts and visual impacts have been considered. Paragraphs 1.1.48 to 1.1.56 set out the methodology for assessing the magnitude of landscape changes, including to landscape character.

No.	Party	Action	Deadline	Applicant's Response
		application of methodology (noting the concerns raised by WLDC).		<p>GLVIA3 paragraph 5.51 confirms that the duration and reversibility of landscape effects are relevant factors, and suggests that duration "can usually be simply judged on a scale such as short term, medium term or long term", continuing to confirm that <i>"There is no fixed rule on these definitions and so in each case it must be made clear how the categories are defined and the reason for this."</i></p> <p>Paragraph 1.1.51 of [APP-072] defines a duration of more than 10 years as 'long-term'. Paragraph 1.1.52 confirms that the Scheme has been assessed as a long-term duration.</p> <p>The landscape and visual assessment considered the impacts of the Scheme during four stages being the construction period (winter), operation at year 1 (winter) and operation at year 15 (summer) and at decommissioning (winter). Embedded (Primary) mitigation has been taken into account during the construction, operation (Year 1 and Year 15) and decommissioning stages of the Scheme. Additional (Secondary) Mitigation has been taken into account during the operation (Year 1) and operation (Year 15) stages of the Scheme. Measures are considered in relation to the landscape and visual effects of the Scheme as a means of further addressing the significant adverse effects identified in the assessment and they have been integrated as part of the evolution of the design. The measures are iterative and essentially will include changed management of existing vegetation (primarily hedgerows) and new planting enhancement at the source of the Scheme and within the Order Limits.</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>Assessing the impacts of the Scheme at Year 15 is considered to be appropriate in the context of the landscape character and visual amenity, as planting mitigation measures are considered to be established by this year. The assessment of residual impacts at Year 15 is the industry standard approach, and is considered to be the most effective in terms of assessing the effectiveness of maturation of planting and the 'time depth' of the receiving landscape. GLVIA3 states at para 4.31 that:</p> <p><i>"Where planting is intended to provide a visual screen for the development it may be appropriate to assess the effects for different seasons and periods of time (for example, at year 0, representing the start of the operational stage, year 5 and year 15) in order to demonstrate the contribution to reducing the adverse effects of the scheme at different stages."</i></p> <p>The assessment of long-term effects at Year 15 was also agreed with Lincolnshire County Council (LCC) through thorough consultation and collaboration on the LVIA Methodology.</p> <p>The mitigation measures are secured by DCO Requirements, and are included in the Concept Design Parameters and Principles [EX5/WB7.13_D] and the Outline Landscape and Ecological Management Plan (the 'OLEMP') [REP4-044].</p> <p>The OLEMP [REP4-044] sets out the principles for how the land will be managed throughout the operational phase of the Scheme, following the completion of construction. A detailed LEMP will be produced, substantially in accordance with the OLEMP, and submitted to the relevant planning authority for approval following the granting of the DCO and prior to the start of construction. The detailed LEMP will control</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>the management of the land by the Applicant throughout the operational lifetime of the Scheme, whether this is 40 or up to 60 years.</p> <p>As set out above, the assessment of the Scheme at Year 15 allows for the full mitigative effect of the planting to be considered, with the findings of the Year 15 assessment representative of the residual effects that will persist for the lifetime of the Scheme. The measures in the OLEMP, which applies for the entire operational period, ensure that the benefits of the mitigation remain, and that the effects identified at Year 15 can be relied upon for all later years. For these reasons, an up to 60 year operational period does not affect the application of the methodology, nor the findings and conclusions around the long-term effects of the Scheme.</p> <p>In respect of the magnitude of impact, in accordance with the standard methodology, duration is one factor that contributes to the degree of magnitude. As the long-term effects of the Scheme are considered stable from year 15, and the magnitude of the effects has been identified on the basis of the duration being long-term, there are no differences to magnitude for an up to 60 year operational period.</p>
7.	Applicant	With reference to the extent of the geographical coverage of the solar projects proposed and under examination within West Lindsay District, clarification on the rationale and approach to the assessment of cumulative landscape and visual impacts to be provided.	5	<p>The clarification on the rationale and approach to the assessment of cumulative effects is based on three key considerations:</p> <ul style="list-style-type: none"> Cumulative Assessment Methodology Geographical Area Baseline Position of Beneficial Effects <p>1. Cumulative Assessment Methodology</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>The rationale and approach to the assessment of cumulative landscape and visual effects is set out within the LVIA Methodology [APP-072], where the approach is defined at paragraph 1.1.19 as:</p> <p><i>"As the Sites and Study Area/s for the Scheme are made up of three areas of land; West Burton 1, 2 and 3 and the associated cable route corridor, we have exercised professional judgement about what is reasonable and proportionate to develop an appropriate assessment approach given the disassociated nature of the Sites. We have also considered the potential for cumulative effects of the Sites (West Burton 1, 2 and 3) where more than one Site can be observed from a particular landscape or visual receptor, or where the Sites in proximity to other similar developments may have a cumulative effect on a landscape or visual receptor. We have approached the cumulative assessment as two separate divisions under the following headings:</i></p> <ul style="list-style-type: none"> • <i>The assessment of Cumulative Sites based on the three areas of land forming the Site; and</i> • <i>The assessment of Cumulative Developments being the Scheme in combination with other similar developments, these being solar projects in the local area."</i> <p>The approach to cumulative assessment is also set out at paragraph 1.1.20 of the LVIA Methodology [APP-072], which states that:</p> <p><i>"Definition of Cumulative Sites is based on the three West Burton Sites, West Burton 1, 2 and 3 and is defined as such due to the disassociated nature of these three sites. In assessing these Sites, professional judgement has been applied alongside reference to the suite of landscape and visual figures and</i></p>

