

# Cottam Solar Project

## Change Application and Consultation Report

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Infrastructure Planning (Compulsory Acquisition) Regulations 2010  
Planning Inspectorate Advice Note Sixteen (Version 3), March 2023



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## Issue Sheet

Report Prepared for: Cottam Solar Project Ltd.  
Change Application

### Change Application and Consultation Report

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## 1 Introduction

### 1.1 Purpose of this Report

- 1.1.1 This report constitutes a Change Application which has been prepared in accordance with PINS Advice Note 16 (Ref. 5), along with accompanying documents listed in Section 6 below, proposing changes to the Order Limits of the Application for a Development Consent Order for Cottam Solar Project (the 'Scheme').
- 1.1.2 The Scheme is a solar farm with energy storage which will generate and store renewable electricity for export to the National Grid at a Point of Connection (PoC) which will be located at the existing Cottam 400kV National Grid substation. This is within the site of the now decommissioned Cottam Power Station, currently owned by EDF.
- 1.1.3 The Scheme comprises a number of land parcels (the 'Site' or 'Sites') described as Cottam 1, 2, 3a and 3b which will house the solar arrays, grid connection infrastructure and energy storage; and the Cable Route Corridor between the Sites and to the PoC. The Sites are located approximately 6.5km south east and 4km north east of Gainsborough (see the Site Location Plan [EN010133/CR1/C2.1\_A\_CR]).
- 1.1.4 The Scheme is described in full in Chapter 4 of the Environmental Statement (ES), Scheme Description [REP-012] supporting the application.
- 1.1.5 Each of the four Sites have a generating capacity that exceeds 50 megawatts (MW), and as such, the Scheme is defined under the Planning Act 2008 as a Nationally Significant Infrastructure Project (NSIP). It therefore must be consented by way of a Development Consent Order (DCO) made by the Secretary of State.
- 1.1.6 The Scheme is being developed by Cottam Solar Project Limited (the 'Applicant'). The Applicant is part of Island Green Power Limited (IGP), who is a leading international developer of renewable energy projects, established in 2013.
- 1.1.7 The Applicant has endeavoured to undertake open and meaningful engagement with stakeholders before and during the Examination. As a result of this, the Applicant is now seeking to make five changes to the Order Limits of the Scheme.
- 1.1.8 The proposed changes and their rationale are set out in more detail in Section 3, below. Briefly, they consist of:
- Change 1: Land South of Torksey Ferry Road
- 1.1.9 Change 1 comprises an extension to the Order Limits immediately to the south of Torksey Ferry Road for works to construct and operate the underground 400kV cable and associated development.
- Change 2: Land along and to the North of Torksey Ferry Road
- 1.1.10 Change 2 comprises an extension to the Order Limits to the east and west along Torksey Ferry Road to accommodate access during construction and (for some parts of the road) during operation. This also includes land to the north of Torksey Ferry Road (into EDF land) to accommodate access during construction.

### Change 3: Visibility splay at Cottam Cable Route Corridor Access AC108

- 1.1.11 Change 3 comprises a small extension to the Order Limits along A156 High Street, Marton in proximity to the Cable Route Corridor construction access point reference AC108 for a visibility splay.

### Change 4: Cable route at Normanby by Stow, Stow

- 1.1.12 Change 4 consists of a change to the route of the cable to run to the south of West Farm, Normanby by Stow.

### Change 5: Abnormal Load Access 13 at Stone Pit Lane, Willingham by Stow

- 1.1.13 Change 5 comprises an extension to the Order Limits to the east of Stone Pit Lane to allow for flexibility in the location of the construction access for the transportation of abnormal loads relating to the Cottam 1 substation.

## 1.2 Structure of this Report

- 1.2.1 Section 2 of this Report sets out the legislative and regulatory framework relevant to the examination of a DCO Change Application.
- 1.2.2 Section 3 describes the detail of the proposed changes and why they are required.
- 1.2.3 Section 4 describes the relevant engagement carried out prior to this Change Application being submitted.
- 1.2.4 Section 5 proposes a timetable for the examination of the Change Application.
- 1.2.5 Section 6 lists the documents submitted as part of the Change Application.
- 1.2.6 Section 7 concludes this Change Application.

## 2 Legislative Context

### 2.1 Examination Guidance and Advice Note

- 2.1.1 The Examination Guidance states, at paragraph 109 that *“the Government recognises that there are occasions when applicants may need to make material changes to a proposal after an application has been accepted for examination”*.
- 2.1.2 The reasons for such a material change *“could include, for example, regulatory changes, technical developments or the discovery of previously unknown factors arising from representations received after acceptance or examination submissions.”*
- 2.1.3 The changes being proposed are the result of representations made by Interested Parties and landowners since the start of the Examination.
- 2.1.4 The ExA may accept an application for a material change provided that the changed project would *“not constitute a materially different project”* (paragraph 110), that there is sufficient time to examine the change (paragraphs 113 and 115) and that other procedural requirements are met (paragraph 113).
- 2.1.5 The assessment by the Applicant as to whether the change would constitute a materially different project is set out in Section 3.7 below. The proposed timetable for meeting the procedural requirements is provided in Section 5 below.
- 2.1.6 The Examination Guidance recommends that the Applicant discusses changes with the relevant statutory consultees. Details of pre-application engagement conducted by the Applicant are provided in Section 4, below.
- 2.1.7 Advice Note 16 includes a list of information required for a change application at Figure 2b. The location of the information accompanying this application is set out in Table 2.1.

Table 2.1: Requirements in Figure 2b of Advice Note 16

Requirement	Location
1. Description of the proposed change	Section 3 of this Report
2. Rationale and pressing need	Section 3 of this Report
3. Schedule of application documents	Section 6 of this Report lists the documents that accompany this Application. The revised C1.3_C_CR Guide to the Application [EN010133/CR1/C1.3_C_CR] provides a full list of all submitted documents.
4. Revised draft DCO and Explanatory Memorandum	C3.1_D_CR Draft Development Consent Order [EN010133/CR1/C3.1_D_CR] C3.2_A_CR Explanatory Memorandum [EN010133/CR1/C3.2_A_CR]

5. Compulsory Acquisition documents (Book of Reference, Land Plan, Statement of Reasons, Funding Statement)	C4.3_D_CR Book of Reference [EN010133/CR1/C4.3_D_CR] C2.2_C_CR Land Plan [EN010133/CR1/C2.2_C_CR] C4.1_B_CR Statement of Reasons [EN010133/CR1/C4.1_B_CR] C4.2_A_CR Funding Statement [EN010133/CR1/C4.2_A_CR]
6. Assessment of changes to significant environmental effects	C9.3 Supporting Environmental Information Report [EN010133/CR1/C9.3]
7. Consultation Report	Section 4 of this Report

## 2.2 Compulsory Acquisition Regulations

2.2.1 The Applicant is seeking a Development Consent Order which includes powers authorising the compulsory acquisition of land under Section 123 of the Planning Act 2008. This would include the land to be added to the Order Limits through this Change Application. Therefore, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the 'CA Regulations') are considered to apply to this Change Application.

