

# West Burton Solar Project

## The Applicant's Response to the Secretary of State's Request for Information

Prepared by: Lanpro Services  
October 2024

PINS reference: EN010132

Document reference: DEC/WB8.1.45

Infrastructure Planning (Examination Procedure) Rules 2010: Rule 8(1)(b), Rule 17



## Contents

<b><u>1</u></b>	<b><u>INTRODUCTION</u></b>	<b><u>4</u></b>
<b><u>2</u></b>	<b><u>ENVIRONMENTAL STATEMENT</u></b>	<b><u>5</u></b>
2.2	CLIMATE CHANGE	5
2.3	LANDSCAPE AND VISUAL	5
2.4	ECOLOGY AND BIODIVERSITY	7
2.5	HYDROLOGY, FLOOD RISK AND DRAINAGE	8
2.6	GROUND CONDITIONS AND CONTAMINATION	8
2.7	MINERALS	8
2.8	CULTURAL HERITAGE	9
2.9	TRANSPORT AND ACCESS	9
2.10	NOISE AND VIBRATION	9
2.11	GLINT AND GLARE	10
2.12	AIR QUALITY	10
2.13	SOCIO ECONOMICS, TOURISM AND RECREATION	10
2.14	SOILS AND AGRICULTURE	10
2.15	WASTE	11
2.16	OTHER ENVIRONMENTAL MATTERS	11
<b><u>3</u></b>	<b><u>TECHNICAL NOTE ON CUMULATIVE EFFECTS OF ADDITIONAL SCHEMES</u></b>	<b><u>11</u></b>
<b><u>4</u></b>	<b><u>UPDATED DEVELOPMENT CONSENT ORDER DOCUMENTS</u></b>	<b><u>12</u></b>
<b><u>5</u></b>	<b><u>CONCLUSIONS</u></b>	<b><u>15</u></b>
	<b><u>FIGURE 1: AGREED BOUNDARY OF STOW PARK DEER PARK</u></b>	<b><u>16</u></b>

## Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.  
Decision Stage – Request for Information

### The Applicant's Response to the Secretary of State's Request for Information

**Prepared by:**

Name: Jane Crichton

Title: Associate Planning Director

**Approved by:**

Name: Tara Chopra

Title: Technical Director – EIA and Major  
Infrastructure Lead

Revision	Date	Prepared by:	Approved by:
original	17 October 2024	JC	TC

## **1 Introduction**

- 1.1.1 This document responds to the request made by the Secretary of State (SoS) for further information, issued by way of a Request for Information ('RfI') letter on 19 September 2024.
- 1.1.2 Without prejudice to the Applicant's position, and as requested by the SoS, this document sets out the Applicant's considerations and updates of the implications of the removal of solar panels from within the Stow Park Deer Park ('the Deer Park') (as shown coloured in green hatching on the plan annexed to this document).

## 2 Environmental Statement

2.1.1 This section presents the findings of the review of conclusions in each ES technical chapter when considering the removal of solar panels from the Deer Park.

### 2.2 Climate Change

2.2.1 The assessment of climate change effects of the Scheme is set out in section 7.8 in the ES Chapter 7: Climate Change Revision A [REP1-012].

#### Assessment against removal of panels from Deer Park

2.2.2 The removal of the solar panels from the Deer Park would not result in any change to the significance of environmental effects in terms of Climate Change.

2.2.3 The removal of panels from the Deer Park will result in the reduction of the installed capacity of the Scheme by approximately 104MWp, which equates to approximately 20% of the total installed capacity of the Scheme. This will reduce the contribution to the Scheme to the national decarbonisation targets.

### 2.3 Landscape and Visual

2.3.1 The assessment of landscape and visual effects of the Scheme is set out in section 8.7 in the ES Chapter 8: Landscape and Visual [APP-046].

#### Landscape

2.3.2 The removal of solar panels from within the land identified as being within the medieval Deer Park within West Burton 3 (WB3) would not result in any changes to the findings of the Landscape Assessment of the LVIA. As such in this regard, the overall conclusions of the LVIA would remain unchanged.

#### Visual

2.3.3 The removal of solar panels from within the land identified as being within the medieval Deer Park within West Burton 3 (WB3) would result in less visual appreciation of the Scheme. However, given the retention of proposed solar panels immediately alongside Stow Park Road/ Tillbridge Lane / A1500 (T027) this reduction would be limited to locations within the Site, or directly adjacent to it from the south.