No.	Party	Action	Deadline	Applicant's Response
				<p><i>desktop and Site based assessment. Following this assessment, it is concluded that there is limited intervisibility between each cumulative site due to the distances between them, landform and intervening buildings and vegetation. As such, we have assessed the cumulative effects of each individual site and the combined set of effects described as 'Sites' and reached an overall conclusion on where likely significant effects might occur as a result of the Scheme. "</i></p> <p>2. Geographical Area</p> <p>A Technical Note on Cumulative Effects of Additional Schemes has been prepared by the Applicant and was submitted at Deadline 4 (EX4/WB8.2.5) with an updated version to include additional schemes is submitted at Deadline 5 [EX5/WB8.2.5_A]. Contained within this document is Figure 2.1 West Burton Cumulative Developments which demonstrates the geographical coverage of the solar projects proposed and under examination within West Lindsey District that are considered within the West Burton Cumulative Assessments. It should be noted that other than the schemes covered in the Joint Report on Interrelationships between Nationally Significant Infrastructure Projects Revision C [REP4-059], there are no other schemes within West Lindsey District.</p> <p>The approach and rationale behind the assessment of cumulative effects has therefore taken into account within the LVIA [APP-046] the benefits of the Scheme as being spread over a large area with separation between Sites reducing intervisibility both in combination and cumulatively with other solar projects. The Scheme comprises a series of</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>separate areas of land or Sites (see Sections 3.3 to 3.6 of 6.2.3 ES Chapter 3_The Order Limits [APP-041]) which are set within an extensive agricultural landscape. The cumulative assessment has taken account that with large areas of land between each of the Sites, each is set apart by their associated features such as robust hedgerows, woodland and tree cover, intervening settlements and road and rail infrastructure (see paragraphs 8.5.115, 8.5.132 and 8.5.148 of 6.2.8 ES Chapter 8_Landscape and Visual Impact Assessment [APP-046]).</p> <p>For example, (para. 8.10.26) with the Gate Burton Energy Park, this is to the north of Willingham Road where woodland associated with Gate Burton and mature roadside woodland along the east west Willingham Road and the A1500 provides separation between Gate Burton Energy Park and the West Burton 3 Site. This woodland combined with changes to the topography between the two Sites ensures that these developments occupy separate landscape compartments and maintain spatial separation.</p> <p>Separation of the Scheme with the Cottam proposal is illustrated on 6.4.8.17.1 Environmental Statement - Figure 8.17.1 - Cumulative Development Augmented ZTV - Cottam [APP-277]. Here the Cottam Scheme is shown as being located to the north east of the settlements of Stow and Willingham, and that the lack of intervisibility, special separation and distance between these projects limiting opportunities for significant adverse cumulative effects. The LVIA concludes that with Regional Character Areas and Individual Contributors to Landscape Character, there is potential for some cumulative effects, but that these</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>would be Not Significant. The LVIA sets out (para. 8.10.86) for example, with regard to Viewpoint LCC-A-Middle Street that:</p> <p><i>"There may be opportunities (depending upon weather and atmospheric visibility) for successional glimpses of the West Burton and Cottam Sites. However, if available, this would be very glimpsed, transient and filtered by vegetation across the landscape and would be regarded as two detached solar schemes in two separate land parcels."</i></p> <p>The same conclusions are considered for the Tillbridge Solar development, which is located at a greater distance from the Scheme to the north of the southern extents of the Cottam Solar Project.</p> <p>3. Position of Beneficial Effects</p> <p>The in-combination assessment takes into account the assessment of the Scheme alone and concludes that there will be beneficial landscape effects. There are no beneficial visual in-combination effects identified. The Environmental Statement - Chapter 8 Landscape and Visual Impact Assessment [APP-046] (the 'LVIA') takes into account the effects on the landscape character in detail, from the national scale (see paragraphs 8.5.11, 8.5.59 and 8.10.13), through regional (see paragraphs 8.5.17, 8.7.12 and 8.10.14), county district and local scales (see paragraphs 8.5.26 and 8.5.35) to the landscape character areas within the identified 5km Study Area.</p> <p>The Scheme alone assessment, within the LVIA [APP-046], acknowledges that there will be a minor adverse change to the character of the landscape at Site level within the Regional Scale Landscape Character</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>Area – Profile 4a: Unwooded Vales (defined within the East Midlands Regional Landscape Character Assessment) during the construction and operational (Year 1) phases of the Scheme.</p> <p>With the Local Scale Landscape Character Area – Profile 3: The Till Vale (defined within the West Lindsey Landscape Character Assessment), it is also acknowledged that there will be a minor adverse change at Site level during the construction and operational (Year 1) phases of the Scheme. For further information, please refer to 6.3.8.2 Environmental Statement - Appendix 8.2 Assessment of Potential Landscape Effects [APP-073].</p> <p>These associated appendices provide a detailed assessment of the effects on each landscape receptor including the character areas from the East Midlands Regional Landscape Character Assessment and the West Lindsey District Landscape Character Assessment.</p> <p>The LVIA has concluded that taking into account the impacts of embedded and additional mitigation there are no likely significant effects for the operation (Year 1 and Year 15) stages of the Scheme and these effects would be beneficial (see paragraphs 8.7.14 to 8.7.18).</p> <p>These beneficial effects are driven by the extensive landscape proposals and changes to land management associated with the Scheme. The area has been extensively farmed and the agricultural intensification has diminished the 'sense of place,' including the loss of hedgerows and hedgerow trees. The mitigation planting would influence this by allowing existing hedgerows to grow out, providing improvements and reinforcement to existing hedgerows and new hedgerows and the planting of new woodland belts and large areas of meadow. These</p>

