Cottam Solar Project

Statement of Common Ground (DRAFT) West Lindsey District Council

Prepared by: Lanpro Services December 2023

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Issue Sheet

Report Prepared for: Cottam Solar Project Ltd. Examination Deadline 1

Statement of Common Ground

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared as part of the proposed Cottam Solar Project Development Consent Order (the Application) made by Cottam Solar Project Ltd (the Applicant) to the Secretary of State for Energy Security & Net Zero (the Secretary of State) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate's website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not yet been reached. SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Cottam Solar Project Ltd. as the Applicant and (2) West Lindsey District Council. West Lindsey is a host authority with a prescribed statutory role in the DCO process. The majority of the Scheme is located within West Lindsey District with the exception of the Point of Connection at the former Cottam Power Station and the section of the cable route connecting into this.
- 1.2.2 Collectively, Cottam Solar Project Ltd. and West Lindsey District Council (WLDC) are referred to as 'the parties'.

1.3 Terminology

- 1.3.1 In the tables in Sections 3 5 of this SoCG:
 - "Agreed" indicates where the issue has been resolved.
 - "Not Agreed" indicates a final position, and
 - "Under discussion" indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

1.4 Topic Referencing for all matters

1.4.1 All matters agreed, under discussion and not agreed have been given unique references which relate to the topic matter. The referencing system is defined as follows:

Торіс	Unique Identifying Code
Principle of Development/ General	PD-XX



Alternatives and Design Evolution	ALT-XX
Climate Change	CC-XX
Landscape and Visual	LAN-XX
Ecology and Biodiversity	ECO-XX
Hydrology	HY-XX
Cultural Heritage	CUL-XX
Noise and Vibration	NOI-XX
Air Quality	AIR-XX
Socio-Economics, Tourism and Recreation	STR-XX
Ground Conditions and Contamination	GRO-XX
Transport and Access	TRA-XX
Soils and Agriculture	SAA-XX
Other Environmental Matters	OEM-XX
Development Consent Order	DC0-XX



2 Record of Engagement

2.1 Summary of consultation

2.1.1 The parties have been engaged in consultation since September 2021. A summary of the meetings and correspondence that has taken place between Cottam Solar Project and West Lindsey District Council in relation to the Application is outlined in Table 2-1.

Date	Form Correspondence	Key topics discussed and key outcomes	
Principle of D	Development/General		
09.09.21	Initial Project kick off meeting	The range of topics addressed in the SoCG.	
22.09.21	Member briefing	The range of topics addressed in the SoCG.	
Since Feb 2022	Monthly meetings with Planning Officers.	The range of topics addressed in the SoCG.	
March 2023	West Lindsey DC relevant	Policy framework and decision making	
	representation [RR-004]	Cumulative impacts	
		Project specific impacts	
		Mitigation	
		Draft DCO	
Hydrology			
27/07/23	Section 42 Consultation	Flood Risk Assessment and Drainage Strategy [APP-090] and ES Chapter 10: Hydrology, Flood Risk and Drainage [APP-045].	
		West Lindsey District Council stated that Flood Risk Assessments (FRA) had to be undertaken and that FRA will need to maintain the predevelopment surface water regime post development.	

Table 2-1 - Record of Engagement

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Cottam Solar Project Ltd. and (2) West Lindsey District Council in relation to the issues addressed in this SoCG.



3 Matters Agreed

Tables 3-1 to 3-9 below detail by topic the matters agreed with West Lindsey District Council.