2.3.4 As such, Visual Receptors and Viewpoints where Significant Adverse visual Effects had initially been identified have been reviewed to see what implications, if any, the removal of solar panels within the Deer Park would have on the level of adverse effects. The following Visual Receptors and Viewpoints, with the effects identified in the ES, were reviewed:

#### Viewpoints

- LCC-C-O Cowdale Lane West Burton 2 and 3 [APP-265] – Significant Effects identified at Construction and Year 1.
- Viewpoint VP45: Cowdale Lane West Burton 2 and 3 [APP-238] – Significant Effects identified at Construction and Year 1.

- Viewpoint VP55: A1500 / Tillbridge Lane West Burton 3 [APP-248] – Significant Effects identified at Construction and Year 1.
- Viewpoint VP56: A1500 / Tillbridge Lane West Burton 3 [APP-249] – Significant Effects identified at Construction and Year 1.

### **Residential Receptors**

- Residential Receptor R068: White House and Greenfields Farm West Burton 3 and Cable Corridor (WB2 to WB3) – Significant Effects identified at Construction and Year 1.
- Residential Receptor R069: Manor Farm West Burton 3 and Cable Corridor (WB2 to WB3 and WB3 to WB PS) – Significant Effects identified at Construction and Year 1.
- Residential Receptor R074: Residents in Stow Park West Burton 3 and Cable Corridor (WB2 to WB3) – Significant Effects identified at Construction and Year 1.
- Residential Receptor R085: Plumpton Farm West Burton 3 and Cable Corridor (WB2 to WB3) – Significant Effects identified at Construction and Year 1.
- Residential Receptor R098: Greenfields Farm West Burton 3 – Significant Effects identified at Construction and Year 1.
- Residential Receptor R100: Moat Farm Bungalow West Burton 3 – Significant Effects identified at Construction and Year 1.

### **Transport Receptors**

- Transport Receptor T015: Cowdale Lane western section near Torksey West Burton 1, 2 and 3 and Cable Corridor (WB1 to WB2 and WB2 to WB3) – Significant Effects identified at Construction and Year 1.
- Transport Receptor T027: Stow Park Road/ Tillbridge Lane West Burton 3 and Cable Corridor (WB2 to WB3 and WB3 to WB3 PS) – Significant Effects identified at Construction and Year 1.

### **PRoW Receptors**

- None.

2.3.5 The amendments to the Scheme to accommodate the removal of solar panels would result in less visual appreciation of the Scheme. There would be a decrease in the level of adverse visual effects associated with the Scheme, and in the case of the following two viewpoints, one residential receptor and one transport receptor, effects would reduce to the point at which they would no longer be considered Significant:

### **Viewpoints**

LCC-C-O Cowdale Lane West Burton 2 and 3 [APP-265]

- 2.3.6 There would be no views of the Scheme within WB3 from this location. Glimpses of infrastructure in WB 2 would be possible to the south. As a consequence, the level of effect would reduce and no longer be significant.

Viewpoint VP45: Cowdale Lane West Burton 2 and 3 [APP-238]

- 2.3.7 There would be no views of the Scheme within WB3 from this location. Glimpses of infrastructure in WB 2 would be possible to the south. As a consequence, the level of effect would reduce and no longer be significant.

#### **Residential Receptors**

Residential Receptor R074: Residents in Stow Park West Burton 3 and Cable Corridor (WB2 to WB3)

- 2.3.8 Views to the Scheme would become greatly reduced, with solar panels within WB3 being located approximately 255m west of the properties. Existing woodland surrounding the farmstead and the surrounding farm buildings would provide screening of WB2. As a consequence, the level of effect would reduce and no longer be significant.

#### **Transport Receptors**

Transport Receptor T015: Cowdale Lane western section near Torksey West Burton 1, 2 and 3 and Cable Corridor (WB1 to WB2 and WB2 to WB3).

- 2.3.9 Views of WB2 would remain unaltered. Road users would no longer have transient glimpsed views of solar panels within WB3 at any point of the assessment. As a consequence, the level of effect would reduce and no longer be significant.

#### **Cumulative Effects associated with Stow Park Solar Farm**

- 2.3.10 Potential Cumulative Effects associated with the Stow Park Solar Farm have been considered. Having reviewed the information currently available, it is considered that the removal of solar panels from land identified as being within the Deer Park would not lead to any changes in the findings set out within the Technical Note on Cumulative Effects [REP7-016] that was previously prepared.

- 2.3.11 There remains a potential for adverse effects as a result of the Stow Park Solar Farm at Viewpoint VP 44 but this will be dependent on the mitigation measures proposed by the developer of that project, and would be independent of any effects associated with the removal of solar panels from the Deer Park.