No.	Party	Action	Deadline	Applicant's Response
				<p>landscape benefits will still be appreciated, even with the associated solar infrastructure.</p> <p>Beneficial Landscape effects are derived from the significant amount of landscaping provided by the environmental masterplan. Across the Scheme, there would be approximately 20km of new native hedgerow will be planted, 10ha of woodland and over 900ha of various grassland types.</p> <p>This new landscaping has been designed to build upon and positively respond to the aims and management guidelines of the Regional and Local Landscape Character Assessments. For example, the planting of large blocks of woodland have been avoided, instead native woodland shelter belts and individual trees have been utilised to support the existing character of this area.</p> <p>Where visible from within the wider landscape, once established (by Year 15) the new planting would reinforce the well layered landscape with a backdrop of wooded vegetation in places on the horizon. Both new and existing vegetation would have established and begun to mature, creating a much stronger structure to the landscape locally, retaining and enhancing the overall character of the area.</p>
8.	Applicant and Local Authorities	Provide a progress update on the framework for the joint CTMP	5	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 [REP4-081] . Please refer to the Applicant's responses at WLDC-02 to WLDC-11 in WB8.1.31

No.	Party	Action	Deadline	Applicant's Response
				The Applicant's Response to Deadline 4 and Deadline 4A Submissions [EX5/WB8.1.31].
9.	Applicant	Provide an update on, or reference to: (a) 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? (b) With regard to available farmland in Lincolnshire, regionally and nationally, what proportion of agricultural land may be removed from agricultural use as a result of cumulative impacts of known proposals.	5	The Defra United Kingdom Food Security Report 2021 ¹ shows that the UK food production to supply ratio has remained broadly stable for several decades – please see Figure 2.1.1a on page 87 showing the period 1960 to 2020. This is provided at Appendix A of this document. This period of time covers the transition away from arable area payments towards Cross Compliance (farm support payment made for environmental goods and services instead of production) which for the UK started in 2005. Under the arable area payments scheme, farmers were obliged to place 10% of arable land into setaside (where no economic use could be made of the land). Arable fields in setaside could not be sown with grass to provide livestock grazing and benefit soil health as is standard for a solar farm. Figure 2.1.1a does not show any unusual or significant change in UK food production from 2005, being the period covering the end of compulsory 10% setaside of arable land. It is therefore unlikely that any effect would be detected on the UK food production to supply ratio were solar farm development to reach 10% of arable land.