3.1 Matters Agreed (Principle).

Торіс	Sub-topic	Details of Matters Agreed
PD-01 Principle of Development	Site description	The Site description set out at ES Chapter 3: The Development Site [APP-038] is accurate.
PD-02 Principle of Development	Planning History	The relevant planning history for the Scheme insofar as it relates to land within West Lindsey District is set out at Planning Statement [APP-341], Appendix 1: Planning Application History Search Cottam Sites and Appendix 2: Planning Application History Search Cable Route Corridor respectively.
PD-03	Legislation and policy	The Scheme should be considered under Section 105 of the Planning Act 2008.
Principle of Development		National Policy Statements (NPS) NPS EN-1, NPS EN-3, NPS EN-5, and in the light of the Government's pronouncements in respect of transitional effects of the draft NPSs, draft NPS EN-1, Draft NPS EN-3 and Draft NPS EN-5 are all considered to be important and relevant considerations for the purposes of S105(2) of the Planning Act 2008.
		Draft NPS EN-3 contains technology specific policy relating to large scale solar development.
		The Scheme has been assessed against the relevant and up to date West Lindsey District Council and Lincolnshire County Council planning policies as set out within Section 6 of the Planning Statement [APP-341] noting that any references to the draft



		Central Lincolnshire Local Plan now mean the Central Lincolnshire Local Plan DPD (Development Plan Document) adopted 13 April 2023.
PD-04 Principle of Development	Need for large scale solar	The principle of the need for large scale solar projects is established in national planning policy, as detailed in Section 4 of the Planning Statement [APP-341] and the Statement of Need [APP-350]; and the principle of delivering solar is broadly supported by stakeholders.

3.2 Matters Agreed (Alternatives and Design Evolution).

Торіс	Sub-topic	Details of Matters Agreed
ALT-01 Alternatives and Design Evolution	Site Selection Assessment	The methodology used in the Site Selection Assessment [APP-067] is appropriate given that there is no standard methodology for the site selection of solar farms and NPS EN-1 4.4.3 states <i>"the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner".</i>
ALT-02 Alternatives and Design Evolution	ES Chapter 5: Alternatives and Design Evolution	The scope of ES chapter 5 [APP-040] including the assessment of alternatives and description of design evolution has been carried out in a proportionate manner and is considered acceptable.



3.3 Matters Agreed (Landscape and Visual).

Table 3-3

Торіс	Sub-topic	Details of Matters Agreed
LAN-01 Landscape	Assessment Methodology and Significance Criteria	The assessment methodology and significance criteria set out within the LVIA Chapter, Section 8.4 [APP-043] and Appendix 8.1 [APP-068], provides an appropriate approach to assessing the potential likely significant effects on receptors and the assessment methodology has been prepared with consideration of the appropriate and relevant guidance.
LAN-02 Landscape	Study Area/Scope of Assessment	The existing Study Areas/Scope of Assessment set out within the LVIA Chapter 8, Section 8.5 [APP-043] are sufficient to inform the assessment baseline conditions.
LAN-03 Landscape	Baseline Conditions	The description of the existing baseline landscape and visual conditions set out within the LVIA Chapter, Section 8.5 [APP-043] and Appendix 8.2 [APP-074] and Appendix 8.3 [APP-075], are accurate and sufficient to inform the assessment.

3.4 Matters Agreed (Traffic and Transport).

Торіс	Sub-topic	Details of Matters Under Discussion
TRA-01 Transport and Access	Methodology	The methodology adopted within Section 14.4 of Chapter 14: Transport and Access of the Environmental Statement [APP-049] has been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies and is considered acceptable.



TRA-02 Transport and Access	Baseline Assessment	The baseline conditions which are detailed in Section 14.5 of Chapter 14: Transport and Access of the Environmental Statement [APP-049] are representative of the baseline site conditions.
TRA-03 Transport and Access	Mitigation	The proposed mitigation measures set out within Section 14.6 of Chapter 14: Transport and Access of the Environmental Statement [APP-049] are acceptable.

3.5 Matters Agreed (Noise and Vibration).

Table 3-5

Торіс	Sub-topic	Details of Matters Agreed
NOI-01 Noise and Vibration	Baseline Monitoring	The baseline noise monitoring detailed within Section 15.4 of Chapter 15: Noise & and Vibration [APP-050] and Appendix 15.1[APP-137] is representative of the sound levels in the vicinity of the site and experienced by nearby sensitive receptors.
NOI-02 Noise and Vibration	Methodology and Assessment	The methodology detailed in Section 15.4 and the assessments in Sections 15.7, 15.8 and 15.9 of Chapter 15: Noise and Vibration of the Environmental Statement [APP-050] and Appendix 15.3 [APP-139] for noise and vibration associated with both the construction and operational phases of the Scheme are acceptable.
NOI-03 Noise and Vibration	Assessment Outcomes	The effects of noise and vibration detailed in Chapter 15: Noise and Vibration of the Environmental Statement [APP-050] and Appendix 15.3 [APP-139] from the construction and operational phases of the Scheme do not result in a significant impact and are acceptable.

