

West Burton Solar Project

Statement of Commonality Revision C

Prepared by: Lanpro Services
April 2024

PINS reference: EN010132
Document reference: EX5/WB8.1.11_C
APFP Regulation 5(2)(q)



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Issue Sheet

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

Statement of Commonality Revision C

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Date Original: 24 November 2023

Revision	Date	Prepared by:	Approved by:
A	3 January 2024	SF	JC
B	28 February 2024	SF	JC
C	11 April 2024	AV	JC

1 Introduction

1.1 Purpose of this Document

1.1.1 This document has been prepared to provide the Examining Authority (ExA) with the latest position on Statements of Common Ground (SoCG) between West Burton Solar Project Ltd. (the ‘Applicant’) and statutory consultees, statutory undertakers and other Interested Parties (the ‘parties’) in relation to the proposed West Burton Solar Project (the ‘Scheme’).

1.1.2 This document provides a position on the commonality on specific points between SoCGs at Deadline 5 (being 11 April 2024).

1.1.3 The Applicant will, for each deadline during the course of the Examination, update this Statement as a record of the progress being made with the various parties. When sufficient progress has been made on agreements between parties, this document will also discuss those areas of commonality between parties to enable the efficient resolution and focusing in on the remaining issues.

1.2 Structure of this Document

1.2.1 This Statement of Commonality is structured as follows:

- Section 2 details the structure of each SoCG document. **Table 2.1** provides a full list of SoCGs being produced and offers an overview of the status of each SoCG being submitted to each Deadline;
- Section 3 sets out the commonality between SoCGs; and
- Section 4 provides a narrative on specific topic areas for each SoCG being progressed.

2 Statements of Common Ground

2.1 Structure of SoCGs

2.1.1 Each SoCG adopts a standard format to ensure consistency in the approach taken to documenting those matters agreed, matters subject to ongoing discussion or matters not agreed.

2.1.2 Each SoCG is structured as follows:

- Section 1 provides an introduction to the SoCG, identifies the relevant parties and describes the purpose of the document;
- Section 2 summarises the parties' engagement undertaken to date; and
- Section 3 details those matters agreed, those matters under discussion and those matters which have not been agreed.

Table 2.1: List of and Status of SoCGs at Deadline 1

Doc. Ref.	Party	Deadline 1	Deadline 2	Deadline 3	Deadline 4	Deadline 5	Deadline 6	Deadline 7
EX1/WB8.3.1	Lincolnshire County Council	Draft Submitted to Party No comments have yet been received. Discussions Ongoing.	No further update		Discussions have progressed alongside discussion on the Cottam Solar Project SoCG. Please see 4.2 below for further details.	Draft submitted to Party which is based on the finalised Cottam Solar Project version. Please see 4.2 below for further details. Awaiting comments.		
EX1/WB8.3.2	West Lindsey District Council	Draft Submitted to Party No comments have yet been received. Discussions Ongoing.	No further update		Discussions have progressed alongside discussion on the Cottam Solar Project SoCG. Please see 4.3 below for further details.	Draft submitted to Party which is based on the finalised Cottam Solar Project version. Please see 4.3 below for further details. Awaiting comments.		
EX1/WB8.3.3	Historic England	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update		No further update.	Draft submitted to Party which is based on the discussions following Issue Specific Hearing 5. Please see 4.4 below for further detail. Awaiting comments.		
EX1/WB8.3.4	National Highways	Submitted. Final signed SoCG with all matters agreed.						
EX1/WB8.3.5	The Environment Agency	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update		Further discussions have been undertaken regarding EMF Risk Assessment, BNG, fertiliser reduction and displacement of flood storage by piles. Please see 4.6 below for further details.	Draft submitted to Party who have confirmed all matters are agreed, currently waiting for draft to be signed. Please see 4.6 below for further details.		
EX1/WB8.3.6	Network Rail	Draft Submitted to Party. No comments have yet been received. Discussions Ongoing.	No further update		Discussions have progressed alongside discussion on the Cottam Solar Project SoCG. Please see 4.7 below for further details.	Discussions have progressed since Deadline 4. Please see 4.7 below for further details.		
EX1/WB8.3.7	Natural England	Draft Submitted to Party.	Updated draft submitted to reflect		No further update.	Submitted.		

