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Yr Ref EN010133

Dear Mr Raywood

Planning Act 2008 (as amended) – Section 55

Application by Cottam Solar Project Ltd for an Order Granting Development Consent for the Cottam Solar Project – Relevant Representations (Ref EN010133)

Following the Planning Inspectorate confirmation that the above project has been accepted as an application for a Development Consent Order (DCO) to construct a solar energy park, Lincolnshire County Council (LCC) request to be registered as an Interested Party at the Examination.

This letter provides a summary of the issues which LCC currently agrees/and or disagrees with together with an appropriate explanation in accordance with Planning Inspectorate note 8.3. In summary an outline of the principal topics which LCC intends to address in relation to the application during the examination will cover the following:-

- Minerals and waste – as Minerals and Waste Planning Authority
- Highways and Transportation - as Local Highway Authority for Lincolnshire
- Cultural Heritage
- Landscape and Visual Impact
- Fire Safety
- Public Rights of Way
- Surface Water, Flooding and Drainage – as Lead Local flood Authority for Drainage
- Carbon Reduction
- Agricultural Land use
- Growth
- Public Health

Minerals and Waste

The Council has considered Chapter 12 (Minerals) of the submitted ES and other relevant documents related to mineral safeguarding. The sites, are only a very small part of the safeguarded mineral resources, and these are predominantly isolated and constrained deposits. When considering the nature and characteristics of the project the Council is satisfied that there would be negligible impact in terms of any sterilisation of mineral resources. In respect of energy minerals, whilst there are some existing oil sites in proximity to the proposals, all elements of the scheme are outside of their associated safeguarding areas and so again, no safeguarding implications arise.

Regarding the cable route corridors, these have been refined since the PEIR has been produced, and it is noted that, as set out in the ES, “the Cable Route Corridor has been designed so that wherever possible cable routes follow existing infrastructure corridors or alternatively follow the edge of significant landscape features rather than directly crossing open fields. Such an approach avoids creating a further obstruction to the future exploitation of the mineral resource.” this approach aligns with the Councils previous discussions with the applicant. It is also noted that the proposed cable route in the vicinity of the River Trent overlaps with those of other proposed solar projects in the area, therefore minimising cumulative impact on the safeguarded mineral resources in this area.

The Council therefore have no mineral safeguarding objections to the proposals.

Highway, Transportation, Surface Water Flooding and Drainage

The County Council as Local highway Authority has been involved in a number of meetings with the applicant pre-submission. The submitted highway details record and update those pre-application discussions.

The Council considers that the assessment within the Transport and Access Chapter 14 and draft Construction Environmental Traffic Management Plan is appropriate and provides a reasonable estimate of HGV and car traffic associated with the development during construction and shows that the impact will be within acceptable levels on the highway network. There is also a cumulative assessment (Table 14.26) which includes the other solar farms proposed in the area, due to their locations different minor roads are used for access, so only the A631 and A15 see any noticeable cumulative impact, but again within acceptable levels.

The Surface Water Flood Risk is also appropriately addressed at this outline stage, more detail would be needed on areas of the site which are proposed to be made impermeable and these could be conditioned. The energy storage facility (BESS) may create a large impermeable area and drainage details in accordance with SUDs principle would be needed for this – this is not mentioned in Appendix 10.1, although it is referred to in the Construction Management Plan.

In terms of the draft DCO requirements the Council considers that, in connection with surface water flooding, subject for a requirement of details of the site areas which are proposed to be made impermeable to be submitted to and approved in writing by the Council, if these are acceptable. No further additions are required at this stage for those covering highway matters but this will be kept under review during the examination as details of the other solar NSIPs in the area are made available.

Public Rights of Way

The Council will make comments in relation to Public Rights of Way in the LIR

Cultural Heritage

Insufficient evaluation has been undertaken to allow for an adequate understanding of the archaeological potential and developmental impacts, or to provide the basis for reasonable mitigation to deal with the impacts of this development. Significant concerns were raised regarding the applicant's proposed approach during the pre-application stage, particularly in regard to the evaluation trenching coverage. A meeting with the Council archaeologists, the applicant, their archaeological consultants (Lanpro) and the Planning Inspectorate was held last year in an attempt to resolve the issues raised. The applicant agreed in the meeting to a programme of around 2% evaluation trenching (with a 1% contingency) of the entire redline boundary in order to provide sufficient data to adequately inform the EIA, ES Chapter and provide a basis for an outline mitigation strategy to be submitted with the DCO application.