3.6 Matters Agreed (Air Quality).



Table 3-6

Торіс	Sub-topic	Details of Matters Agreed
AIR-01 Air Quality	Baseline Conditions	The baseline conditions which are detailed in Section 17.5 of Chapter 17: Air Quality of the Environmental Statement [APP-052] are representative of the site conditions.
AIR-02 Air Quality	Methodology and Assessment	The methodology adopted in the Air Quality assessment [APP-052] has been derived from the information obtained through consultation with stakeholders and by reviewing any relevant guidance and studies. The assessment methodology is detailed within Section 17.4 of Chapter 17: Air Quality Environmental Statement [APP-052] and is considered acceptable.
AIR-03 Air Quality	Methodology and Assessment (construction vehicles)	As detailed within the Air Quality assessment [APP-141 to APP-143] the proposed construction vehicle numbers will not exceed the relevant IAQM/EPUK thresholds e.g., 100 HGV Annual Average Daily Traffic (AADT), therefore there is no requirement for detailed construction air quality modelling and assessment has been scoped out of Chapter 17: Air Quality Environmental Statement [APP-052]. This approach is considered acceptable.
AIR-04 Air Quality	Methodology and Assessment (operational vehicles)	As detailed within the Air Quality assessment [APP-141 to APP-143] the proposed operational vehicle numbers will be limited and will not exceed the relevant IAQM/EPUK thresholds (e.g., 100 HGV Annual Average Daily Traffic (AADT), therefore there is no requirement for detailed air quality modelling and assessment has been scoped out of Chapter 17: Air Quality Environmental Statement [APP-052]. This approach is considered acceptable.
AIR-05 Air Quality	Mitigation	The proposed mitigation measures set out within Section 17.8 of Chapter 17: Air Quality of the Environmental Statement [APP-052] are acceptable.

3.7 Matters Agreed (Socio-Economics, Tourism and Recreation).



Table 3-7

Торіс	Sub-topic	Details of Matters Under Discussion
STR-01 Socio-Economics, Tourism and Recreation	Methodology	The methodology used in the assessment of socio-economic, tourism and recreation impacts as set out in Section 18.4 of ES Chapter 18 [APP-053] is appropriate, given that there is no standard methodology for the assessment of socio-economic and associated impacts for EIA.

3.8 Matters Agreed (Soils and Agriculture).

Table 3-8

Торіс	Sub-topic	Details of Matters Under Discussion
SAA-01	Baseline Conditions	The baseline conditions detailed at Section 19.8 of Chapter 19: Soils and Agriculture of
Soils and Agriculture		the Environmental Statement [APP-054] and within Appendix 19.1 [APP-145] are representative of the baseline site conditions.
SAA-02	Methodology and	The assessment methodology detailed within Section 19.6 of Chapter 19: Soils and
Soils and Agriculture	Assessment	Agriculture of the Environmental Statement [APP-054] is considered acceptable.
SAA-03	Proposed Mitigation	The proposed mitigation measures set out within Section 19.10 of Chapter 19: Soils and
Soils and Agriculture		Agriculture of the Environmental Statement [APP-054] are acceptable.

3.9 Matters Agreed (Other Environmental Matters).



Торіс	Sub-topic	Details of Matters Agreed
OEM-01 Other Environmental Matters	Major Accidents and Disasters (fire safety)	The assessment undertaken and relevant mitigation measures provided with regard to fire safety as set out in Section 21.6 of ES chapter 21 [APP-056] and as set out in the Outline Battery Storage Safety Management Plan [APP-348] have been carried out in a robust and proportionate manner and are considered acceptable. The location and scale of the BESS is suitable to address the concerns of WLDC with regard to impact on residential dwellings and publicly accessible locations.



