



## Planning Act 2008 – Section 91

**EN010133**

### **Application by Cottam Solar Project Limited for an Order Granting Development Consent for the Cottam Solar Project**

#### **Agenda for Issue Specific Hearing 2 (ISH2) (Environmental Matters – General), Issue Specific Hearing 3 (ISH3) (Environmental Matters – General), Issue Specific Hearing 4 (ISH4) on Environmental Matters (Cumulative Effects) and Issue Specific Hearing 5 (ISH5) on the Draft Development Consent Order.**

We notified Interested Parties (IPs) on Tuesday 31 October 2023 of the decision to hold the Issue Specific Hearings listed below:

| Hearing                                | Date                      | Start Time   | Location   |
|--|---------------------------|--|--|
| ISH2 – Environmental Matters           | Tuesday 5 December 2023   | Registration and seating available from: 09:30<br><br>Virtual Registration Process from: 09:30<br><br>Event start: 10.00am   | All hearings will be blended events at:<br><br>West Lindsey District Council Offices, Guildhall, Marshall’s Yard, GainsboroughDN21 2NA |
| ISH3 – Environmental Matters           | Tuesday 5 December 2023   | Registration and seating available from: 1.30pm<br><br>Virtual Registration Process from: 1.30pm<br><br>Event Start 2.00pm   | and<br><br>By virtual means using Microsoft Teams  |
| ISH4 - Environmental Matters           | Wednesday 6 December 2023 | Registration and seating available from: 9.30am<br><br>Virtual Registration Process from: 9.30am<br><br>Event Start 10.00 am | Full instructions on how to join online or by telephone will be provided in advance  |
| ISH5 – Draft Development Consent Order | Friday 8 December 2023    | Registration and seating available from: 9.30am<br><br>Virtual Registration Process from: 9.30am<br><br>Event Start 10.00am  | All hearings will be blended events at:<br><br>West Hall, Epic Centre, Lincolnshire Showground, Grange-de-Lings, Lincoln, LN2 2NA      |



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|  |  |  | And<br>By virtual means using Microsoft Teams.<br><br>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered. |
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## **Purpose of the Hearings**

### **ISH2 and ISH3 – Environmental Matters**

The main purpose of ISH2 and ISH3 is to explore some of the environmental issues that arise from the application and representations and may include matters relating to the Historic Environment, Agriculture and Soils, Climate Change, Landscape and Visual Impacts, Socio-Economics, Battery Storage, Waste and Biodiversity.

### **ISH4 – Environmental Matters (Cumulative Effects)**

The main purpose of ISH4 is to explore some of the issues that arise from the application and representations in relation to the assessment of cumulative effects.

### **ISH5 – Draft Development Consent Order**

The main purpose of ISH5 is to consider the drafting aspects of the dDCO and in particular to:

- clarify issues around how the dDCO is intended to work, what is to be consented, the extent of the powers and what requirements, provisions and agreements are proposed;
- identify any possible issues not covered by the dDCO as currently drafted; and
- establish or confirm the views of IPs as to the appropriateness, proportionality and efficacy of the provisions and requirements as currently drafted.

For the avoidance of doubt, ISH5 will not consider the underlying issues arising from the Application or the representations which have been made in relation to those issues. The decision to hold the hearing should not be taken to imply that we have reached any view at this stage of the Examination as to whether or not the Order should be granted.

## Agendas

In order to ensure that those attending the hearings can make the best use of the time available, we have prepared the agendas below. Please note that these are indicative and are subject to change. We may wish to raise other matters arising from submissions and pursue lines of enquiry during the discussion which are not on the agenda.

## Invited Participants

The Applicant, all IPs, Statutory Parties and Affected Persons are invited to attend. However, as the event is being held as a blended event it would assist with the running of the hearing if you could let the Inspectorate's Case Team (who can be contacted at [cottamsolarproject@planninginspectorate.gov.uk](mailto:cottamsolarproject@planninginspectorate.gov.uk)) know by **Monday 4 December 2023** which of the hearings you wish to attend so that the relevant instructions can be sent for you to join the event.

Please note that the hearing will also be livestreamed for those who may wish to view but not participate directly. Details of how to access the livestream will be made available on the [project page](#) or you may follow this [link to the livestream](#).

Representatives of the following companies and bodies are requested to attend to address matters identified in the agendas.

