Cottam Solar Project

Applicant's Responses to Deadline 5 Submissions

Prepared by: Lanpro Services Ltd.

March 2024

PINS reference: EN010133

Document reference: EX6/C8.1.37

Rule 8(1)(b)





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Issue Sheet

Report Prepared for: Cottam Solar Project Ltd. Examination Deadline 6

Applicant's Responses to Deadline 5 Submissions

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1. Introduction

- 1.1.1 This report provides the Applicant's responses to matters raised in submissions made at Deadline 5 on 27 February 2024.
- 1.1.2 Section 2 of this report provides the Applicant's comments on responses to the Examining Authority's (ExA) second and third written questions, issued on 16 January 2024 [PD-015] and on 13 February 2024 [PD-017] respectively. The structure of the written question document is maintained, with comments grouped within the following topics:
 - General and cross-topic matters
 - The need case, electricity generated and climate change
 - Other projects and cumulative effects
 - Landscape and visual, glint and glare, good design
 - Biodiversity and the Habitats Regulations Assessment
 - The water environment
 - The historic environment
 - Transport and access, highways and public rights of way
 - Other planning matters
- 1.1.3 Section 3 provides comments from the Applicant on a number of submissions made at Deadline 5 from Interested Parties and from Statutory Undertakers. The Applicant has not provided comments on submissions where no new information has been included and refers to its previous written submissions on these topics throughout the Examination.

1.2 Comments on the Aerial Flyover Footage

- 1.2.1 At Deadline 4, the Applicant submitted a video of an aerial flyover of the Scheme generated using Google Earth Data [REP4-104].
- 1.2.2 A number of the submissions made at Deadline 5 included comments on the video [REP5-067, REP5-072, REP5-078, REP5-079, REP5-082, REP5-083, REP5-086, REP5-089, REP5-091, REP5-095, REP5-103, REP5-108, REP5-110, REP5-111, REP5-114, REP5-115, REP5-120]. This Section provides the response of the Applicant to these comments.
- 1.2.3 The aerial flyover video was produced and submitted to the Examination in response to a request made on behalf of the ExA to the Applicant at Issue Specific Hearing 2 (ISH2) on 5th December 2023 [REP3-033], specifically to visually present the Scheme in the context of other cumulative solar developments at Gate Burton, West Burton and Tillbridge. These cumulative schemes are shown from 3:30 until the end of the video. The video was not intended to provide a detailed



representation of the Scheme but to show the order limits of the Scheme in relation to the other nearby NSIP scheme and assist in understanding the potential cumulative impacts of the schemes.



2. Applicant's Comments on Responses to the ExA's Second and Third Written Questions

ExQ	Respondent	Question	Response	Applicant's Comment		
2. Gener	2. General and cross-topic matters					
2.2.2	West Lindsey District Council (WLDC) [REP5-054]	The Revised National Planning Policy Framework (NPPF) was published in December 2023. Comments are invited from all parties on its implications for the consideration of the Proposed Development.	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: WLDC notes the applicant's response, however compliance with what the policy requirement of 'availability' of agricultural land has not been explained or justified. Whilst the land upon which the proposed development is able to be used for food production (livestock), this does not satisfy the policy test of 'availability'. The fact that the land 'could' be used for such purpose does not demonstrate that it will be 'available' as agricultural land available for food production during the operational lifetime of the development. Demonstrating availability would require a commitment from the applicant to show that the current landowner retains the rights to carry out agriculture activity	There is not an NPPF policy requirement for land to be made available for agricultural use within solar schemes. The Applicant reiterates that Footnote 62 of the NPPF states that "The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development". Footnote 62 of the NPPF should be read in the context of NPS EN-3 (November 2023) which recognises that solar farms may be located on agricultural land where necessary (Paragraph 2.10.29). The Applicant's full response to this matter is set out in [REP4-058]. The Scheme is designed so that the management of grass below and between the solar panels can include the grazing of livestock where appropriate. The Applicant considers it beneficial that, during the		



