



COTTAM SOLAR PROJECT – EN-010133

WEST LINDSEY DISTRICT COUNCIL – 20037171

ISSUE SPECIFIC HEARING 4 – ENVIRONMENTAL MATTERS- GENERAL

WEDNESDAY 6TH DECEMBER 2023

SUMMARY OF HEARING

ITEM		
3. THE APPROACH TO CUMULATIVE EFFECTS		
	Summary of other projects included in the cumulative assessment	WLDC confirmed the list of projects identified are correct for the purpose of the cumulative assessment.
4. MAIN DISCUSSION POINTS		
	Whether there are any changes to the information on other projects.	WLDC note that the Applicant intends to update the Joint Report on Interrelationships (JRI) to reflect the current information available. WLDC also question the status of the Report as part of the examination and the DCO. It does not represent an additional/updated environmental assessment, it is not secured through any DCO 'requirement' and does not have the status as a Certified Document. With the applicant referring to the document to justify impacts and mitigation, this reliance indicates that it should be secured as a control document to ensure commitments are delivered. If the Report is not to be treated in this manner, its contents must be included within relevant application documents and clearly signposted where they are secured by the JRI.

ITEM		
		<p>WLDC requested clarification on the extent to which representatives of the Gate Burton project will remain involved in the Report as it progresses through this examination. The Applicant confirmed that the Gate Burton project will remain involved with regard to agreements on amendments.</p> <p>WLDC notes that the applicant confirmed that the JRI will continue to be updated, which will result in different reports being considered for different examinations. This undermines the purpose of the document, which is to provide consistent information on the cumulative impacts assessed by each project. WLDC questions whether there is it will be necessary for the JRI to be updated following the close of the respective examinations to ensure consistency.</p> <p>The current disparity in professional judgements (in relation to LVIA in particular) results in uncertainty as to which conclusion on impacts are correct for the purpose of determining the application. This disparity leaves the decision maker in a position of having to decide which ES is correct and which is incorrect when considering cumulative impacts; a situation that WLDC find unacceptable given the magnitude of impacts that would arise from the three NSIP applications.</p>
	Climate change	Due to the cumulative assessments in the Gate Burton, Cottam and West Burton Environmental Statements not aligning, it is not possible to assess the conclusions. This will be further problematic if the assessments are changed throughout the examination.
	Agriculture and Soils	WLDC requested that this ES chapter is required to be updated to align with the JRI.
	Transport	WLDC expressed its concern about how construction traffic will be managed in the event that two or more projects are constructed at the same time (in parallel or overlapping). WLDC are seeking an approach to co-ordination to be secured in the Outline Construction Traffic Management Plan. Securing principles at this stage are important given the likely impact of construction traffic on communities and the need for consistency in both commitment and technical approach to a joint co-ordinated approach across projects.

ITEM

WLDCs position on the approach to cumulative assessment

WLDC reiterated its request for an assessment of various combinations of projects to be carried out and not just a reliance upon a 'worst case' assessment of all projects taken together.

WLDCs position is that, in the event that all three of the current projects in examination (Cottam, Gate Burton and West Burton) are determined at the same time by the Secretary of State, the environmental information provided only allows for three decision options to be made:

- i. To grant consent for a single project only; or
- ii. To grant consent for all three projects; or
- iii. To refuse consent for all three projects.

During Issue Specific Hearing 4 'Cumulative Effects' (06/12/2023) this position was fairly described as an 'all or nothing' scenario by the ExA, a definition to that WLDC considers appropriate.

WLDC have consistently requested that the cumulative assessments for all projects assess the various combinations between them. Such an assessment would allow the decision maker, in the event that they find all three projects unacceptable, to consider whether two projects could be granted.

Based upon the current approach, such a decision is unable to be made due to the lack of environmental assessment to demonstrate the comparative impacts between each combination to allow a reasoned judgement to be made.

WLDC noted the request by the ExA to agree a position with the Applicant through the Statement of Common Ground. WLDC have provided the Applicant with initial wording for continued discussion.