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To: All Interested Parties, Statutory
Parties and any Other Person invited to
the Preliminary Meeting

Our Ref: EN010133

Date: 13 February 2024

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

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17

Requests for Further Information

We are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) to request further information on a number of matters arising out of the Applicant's proposed changes and the submissions received at Deadlines 3A and 4.

Attached is a table with our questions and requests for further information. This follows the issues-based framework derived from the Initial Assessment of Principal Issues which was used in our previous rounds of written questions.

Column 2 of the table indicates who each question is directed to. Please could each party answer all questions directed to them, providing a substantive response, or indicating why a question is not relevant to them. This does not prevent an answer to any question being provided by any party if it is relevant to their interests.

References set out in square brackets (eg [APP-010]) include hyperlinks to the relevant document in the Examination Library.

When you are answering a question, please start your answer by quoting the question reference number.

If you are responding to a small number of questions, then answers in an email or letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on the one below to set out your responses.

An editable version of this table in Microsoft Word is available on request from the case team: please email CottamSolarProject@planninginspectorate.gov.uk and include 'Cottam Solar Project' in the subject line of your email.

All references to the Draft Development Consent Order are to Revision F submitted at Deadline 4 [[REP4-013](#)].

We would be grateful if you could provide responses by **Deadline 5 (Tuesday 27 February 2024)**.

Yours faithfully

Rory Cridland

Rory Cridland
Lead Member of the Panel of Examining Inspectors

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ExQ.	Respondent:	Question:
1. The Draft Development Consent Order and other consents		
3.1.1	Applicant	Article 20 – Compulsory Acquisition of Land Does this article need to be made subject to Article 21, Article 25 and Schedule 16?
3.1.2	Applicant	Article 24(3) and Article 27(5)(b) – There appears to be an additional full stop at the end of the text to be inserted. Is this intentional?
3.1.2	Applicant/Network Rail	At Deadline 4, Network Rail [REP4-084] provided a copy of its standard protective provisions along with a request for them to be included in the dDCO. The ExA notes that the Applicant has already included provisions for the protection of railway interests, including those of NR, in Schedule 16, Part 10 of the dDCO [REP4-013]. The Applicant and Network Rail are requested to submit a single , jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.
3.1.3	Applicant/National Grid Electricity Distribution (East Midlands) Plc (NGED)	The Applicant's Deadline 4 update on Protective Provisions (PPs) and Statutory Undertakers (SUs) [REP4-056] indicates that discussions are ongoing with NGED in relation to PPs but that the Applicant is confident that agreement will be reached prior to the end of the Examination. The Applicant and NGED are requested to submit a single , jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.
3.1.4	Applicant/EDF Energy (Thermal Generation) Limited (EDF)	The Applicant's Deadline 4 update on PPs and SUs [REP4-056] indicates that discussions are ongoing with EDF and that the Applicant is currently reviewing EDF's comments on its draft PPs. Likewise, EDF has indicated [REP4-076] that it is in discussion with the Applicant regarding the final form of PPs that would adequately address its concerns. The Applicant and EDF are requested to submit a single , jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of

		them together with any alternative drafting proposed. This should be provided no later than Deadline 5.
3.1.5	Applicant/National Grid Electricity Transmission Plc (NGET).	<p>The Applicant's Deadline 4 update on PPs and SUs [REP4-056] indicates that discussions are ongoing with NGET but that the Applicant is confident that agreement will be reached prior to the end of the Examination. However, the ExA notes that NGET, in its Deadline 4 submission [REP4-082] states that it is concerned with the lack of engagement and is also keen to further progress the PPs. The ExA also notes that NGET proposes to submit its own form of PPs in the event that engagement is not forthcoming.</p> <p>The Applicant and NGET are requested to submit a single, jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.</p>
3.1.6	Applicant/Cadent Gas Limited	<p>The ExA notes that Revision F of the Applicant's dDCO [REP4-013] includes updated draft provisions for the benefit of Cadent Gas Limited. However, the ExA further notes that in response to ExQ 2.1.16, Cadent Gas Limited has proposed a number of amendments [REP4-073].</p> <p>The Applicant and Cadent Gas Limited are requested to submit a single, jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.</p>
3.1.7	Applicant/Northern Powergrid (Yorkshire) Plc (NPG)	<p>The Applicant's Deadline 4 update on PPs and SUs [REP4-056] indicates that discussions are ongoing with NPG in relation to PPs but that the Applicant is confident that agreement will be reached prior to the end of the Examination.</p> <p>The Applicant and NPG are requested to submit a single, jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.</p>
3.1.8	Applicant/Uniper UK Limited (Uniper)	The Applicant's Deadline 4 update on PPs and SUs [REP4-056] indicates that discussions are ongoing with Uniper in relation to PPs but that the Applicant is confident that agreement will be reached prior to the end of the Examination.