ExQ	Respondent	Question	Response	Applicant's Comment
			and/or that such land would be available unfettered to a person(s) who wish to use the land for that purpose. Should the applicant retain sole control of the land upon which the project is located and not provide any intention or mechanism to enable shared agricultural use, it cannot be deemed to be 'available' for that purpose.	operation of the Scheme, the Sites can continue in agricultural use. Please see the Applicant's response to ECO-20 within C8.1.2 The Applicant's Responses to Relevant Representations [REP-049]. Nevertheless, the Applicant does not consider that the Scheme would result in adverse food security impacts either alone or cumulatively. Please see the Applicant's response to 7A-15 within C8.1.2 The Applicant's Responses to Relevant Representations [REP-049].
2.2.3	West Lindsey District Council (WLDC) [REP5-054]	WDLC in its response to ExQ1.2.3 [REP2-076] has referred to a 'health' Supplementary Planning Document (SPD). Please provide a copy of this SPD and identify relevant passages. The Applicant's comments are also sought on this.	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: WLDC maintains that, in order to comply with development plan policies, a Health Impact Report should have been submitted with the application. The report is separate to the EIA, as its purpose goes beyond the scope of simply identifying 'likely significant' impacts, to the identification of all potential impact.	The Applicant refers to STR-07 in the C8.3.3_B West Lindsey District Council Statement of Common Ground [REP5-040] which sets out the Applicant's position on these matters, and that this is a matter which is not agreed between WLDC and the Applicant. The Applicant's position remains unchanged.



ExQ	Respondent	Question	Response	Applicant's Comment
			A HIA would allow the assessor to be more qualitative in its assessment and seek to identify impacts that, although may not be 'significant' in EIA terms, will still be adverse impacts that every effort should be made to mitigate and taken into the overall planning balance.	
2.2.6	West Lindsey District Council (WLDC) [REP5-054]	Please explain whether the continuing use of solar panels and batteries after their average lifespan of 40 years is likely to result in an increased failure rate. If so, please explain how this has been taken into account in the assessments presented in the ES.	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: The increase in the lifespan of the project by 20 years from 40 to 60 years remains unassessed in the ES. The applicant has only updated ES chapter 23 'Summary of Significant Effects'. The applicant has not demonstrated, by following the respective methodologies applicable to assessment 'topic', the professional judgement applied that has led to the 'leap' to conclusions of 'no change'. As example of this, is the failure to properly assess the landscape and visual	Please refer to Section 6 of the Applicant's Closing Statements [EN010133/EX6/C8.1.36]. Please also see the responses to ExQ 2.2.6 and 2.3.2 in the Applicant's Responses to ExA Second Written Questions [REP4-058].



ExQ	Respondent	Question	Response	Applicant's Comment
			impacts (ES chapter 8). The GLVIA methodology requires assessors to clearly set out the assessment of i) the size/scale of the effect, ii) the duration of effect and iii) reversability of the effect, before then assessing the combination of all three to assess the magnitude of the overall effect (GLVIA. Fig 3.5). The applicant has not carried out this reassessment and it is unclear how these matters have been dealt with by the assessor. An increase of 50% (20 years) will influence both how the duration and the reversability affect the conclusions reached on the overall magnitude. With the GLVIA categorising 'long term' impacts as being triggered after 10 years (and envisage an end year for reversible/temporal effects being 25 years), the applicant is duty bound to explain how these impacts are calibrated but have failed to do so. In jumping to the chapter 23 summary, the applicant has simply reported the end conclusion and the decision maker has no transparent assessment before	



ExQ	Respondent	Question	Response	Applicant's Comment
			then to understand how that judgement has been reached.	
			A further factor that remains a concern relate to the likely failure rate of panels and BESS in particular for a further 20 years beyond the assessed 40 years. It is understood that panels have a warranty for approximately 20 years and that the applicant considers that the increase of 20 years will result in circa. 24% of the panels requiring replacement. Based on the amount of land required, this could equate to some 100ha of panels being replaced under the definition of 'maintenance' for a single solar project. Multiply that figure by the cumulative projects and an area the size of an NSIP solar farm will be replaced uncontrolled and will occur at similar stages in the lifespan (i.e. as the asset ages and deteriorates and within the non assessed period for an extra 20 years).	
			And that is based on an average failure rate of 0.4% being maintained across the 60 years, whilst the applicant acknowledges there is currently no data after 40 years on degradation. If the	