2.2.2 Regulations 5 to 18 of the CA Regulations set out the procedure for consulting on and examining an application for the compulsory acquisition of land. The proposed timetable in Section 6 below sets out how this Change Application can be examined in accordance with the CA Regulations.

## 2.3 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

2.3.1 Section 5(2)(a) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('APFP') requires that applications for orders for development consent must be accompanied by an environmental statement that meets the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations').

2.3.2 This Change Application is accompanied by a Supporting Environmental Information Report ('SEIR') [EN010133/CR1/C9.3] that considers the conclusions of the Environmental Statement ([APP-035 to APP-057, REP1-012, REP1-014, REP2-008, REP1-010, and REP2-010]) in relation to the proposed changes, and in particular whether there are any changes to potential significant effects compared to those reported in the Environmental Statement for the Scheme.

2.3.3 Advice Note 16 notes that there is no statutory requirement to consult on the environmental information. Given the nature and scale of the changes, the targeted consultation already carried out as well as the consultation required with local

authorities and prescribed consultees pursuant to the CA Regulations, the Applicant considers that further consultation would not be proportionate. However, if the ExA considers that further consultation is required, the Applicant would suggest that this can be carried out in parallel with the CA Regulations consultation.



### **3 Description of Changes and Rationale**

#### **3.1 Introduction**

- 3.1.1 The changes that form part of this Change Application are being proposed in response to comments from stakeholders following the submission of the DCO application and during the Examination period, in particular from landowners and nearby residents.
- 3.1.2 Changes 1 and 4 relate to the route of the cable between the Sites and the Point of Connection. Changes 2, 3 and 5 relate to the arrangements for construction and operational accesses.

#### **3.2 Change 1: Extension to Order Limits to the South of Torksey Ferry Road**

- 3.2.1 Change 1 comprises an extension to the Order Limits immediately to the south of Torksey Ferry Road for works to construct and operate the underground 400kV cable and associated development.
- 3.2.2 The grid connections for the Scheme and two other NSIPs, Gate Burton Energy Park and Tillbridge Solar Park are all located at Cottam Substation on the former Cottam Power Station site. EDF Energy (Thermal Generation) Limited ('EDF') and Uniper UK Limited ('Uniper') own (or lease) land and apparatus in and close to Cottam Substation at Cottam Power Station, and they have plans for redevelopment of their land.
- 3.2.3 During discussions on voluntary land agreements and protective provisions with EDF and Uniper, both parties indicated a preference for the cable routes to enter Cottam Substation from the south and for the routes to be coordinated with those for the Gate Burton Energy Park and Tillbridge Solar Project.
- 3.2.4 This change mirrors Change 1 in the Change Application submitted and accepted for the Gate Burton Energy Park DCO application [EN010131/CR1-042].

#### **3.3 Change 2: Extension to Order Limits to the east and west along Torksey Ferry Road and to land to the north of Torksey Ferry Road**

- 3.3.1 Change 2 comprises an extension to the Order Limits to the east and west along Torksey Ferry Road to accommodate access during construction and (for some parts of the road) during operation. This also includes land to the north of Torksey Ferry Road (into EDF land) to accommodate access during construction.
- 3.3.2 In relation to the redevelopment of its land referred to above, EDF has indicated a preference for an access along Torksey Ferry Road to minimise the potential conflict with proposed demolition works and future redevelopment to the extent currently known.
- 3.3.3 This change mirrors Change 2 in the Change Application submitted for the Gate Burton DCO application [EN010131/CR1-042].

### 3.4 Change 3: Extension to Order Limits at Cottam Cable Route Corridor Access AC108, High Street, Marton

3.4.1 Change 3 comprises a small extension to the Order Limits along A156 High Street, Marton in proximity to the north of the Cable Route Corridor construction access point reference AC108.

3.4.2 A review of the construction access points to ensure coordination with the access points for the Gate Burton Energy Park has indicated that construction access AC108 requires a longer visibility splay to the north during construction.

3.4.3 This extension would mean that the Order Limits for Cottam Solar Project would match those of Gate Burton Energy Park in this location.

### 3.5 Change 4: Extension to and Removal from Order Limits at Normanby by Stow

3.5.1 Change 4 consists of a change to the route of the Cable Route Corridor to run to the south of West Farm, Normanby by Stow.

3.5.2 Following representations made at the open floor hearing and submitted to the ExA relating to the proximity of the cable route to the residential dwellings at West Farm and West Farm Cottages, the Applicant has reached agreement with the landowners to the east and west of Normanby Road for the Cable Route Corridor to be relocated to the south of West Farm.

3.5.3 The proposed new route will run from the crossing of the River Till in a south-westerly direction across field F2 (within the current Order Limits), cross Normanby Road approximately 100 metres to the north of the junction with Coates Lane and rejoin the existing proposed cable route approximately 500m to the west of Normanby Road. The length of the relocated Cable Route Corridor is approximately 950 metres.

3.5.4 The land to the west of Normanby Road in proximity to West Farm that is no longer required for the Cable Route Corridor will be removed from the Order Limits.

### 3.6 Change 5: Extension to Order Limits at Abnormal Load Access 13, Stone Pit Lane, Willingham by Stow

3.6.1 Change 5 comprises an extension to the Order Limits to the east of Stone Pit Lane to allow for flexibility in the location of the construction access for the transportation of abnormal loads relating to the Cottam 1 substation.

3.6.2 The landowner has indicated that an underground storage tank and other underground apparatus is located in this area but the exact location is unknown. The landowner is concerned that the construction of an access roadway and the movement of heavy loads could potentially pose a risk of damage to this underground equipment. Agreement has been reached with the landowner for the relocation of the access route elsewhere in the same field to the east of Stone Pit Lane and to the north of field G1, and potentially within fields to the north and south

of Cot Garth Lane. As the precise location of the underground tank and pipelines has not yet been determined, it is proposed that the whole of the field and areas to the north and south of Cot Garth Lane is included within the Order Limits.

### 3.7 Materiality

- 3.7.1 There is no statutory definition of a 'material' change to a DCO application, although the term is used in the Examination Guidance. The judgment as to whether this Application constitutes a material change is therefore one for the Examining Authority to make. The changes proposed in this Change Application include the addition and removal of land which has resulted in changes in the assessment of potential environmental impacts, which are reported in the SEIR. The Applicant has prepared this Application on the basis that the proposed changes are material.
- 3.7.2 The Applicant considers that the proposed changes, set out above, are not so substantial as to constitute a materially different project. Changes 1 and 4 relate to variations in the routing of short sections of the cable route. Changes 2, 3 and 5 relate to modifications to construction and operational accesses. No changes are proposed to the principal elements of the Scheme.

## 4 Consultation Report

### 4.1 Introduction

4.1.1 The Applicant has conducted targeted pre-application engagement with parties likely to be affected by the proposed changes to the Order Limits. The list of parties, along with the reason for their interest, is provided in Table 4.1. Further details of the engagement are given in the following subsections.