The work undertaken by the applicant to date falls far below that which was agreed in the meeting and the applicant's ES Chapter and proposed mitigation strategy is therefore ill informed and has no adequate evidential basis other than for the limited areas where evaluation has been undertaken.

A 2% coverage of the small number of areas within the redline boundary that have been evaluated was achieved, however large areas of the redline boundary and connection corridors have not been evaluated at all. Trench plans were agreed with the Council for individual fields, however an overall evaluation plan of the entire redline boundary was not forthcoming, despite repeated requests. The applicant's consultant consistently agreed to provide this information but has so far failed to provide all of the requested information. This piecemeal reactive approach has been a major concern regarding adequate trenching coverage across the site.

This means that the baseline evidence is woefully inadequate and effective and appropriate mitigation cannot be determined outside of the trenched areas. All the areas within the redline boundary and the grid connection corridor which have not been subject to evaluation trenching therefore remain unknown in terms of archaeological potential.

The mitigation proposal for concrete shoes is considered unacceptable. Installation, compaction during the operational life of the site and subsequent decommissioning impacts would have a highly negative impact on surviving archaeology, especially in areas of shallow deposits which encompasses much of this agricultural landscape. Further, the use of concrete shoes in mitigation cannot be used in any area that has not been ground-truthed by evaluation trenching and found to be archaeologically negative. It is noted that previously unexpected human remains were found in the first few days of trenching in one area at a depth of 20cm below the ground surface.

To summarise, the archaeological work for this application has not been undertaken to the standard the Council would expect and therefore the Cultural Heritage section is limited, but is presented by the applicant as the complete and full understanding of the archaeological resource across the site. The mitigation proposed is therefore uninformed and cannot be fit for purpose and the Council consider that further archaeological evaluation within the red line boundary is necessary to understand the extent, nature and significance of surviving archaeology so that appropriate mitigation can be determined.

The Council is concerned with the approach and conclusions made with regard to the impacts of this proposal on cultural heritage assets within Lincolnshire. It is considered that this approach is inadequate and the application details at this time do not meet the evidential requirements as set out in the relevant policy and guidance including Infrastructure Planning (Environmental Impact

Assessment) Regulations 2017 (Regulation 5 (2d)), National Planning Statement Policy EN1 (Section 5.8) and the National Planning Policy Framework.

Landscape and Visual Impact

The Council notes the volume of information provided within the LVIA and associated appendices, which while very detailed, makes the identification and clear understanding of key landscape and visual issues (as well as providing succinct review comments) difficult at this stage. The main LVIA chapter alone is some 295 pages with no clear summary or narrative of effects to communicate the main findings, relying in cross referencing numerous appendices. The *Environmental Statement Volume 4: Non-Technical Summary (C6.5)* would particularly benefit from this for non-technical readers as the landscape and visual section contains a list of potentially affected receptors with limited summarising narrative provided to provide context or identify what the key issues are. It is however understood that the volume of information is in part due to the fragmented nature of the development and cable routes over a wide area, creating additional elements to consider beyond a simple singular redline boundary. A lot of the supporting information is provided within associated appendices which provide very detailed information relating to the assessment. Therefore, the Council suggests that in advance of or at an early stage of the examination, the opportunity is taken to provide a clearer and more succinct identification and summary of the key landscape and visual issues and effects.

By reason of its mass and scale, the proposed development would lead to significant adverse effects upon landscape character and visual amenity. The development has the potential to transform the local landscape by altering the character on a large scale, which is likely to be exacerbated by the fragmented nature of the separate development plots connected by cable routes spread over a wide area. The Council is particularly concerned about the effects upon the landscape character through changes to the land use, which would be spread throughout a wide area, rather than a more focussed development plot being read as a solar development occupying a single site in a wider landscape.

The scale and extent of development would also lead to significant adverse effects on views from receptors, changing from views within an agricultural or rural landscape to that of a landscape containing extensive areas of large scale solar infrastructure. From close range views, the development has been identified in the LVIA as resulting in a significant change to high and medium sensitivity receptors. Several close range views have been assessed as being beneficial, above the baseline view, at Operation (15 Year) phase and the justification for this should be investigated and clarified at the examination as it is currently unclear as to why these visual benefits would be gained.

Long range, open and panoramic views across the low lying Till Vale from elevated land to the east, including from within The Ridge Area of Great Landscape Value (AGLV) are also a concern, which while of a longer range, would potentially include views down onto large areas of solar development, with larger elements, such as sub-stations, being particularly conspicuous in this low lying landscape.