## **2.4 Ecology and Biodiversity**

- 2.4.1 The assessment of ecology and biodiversity effects of the Scheme is set out in section 9.7 in the ES Chapter 9: Ecology and Biodiversity [APP-047].

#### **Assessment against removal of panels from Deer Park**

- 2.4.2 The removal of the solar panels from the Deer Park will not result in any new ecological impacts, nor will it impede the provision of mitigation of other impacts.

2.4.3 It should be noted that the removal of the Deer Park from the Scheme will mean that approximately 100ha of habitat enhancement and/or creation will now not take place. Specifically, this would mean that the following enhancements will not be delivered: 46.3ha new, diverse grassland types (including wildflower, tussock grassland and pollinator-mix grassland), 50.9ha of lower-diversity permanent grassland beneath panels, 2ha successional scrub, 1.9ha woodland shelterbelt and 800m new hedgerow. Furthermore, enhancement of retained hedgerows and ditches would also not take place. This is reflected in the reduced On-site post intervention BNG units for Habitat Units, Hedgerow Units and River Units compared to the original figures.

2.4.4 Whilst the removal of the Deer Park results in an increased reported net percentage change in Habitat Units, it is crucial to note that this reflects the removal of a single field of Other Neutral Grassland (UK Habitat Classification) which was present within the Deer Park land which disproportionately contributed to the original baseline Habitat Units. Without this field within the baseline Habitat Units score, a greater reported net percentage change is now produced despite the reduction in overall size of the Site. In our opinion, this change in percentage obscures the substantial practical biodiversity benefits associated with the creation and enhancement of habitats within the Deer Park listed above which would be lost through its removal.

## 2.5 Hydrology, Flood Risk and Drainage

2.5.1 The assessment of hydrology, flood risk and drainage effects of the Scheme is set out in section 10.6 in the ES Chapter 10: Hydrology, Flood Risk and Drainage [APP-048].

### [Assessment against removal of panels from Deer Park](#)

2.5.2 The removal of solar panels from the Deer Park will not result in any new or different environmental effects in terms of Hydrology, Flood Risk and Drainage.

## 2.6 Ground Conditions and Contamination

2.6.1 The assessment of ground conditions and contamination effects of the Scheme is set out in section 11.8 in the ES Chapter 11: Ground Conditions and Contamination [APP-049].

### [Assessment against removal of panels from Deer Park](#)

2.6.2 Following the Scoping Opinion [APP-068], West Burton 3 was scoped out of the Environmental Statement and therefore there is no change to the assessment of significant effects set out.

## 2.7 Minerals

2.7.1 The assessment of mineral effects of the Scheme is set out in section 12.7 in the ES Chapter 12: Minerals [APP-050].

### [Assessment against removal of panels from Deer Park](#)



2.7.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any safeguarded mineral impacts.

2.7.3 For the Lincolnshire's area of search for sand and gravel, the removal of the panels from the entire area of the Deer Park would reduce the impact on the area of search by approximately 45 ha. The assessment concluded that the impact of WB3 on this area of search is not a significant environmental impact, therefore it is considered that the reduction of 45ha is a negligible benefit.

## 2.8 Cultural Heritage

2.8.1 The assessment of cultural heritage effects of the Scheme is set out in section 13.7 in the ES Chapter 13: Cultural Heritage [APP-051].

### Assessment against removal of panels from Deer Park

2.8.2 The removal of solar panels from the Deer Park will reduce the harm to elements of setting of The Medieval Bishop's Palace and Deer Park, Stow Park (NHLE 1019229) Scheduled Monument that contribute to its significance during the operational phase. There will be short-term impacts caused during the construction of the underground cables and access routes through the Deer Park to construct the solar panels on the sites adjacent to Stow Park Road/ Tillbridge Lane / A1500. The removal of solar panels within the Deer Park will reduce the harm caused by the Scheme to the Scheduled Monument from less than substantial harm (at the upper end) to less than substantial harm at the lowest end of the scale (moderate adverse effect reduced to a slight adverse effect) and the effects would be largely experienced during the construction and decommissioning phases.

2.8.3 The removal of solar panels from within the Deer Park will remove any potential impacts upon buried archaeological features with the exception of the underground cables. Therefore, the proposed archaeological mitigation will only be required in areas of impacts caused by the installation of the underground cables.

## 2.9 Transport and Access

2.9.1 The assessment of transport and access effects of the Scheme is set out in section 14.7 in the ES Chapter 14: Transport and Access [APP-052].

### Assessment against removal of panels from Deer Park

2.9.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any assessed measures of transport and access.