Table 4.1: Parties subject to pre-application targeted engagement

Party	Interest
EDF	Land interests in the area of the existing Order limits at and adjacent to Cottam Substation in respect of Changes 1 and 2
Uniper	Land interests in the area of the existing Order limits at and adjacent to Cottam Substation in respect of Changes 1 and 2
NGET	Connection agreement at Cottam substation in respect of Changes 1 and 2
Nottinghamshire County Council	Host authority in respect of Changes 1 and 2
Lincolnshire County Council	Host authority in respect of Changes 3, 4 and 5
West Lindsey District Council	Host authority in respect of Changes 3, 4 and 5
Bassetlaw District Council	Host authority in respect of Changes 1 and 2
Historic England	Potential impacts on designated and non-designated heritage assets in respect of Changes 1, 2, 3, 4 and 5
Trent Valley Internal Drainage Board	Crossings required of Seymour Drain south of Torksey Ferry Road in respect of Changes 1 and 2
Land Interests	Land within the areas proposed for inclusion within or removal from the Order Limits in respect of Changes 1, 2, 3, 4 and 5

### 4.2 Section 42 of Planning Act 2008

4.2.1 The Applicant has engaged with the relevant statutory stakeholders in accordance with Section 42(1)(a) of the Planning Act 2008.

4.2.2 The proposed changes would not affect any of the areas specified in Section 42(2) of the Planning Act 2008. Consultation under Section 42(1)(aa) of the Planning Act with the Marine Management Organisation is therefore not required.

4.2.3 In relation to Section 42(1)(b) of the Planning Act 2008, the Applicant has engaged with the host authorities only.

- 4.2.4 The land is outside the Greater London area and consultation with the Greater London Authority is not required under Section 42(1)(c).
- 4.2.5 The consultation carried out with parties with land interests under Section 42(1)(d) is detailed below.
- 4.2.6 The Applicant considers that the pre-application consultation carried out and described in this section is proportionate in view of the limited nature of the proposed changes to the Order Limits and to the available time for the changes to be examined, which includes publicity requirements, a period of statutory consultation and opportunities for the submission of comments.
- 4.2.7 The Applicant notes that the Regulation 7 of the CA Regulations requires the Applicant to send a notice of the Change Application to each local authority (as defined in Section 43 of the Planning Act 2008), the prescribed consultees listed in Schedule 3 of the CA Regulations and all persons within the categories set out in Section 57 of the Planning Act 2008 (i.e. persons with an interest in land or who would or might be entitled to make a relevant claim).
- 4.3 Consultation with EDF, Uniper and NGET**
- 4.3.1 In relation to Changes 1 and 2, the Applicant has been engaging with EDF, Uniper and NGET throughout the application process in coordination with the applicants for Gate Burton Energy Park and Tillbridge Solar Project.
- 4.3.2 At a meeting on 10 August 2023, EDF explained that the ongoing demolition and potential redevelopment of the former Cottam Power Station site meant that there was continued uncertainty over the future location of accesses to the Cottam Substation. EDF raised initial concerns on routing all three cables (for the Scheme, Tillbridge and Gate Burton) in via the west of the Cottam Substation, and there was also a discussion on construction accesses. EDF suggested that their preference would be for construction access to be gained from Torksey Ferry Road to ensure that the access did not conflict with the current demolition or the future plans for the former power station site.
- 4.3.3 A meeting was also held with Uniper on 17 August 2023. Uniper did not support the suggestion of use of the existing National Grid access to the Cottam Substation for the construction or operation of the solar projects at this time because their intention is to expand in this area and relocate this access.
- 4.3.4 On 23 August 2023 an in-person site visit was held with representatives from EDF, Uniper and the technical teams of the Scheme, Gate Burton and Tillbridge. The purpose of the meeting was to walk the proposed cable routes into the Cottam Substation and to discuss the technicalities of routing into the Substation, taking into account the current infrastructure under and overground and other constraints. The conclusion was that the southern routing of the cables was less congested with existing utilities than a route from the west.

- 4.3.5 On 31 August 2023, a follow up meeting was held with Uniper with all three developers present to discuss the outcomes of the in-person site visit.
- 4.3.6 A further meeting was held with EDF on 12 September 2023, with all three developers present. At this meeting, all parties discussed the access options and agreed that in principle, EDF was supportive of the projects expanding their Order limits to accommodate a construction access from Torksey Ferry Road (for the construction period) and the additional land to the south of Torksey Ferry Road for flexibility to route the three cables into the substation, should all projects come forward.
- 4.3.7 Following engagement by the applicant for Gate Burton Energy Park with NGET on 12 September 2023, the Applicant understands that NGET has no concerns with the proposed extensions to the Order Limits for Changes 1 and 2.
- 4.3.8 A further meeting was held with Uniper on 14 September 2023, with all three developers present (i.e. from the Scheme, Gate Burton Energy Park and Tillbridge Solar). At this meeting, the parties also discussed access options and Uniper supported an access from Torksey Ferry Road. Uniper also expressed a preference for flexibility for the cables to enter the Substation from the south rather than the west to mitigate impacts on their existing assets.
- 4.3.9 A further meeting was held with the three developers and EDF on the 25 September 2023 and Uniper on 26 September 2023 to confirm the developers' plans for extending the Order Limits and for construction access. It was agreed that a joint position statement between the Applicant, EDF and Uniper would be agreed upon to document agreement that the Change Request is appropriate to seek to ensure all existing and proposed infrastructure and development proposals can coexist.
- 4.3.10 The Applicant has since agreed a statement with EDF and Uniper in relation to the Change Request, which is included in Appendix B of to this Report.

#### 4.4 Consultation with additional affected persons

- 4.4.1 The Applicant has provided an updated Book of Reference [EN010133/CR1/C4.3\_D\_CR] alongside the Change Application, which identifies the affected persons of additional land.
- 4.4.2 In addition to this, Torksey Ferry Road, affected by Changes 1 and 2, is currently unregistered at HM Land Registry and enquiries made have determined it is not part of the adopted highway. Parts of Torksey Ferry Road were already within referencing limits, and therefore, have been subject to multiple site notices during the pre-application period and acceptance period for the Scheme to seek to identify the owner of the road, and to fulfil statutory site notice obligations pursuant to section 42 and section 56 of the Planning Act 2008. To date, no party has come forward and claimed ownership of the road.

4.4.3 The Applicant has carried out pre-application engagement with the relevant landowners of the additional land, and other affected persons as set out in Table 4.2 below.

Table 4.2: Engagement with landowners

Plot	Landowner	Record of Engagement
14-284a 14-284b 14-284c 14-284d 14-284e 14-284f 14-284g Change 5	H Bates & Son	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant is also currently in voluntary negotiations with the Affected Party.</p> <p>Change 3 has been proposed as a result of ongoing discussions with the Affected Party in order to address their concerns regarding an underground storage tank.</p>
14-284c 14-284f 14-284g 14-290 14-292 14-292a 14-292b 14-292c 14-292d 14-293 14-293a 14-294 14-296 17-334a Changes 3, 4 and 5	Lincolnshire County Council	<p>These plots relate to land that is part of the public highway. The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p>
14-284c	Tillside Limited	The Applicant has previously consulted with the Affected Party as they are a landowner within the

14-289 14-290 14-291 14-292 14-292b 14-292c 14-292d 14-296  Changes 4 and 5		Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.  The Applicant has entered into an option agreement with the Affected Party for the solar array at Cottam 1.
14-290  Change 4	Pauline Margery Organ	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.
14-290  Change 4	Terence David Organ	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.
14-292 14-293  Change 4	CM & AM Developments Limited	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.  The Applicant is also currently in voluntary negotiations with the Affected Party.
14-292a 14-293 14-293a  Change 4	James Charles Stewart Reynolds Milligan-Manby	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.