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			failure rate is higher – 24% (100Ha) of panels is likely to be a conservative figure, with an even greater proportion being replaced as "maintenance". The typical impacts that would occur from this replacement will include traffic, noise, air quality and a quantum of waste that has also not been quantified, nor any indication of how it would be managed and disposed.	
3. The ne	ed case, electrici	ty generated and climate ch	nange	
2.3.2	West Lindsey District Council (WLDC) [REP5-054]	Action Point 2 of the Written Summary of the Applicant's Oral Submissions and Responses at ISH5 [REP3-038] states that a panel failure rate of 0.4% has been applied "in line with industry standards" to the climate change assessment of operational impacts from panel failure/replacement. Table 1.1 of the 'Review of Likely Significant Effects at 60 Years: Environmental	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: WLDC's response to the applicant's response to Q2.2.6 above also relates to this question.	Please refer to Section 6 of the Applicant's Closing Statements [EN010133/EX6/C8.1.36]. Please also see the responses to ExQ 2.2.6 and 2.3.2 in the Applicant's Responses to ExA Second Written Questions [REP4-058].



ExQ	Respondent	Question	Response	Applicant's Comment
		Statement Review' [REP2-058] states that over a 60-year operational lifespan 24% of the panels would be replaced. However, the Applicant states [REP2-048] that solar panels have an "average lifespan of 40 years" suggesting a 100% replacement rate at 40 years. Can the Applicant explain this discrepancy?		
3.1.2b	Network Rail [REP5-063]	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].	Please refer to document reference [REP5-063] for the full text of the submission.	Please refer to the Applicant's response to ExQ 3.1.2b in the Applicant's Responses to ExA Third Written Questions [REP5-032]. The Statement of Common Ground with Network Rail is still in the process of being signed by Network Rail and will be submitted to the Secretary of State once signed. The form of Statement of Common Ground submitted at Deadline 5 [REP5-046] is agreed.



ExQ	Respondent	Question	Response	Applicant's Comment
		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.		
4. Other	projects and cum	ulative effects		
2.4.2	West Lindsey District Council (WLDC) [REP5-054]	At ISH4, the Applicant stated that it did not intend to update changes to cumulative impacts in individual aspect chapters, instead preferring to update the Joint Report on Interrelationships with other NSIPs [REP3-027]. Please confirm whether it is the Applicant's intention that the	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: WLDC considers that all ES chapters should be properly updated to demonstrate how each assessor has dealt with the additional 20 year lifespan. It is not 'unusual' or 'disproportionate' to update an EIA to reflect a significant change in a project's parameters and scope. The ES conclusions rely upon its	Please refer to Section 6 of the Applicant's Closing Statements [EN010133/EX6/C8.1.36]. Please also see the response to ExQ 2.4.2 in the Applicant's Responses to ExA Second Written Questions [REP4-058]. In addition, the Applicant has also prepared the Cumulative Effects Addendum [REP5-051] which forms part of the Environmental Statement and provides a more detailed explanation of the reviews undertaken since the submission of the



ExQ	Respondent	Question	Response	Applicant's Comment
		Joint Report will be a certified document? Notwithstanding the above, the ExA considers that where there are changes to the conclusions reached in the individual aspect chapters of the ES, it is the ES that should be updated and not the Joint Report. The Applicant should ensure that, where necessary, all chapters of the ES contain full and up-to-date information on cumulative effects and where information is contained in other documents that informs the assessment, this should be appropriately cross referenced in the Chapter.	temporary nature in reaching the residual impact judgement upon which they are inviting the decision to rely upon. To merely update a chapter whose function is to summarise the outcomes of the assessment in each chapter is inadequate. Furthermore, a key outcome from the Joint Report on Interrelationships is that it demonstrates a significant variation in assessed impacts between the projects. To merely state this is down to professional judgement is unsatisfactory and IPs and decision maker are unable to interrogate each assessment to have clarity on these difference and to make judgement on which assessment is the most reflective of the likely impacts.	DCO Application in respect of the cumulative effects arising as a result of other projects in the local area.
5. Lands	cape and visual, g	glint and glare, good design		



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2.5.3	West Lindsey District Council (WLDC) [REP5-054]	Given the scale of the Proposed Development, please explain (with reasons) whether the Applicant considers the introduction of a significant number of solar panels and other associated infrastructure would become a defining feature of the landscape once operational (eg at year 1 and year 15).	The Applicant's response is provided within document [REP4-058]. West Lindsey District Council provided this comment on the Applicant's response: WLDC maintains its position that the Cottam Solar Project, by reason of its fragmented poor design approach and inefficient use of land, has far more significant impacts than other solar projects being promoted. The geographical spread of the project, caused by the number of disparate parcels of development that relate poorly together when read as a single site, will cause wider impacts to the landscape character and persons experiencing the infrastructure. The design results in persons experiencing the project sequentially over a large area, which would not occur had a well designed, contiguous site been proposed. It is noted that the applicant again relies upon the scheme being 'reversible' but neither the ES or the Planning Statement provides any justification and explanation as to the weight given to this given that a	Please refer to Section 3 of the Applicant's Closing Statements on Landscape and Visual Impact matters [EN010133/EX6/C8.1.36]. Please also see the response to ExQ 2.5.3 in the Applicant's Responses to ExA Second Written Questions [REP4-058].