The cumulative landscape and visual effects of the proposed development are also of concern, particularly when assessed alongside the proposed Gate Burton, West Burton and Tillbridge Solar proposals. The mass and scale of these projects combined would lead to adverse effects upon landscape character and visual amenity over an extensive area. The landscape character of the area may be completely altered, particularly when experienced sequentially.

The submission has not provided sufficient information in regards to the impact upon, or protection of, existing trees, hedgerows and other important vegetation in order for comment to be made at this stage. These impacts are not limited to the solar development areas, but associated with access and highways works to facilitate the development, such as construction access, particularly from large plant, or access points and associated visibility splays,. It is unclear on the landscape and ecology plans

as to the extent of vegetation removal proposed, and the LVIA implies little or no vegetation removal is proposed. *Appendix 14.1: Transport Assessment* also identifies some localised areas of hedge removal and several instances of trimming back. The extent of this needs clarifying during the examination.

The wider highways elements of the scheme do not appear to be fully considered in the LVIA beyond increased traffic during construction phases, despite the potential adverse effects on the rural landscape these may have including vegetation loss, urbanisation or visual amenity through any required highway improvements.

The proposal would evidently deliver landscape and ecological improvements through mitigation areas and planting. However, this will be dependent upon the information set out in the *Landscape and Ecological Management Plan Outline Plan (C7.3)* and *Landscape and Ecology Mitigation and Enhancement Plans (Figures 8.16.1 to 8.16.10)*, which should be further explored, and assume would be refined at the detailed design stages and subject to appropriate worded requirements in the DCO to capture this.

Fire Safety

Having reviewed the Outline Battery Storage Safety Management Plan the Council is satisfied that the details meet the requirements the Council set out in Fire Safety Position statement issued at the pre-application stage of the process.

However, without further specific details, e.g. detailed plans etc. the response is based very much on the details within the document and the Fire Safety Officer reserves the right to add or amend these initial observations as more specific details of the proposed strategy to tackle a battery storage fire and detailed layout plans become available. This includes any requirement for Hazardous Substance Consent for the battery storage facility if this is considered necessary to be included in the Development Consent Order process.

Climate Change/Carbon Reduction

The Council will make comments on the conclusions reached in respect of sustainability benefits and contribution this makes to reducing greenhouse gas emissions in the Councils Local Impact Report(LIR) and written submissions.

Land Use

The potential impacts on agricultural land both in respect of this scheme and cumulatively with other NSIP solar projects that are emerging/known about in Lincolnshire will be raised in the LIR and written submissions.

Economic Regeneration/Growth

Based on the Economic impacts section of the Socio Economic chapter, from a Growth perspective, what is assessed, and the mitigation measures proposed appear reasonable.

Although what is included in the ES looks reasonable, the Council would expect appropriate energy related benefits to the local communities and economy provided and the Council would welcome the opportunity to explore these through the examination.

Public Health

The Council will make any relevant public health comments through the LIR

Draft Development Consent Order

At this stage the Council reserves its position on the relevant parts of the draft DCO including the proposed requirements which are likely to be needed to be amended or added to at the examination progresses. The Council wishes to participate in any Issue Specific Hearing in relation to the drafting of the DCO.

Procedural Matters

The Council wishes to draw to the attention of the Planning Inspectorate and the Examining Authority the unprecedented number of DCO projects that are currently on-going in Lincolnshire which may result in six other examinations taking place in the County at the same time as this one. In addition a second wave of potential DCO projects are now commencing their pre-application stage. The Council wishes to be fully involved in all these examinations but has only limited resources and personnel and therefore requests that careful and sensitive attention is given to the examination timetables to ensure that hearings and deadline dates take into account those of other project that will be under examination at the same time.

Related to this is the expectation that three examinations will be taking place simultaneously for other solar projects in this same geographical area as Cottam. The Council's initial landscape observations, set out above, already notes the significant cumulative impact of these projects in the landscape. The Council has repeatedly flagged up to the Planning Inspectorate that it would be beneficial for a method of hearing evidence related to cumulative impacts from these projects, which includes landscape and highway impacts at the very least, to be identified in advance of the first examination. However, to date this has not occurred. Therefore, unless such a mechanism is set out in advance of the preliminary meeting, the Council will make submissions at the meeting of its position on this. The Council's preferred approach is to ensure that the cumulative impacts are heard in a holistic way rather than individually through single examinations.

In conclusion the Council looks forward to working with the applicant and the Planning Inspectorate as the project progresses through the DCO process and welcomes the opportunity to comment on matters of detail throughout the examination.

Yours sincerely

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