4 Matters Under Discussion

Tables 4-1 to 4-10 below detail by topic the matters under discussion with West Lindsey District Council.

4.1 Matters under discussion (Principle).

Торіс	Sub-topic	Details of Matters Under Discussion
PD-05 Principle of Development	Project components	Whether the siting of the individual project components, as set out in the draft Development Consent Order (dDCO) [AS-012] and Design and Access Statement [APP- 342 to APP-345], is acceptable.
PD-06 Principle of Development	Acceptability of Development Consent Order and Requirements	Whether the drafting of the DCO is acceptable, including the scope and wording of the requirements in Schedule 2 to the draft DCO [AS-012].
PD-07	Cumulative Effects	WLDC note that the cumulative assessment methodology considers all identified cumulative projects together as a whole (i.e. should <u>all</u> projects receive consent, as a combined 'worst case').
		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, WLDC contend that, due to the approach taken to the cumulative assessment, the environmental information provided only allows the Secretary of State as decision maker to consider three decision options to be made:
		i. To grant consent for a single project only; orii. To grant consent for all three projects; or



<i>iii.</i> 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 in respect of cumulative significant effects, a definition that WLDC considers appropriate.
WLDC have consistently requested that the cumulative assessments for all three of the above cited projects provide an assessment of the various combinations between them. Such an assessment would allow the decision maker, in the event that they find the cumulative significant effects of all three projects unacceptable in the planning balance, to consider whether two projects could be granted. WLDC considers that a decision is presently 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.
The Applicant disagrees with WDLC's position. There is no need to cumulatively assess the various potential combination of projects as the Applicant has assessed the worst case. In the event that the Secretary of State considers that the cumulative significant effects of all three projects is not acceptable in the planning balance, they can request further information during the decision-making period to establish whether the cumulative significant effects of only two of the projects would be acceptable. In any event, the Applicant's position is that the benefits of the Scheme outweigh the significant cumulative effects identified.

4.2 Matters under discussion (Climate Change).



Торіс	Sub-topic	Details of Matters Under Discussion
CC-01	ES Chapter 7: Baseline	Whether or not the baseline conditions detailed in Chapter 7: Climate Change of the
Climate Change		Environmental Statement [APP-042] are representative of the baseline site conditions.
CC-02	ES Chapter 7: Methodology	Whether or not the assessment methodology detailed in Chapter 7: Climate Change of
Climate Change		the Environmental Statement [APP-042] is considered acceptable.
CC-03	ES Chapter 7: Mitigation	Section 7.9 of Chapter 7: Climate Change of the Environmental Statement [APP-042]
Climate Change		has not identified the need for any additional mitigation or enhancement measures

4.3 Matters under discussion (Landscape and Visual).

Торіс	Sub-topic	Details of Matters Under Discussion
LAN-04	Cumulative Impacts	From Relevant Representations – RR-004
Landscape and Visual		The cumulative impacts of Cottam Solar Project with Gate Burton Energy Park, West Burton Solar Project and Tillbridge Solar Project are likely to be a key concern for WLDC. The scale of the projects, in isolation as well as cumulatively, will give rise to significant environmental impacts that will require scrutiny and assessment by WLDC and should be a key focus of the examination phase.
		The cumulative impacts of Cottam Solar Project with Gate Burton Energy Park and West Burton Solar Project are of particular importance as these projects are likely to be examined under the PA2008 concurrently. It is therefore essential that consistent