		The Applicant has secured a voluntary agreement with the Affected Party for a cable easement.
14-292a 14-293 14-293a  Change 4	John Anthony Shepherdson	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant has secured a voluntary agreement with the Affected Party for a cable easement.</p>
14-292a 14-293 14-293a  Change 4	Kevin Simon Webster	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant has entered into an Option Agreement with the Affected Party for the solar array at Cottam 1.</p>
14-292b 14-292c 14-292d 14-292f 14-292g 14-294 14-295 14-296  Change 4	Jeffrey Craig Pace	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant is also currently in voluntary negotiations with the Affected Party for a cable easement.</p>
14-292b 14-292c 14-292d 14-292f 14-292g 14-294 14-295	Rachel Elaine Munn	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant is also currently in voluntary negotiations with the Affected Party for a cable easement.</p>

14-296		
Change 4		
14-292d	Danielle Skayman	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant is also currently in voluntary negotiations with the Affected Party for a cable easement.</p>
14-292d	Phillip William Sharp	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Applicant has attempted to secure a voluntary agreement with the Affected Party for a cable easement, however, this has been refused.</p>
14-292d	Susan Mary Sharp	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p> <p>The Affected Party's land was included as a conservative approach as potential land required for the cable route corridor, in order to build flexibility into the Applicant's proposals. However, current design proposals are that there would only be use of the highway land for the cable route and not any third-party land so no voluntary agreements with the landowner are required.</p>
14-292g 14-292h 14-301	Jennifer Anne Taylor	<p>The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.</p> <p>The Affected Party has therefore been in receipt of s.48 and s.56 notices.</p>

Change 4		The Applicant is also currently in voluntary negotiations with the Affected Party.
17-334a	Claire Amanda Hunt	The Affected Party holds a subsoil interest to High Street, Marton.
Change 3		The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
17-334a	Dorothy Annette Wright	The Applicant has previously consulted with the Affected Party as they hold a subsoil interest in High Street, Marton.
Change 3		The Affected Party has therefore been in receipt of s.48 and s.56 notices.
17-334a	Greta Mary Hill	The Affected Party holds a subsoil interest in High Street, Marton.
Change 3		The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
17-334a	Jonathon Hill	The Affected Party holds a subsoil interest in High Street, Marton.
Change 3		The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
17-334a	Matthew Colin Wright	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to High Street, Marton.
Change 3		The Affected Party has therefore been in receipt of s.48 and s.56 notices.
17-334a	Prime Life Limited	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to High Street, Marton.
Change 3		The Affected Party has therefore been in receipt of s.48 and s.56 notices.
19-394	David Robert Mellors	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.
Change 2		The Affected Party has therefore been in receipt of s.48 notices.

19-394 19-401 19-402 20-403  Change 1 and 2	EDF Energy (Thermal Generation) Limited	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.  The Applicant is also currently in voluntary negotiations with the Affected Party for a cable easement.
19-394 19-395 19-396  Change 1 and 2	Paul Spink Limited	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.
19-394  Change 2	Simon Joseph Gray	The Affected Party holds a subsoil interest to Torskey Ferry Road.  The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
19-394  Change 2	Sonia Murrell Gray	The Affected Party holds a subsoil interest to Torksey Ferry Road.  The Applicant has written to the Affected Party to discuss their interests within the Order Limits.
19-396  Change 1	George Eric Briggs	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 notices.
19-396 19-398 19-399  Change 1	Knightwood Trust Farms Limited	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.
19-397	Mark Ducksbury	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.

Change 1		The Affected Party has therefore been in receipt of s.48 notices.
19-399 19-400  Change 1	EAR Quickfall & Sons	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 notices.
19-401  Change 2	Diana Eyre's Educational Foundation	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 notices.
19-401  Change 2	Rampton and Woodbeck Parish Council	The Applicant has previously consulted with the Affected Party as they hold subsoil interests to Torksey Ferry Road.  The Affected Party has therefore been in receipt of s.48 notices.
19-401  Change 2	Southwell and Nottingham Diocesan Board of Finance	The Applicant has previously consulted with the Affected Party as they are a landowner within the Order Limits.  The Affected Party has therefore been in receipt of s.48 and s.56 notices.  The Applicant has secured a voluntary agreement with the Affected Party for a cable easement.

## 4.5 Consultation with Historic England and Local Authority Archaeology Services

### Order Limits Changes 1 and 2

- 4.5.1 Engagement with the Local Authorities and with Historic England in relation to the potential heritage impacts of Changes 1 and 2 has been conducted in coordination with the applicant for Gate Burton Energy Park.
- 4.5.2 A meeting was held with Historic England on 18 September 2023 (via telephone) to discuss the potential impacts of the Scheme within the extended Order Limits on the Scheduled Monument Fleet Plantation Moated Site (NHLE 1008594). Historic

England advised that trial trenching should be undertaken to confirm the presence or absence of archaeological remains in the extended Order Limits that may be associated with the Scheduled Monument, and their potential significance. The results of the trial trenching will be used to finalise any mitigation requirements in relation to the Scheduled Monument and would be incorporated into a revised Written Scheme of Investigation for Archaeological Mitigation (if required).

4.5.3 A meeting was held with the Archaeological Advisor for Bassetlaw District Council (BDC) (on behalf of Nottinghamshire County Council (NCC) and Lincolnshire County Council (LCC)) on 20 September 2023 (via Teams meeting) who advised that a phase of trial trenching should be carried out in order to confirm the presence or absence of archaeological remains in the extended Order Limits. The results of the trial trenching will be used to determine any mitigation requirements in relation to any identified archaeological remains.

4.5.4 As recommended by consultees, a programme of trial trenching is proposed in order to confirm the presence or absence of archaeological remains within the extended Order Limits and their significance. The number and layout of the trial trenches will be agreed with Historic England and NCC's and LCC's Archaeological Advisor.

4.5.5 Appropriate mitigation measures will be identified in an updated Written Scheme of Investigation for Archaeological Mitigation and will be agreed with Historic England and the Archaeological Advisors to the relevant Local Planning Authorities. It is anticipated that the updated Written Scheme of Investigation for Archaeological Mitigation will be submitted at Deadline 4. Further details of the heritage assets that have the potential to be impacted by the Scheme within the extended Order Limits is described in the Supporting Environmental Information Report [EN010133/CR1/C9.3] accompanying this Change Application. The conclusion is that, with appropriate mitigation measures, there will be no new or different likely significant effects because of the change. This includes the Scheduled Monument Fleet Plantation Moated Site (NHLE 1008594) located directly adjacent to the south eastern extent of the extended Order limits boundary. The information from the trial trenching is therefore not considered necessary to evaluate the significance of environmental effects, but to inform mitigation to be undertaken during construction.