Doc. Ref.	Party	Deadline 1	Deadline 2	Deadline 3	Deadline 4	Deadline 5	Deadline 6	Deadline 7
		Comments have been received. Discussions Ongoing.	changes made on the Cottam Solar Project SoCG, awaiting response.			Final signed SoCG with all matters agreed.		
EX1/WB8.3.8	Nottinghamshire County Council & Bassetlaw District Council	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update		Meeting held on 14/11/2023. Discussions have progressed alongside discussion on the Cottam Solar Project SoCG. Please see 4.9 below for further details.	Draft submitted to Party which is based on the finalised Cottam Solar Project version. Please see 4.9 below for further details. Awaiting comments.		
EX1/WB8.3.9	Lincolnshire Wildlife Trust	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update		No further update.	The Applicant is continuing to try and seek comments from Trust. Please see 4.10 below for further details.		
EX1/WB8.3.10	Nottinghamshire Wildlife Trust	Submitted. Final signed SoCG with all matters agreed.						
EX1/WB8.3.11	Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project	Submitted. Final signed SoCG with all matters agreed.						
EX1/WB8.3.12	Anglian Water	Draft Submitted. Comments have been received. Discussions Ongoing.	Submitted. Final signed SoCG with all matters agreed.					

3 Commonality

- 3.1.1 This section of the Statement provides an overview of the topics covered in the SoCGs. **Table 3.1** presents, at a high level, where there is commonality in the topics discussed between the Applicant and the parties, or where matters are progressing through discussion, or where matters discussed have reached a final position of ‘Not Agreed’.
- 3.1.2 Where a topic is not relevant to a particular party, the cell has been greyed out. Where the topic is relevant to the party, the status is shown as follows:

Figure 3.1: Summary of Commonality Key

Cell	Status
	Matter agreed
	Matter subject to ongoing discussion
	Matter not agreed
	Matter not relevant to parties

- 3.1.3 The colour of each cell corresponds to the status figure (as above) in each individual SoCG.
- 3.1.4 At Deadline 5, the Applicant has shared draft SoCG’s with a number of parties and is awaiting feedback from them. Therefore, where the Applicant considers there to be a high degree of certainty over matters being agreed and is waiting for confirmation, they are marked as green in **Table 3.1**.
- 3.1.5 Following the Summary of Commonality in **Table 3.1**, **Section 3.2** outlines the principal outstanding matters which are subject to further discussion before a final position can be reached.

Table 3.1: Summary of commonality with parties

SoCG Party	Principle of Development, Planning Matters and General	Alternatives and Design Evolution	Climate Change	Landscape and Visual Impact	Ecology and Biodiversity	Hydrology, Flood Risk and Drainage	Ground Conditions and Contamination	Minerals	Cultural Heritage	Transport and Access	Noise and Vibration	Glint and Glare	Air Quality	Socio-Economics, Tourism and Recreation	Soils and Agriculture	Waste	Other Environmental Matters	Draft Development Consent Order
Lincolnshire County Council	PRI-01, PRI-03 All other matters			Refer to position statement	ECO-04 All other matters				Refer to position statement						SOI-03 All other matters	WAS-05 All other matters		
West Lindsey District Council	PD-05, PD-06, PD-07, PD-08 All other matters	ALT-01, ALT-02 All other matters		LAN-03, LAN-04, LAN-06 All other matters	ECO-04 All other matters				CUL-03, CUL-04, CUL-05 All other matters	TRA-04, TRA-05 All other matters	NOI-02 to NOI-14 All other matters			STR-03 to STR-08 All other matters	SOI-05 All other matters			
Historic England																		
National Highways																		
The Environment Agency																		
Network Rail																		
Natural England																		
Nottinghamshire County Council & Bassetlaw District Council									Refer to position statement									
Lincolnshire Wildlife Trust																		
Nottinghamshire Wildlife Trust																		
Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project																		

4 Positions at Deadline 5

4.1.1 This section provides a summary of the position reached across all SoCGs being progressed and submitted to Deadline 5. The Applicant will continue to engage with those parties through the examination on matters which are ongoing.