information and evidence is presented at all three examinations to enable a fair and consistent recommendation (and decision) to be made.
Tillbridge Solar Project is expected to be submitted in Q4 2023, with more detailed project information becoming public prior to the Cottam Solar Park being determined, including its 'acceptance' for examination. WLCDs view is that all current environmental information must be before a decision maker at the point a decision is made and the emergence of the Tillbridge Solar Project should be accounted for in cumulative assessments.
Cumulative impacts of concern will relate to construction, operational and decommissioning impacts across a range of matters including, <i>inter alia</i> , landscape and visual effects, land use (loss of agricultural land), public access and recreation, noise, traffic and transport, cultural heritage and ecology.
WLDC will set out its position on cumulative impacts within its LIR and Written Representation following an opportunity to carry out a detailed assessment of all three topics.
Applicant's comments:
A cumulative assessment has been undertaken as part of the LVIA Assessment process, and the findings are set out within the individual receptor sheets within Appendix 8.2 [APP-074], and Appendix 8.3 [APP-075]. Proposed cumulative developments are shown on LVIA Figure 8.15.1 [APP-290]. All sites and development included within the cumulative assessment have been discussed and agreed with the Lincolnshire County Council. The judgements on the likely cumulative effects and conclusions for the
landscape and visual receptors, as set out within the LVIA Chapter, Section 8.10 [APP-043] and Appendix 8.2 [APP-074] and Appendix 8.3 [APP-075], are sufficient to inform



		the findings of the assessment. This assessment includes any likely in- combination/cumulative effects from other known Solar Projects in the area.
LAN-05 Lighting and Glint and Glare	Glint and Glare	 From Relevant Representations – RR-004 Without prejudice to matters that are identified following a detailed assessment, WLDC expect the following matters to be scrutinised in detail through the examination phase: Landscape and Visual Effects (including lighting impacts and glint and glare). Applicant's comments:
		The Landscape and Visual Impact Assessment will look to provide landscape mitigation that seeks to enhance the visibility of the Scheme from public vantage points including transport routes, public footpaths, permissive footpaths and green lane network. This mitigation is aimed to benefit the community as a whole as well as tourists, visiting walkers, local residents, ornithologists and cyclists. The landscape mitigation measures will seek to provide new planting to mitigation the potential impacts and effects of glint and glare, which will include new native hedgerows and tree cover, and this will also include their management and maintenance.

4.4 Matters under discussion (Ecology and Biodiversity).

Торіс	Sub-topic	Details of Matters Under Discussion
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ECO-01 Ecology and Biodiversity	ES Chapter 9: Baseline	Whether or not the baseline conditions detailed in Chapter 9: Ecology and Biodiversity of the Environmental Statement [APP-044] are representative of the baseline site conditions.
ECO-02	ES Methodology	Whether or not the assessment methodology detailed in Chapter 9: Ecology and Biodiversity of the Environmental Statement [APP-044] is considered acceptable.
Ecology and Biodiversity		
ECO-03	Cumulative Impacts	Whether or not the cumulative impacts detailed in Chapter 9: Ecology and Biodiversity of the Environmental Statement [APP-044] are considered acceptable.
Ecology and Biodiversity		

4.5 Matters under discussion (Cultural Heritage).

Торіс	Sub-topic	Details of Matters Under Discussion
CUL-01 Cultural Heritage	ES Chapter 13: Baseline	Whether or not the baseline conditions detailed in Chapter 13: Cultural Heritage of the Environmental Statement [APP-048] are representative of the baseline site and study area conditions.
CUL-02 Cultural Heritage	ES Methodology	Whether or not the assessment methodology detailed in Chapter 13: Cultural Heritage of the Environmental Statement [APP-048] is considered acceptable.
CUL-03 Cultural Heritage	Cumulative Impacts	Whether or not the cumulative impacts detailed in Chapter 13: Cultural Heritage of the Environmental Statement [APP-048] are considered acceptable.