#### Order Limits Change 3

4.5.6 No potential significant heritage impacts have been identified in relation to Change 3.

#### Order Limits Changes 4 and 5

4.5.7 The uncertainty relating to the need for and to the extent of Changes 4 and 5 has prevented substantive pre-application engagement.

4.5.8 Appropriate mitigation measures will be included in an updated version of the Archaeological Mitigation WSI [APP-131] including archaeological monitoring and the subsequent reinstatement of affected earthworks.

## 4.6 Consultation with Local Planning Authorities

### Order Limits Changes 1 and 2

4.6.1 In relation to Changes 1 and 2, on 22 September 2023, the applicant for Gate Burton Energy Park, in coordination with the Applicant, held a joint Local Planning Authority meeting with representatives from Lincolnshire County Council, Nottinghamshire County Council, West Lindsey District Council and Bassetlaw District Council to discuss the proposals in further detail. The following initial points were raised:

- The Senior Rights of Way Officer for Nottinghamshire County Council asked for further details on the likely impacts on public rights of way as a result of Changes 1 and 2, in particular:
  - the Byway Open to All Traffic (BOAT) that runs along Torksey Ferry Road (BOAT13). Further details were requested regarding the level of likely construction/operation traffic so that the effect on the BOAT13 and the need for any temporary closure/diversion could be considered further; and
  - BOAT12 and Footpath 20 which both run in a north-south direction to the south of Torksey Ferry Road. Further information was requested regarding how, if at all, these might be disrupted by construction traffic.

The Applicant has updated its outline Construction Traffic Management Plan ('oCTMP') [EN010133/CR1/C6.3.14.2\_B\_CR] to state that the works will require the closure of a section of PRoW NT/Rampton/BOAT13 for a maximum period of up to 4 weeks. Prior to construction, the duration of the closure will be reviewed depending on the existing road condition, construction sequencing, final design and weather conditions during the works to reduce this duration as far as possible. The measures are secured through the dDCO [EN010133/CR1/C3.1\_D\_CR], which requires the relevant planning authority to approve final versions of the oCTMP [EN010133/CR1/C6.3.14.2\_B\_CR] and the PRoW Management Plan [EN010133/CR1/C6.3.14.3\_C\_CR] prior to the commencement of construction of the Scheme.

- The Applicant also highlighted the nearby Fleet Plantation Scheduled Monument and that discussions that had taken place with Historic England and Bassetlaw District Council and Lincolnshire County Councils' Archaeological Advisors regarding proposed trial trenching evaluation and changes to the Written Scheme of Investigation for Archaeological Mitigation; and
- Nottinghamshire County Council Highways team queried how the changes would affect construction traffic through Rampton. The Applicant confirmed there would be no additional HGV traffic movements through Rampton because construction traffic from the north will use the dedicated haul route within the Order Limits to the west of the Cottam power station site. This is also secured in the updated oCTMP [EN010133/CR1/C6.3.14.2\_B\_CR].

#### Order Limits Changes 3, 4 and 5

- 4.6.2 In relation to Changes 3, 4 and 5, the Applicant has engaged with the host local authorities.
- 4.6.3 The Applicant discussed the proposed changes, summarising the reasons for each of them, with Lincolnshire County Council by telephone on 20<sup>th</sup> November 2023. The Head of Planning confirmed that he did not envisage there being any fundamental problems with the changes.
- 4.6.4 The Applicant discussed the proposed changes, summarising the reasons for each of them, with Nottinghamshire County Council by telephone on 20<sup>th</sup> November 2023. The Planning Policy Team Manager confirmed that he did not envisage there being any fundamental problems with the changes.
- 4.6.5 The Applicant discussed the proposed changes, summarising the reasons for each of them, with West Lindsey District Council by telephone on 21<sup>st</sup> November 2023. The Development Management Team Manager confirmed that he did not envisage there being any fundamental problems with the changes.
- 4.6.6 The Applicant contacted Bassetlaw District Council by email with details of the proposed changes on 20<sup>th</sup> November 2023, inviting further discussion by telephone.



## 5 Proposed Examination Timetable

### 5.1 Introduction

5.1.1 The Applicant submitted a Change Request Notification to the ExA in accordance with Advice Note 16 on 21 November 2023 [EN010133/CR1/C9.1]. This included details of the intended changes and set out a proposed timetable for examining the Change Application.

5.1.2 The ExA responded to the Change Notification on 30 November 2023. With regards to the approach to the examination, the ExA made the following comments relating to actions for the Applicant:

- The Change Application should be submitted as soon as possible;
- A minimum of 5 working days should be allowed for acceptance of the Application;
- An additional press notice should be published in early January (albeit that this would not extend the deadline for representations);
- A deadline for the submission by the Applicant of the Certificate of Compliance under Regulation 9 will be no later than 29 January 2024;

The Applicant notes that the ExA is minded to adopt the same approach as that adopted for the examination of the change application for Gate Burton Energy Park, where the Relevant Representations period and the Written Representations period ran concurrently;

5.1.3 Having regard to these comments, a revised proposed timetable for the examination is set out in Table 5.1

Table 5.1: Proposed Timetable

Stage	Proposed Date	Source
Submission of Notification of Change Request	21 November 2023	Advice Note 16
Submission of Change Application	8 December 2023	CA Reg 5
Acceptance by ExA of Change Application	15 December 2023	CA Regs 6 and 12
First press notice / Start of consultation period	21 December 2023	CA Regs 7 and 8
Second press notice	28 December 2023	CA Reg 8
Additional press notice	4 January 2024	ExA Request
CA Regs Deadline 1 – Closing date for consultation	26 January 2024	CA Regs 7, 8 and 12
Submission of Certificate of Compliance submitted	29 January 2024	CA Reg 9

ExA issues timetable, notices of hearings and Initial Assessment of Principal Issues	2 February 2024.	CA Reg 11
CA Regs Deadline 2 - Submission of Relevant Representations and Written Representations on Change Application and deadline for requests to speak at OFH and CAH	22 February 2024	CA Regs 12 and 13
CA Regs Deadline 3 - Comments on submissions received at CA Regs Deadline 2	27 February 2024	CA Regs 12 and 13
Additional hearings (OFH, ISH, CAH), if required	28 February 2024 and 29 February 2024	CA Regs 14, 15 and 16
Existing Deadline 6 - Comments on submissions received at CA Regs Deadline 4 and written summary of oral submissions at hearings (if required)	5 March 2024	CA Regs 12 and 13

## 6 Schedule of Application Documents

- 6.1.1 An updated version of the Guide to the Application [EN010133/CR1/C1.3\_D\_CR] provides a full schedule of the application documents, indicating which are the current documents for the main application and which are the current change application documents.
- 6.1.2 The new documents being submitted for this Change Application are listed in Table 6.1.
- 6.1.3 The documents for which revised versions are being submitted are listed in Table 6.2.