4.2 Lincolnshire County Council

4.2.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities as well as some topic specific meetings e.g. landscape and visual impact. Detailed discussions on cultural heritage matters, highways and waste management have also taken place.

4.2.2 The Applicant has been party to the discussions that have taken place between the Host Authority and the Cottam Solar Project applicant. The discussions on the Cottam Solar Project SoCG have established the position of the Host Authority and the Applicant on matters, of which many are applicable to the Scheme. This includes separate position statements on the Cultural Heritage and Landscape topics which will be appended to the SoCG, as has been agreed on Cottam Solar Project. The Cultural Heritage Position Statement is still being updated and will be submitted into the Examination as soon as possible but follows the same principles as was agreed in the Cottam Solar Project position statement [EN010133/REP6-006].

4.2.3 The Applicant has prepared a draft SoCG which is based on the principles agreed through the Cottam Solar Project SoCG, including any relevant updates specific to the Scheme. The only item that is still under discussion relates to ecology and biodiversity residual effects and waste assessment scope and policy.

4.2.4 The Applicant is waiting for comments back on this draft but is confident that given the principle that were agreed on the Cottam Solar Project this draft will closely reflect the finalised version that will be submitted at Deadline 6.

4.3 West Lindsey District Council

4.3.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities. The Applicant has submitted a draft to the party and is awaiting formal comments back. The matters listed as agreed in Table 3.1 are based on the Applicant's judgement on the high likelihood of them being agreed.

4.3.2 The Applicant has been party to the discussions that have taken place between the Host Authority and the Cottam Solar Project applicant. The discussions on the Cottam Solar Project SoCG have established the position of the Host Authority and the Applicant on matters of which many are applicable to the Scheme.

4.3.3 The main matters subject to further discussion relate to alternatives and design evolution, cultural heritage, ecology and biodiversity, landscape and visual impact noise, socio-economics, soils and agriculture, transport and access and the draft DCO.

4.3.4 The Applicant is waiting for comments back on this draft and will submit the finalised version at Deadline 6.

4.4 Historic England

4.4.1 Extensive discussions have been undertaken between the parties with agreement already reached on assessment and mitigation of all heritage assets, excluding the Medieval Bishop’s Palace and Deer Park, Stow Park Scheduled Monument.

4.4.2 Historic England and the Applicant met on the 3rd April 2024 to discuss the Medieval Bishop’s Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229). Both parties agree that Figure 1 in **Stow Park Cultural Heritage Position Statement [EN010132/EX5/WB8.2.10]** shows the location of the three parts of the Scheduled Monument, the most likely boundary of Stow Park Deer Park with consideration to currently available information. Figure 1 also shows crops marks interpreted as having a potential medieval / post medieval origin, the possible early medieval settlement as identified during the evaluation for the Scheme and Stow deserted medieval village.

4.4.3 An updated draft of the SoCG has been shared with Historic England, with the parties agreeing that the finalised version will be signed for Deadline 6.

4.5 National Highways

4.5.1 All matters have been agreed between the parties by Deadline 1. A signed SoCG was submitted at Deadline 1 [REP1-064].

4.6 The Environment Agency

4.6.1 All matters are now agreed between the parties. The SoCG is awaiting signatures, the draft version is submitted at Deadline 5 [EN010132/EX5/WB8.3.5_A] and when the final version is available this will be submitted into the Examination.