		The Applicant and Uniper are requested to submit a single , jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.
3.1.9	Applicant/Exolum Pipeline System Limited (Exolum)	<p>The Applicant's Deadline 4 update on PPs and SUs [REP4-056] indicates that discussions are ongoing with Exolum in relation to PPs but that the Applicant is confident that agreement will be reached prior to the end of the Examination.</p> <p>The Applicant and Exolum are requested to submit a single, jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.</p>
3.1.10	Applicant/Tillbridge Solar Limited	Please confirm whether or not the PPs included in Part 17 of Schedule 16 to the dDCO [REP4-013] are agreed. If not, the Applicant and Tillbridge Solar Limited are requested to submit a single , jointly prepared set of PPs, identifying any areas where agreement cannot be reached and providing details of each party's position in respect of them together with any alternative drafting proposed. This should be provided no later than Deadline 5.
2. General and cross topic matters		
3.2.1	Applicant	<p>Paragraph 2.2.7 of the Supporting Environmental Information Report (SEIR) [AS-064] refers to the cable being installed within a maximum 25m width with the trench anticipated to be 1.4m wide and a maximum of 2.5m deep.</p> <p>The ExA notes that the Concept Design Parameters and Principles (CDPP) [REP4-043], ES Chapter 4: Scheme Description [REP-012] and the Design and Access Statement [APP-342] all refer to a maximum cable corridor width of 50m. Furthermore, the CDPP refers to a maximum cable trench of 1.5m below ground level and a maximum width of the dug cable trench of 1.1m. Please explain this apparent inconsistency and whether (and if so, how) it affects the conclusions reported in the SEIR.</p>
3. The needs case, electricity generated and climate change		
No further questions at this time.		
4. Other projects/cumulative effects		
No further questions at this time.		
5. Landscape and visual, glint and glare, good design		

No further questions at this time.		
6. Biodiversity and the Habitats Regulations Assessment		
3.6.1	Applicant	Please confirm whether ES Chapter 9: Ecology and Biodiversity [APP-044] has assessed Sites of Importance for Nature Conservation (SINC) as a non-statutory receptor, as opposed to Local Wildlife Sites (LWS). As regards the Change Application, an Interested Party [REP3A-008] has drawn the ExA's attention to the Cottam SINC and Cottam Ponds SINC. Do these designations cover the same extent as the Cottam Wetlands LWS and if not, please assess these SINC's in full as a receptor, or explain how they have already been captured in the assessment?
3.6.2	Applicant	An Interested Party [REP3A-008] also refers to the potential impact that the Changes would have on Great Crested Newts. Your views are also sought on this matter together with confirmation that these impacts have been assessed in the Environmental Statement.
3.6.3	Natural England	Does Natural England consider that protected species licence(s) may be required for the extended/altere d Order Limits and is the survey work considered sufficient for the extended/altere d Order Limits in this regard?
3.6.4	Applicant	Please comment on the additional requirement proposed by the ExA in relation to the submission and implementation of an Electromagnetic Frequency monitoring strategy, following the Deadline 4 submission of the Environment Agency [see REP4-077].
7. The water environment		
3.7.1	Applicant	The EA [REP4-077] has requested additional wording to the outline Operational Environmental Management Plan (oOEMP) [REP4-045] in respect of watercourse buffers. Please can the Applicant update the oOEMP accordingly or provide reasons for not including this additional wording
3.7.2	Applicant	The ExA notes the Applicant response to ExQ2.7.7 [REP4-058]. However, as there is the potential for the Proposed Development to operate for up to 60 years, the ExA will also need to assess a worse-case scenario of up to 60 years, in considering the flood risk effects. The ExA therefore requests that the Applicant updates the Flood Risk Assessment [APP-090] to reflect the appropriate epochs for the climate change allowances and subsequently the assessment, as currently this does not assess the worst case scenario. This should include appropriate updates to the Annexes D, E and F [APP-093 , APP-094 and APP-095].
3.7.3	Environment Agency	The lifetime of the Proposed Development is now expected to be up to 60 years. Please clarify if the Applicant's approach to assessing Yewthorpe Beck is still correct as regards flood risk, with regard to the Flood Risk Assessment [APP-090] and Annexes D, E and F [APP-093 , APP-094 and APP-095].
8. Soils and agriculture		