### **ISH2 and ISH 3 (Environmental Matters – General):**

- The Applicant - including representatives of the Applicant who are in a position to discuss the matters on the agenda;
- West Lindsey District Council;
- Lincolnshire County Council (incorporating Lincolnshire Fire and Rescue Service);
- Bassetlaw District Council;
- Nottinghamshire County Council;
- Historic England; and
- Any IPs with an interest in the matters listed in the agenda and who may wish to make representations.

### **ISH4 into Environmental Matters (Cumulative Effects):**

- The Applicant - including representatives of the Applicant who are in a position to discuss the matters on the agenda;
- West Lindsey District Council;
- Lincolnshire County Council (incorporating Lincs Fire Rescue);
- Bassetlaw District Council;
- Nottinghamshire County Council;
- Any IPs with an interest in the matters listed in the agenda and who may wish to make representations.

**ISH5 into Draft Development Consent Order:**

- The Applicant- including representatives of the Applicant who are in a position to discuss the matters on the agenda;
- Any IPs with an interest in the drafting of the dDCO; implementation or discharge of proposed articles, requirements or other provisions; seeking protective provisions or any related side agreements

**Participation, conduct and management of hearing**

Participants may be legally represented if they wish, but the hearings will be conducted to ensure that legal representation is not required.

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 explain that it is the Examining Authority that will probe, test and assess the evidence through direct questioning of persons making oral representations at hearings. As such, questioning at the hearing will be led by us.

Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including further written questions.

The virtual event will be open 30 minutes prior to the start of the hearing to enable a prompt start. The hearing will finish as soon as we deem that all those present have had their say and that all matters have been covered.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

*Rory Cridland*

**Lead Member of the Examining Authority**



## **AGENDA FOR ISH2**

### **ENVIRONMENTAL MATTERS - GENERAL**

| <b>Item</b> | <b>Matters</b>   |
|-------------|--|
| <b>1.</b>   | <b>WELCOME AND INTRODUCTIONS</b><br>The Examining Authority (ExA) will welcome participants and lead introductions. The public livestream and recording will start.  |
| <b>2.</b>   | <b>THE PURPOSE OF THE HEARING AND HOW IT WILL BE CONDUCTED</b><br>The ExA will introduce the hearing, noting that: <ul style="list-style-type: none"><li>- the purpose of the hearing is for the ExA to further examine the environmental effects of the proposed development and related matters, and invite certain parties to make oral representations about them;</li><li>- the hearing is subject to the powers of control of the ExA, as set out in the Planning Act 2008 and supporting legislation;</li><li>- the ExA will invite parties to speak and will ask questions at relevant points on the agenda and when it otherwise considers necessary; and</li><li>- all comments, questions and answers are to be directed to the ExA and not directly to any other party.</li></ul>                                  |
| <b>3.</b>   | <b>MAIN DISCUSSION POINTS</b> <ul style="list-style-type: none"><li>• <b>The Historic Environment</b><ul style="list-style-type: none"><li>- The effect on the significance of Thorpe Medieval Settlement Scheduled Monument (SM), including the setting, boundaries, the proximity of the solar arrays and mitigation, as well as the most up to date position with Historic England [REP-065];</li><li>- The effect on the significance of 'Stow Abbey' SM/Listed Building, including direct effect(s) and mitigation;</li><li>- Whether the amount of trial trenching and evaluation that has been undertaken in relation to archaeological remains is sufficient and/or has been targeted to an acceptable degree, as well as the most up to date position with Lincolnshire County Council [REP-063];</li></ul></li></ul> |



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|           | <ul style="list-style-type: none"><li>- The potential for disturbance to archaeological remains, in particular during the construction phase; and</li><li>- The approach set out in the Archaeological Mitigation Written Scheme of Investigation [APP-131].</li></ul> <ul style="list-style-type: none"><li>• <b>Agriculture and Soils</b><ul style="list-style-type: none"><li>- Written Ministerial Statement March 2015</li><li>- Accuracy of the ALC Survey [APP-145];</li><li>- Explanation over the magnitude of change threshold [REP-10, Section 19.7];</li><li>- The effective use of agricultural land during operation, including for what agricultural purpose(s);</li><li>- The effect of the proposed cable route on soils, in particular the depth, soil management and impact on field drainage, and farming circumstances; and</li><li>- Soil management, including the measures set out in the Outline Soil Management Plan [APP-146].</li></ul></li><li>• <b>Landscape and Visual</b><ul style="list-style-type: none"><li>- Updates to the Chapter 8: LVIA;</li><li>- Summary of Likely Significant Effects;</li><li>- Good design;</li><li>- Applicant's justification for assessing significant beneficial effects on landscape character areas;</li><li>- Proposed hedgerow removal</li></ul></li></ul> <p>The Host Authorities and other IPs will be given an opportunity to comment on the above and expand orally on their written submissions.</p> |
| <b>4.</b> | <b>OTHER MATTERS</b>   |
| <b>5.</b> | <b>CLOSE</b>   |