4.6.2 One matter which was raised on Cottam through the ExA 3rd Written Questions (question 3.7.2 [EN010133/PC-017]) was in relation to the flood risk effects of an operating lifetime of 60 years as opposed to the 40 year period that has been assessed in the Flood Risk Assessment. On 21 February 2024, the Environment Agency confirmed that further data for the Tidal Trent is available from the Environment Agency which includes appropriate climate change allowances up to the 2080’s epoch. Whilst this hasn’t formally been raised for the Scheme, the Applicant is proposing to update the Flood Risk Assessment [APP-089] and its Appendices [APP-090 to APP-093]. The Applicant received the data on the 3rd April 2024 and is undertaking the process of updating the relevant reports.

4.6.3 In the event that it is not possible to complete the modelling of the data in time to update the Flood Risk Assessment prior to the end of the Examination, it was agreed with the Environment Agency on a call on 21 February 2024 that the updated flood risk assessment should be submitted for approval prior to construction as this will ensure that appropriate mitigation is in place taking into account climate change allowances up to the 2080s epoch.

4.7 Network Rail

- 4.7.1 The matters recorded in the SoCG have been subject to discussion between parties. The Applicant has submitted a draft to the party and is awaiting comments back. The matters listed as agreed in Table 3.1 are based on the Applicant’s judgement on the high likelihood of them being agreed.
- 4.7.2 The Applicant has been party to the discussions that have taken place between Network Rail and the Cottam Solar Project applicant. The discussions on the Cottam Solar Project SoCG have established the position of Network Rail and the Applicant on matters of which many are applicable to the Scheme.
- 4.7.3 The Applicant is aiming to submit the finalised SoCG at Deadline 6 which will be based on the principles agreed through the Cottam Solar Project SoCG with any other relevant updates specific to the Scheme.

4.8 Natural England

- 4.8.1 All matters have been agreed between the parties at Deadline 5. A signed SoCG is submitted at Deadline 5 [EN010132/EX5/WB8.3.7_A].

4.9 Nottinghamshire County Council & Bassetlaw District Council

- 4.9.1 The matters recorded in the SoCG have been subject to discussion, through monthly catch ups, between the Applicant and the Host Authorities. The Applicant had a meeting with both Host Authorities on the 14th November 2023 to agree on matters which can be moved from the “matters under discussion” table in the draft SoCG to the “matters agreed” table.
- 4.9.2 The Applicant has been party to the discussions that have taken place between the Host Authority and the Cottam Solar Project. The discussions on the Cottam Solar Project SoCG have established the position of the Host Authority and the Applicant on matters of which many are applicable to the Scheme.
- 4.9.3 The Applicant is waiting for comments back on this draft but is confident that given the principle that were agreed on the Cottam project this draft will closely reflect the finalised version that will be submitted at Deadline 6.

4.10 Lincolnshire Wildlife Trust

- 4.10.1 Extensive discussions have been undertaken between the parties with agreement already reached on a number of issues as indicated in the draft document. There have been no further updates to the SoCG submitted at Deadline 1 [REP1-069]. The Applicant is seeking to finalise the SoCG as soon as possible.

4.11 Nottinghamshire Wildlife Trust

- 4.11.1 All matters have been agreed between the parties by Deadline 1. A signed SoCG has been submitted at Deadline 1 [REP1-070].

4.12 Gate Burton Energy Park, Tillbridge Solar Project and Cottam Solar Project

4.12.1 The parties have undertaken ongoing discussions as they progress through their respective Examinations and, in the case of the Tillbridge Solar Project, impending application submission. A signed version of the SoCG was submitted at Deadline 1 [REP1-071].

4.12.2 The parties have now reached agreement on the Joint Report on Interrelationships between the four projects [REP4-059]. The teams have reviewed the applications submitted by the other developers to compare sections on cumulative impacts and have continued to look for further ways to collaborate and reduce cumulative impacts (e.g. on access locations in the Shared Cable Route Corridor). The report is the joint cooperation agreement and each Schemes' respective protective provisions for the benefit of other parties, are contained within the respective Schemes' draft Development Consent Orders.

4.13 Anglian Water

4.13.1 All matters have been agreed between the parties by Deadline 2. A signed SoCG has been submitted at Deadline 2 [REP2-018].