## 2.10 Noise and Vibration

2.10.1 The assessment of noise and vibration effects of the Scheme is set out in section 15.7 in the ES Chapter 15: Noise and Vibration [APP-053].

### Assessment against removal of panels from Deer Park

- 2.10.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any assessed measures of noise and vibration.

## **2.11 Glint and Glare**

- 2.11.1 The assessment of glint and glare effects of the Scheme is set out in section 16.7 in the ES Chapter 16: Glint and Glare [APP-054].

### Assessment against removal of panels from Deer Park

- 2.11.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any assessed measures of glint and glare.

## **2.12 Air Quality**

- 2.12.1 The assessment of air quality effects of the Scheme is set out in section 17.7 in the ES Chapter 17: Air Quality [APP-055].

### Assessment against removal of panels from Deer Park

- 2.12.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any assessed measures of air quality.

## **2.13 Socio Economics, Tourism and Recreation**

- 2.13.1 The assessment of socio-economics, tourism and recreation effects of the Scheme is set out in section 18.7 in the ES Chapter 18: Socio-Economics [APP-056].

### Assessment against removal of panels from Deer Park

- 2.13.2 The removal of solar panels from the Deer Park will reduce the quantum of construction employment generated by the Scheme, and thus the economic benefit, level of skills uplift opportunities, and will reduce the uplift in accommodation need. However, none of these are considered to change any level of significance of effect from that identified in the Environmental Statement.

- 2.13.3 For tourism and recreation, the Deer Park has no Public Rights of Way or public access, and so has no substantial value as a tourism or recreational asset. As such, the removal of solar panels from the Deer Park does not alter the assessment outcomes and therefore significance of effect on tourism and recreation receptors.

- 2.13.4 There is no change to the significance of cumulative effects when considering the altered relationship between the Scheme and the proposed Stow Park Solar Farm.

## **2.14 Soils and Agriculture**

- 2.14.1 The assessment of soils and agricultural effects of the Scheme is set out in section 19.9 in the ES Chapter 19: Soils and Agriculture [APP-057].

#### Assessment against removal of panels from Deer Park

2.14.2 The removal of solar panels from the Deer Park will result in reduced land take for Farm Business D. The high clay content soils present within the Deer Park area are the most vulnerable to structural degradation if disturbed when wet and in a plastic consistence. This soil type predominates in the remaining solar farm area. All ALC Grade 1 land and a large part of the Grade 2 land in the solar farm is located within the Deer Park so there will be a reduction in the extent of high-grade best and most versatile land. There will however be no change to the predicted effects on Soils and Agriculture from the removal of solar panels from Deer Park.

2.14.3 There is no change to the significance of cumulative effects.

### **2.15 Waste**

2.15.1 The assessment of waste effects of the Scheme is set out in section 20.7 in the ES Chapter 20: Waste [APP-058].

#### Assessment against removal of panels from Deer Park

2.15.2 The removal of solar panels from the Deer Park will reduce the quantum of construction, operational and decommissioning waste generated by the Scheme by approx. 20%. However, this is not anticipated to change any level of significance of effect, and the likely significant cumulative effect on landfill waste handling capacity in Nottinghamshire post-2030 remains.

2.15.3 There is no change to the significance of cumulative effects.

### **2.16 Other Environmental Matters**

2.16.1 The assessment of other environmental matters effects of the Scheme is set out in ES Chapter 21: Other Environmental Matters [APP-059].

#### Assessment against removal of panels from Deer Park

##### **Human Health**

2.16.2 The removal of solar panels from the Deer Park does not alter the overall assessment outcomes or significance of effect on any assessed measure of human health.

2.16.3 There is no change to the significance of cumulative effects when considering the altered relationship between the Scheme and the proposed Stow Park Solar Farm.

## **3 Technical Note on Cumulative Effects of Additional Schemes**

3.1.1 There have been no changes identified to any of the assessment outcomes that can be found in **WB8.2.5\_B Technical Note on Cumulative Effects of Additional Schemes Revision B [REP7-016]** with the removal of solar panels from the Deer Park.

## 4 Updated Development Consent Order documents

- 4.1.1 The updated documents that the Applicant is submitting in response to paragraphs 4 and 5 of the Rfl are set out in summary below. For full details, the Applicants cover letter [DEC/WB8.1.44] and Schedule of Changes [DEC/WB8.1.8\_G] should be referred to.
- 4.1.2 For the reasons set out in Section 4 of the Applicant's Without Prejudice -Stow Park Alterations to DCO Documents: Response to Rule 17 Letter [REP7-022], no changes are required to the Order limits as the relevant changes have been made to the Works Plan. There remains a requirement for other works associated with the Scheme to take place in the Deer Park, including the underground grid connection cable (Work No. 5A), underground cabling and access associated with the placement of solar panels on two areas north of the Deer Park and south of Till Bridge Lane, and any associated landscaping mitigation and enhancement measures. Consequently, the Applicant still requires the ability to compulsorily acquire new rights over this land for such works.