## **AGENDA FOR ISH3**

### **ENVIRONMENTAL MATTERS - GENERAL**

| <b>Item</b> | <b>Matters</b>   |
|-------------|--|
| <b>1.</b>   | <b>WELCOME AND INTRODUCTIONS</b><br>The Examining Authority (ExA) will welcome participants and lead introductions. The public livestream and recording will start   |
| <b>2.</b>   | <b>THE PURPOSE OF THE HEARING AND HOW IT WILL BE CONDUCTED</b><br>The ExA will introduce the hearing, including that: <ul style="list-style-type: none"><li>- the purpose of the hearing is for the ExA to examine the environmental effects of the proposed development and related matters, and invite certain parties to make oral representations about them;</li><li>- the hearing is subject to the powers of control of the ExA, as set out in the Planning Act 2008 and supporting legislation;</li><li>- the ExA will invite parties to speak and will ask questions at relevant points on the agenda and when it otherwise considers necessary;</li><li>- all comments, questions and answers are to be directed to the ExA and not directly to any other party.</li></ul> |
| <b>3.</b>   | <b>MAIN DISCUSSION POINTS</b> <ul style="list-style-type: none"><li>• <b>Socio-Economics</b><ul style="list-style-type: none"><li>- Local employment benefits, in particular in areas of deprivation and the role/deliverability of the Outline Skills, Supply Chain and Employment Plan [APP-349];</li><li>- Effect on the delivery of the Cottam Power Station Regeneration Area; and</li><li>- Assessment/ effect on the well-being of local residents, in particular during the operational phase.</li></ul></li></ul>   |



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|           | <ul style="list-style-type: none"><li>• <b>Other points of clarification</b><ul style="list-style-type: none"><li>- Battery Storage: thermal runaway and associated water supply; and the role of Lincolnshire Fire and Rescue Services and funding;</li><li>- Waste: baseline assessment beyond 2038; the predicted significant effect on landfill waste handling in Nottinghamshire; and recycling of solar array infrastructure;</li><li>- Biodiversity: impacts from Electro-Magnetic Fields on features of the Humber Estuary Special Area of Conservation during operation, and impacts on Ramsar feature</li></ul></li></ul> <p>IPs will be given an opportunity to comment on the above.</p> |
| <b>4.</b> | <b>UPDATE ON STATEMENTS OF COMMON GROUND</b>   |
| <b>5.</b> | <b>OTHER MATTERS</b>   |
| <b>6.</b> | <b>CLOSE</b>   |





## AGENDA FOR ISH4

### ENVIRONMENTAL MATTERS – CUMULATIVE EFFECTS

| <b>Item</b> | <b>Matters</b>  |
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| <b>1.</b>   | <b>WELCOME AND INTRODUCTIONS</b><br>The Examining Authority (ExA) will welcome participants and lead introductions. The public livestream and recording will start.   |
| <b>2.</b>   | <b>THE PURPOSE OF THE HEARING AND HOW IT WILL BE CONDUCTED</b><br>The ExA will introduce the hearing, including that: <ul style="list-style-type: none"><li>- the purpose of the hearing is for the ExA to examine the cumulative environmental effects of the proposed development and related matters, and invite certain parties to make oral representations about them;</li><li>- the hearing is subject to the powers of control of the ExA, as set out in the Planning Act 2008 and supporting legislation;</li><li>- the ExA will invite parties to speak and will ask questions at relevant points on the agenda and when it otherwise considers necessary; and</li><li>- all comments, questions and answers are to be directed to the ExA and not directly to any other party.</li></ul> |
| <b>3.</b>   | <b>THE APPROACH TO CUMULATIVE EFFECTS</b><br>The ExA will invite the Applicant to provide an overview of: <ul style="list-style-type: none"><li>- its overall approach to cumulative effects including the methodology used;</li><li>- a summary of the other projects included in the assessments;</li><li>- the Likely Significant Cumulative Effects it has identified;</li><li>- a summary of any updates to the content of its Report on the Interrelationship with other Nationally Significant Infrastructure Projects.</li></ul>  |