Table 6.1: New documents submitted with this Change Application

Ref	Title
CR1/C9.2	Change Application
CR1/C9.3	Supporting Environmental Information Report

Table 6.2: Revised documents submitted with this Change Application

Ref	Title	Reason for change
CR1/C1.3_D_CR	Guide to the Application (Revision D) (Change Application)	Updates to list of documents and to introductory text
CR1/C2.1_A_CR	Location Plan / Order Limits (Revision A) (Change Application)	Update to the Order Limits
CR1/C2.2_C_CR	Land Plan (Revision C) (Change Application)	Updates in relation to all Changes
CR1/C2.4_B_CR	Works Plan (Revision B) (Change Application)	Updates in relation to all Changes
CR1/C2.5_C_CR	Public Rights of Way Plan (Revision C) (Change Application)	Updates in relation to all Changes
CR1/C2.6_B_CR	Access Plan (Revision B) (Change Application)	Changes to position of Accesses AC114 and AC115. Addition of Accesses AC100-1 and AC100-2
CR1/C2.9_A_CR	Ecology and Nature Conservation Features Plan (Revision A) (Change Application)	Updates in relation to all Changes
CR1/C2.11_A_CR	Important Hedgerows Plan (Revision A) (Change Application)	Updates in relation to all Changes

CR1/C2.13_C_CR	Streets Plan (Revision C) (Change Application)	Updates in relation to all Changes
CR1/C3.1_D_CR	Draft Development Consent Order (Revision D) (Change Application)	Updates in relation to all Changes in Schedule 4, Schedule 5, Schedule 6, Schedule 7, Schedule 8, Schedule 10, Schedule 12, Schedule 13, Schedule 14  Corrections to numbering of paragraphs
CR1/C3.2_A_CR	Draft Explanatory Memorandum (Revision A) (Change Application)	Updates to align with amendments to the draft DCO
CR1/C4.1_B_CR	Statement of Reasons (Revision B) (Change Application)	Updates in relation to all Changes.  Updates to Status of Negotiations.
CR1/C4.2_A_CR	Funding Statement (Revision A) (Change Application)	Updates in relation to all Changes
CR1/C4.3_D_CR	Book of Reference (Revision D) (Change Application)	Updates in relation to all Changes
CR1/C6.3.8.3_B_CR	ES Appendix 8.3 Assessment of Potential Visual Effects	Updates to assessment sheets for receptors T083 and T085 relating to Change 5
CR1/C6.3.14.2_C	ES Appendix 14.2 Construction Traffic Management Plan (Revision C) (Change Application)	Updates to diagrams for AC114 and AC115. Addition of Accesses AC100-1 and AC100-2. Reference to Joint CTMP
CR1/C6.3.14.3_C	ES Appendix 14.3 Public Rights of Way Management Plan (Revision C) (Change Application)	Updates in relation to the BOAT on Torksey Ferry Road in relation to Changes 1 and 2
CR1/C7.3_C_CR	Outline Landscape and Ecological Management Plan (Revision C) (Change Application)	Updates to Hedgerow Removal Plan:  Changes 1 and 2: Addition of HR46-HR52  Change 4: Removal of HR2; addition of HR45 and HR45  Change 5: Addition of HR38-HR43