¹ United Kingdom Food Security Report 2021, Defra, updated October 2023 <https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021>

No.	Party	Action	Deadline	Applicant's Response
				<p>The Defra June Survey² data provides breakdowns of agricultural statistics by County. The most recent data is for June 2021. Lincolnshire is recorded as having 382,636ha (over 3800 square kilometres) of land under Arable Crops & uncropped arable land/bare fallow (excluding all horticultural crops). 10% of this area (the extent of the former arable setaside) would be approximately 38,000ha. NPS EN-3 states that (para 2.10.17) "Along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output," this is equivalent to a range of 0.62 to 1.64 MW per ha. Using these indications, 38,000 ha of land could support an installed potential of between 23.5GW to 47GW MW(p). This is between five and ten times the total capacity of the former Cottam and West Burton coal fired power stations. The generation capacity of facilities of all technologies listed as 'built' on National Grid's Transmission Entry Capacity Register at substations in and close to Lincolnshire currently totals 10GW. A further 17GW of projects which include the potential for some element of solar generation capacity are listed as being considered with connection dates between now and 2037. There is no plausible prospect of solar farms reaching the extent of the former arable setaside in Lincolnshire by 2037, and as noted above we cannot see a clear signal in the UK food production to supply ratio from the period of mandatory setaside.</p>

² Structure of the Agricultural Industry in England and the UK at June. Defra, February 2024 <https://www.gov.uk/government/statistical-data-sets/structure-of-the-agricultural-industry-in-england-and-the-uk-at-june>

No.	Party	Action	Deadline	Applicant's Response
				<p>The principal beneficial effect is for individual farm businesses during the operational phase. This benefit derives from the farm business obtaining a new and significant diversified enterprise that does not require investment of farm labour, machinery hours or capital. Each individual owner occupying farm business obtains its own benefit, so this is not diluted or negated by increasing the number of farm businesses that benefit.</p> <p>For question b) land is not removed from agricultural use within a solar farm as it remains available for grazing livestock. The Applicant does not have a breakdown of agricultural land into arable and pasture for the other known proposed solar farms so cannot give a figure for the extent of arable land that will revert to low input pasture for the duration of each solar farm proposed in Lincolnshire. However, as explained above, it is not plausible that the extent of total agricultural land within the proposed solar farms could approach that of setaside, where no harm resulted.</p>

Appendix A – Figure 2.1.1a from United Kingdom Food Security Report 2021, Defra, updated October 2023

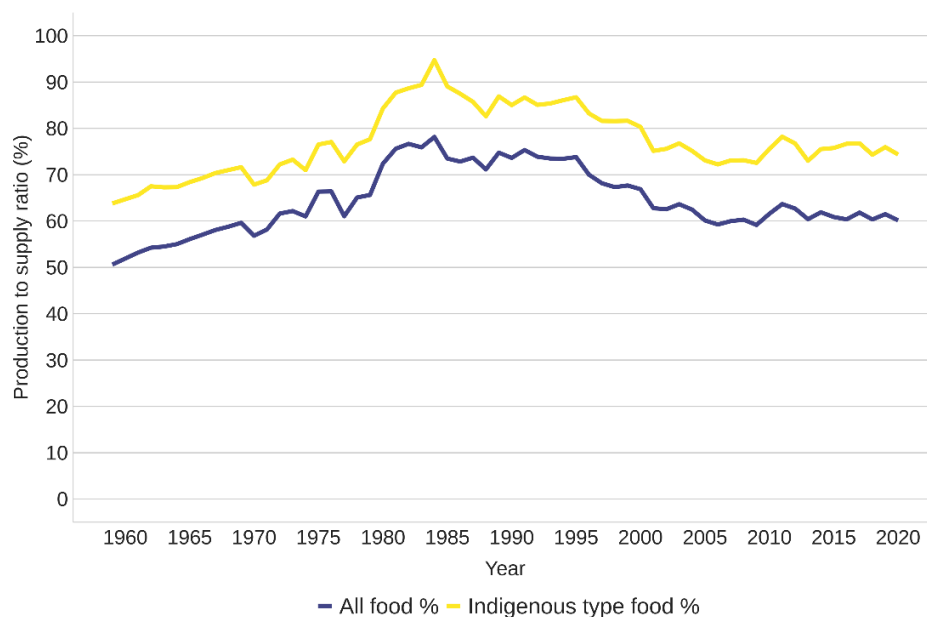
out. UK food production is driven by market forces rather than aiming to maximise calorie production from available land.

Context and Rationale

The Food Production to Supply Ratio is calculated as the farmgate value of raw food production divided by the value of raw food for human consumption. Essentially it compares the value of what is produced in the UK with what is consumed. The production to supply ratio is higher for indigenous type food, the food products which can be produced in the UK. For all food it is lower because this accounts for consumption of food types which cannot be produced in the UK for reasons of climate, soil, or other factors.

Data and Assessment

Figure 2.1.1a: UK food production to supply ratio



Source: Defra Agriculture in the United Kingdom (AUK) 2020

The production to supply ratio is estimated to be 60% for all food in 2020 and 76% for indigenous type food (that which can be commercially grown domestically). Actual consumption of UK-produced food is closer to 54%, as a part of UK production is exported.

Trends

From a peak in the mid-1980s the production to supply ratio declined into the early 2000s and has not changed significantly since then. Market prices and the