3.8.1	Applicant	What would the effect be on the operation of farming businesses by the temporary closure of Torksey Ferry Road (BOAT13), given the proximity of agricultural land to this road and potential access?
9. The historic environment		
3.9.1	Applicant	Please clarify whether the trial trenching which is referred to in Section 3.9 of the SEIR [AS-064] has been carried out, given that paragraph 4.5.5 of the Change Application and Consultation Report [AS-063] appears to indicate that it is not necessary to inform the significance of environmental effects.
3.9.2	Applicant	Please explain why paragraph 4.5.7 of the Change Application and Consultation Report [AS-063] considers there is uncertainty in the need for and to the extent of Changes 4 and 5, and why this has prevented substantive pre-application engagement with Historic England and Local Authority Archaeology Services. Please also explain how this has been reflected in Section 3.9 of the Supporting Environmental Information Report [AS-064].
3.9.3	Lincolnshire and Nottinghamshire County Councils	Lincolnshire and Nottinghamshire County Council's views as sought on the Applicant's approach to archaeological remains and non-designated assets in respect of the changes, as is set out in Section 3.9 of the SEIR [AS-064]. The Applicant has also provided a revised Written Scheme of Investigation [REP4-025] at Deadline 4 and so that document should also be considered in your response.
3.9.4	Historic England	Historic England's views are sought on the effect of Changes 1 and 2 on the Scheduled Monument Fleet Plantation Moated Site (NHLE 1008594).
10. Transport and access		
3.10.1	Applicant	The ExA notes that it is the Applicant's intention to close Torksey Ferry Road/Public Right of Way NT [Rampton] BOAT 13 for a maximum period of 4 weeks resulting from Changes 1 and 2. Please provide details of the management measures that would be put in place, including details of the diversion route, as there is limited detail on this change contained within the Public Rights of Way Management Revision C – Change Application [AS-070].
3.10.2	Nottinghamshire County Council	Nottinghamshire County Council's views are also sought on the effect of the temporary closure of Public Torksey Ferry Road/Right of Way NT [Rampton] BOAT 13 on users that would arise from Changes 1 and 2.
3.10.3	Applicant	Please confirm the extent of hedgerow removal that is proposed as referred to in Section 3.9 of the SEIR [AS-064].
11. Noise, vibration, air quality and nuisance		
No further questions at this time.		
12. Socio-economic, tourism and recreation		
3.12.1	Applicant	What would the effect be on the operation of businesses which operate from the Cottam Power station site and also recreation users, such as local angling clubs using the River Trent, from the

		temporary closure of Torksey Ferry Road /Public Right of Way NT [Rampton] (BOAT13)? The ExA's attention has been drawn to land accessed via this route which is owned by the Parish Council [REP3A-008]. Please also consider this land in your response. Please also clarify how Section 3.14 of the SEIR [AS-064] has considered the effects on these businesses and users, based on how they operate.
13. Other planning matters		
Waste:		
3.13.1	Applicant	Please clarify to what degree the changes would alter the amounts of waste that are set out in Tables 20.5 to 20.7 of ES Chapter 20:Waste [APP-055]. Would this impact on the shortfalls in waste handling capacity over the lifetime of the Proposed Development that are set out in that Chapter?
Minerals:		
3.13.2	Nottinghamshire County Council	Section 3.8 of the SEIR [AS-064] considers that Changes 1 and 2 would not affect the delivery of the approved restoration scheme for the Quarry. Nottinghamshire County Council's views are sought on this matter.
Electromagnetic Fields:		
No further questions at this time.		
Telecommunications, Utilities and TV:		
3.13.3	Applicant	Anglia Water Services (AWS) [REP3A-001] request that the Applicant agrees to a number of steps where AWS buried assets would be crossed by the Change Request. The Applicant's views are sought on this matter, including on how this would be secured?
Major Accidents and Disasters:		
No further questions at this time.		
14. Compulsory acquisition and related matters		
3.14.1	Applicant	The Applicant states in the Change Application and Consultation Report [AS-063] that parts of Torksey Ferry Road were already within referencing limits and have therefore been subject to multiple site notices in an effort to determine ownership, all to no avail. Please confirm whether or not those parts of Torksey Ferry Road affected by Changes 1 and 2 have been subject to additional site notices as part of the publication of the proposed changes.
3.14.2	Applicant	Does the option agreement with Tillside Limited extend to Plots 14-284c, 14-289, 14-290, 14-291, 14-292, 14-292b, 14-292c, 14-292d and 14-296?
3.14.3	Applicant	Please confirm whether the Option Agreement with James Charles Stewart Reynolds Milligan-Manby & John Anthony Shepherdson & Kevin Simon Webster (entered into on 19 February 2021) extends to Plots 14-292a, 14-293 and 14-293a.

3.14.4	Applicant	Plot 14-292d – Please confirm whether or not this land is needed for the Proposed Development and if not, justify its inclusion in the Applicant’s CA proposals.
3.14.5	Applicant	At Deadline 4, Dr T D Organ [REP4-098, REP4-099] raised a number of concerns in respect of Plot Nos. 10-220 and 14-290 and in particular the impact this would have on water supply to the field. Please can the Applicant confirm whether it is aware of the location of the water supply line and its intentions in this respect.
3.14.6	Dr T G Organ	<p>The ExA notes the comments received at Deadline 4 [REP4-098, REP4-099] and would draw your attention to sheets 10 and 14 on the Land Plan [REP4-004] which show Plot Nos. 10-220 and 14-290 respectively. These should be read in conjunction with the Book of Reference [REP4-021] which details the rights sought over these plots (being the acquisition of rights and imposition of restrictions over plot 10-220 and rights for temporary possession over plot No 14-290).</p> <p>Please explain how the CA of rights and imposition of restrictive covenants proposed by the Applicant would affect the use of these plots.</p> <p>Please also provide a plan showing the approximate location of the water lines referred to in your Deadline 4 submission.</p>

END