## **7 Conclusions**

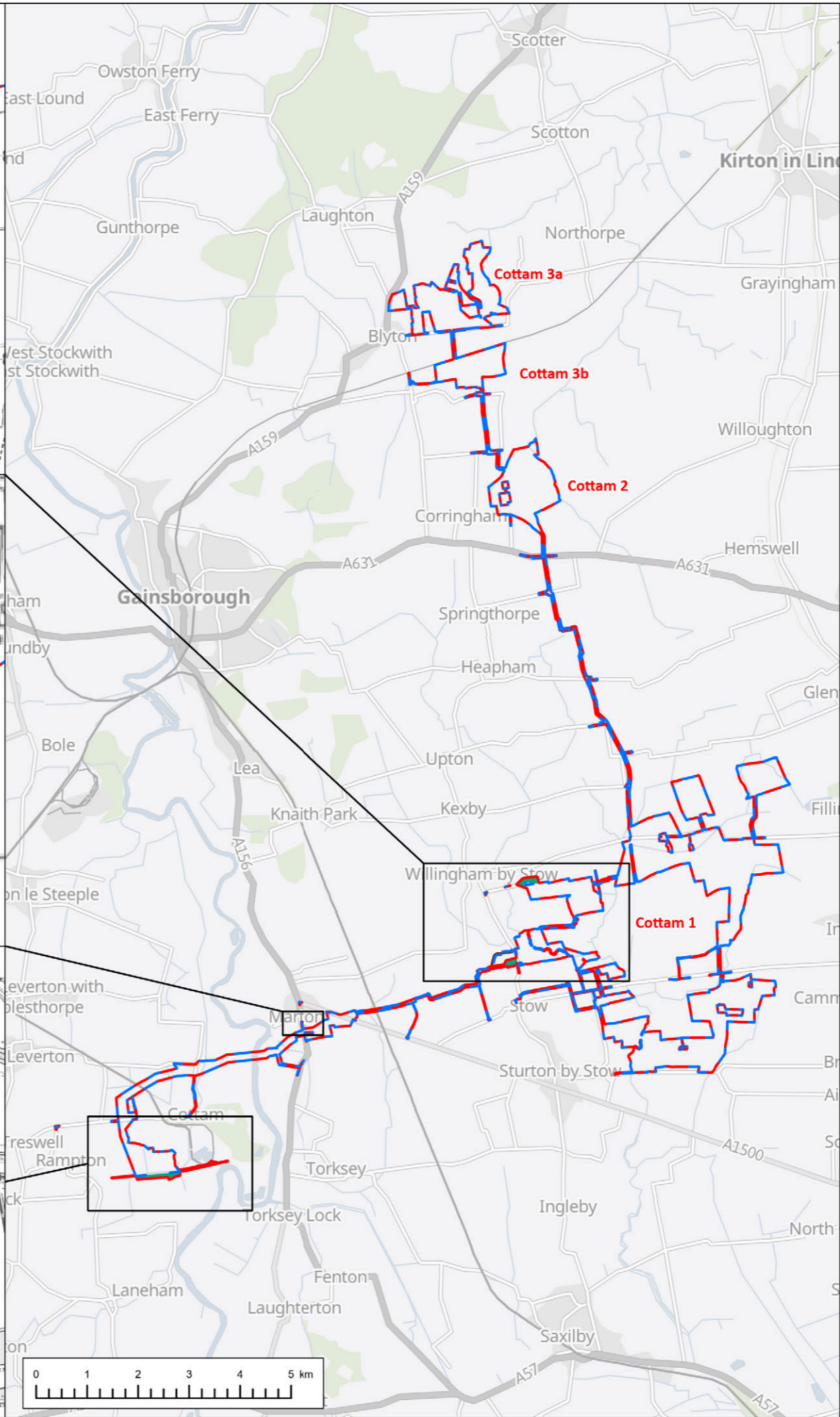
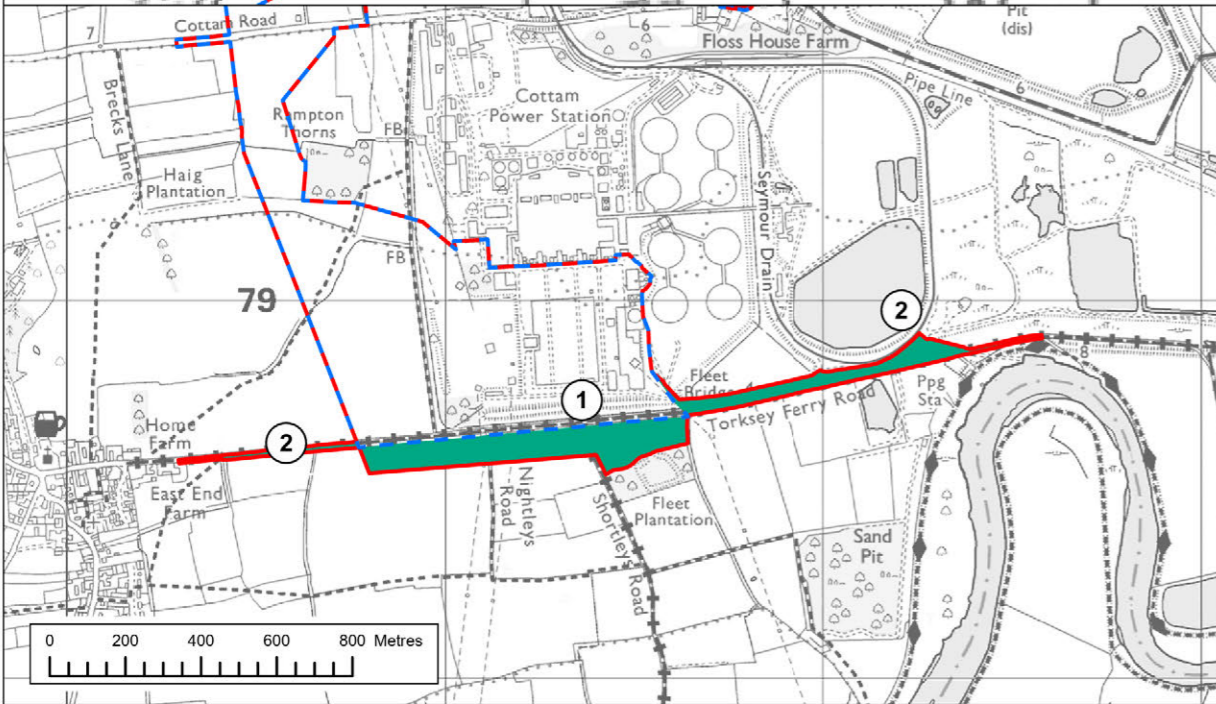
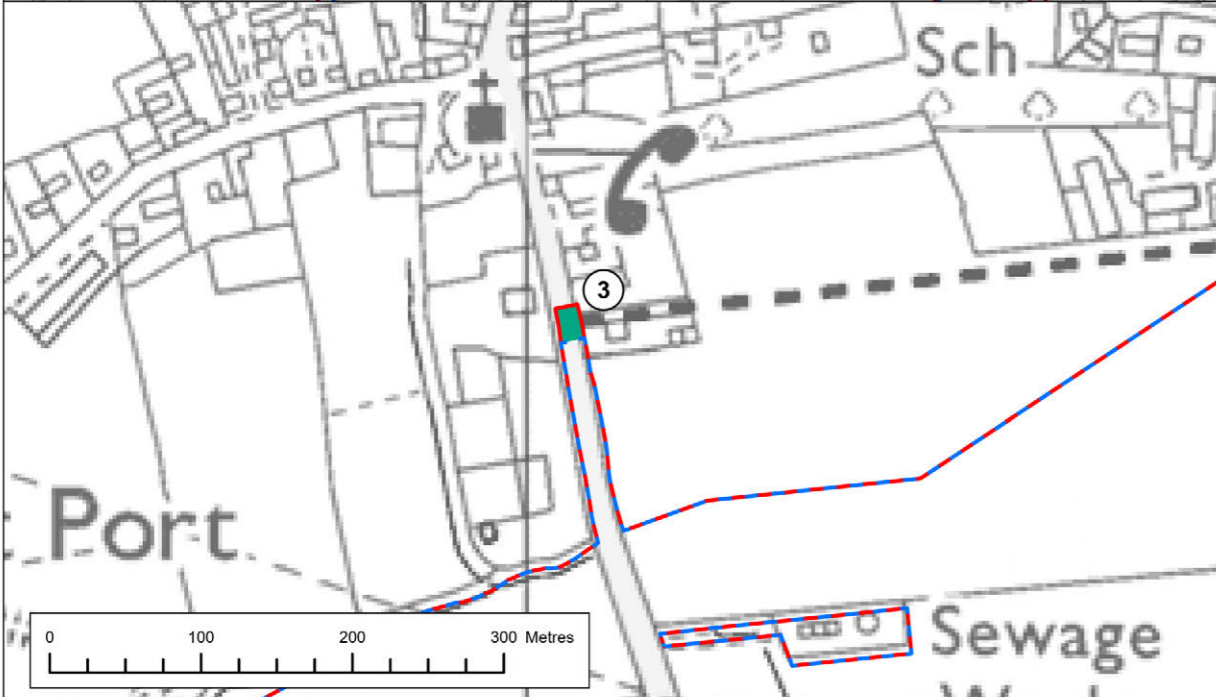
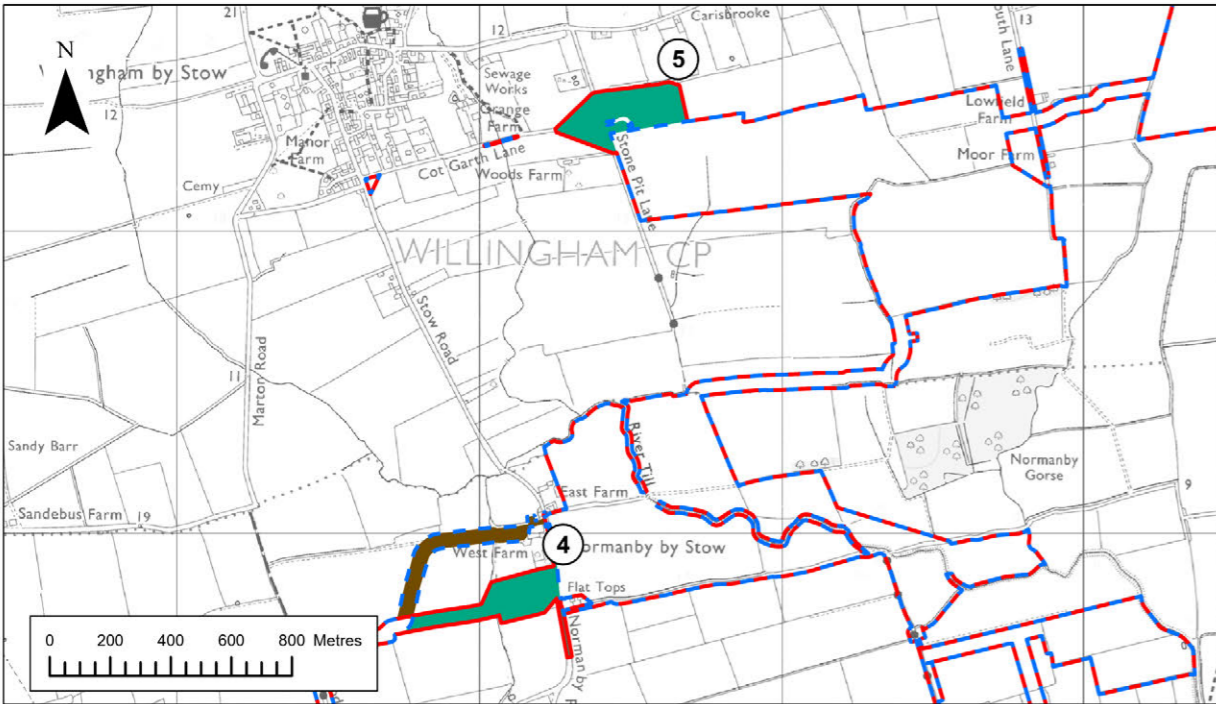
- 7.1.1 The Applicant requests that the Examining Authority accepts this Change Application for consideration as part of the Cottam Solar Park Examination.
- 7.1.2 The proposed changes would not constitute a materially different application.
- 7.1.3 Each of the changes proposed is the result of engagement with stakeholders or the Applicant having received new information since the submission of the Application. Changes 1 and 2 seek to accommodate statutory undertaker feedback received during the Examination and to allow flexibility to minimise potential conflict with existing assets and potential future plans for the Cottam Power Station site. Change 3 supports that alignment of a construction accesses with those proposed for Gate Burton Energy Park. Change 4 modifies the route of the cable in response to comments from nearby residents. Change 5 allows flexibility in the configuration of a construction access to avoid underground apparatus unknown to the Applicant at the time of the submission of the Application.
- 7.1.4 The Applicant has conducted targeted and proportionate engagement with relevant stakeholders and interested parties. The remaining time within the Examination will allow adequate time for further consultation with interested parties and with the public.
- 7.1.5 The Applicant is grateful to the Examining Authority for confirming its willingness to consider the acceptance of this Change Application in a shorter time period than the CA Regulations allow in order to allow it to be examined.