Ref	Document	Change
DEC/WB2.2_E	Land Plan	To reflect split of plots and change of acquisition from freehold to rights required as a result of the removal of solar panels in the Stow Park Deer Park in response to SoS's first Request for Information. These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.
DEC/WB2.3_F	Works Plan	Removal of works package '1C (i, ii, iii)' from within the Deer Park. These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.
DEC/WB3.1_I	Draft Development Consent Order	The DCO has been updated to reflect the split of plots and change of acquisition from freehold to rights required as a result of the removal of solar panels in the Deer Park (Schedule 9). Amendments have also been made to Schedule 13 to refer to the updated plans

		<p>and other documents submitted with this response.</p> <p>As the relevant management plans have been updated, there is no need to include the additional drafting set out in Table 4.1 of Section 4.2 of the Applicant's <b>Without Prejudice - Stow Park Alterations to DCO Documents: Response to Rule 17 Letter [REP7-022]</b>.</p> <p>The amendments to Schedules 9 and 13 are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.</p> <p>Following the grant of the Gate Burton Energy Park Order 2024 and the Cottam Solar Project Order 2024, a number of other amendments have been made to the draft DCO as set out in the Schedule of Changes <b>[DEC/WB8.1.8_G]</b> for consistency. In particular, the Deemed Marine Licence has been removed.</p>
DEC/WB4.1_D	Statement of Reasons	<p>The Applicant considered that this is the document that the SoS was referring to when they referenced an updated Book of Rights in paragraph 5 of the first Request for Information. Amendments have been made to update references and reflect the split of plots and change of acquisition from freehold to rights required as a result of the removal of solar panels in the Deer Park.</p> <p>These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.</p>

		Updates have also been made to Appendix B to reflect the current status of negotiations.
DEC/WB4.3_G	Book of Reference	To reflect split of plots and change of acquisition from freehold to rights required as a result of the removal of solar panels in the Deer Park in response to SoS's first Request for Information. These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park
DEC/WB6.3.9.12_A	ES Appendix 9.12 Biodiversity Net Gain Report Without Prejudice	Recalculation of units as a result of removal of solar panels, associated infrastructure and soft landscaping from Deer Park. These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.
DEC/WB7.3_F	Outline Landscape and Ecological Mitigation Plan	Update to the total amounts of habitats creation in relation to the removal of solar panels, associated infrastructure and soft landscaping from the Deer Park. These amendments are only required if the SoS is minded to grant the DCO without solar panels in the Deer Park.  Updates are also provided in response to para 19 of the second RfI dated 15 October 2024 relating to habitat aftercare and management.








The Applicant is not submitting updated versions of any other DCO documents as it is not considered that they contain any specific references to the Deer Park and are therefore still valid whichever option the SoS decides to proceed with.

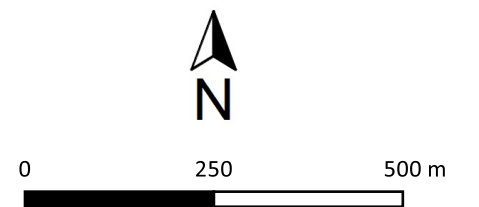
## **5 Conclusions**

- 5.1.1 Without prejudice to the Applicant's position that the benefits of the Scheme outweigh the less than substantial harm caused to the Scheduled Monument, this document sets out the changes that would be required to the identified DCO Application documents in the event that the Secretary of State is minded to grant development consent for the Scheme subject to the removal of solar panels from within the Deer Park.
- 5.1.2 The Applicant's position is that in such an event, the case and need for the Scheme remains the same.

## Figure 1: Agreed Boundary of Stow Park Deer Park



-  West Burton 3 Order Limits
-  Cable Route Corridor and Access Routes
-  Medieval Bishop's Palace and Deer Park, Stow Park Scheduled Monument (NHLE 1019229)
-  Stow Park Deer Park
-  Area of Medieval / Post Medieval Cropmarks
-  Stow Deserted Medieval Village
-  Possible Early Medieval Settlement



Date: 10/04/2024 Version: 1.1 Ref: 2893/HE-SOCG/1

Figure 1. Location of heritage assets associated with Stow Park Deer Park, Stow Deserted Medieval Village and a possible early medieval settlement in the west of West Burton 3.

