



COTTAM SOLAR PROJECT– EN-010133

WEST LINDSEY DISTRICT COUNCIL – 20037171

ISSUE SPECIFIC HEARING 2 – ENVIRONMENTAL MATTERS- GENERAL

TUESDAY 5TH DECEMBER 2023

SUMMARY OF HEARING

ITEM	MATTER	WLDC Comments
3. MAIN DISCUSSION POINTS		
	<p>The Historic Environment</p> <p>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.</p>	<p>WLDC note the position of Historic England (as stated in their Relevant Representation (REP-065)) and concur with the comments made, and position adopted.</p> <p>The impacts of the proposed development upon the Thorpe Medieval Settlement (NHLE ref. 1016978) have been assessed in the applicant’s Environmental Statement to be ‘moderate adverse’, which is ‘significant’ in EIA terms. WLDC considers this impact to be a considerable level of less than substantial harm for the purpose of assessing the proposed development against paragraph 5.9.27 and 5.9.32 of NPS EN-1 (2023) in that such harm should be weighed against the public benefits of the proposal.</p> <p>WLDC note and concur with Historic England’s conclusion that the 50m buffer applied to the north of the Scheduled Monument is insufficient and does not address the impacts caused by the proposed development to the significance of the monument. Historic England have provided a recommendation that solar panels are removed between the Scheduled Monument and the former historic east-west boundary (as recorded on the historic map provided by</p>

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		<p>Historic England in their Deadline 2 submission). Based upon the proportionately small area of land affected by this request, WLDC considers it a wholly reasonable solution to ensure statutory and policy requirements are satisfied.</p> <p>Should the applicant decline to amend the proposed development in the manner requested by Historic England, WLDC consider this to be an issue upon which the application should be refused development consent.</p>
	<p>The potential for disturbance to archaeological remains, in particular during the construction phase; and</p> <p>The approach set out the Archaeological Mitigation Written Scheme of Investigation.</p>	<p>As the local authority responsible for archaeology, WLDC defer to Lincolnshire County Council on such matters.</p>
	<p>Agriculture and soils</p>	
	<p>Written Ministerial Statement (March 2015)</p>	<p>The Written Ministerial Statement (March 2015) has not been revoked and remains an important and relevant matter for consideration in determining the Cottam Solar Project under section 105 of the Planning Act 2008.</p> <p>The publication of the update National Policy Statement EN-3 (to be ratified by Parliament early 2024) has the effect of providing updated policy with regard to the impact of solar farm development on agricultural land classification and land type. WLDC acknowledge that this updated policy must be read in context with the Ministerial Statement and provides the most recent policy where any conflicts between the two arise.</p> <p>WLDC maintain that both the Ministerial Statement and the updated NPS both require solar projects to be sited on poorer quality land and that applicants are required to explain their choice of site, noting the preference for development to be on suitable brownfield, industrial and low and medium grade agricultural land.</p> <p>WLDC also note the Applicant's clarification that the environmental assessment does not rely upon the grazing of livestock.</p>

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	Landscape and visual	
	LVIA	<p>WLDC noted that the applicant stated that there will be no further updates on the LVIA, however cumulative updates may be provided (e.g. to reflect the 60 year consent timescale now being sought by the Applicant).</p> <p>Notwithstanding the Applicant's stated position that the proposed development would have a beneficial impact due to the reinforcement of field boundaries, WLDC maintain a strong disagreement to this conclusion both in terms of landscape character and visual effects.</p> <p>WLDC still does not have clarity on how the Applicant has reached a conclusion that beneficial effects on the landscape will occur as a consequence of the proposed development. The Applicant merely stated that the conclusion is reached through professional judgement, however how that judgement has been reached was not reasoned.</p> <p>WLDC does not understand how an assessment of the impact of circa. 900ha of solar panel arrays and associated electrical infrastructure upon a baseline defined by agricultural fields can reach a conclusion that the character of that landscape will be improved has been reached. The implications of the conclusion are that the current landscape character and visual qualities are inferior to that which would be experienced should the proposed development be inserted into the landscape. WLDC is unable to understand how the logic of a professional judgement can be applied to reach that conclusion.</p> <p>WLDC considers that the introduction of circa. 900 ha of rows of solar panels and utilitarian structures into currently pleasant open fields with a strong rural character would represent a significant change to the landscape character and visual effects. Such effects would clearly be at odds with the current landscape character and rural surrounding and would therefore have a significant adverse impact. Such conclusions were reached in the ES supporting the Gate Burton project, with which WLDC agreed. This is evidenced in the Joint Report on Interrelationships, which demonstrates the wide variation between adverse and beneficial impacts concluded by different project ES'. The wide disparity in conclusion results in there being no clear, consistent or reliable cumulative assessment to inform the decision maker. The current differentiation currently leaves the decision maker in the position of having choose which conclusions they consider valid and which ones are invalid.</p>

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		During the Hearing, WLDC does not consider that the Applicant adequately explained the process by which professional judgement was applied. As a consequence, WLDC's position is that there are significant uncertainties in the Applicant's LVIA that should not be relied upon.
	Good design	WLDC was not provided an opportunity to comment on matters of design, however maintain their objections in this regard as set out in its LIR, Written Representation and response to ExA question 1.2.28 within ExQ1s.