## 8 References

- Ref.1 Planning Act 2008 (<https://www.legislation.gov.uk/ukpga/2008/29/contents>) ('Planning Act 2008')
- Ref.2 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (<https://www.legislation.gov.uk/uksi/2009/2264/contents/made>) ('APFP')
- Ref.3 Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (<https://www.legislation.gov.uk/uksi/2010/104/contents/made>) ('CA Regulations')
- Ref.4 The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 as amended (<https://www.legislation.gov.uk/uksi/2011/2055/contents>)
- Ref.5 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (<https://www.legislation.gov.uk/uksi/2017/572/contents/made>) ('EIA Regulations')
- Ref.6 Planning Inspectorate Advice Note Sixteen (Version 3), *Requests to change applications after they have been accepted for examination*, March 2023 (<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-16/>) ('Advice Note 16')
- Ref.7 Guidance: Planning Act 2008: examination of applications for development consent, March 2015 (<https://www.gov.uk/government/publications/planning-act-2008-examination-of-applications-for-development-consent>) ('Examination Guidance')
- Ref.8 Guidance: Planning Act 2008: changes to Development Consent Orders, December 2015 (<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/>)

## **Appendix 1      Plan of Requested Changes**





**Key**

- Proposed Order Limits
- Submitted Order Limits
- Changes to Order Limits**
- Additional Area
- Removal Area
- Change reference

Layers: Lanpro, 2023  
 Base map: Contains OS data © Crown Copyright and database right 2023  
 Contains data from OS Zoomstack

Ref: P2981_LPR_ZZ_ON_DR_Z_0285	Date: 21/11/2023
Drawn by: AZ	Checked by: AVW

**Proposed Changes to Order Limits  
December 2023**

**COTTAM SOLAR PROJECT**

## **Appendix 2      Agreed Statement with EDF and Uniper**

# Cottam Solar Project

## Agreed Statement with EDF and Uniper

Prepared by: Lanpro Services  
November 2023

PINS Ref: EN010133



<b>1</b>	<b>AGREED STATEMENT</b>	<b>3</b>
<b>2</b>	<b>SIGNATORIES</b>	<b>5</b>

## **1 Agreed Statement**


- 1.1.1 This Statement has been prepared by the Applicant, EDF Energy (Thermal Generation) Limited and Uniper UK Limited in respect of the Applicant's change request for:
1. An extension of the Order Limits immediately to the south of Torksey Ferry Road for works to construct and operate the high voltage cables and associated development;
  2. An extension to the Order limits to the east and west along Torksey Ferry Road to accommodate access during construction and (for some parts of the road) during operation;
  3. An extension to the Order limits immediately to the north of the eastern extension along Torksey Ferry Road (into EDF land) to accommodate access during construction; and
  4. A request seeking powers of compulsory acquisition and/or temporary possession over the same land to facilitate the construction and operation of the Scheme.
- 1.1.2 The Parties can confirm that they have been engaged in technical and commercial discussion regarding routeing of the high voltage cables for the Cottam Solar Project as well as for the Gate Burton Energy Park and Tillbridge Solar schemes, plus construction and operational access locations to the Cottam Power Station Substation.
- 1.1.3 As a result, the additional land to the south of Torksey Ferry Road has been identified to provide additional flexibility for cable routeing, to provide an opportunity during detailed design for Cottam Solar Project to route its cable to the south of the substation, thereby mitigating and minimising interactions with existing infrastructure on the western substation boundary.
- 1.1.4 The additional land to the east along Torksey Ferry Road and into the Cottam Power Station Substation provides an alternative construction access, which also provides an opportunity during detailed design to minimise interactions with the infrastructure on the western substation boundary by enabling construction traffic to enter into the substation area from the east (whilst maintaining at all times Uniper UK Limited's access to its existing infrastructure located along the additional land to the east along Torksey Ferry Road and the pumping station that serves Uniper's CDC power station). The additional land to the west along Torksey Ferry Road provides an option for operational access to be taken via the public highway network at Rampton for very limited use. The exact location of all infrastructure and access points (including operational access) will be determined post-consent, but it is agreed that this additional flexibility is appropriate to seek to ensure all existing and proposed infrastructure and development proposals can coexist.

- 1.1.5 EDF Energy (Thermal Generation) Limited and Uniper UK Limited maintain that adequate protective provisions will be required on the face of the DCO to protect their land and apparatus and are continuing to engage with the Applicant in this regard.
- 1.1.6 This statement has been agreed by the Applicant, EDF Energy (Thermal Generation) Limited and Uniper UK Limited.


## 2 Signatories

2.1.1 The above statement is agreed between Cottam Solar Project Ltd (the Applicant) and EDF Energy (Thermal Generation) and Uniper UK Limited as specified below:

Duly authorised for and on behalf of Cottam Solar Project Ltd.

Name:	Eve Browning
Job Title:	Senior Project Development Manager
Date:	30/11/2023
Signature:	

Duly authorised for and on behalf of EDF Energy (Thermal Generation)

Name:	Ben Malfroy
Job Title:	Head of Real Estate & Land
Date:	29/11/2023
Signature:	

Duly authorised for and on behalf of Uniper UK Limited

Name:	Lucy Berry
Job Title:	Land Manager
Date:	30/11/2023
Signature:	