4.6 Matters under discussion (Noise and Vibration).

Table 4-6

Topic Sub	b-topic	Details of Matters Under Discussion
NOI-04 Cum Noise and Vibration		Whether or not the cumulative impacts detailed in Chapter 15: Noise and Vibration of the Environmental Statement [APP-050] are considered acceptable

4.7 Matters under discussion (Socio-Economics, Tourism and Recreation).

Торіс	Sub-topic	Details of Matters Under Discussion
STR-02 Socio-Economics, Tourism and Recreation	Cumulative Assessment	The cumulative assessment of socio-economic, tourism and recreation effects as set out in Section 18.10 of ES Chapter 18 [APP-053] has been carried out in a robust and sufficiently detailed manner and is therefore considered acceptable.
STR-03 Socio-Economics, Tourism and Recreation	Assessment of Likely Significant Effects	The assessment of project-specific socio-economic, tourism and recreation effects as set out in Section 18.7 and 18.9 of ES Chapter 18 [APP-053] has been carried out in a robust and sufficiently detailed manner. The assessment has duly considered effects on public amenity and recreation, and safety and human health, and is therefore considered acceptable.
STR-04 Socio-Economics, Tourism and Recreation	Proposed Mitigation and Enhancement Measures	The proposed embedded and additional mitigation and enhancement measures as set out in Section 18.6 and 18.9 of ES Chapter 18 [APP-053] are considered proportionate and acceptable.



STR-05		Cumulative Impacts	Whether or not the cumulative impacts detailed in ES Chapter 18 [APP-053] are
Socio-Economi Tourism and R			considered acceptable.
	ecreation		

4.8 Matters under discussion (Soils and Agriculture).

Торіс	Sub-topic	Details of Matters Under Discussion
SAA-04 Soils and Agriculture	Assessment Outcomes – impacts to ALC graded land and soil quality	Natural England document Agricultural Land Classification: protecting the best and most versatile agricultural land (TIN049) <u>https://publications.naturalengland.org.uk/publication/35012</u> explains the Agricultural Land Classification (ALC) system and its use in informing land use planning decisions for agricultural land. The applicant has submitted an ALC assessment for agricultural land within the Sites showing it is predominantly ALC Grade 3b, not best and most versatile agricultural land. The Scheme is unlikely to result in loss of best and most versatile (BMV) agricultural land because:
		 The Scheme will be decommissioned at the end of its operational life Land will retain its existing Agricultural Land Classification (ALC) grade baseline after decommissioning of the Scheme as set out at Section 19.10 of Chapter 19: Soils and Agriculture of the Environmental Statement [APP-054] The Scheme will have minimal impact on soil quality as set out at Section 19.10 of Chapter 19: Soils and Agriculture of the Environmental Statement [APP-054]



		 A Soil Management Plan (SMP) will be included within the agreed Construction, Operational and Decommissioning Environmental Management Plans (CEMP, OEMP, DEMP) with the aim of conserving the soil resource and its functional capacity for support of agricultural production as set out at paragraph 19.10.1 of Chapter 19: Soils and Agriculture of the Environmental Statement [APP-054]
SAA-05 Soils and Agriculture	Cumulative Impacts	Whether or not the cumulative impacts detailed in Section 19.11 of Chapter 19: Soils and Agriculture of the Environmental Statement [APP-054] are considered acceptable.

4.9 Matters under Discussion (Traffic and Transport)

Table 4-9

Торіс	Sub-topic	Details of Matters Under Discussion
TRA-04 Traffic and Transport	Cumulative Effects	Whether or not the cumulative impacts detailed in Section 14.9 of Chapter 14: Transport and Access of the Environmental Statement [APP-049] are acceptable.

4.10 Matters under discussion (Draft DCO).

Торіс	Sub-topic	Details of Matters Under Discussion
DCO-01	Schedule 2 - Requirements	The drafting of the requirements in Schedule 2 to the draft DCO (AS-012) are under
Draft DCO		discussion.



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5 Matters Not Agreed

5.1.1 There are no matters which currently fall under 'Matter Not Agreed' with West Lindsey District Council.



6 Signatories

6.1 Overview

6.1.1 The above SoCG is agreed between Cottam Solar Project Ltd. (the Applicant) and West Lindsey District Council, as specified below.

Duly authorised for and on

behalf of Cottam Solar Project Ltd.

Name:	
Job Title:	
Date:	
Signature:	

Duly authorised for and on

behalf of West Lindsey District Council.

Name:	
Job Title:	
Date:	
Signature:	