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|           | <p>The Host Authorities will be asked to confirm whether they consider an appropriate level of detail has been considered for the other plans and projects and/or identify other plans or projects or information they consider is necessary.</p>   |
| <b>4.</b> | <p><b>MAIN DISCUSSION POINTS:</b></p> <ul style="list-style-type: none"><li>- Whether there are any changes to the information on other projects.</li><li>- Climate change – the Applicant will be asked to explain how it has reached the conclusion for a major beneficial cumulative effect.</li><li>- Historic Environment – the Applicant will be asked to explain its position by way of the cumulative effects on designated assets as viewed from Lincoln Edge.</li><li>- Agriculture and Soils – the Applicant will be asked to clarify why the revised ES Chapter did not update the cumulative effects.</li><li>- Transport - the Applicant will be asked about the consideration of other routes used by the other schemes and in relation to the Grid Connection Route, and a Joint Traffic Construction Management Plan.</li><li>- Other Environmental Matters – Human Health – the Applicant will be asked about impacts on Public Rights of Way and the evidence used in relation to human health receptors.</li><li>- WDLC will be asked to expand on its position as set out in its written submissions and in particular why it considers further information on various combinations of potential projects are necessary to inform decision making.</li></ul> |
| <b>5.</b> | <p>IPs who have registered to speak in advance will be invited to make representations on the assessment of cumulative effects and may be asked to respond to questions from the ExA.</p>   |
| <b>6.</b> | <p><b>OTHER MATTERS</b></p>   |
| <b>7.</b> | <p><b>CLOSE</b></p>   |



## **AGENDA FOR ISH5**

### **DRAFT DEVELOPMENT CONSENT ORDER (dDCO)**

| <b>Item</b> | <b>Matters</b>   |
|-------------|--|
| <b>1.</b>   | <b>WELCOME AND INTRODUCTIONS</b><br>The Examining Authority (ExA) will welcome participants and lead introductions. The public livestream and recording will start.  |
| <b>2.</b>   | <b>THE PURPOSE OF THE HEARING AND HOW IT WILL BE CONDUCTED</b><br>The ExA will introduce the hearing, including that: <ul style="list-style-type: none"><li>- the purpose of the hearing is for the ExA to further consider the drafting of the applicant's dDCO and related matters, and invite certain parties to make oral representations about them;</li><li>- the hearing is subject to the powers of control of the ExA, as set out in the Planning Act 2008 and supporting legislation;</li><li>- the ExA will invite parties to speak and will ask questions at relevant points on the agenda and when it otherwise considers necessary;</li><li>- all comments, questions and answers are to be directed to the ExA and not directly to any other party.</li></ul> |
| <b>3.</b>   | <b>APPLICANT'S UPDATE</b> <ul style="list-style-type: none"><li>- The Applicant will be asked to provide an update on any proposed changes to Version C of the dDCO.</li><li>- The Applicant will be asked to provide an update on any expected changes it anticipates will be necessary to align the dDCO with other DCOs currently being examined.</li></ul>   |
| <b>4.</b>   | <b>MAIN DISCUSSION POINTS</b> <ul style="list-style-type: none"><li>- Article 17 – the Applicant will be asked to explain why this article is necessary.</li><li>- Article 18 - the Applicant will be asked to provide clarification on its response to ExQ1.1.9 and its position as stated in the Explanatory Memorandum [APP-017].</li></ul>   |



## The Planning Inspectorate

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|           | <ul style="list-style-type: none"><li>- Article 35(3)(c) – the Applicant will be asked to provide further justification for the retention of this provision.</li><li>- Requirement 21 - The Applicant will be asked to provide further justification for the 60 year period included in Requirement 21. The Applicant will also be asked to signpost where in the ES it is stated that the scheme was undertaken on the basis that it would not be time limited.</li><li>- Article 39 (Hedgerows) – the ExA will seek clarification on the approach to the removal of hedgerows as set out in the dDCO.</li></ul> |
| <b>5.</b> | <b>OPPORTUNITY FOR INTERESTED PARTIES TO COMMENT ON OTHER ASPECTS OF THE DDCCO AND RAISE ANY MATTERS NOT COVERED IN ITEMS 1-4 ABOVE.</b>  |
| <b>6.</b> | <b>OTHER MATTERS</b>  |
| <b>7.</b> | <b>CLOSE</b>  |