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			project lifespan of 60 years is being sought. For the applicant to conclude that 'beneficial' landscape character and visual impacts will be experienced on the basis of reinforced boundary treatments is strongly disagreed with.	
6. Biodive	ersity and the Ha	bitats Regulations Assessm	ent	
3.6.3	Natural England [REP5-062]	Does Natural England consider that protected species licence(s) may be required for the extended/altered Order Limits and is the survey work considered sufficient for the extended/altered Order Limits in this regard?	It is the applicant's responsibility to determine the need for a protected species licence. NE are unable to advise upon this need. Nonetheless, it is noted that the applicant has visited all areas included within the change application, that were not previously surveyed, and they have noted to NE via email that these visits have not indicated any need for protected species licences.	The Applicant notes this comment and refers to the Applicant's response to this question (3.6.3) within The Applicant's Responses to ExA Third Written Question [REP5-032].
			As noted within our statement of common ground, in the event of a protected species being found in advance of or during construction works (e.g. by ECoWs), any necessary licences must be and will be applied for, with a decision being made in the usual manner by NE,	



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			and/or work programmes must be altered to proceed in a lawful way. NE are unable to provide advice on the likelihood of any such licence being granted without a full/draft licence submission.			
7. The w	ater environmen	t				
3.7.3	Environment Agency [REP5-057]	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].	The Yewthorpe Beck is an ordinary watercourse and therefore does not fall within the remit of the Environment Agency. Lincolnshire County Council as the Lead Local Flood Authority or the Internal Drainage Board should provide comment on this watercourse instead.	The Applicant notes this comment. Please also see the response to ExQ 3.7.2 in the Applicant's Responses to ExA Third Written Questions [REP5-032]. No comments on this watercourse have been submitted by the Lead Local Flood Authority or the relevant Internal Drainage Board.		
9. Cultur	9. Cultural Heritage					
3.9.3	Lincolnshire County Council [REP5-052]	Lincolnshire and Nottinghamshire County Council's views as sought on the Applicant's approach to archaeological remains and	Regarding areas 1 and 2, this additional area to the south of Cottam power station has been recently evaluated as part of the Gate Burton scheme where sufficient evaluation has been	An updated WSI was submitted at Deadline 5 that incorporates comments received from LCC and NCC on the 23 rd February 2024 [REP5-012].		



ExQ	Respondent	Question	Response	Applicant's Comment
		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.	undertaken and an appropriate mitigation strategy has been agreed including this area. Area 3 the Council would not expect additional archaeological investigation in this area. Areas 4 and 5 in the Council's view do require evaluation including trial trenching which has not yet been undertaken.	Originally 11 trenches (c.1.65% sample of the additional shared cable corridor route) were agreed with LHPT, but due to access issues only five trenches could be excavated. This meant a total sample of 0.75% was undertaken and agreed to be sufficient to inform the Change Application and mitigation strategy within Areas 1 and 2. The five excavated trenches were located in the field to the north of Fleet Plantation Moated Site Scheduled Monument (NHLE 1008594) and had a high correlation with the non-intrusive evaluation results. The only feature recorded as having an archaeological potential comprised an undated pit of negligible significance) (see paragraph 7.1.1 of the Trial Trenching Report [REP5-048]).
				The Applicant notes LCC's request for evaluation to be undertaken in Areas 4 and 5. In Area 4 non-intrusive evaluation (geophysical survey and air photo and LiDAR analysis) has been completed, which did not identify any buried archaeological features. Although access issues have prevented geophysical survey being completed within Area 5, as detailed in the



ExQ	Respondent	Question	Response	Applicant's Comment
				updated WSI [REP5-012] the Applicant is committed to either undertaking geophysical survey or, if this is not possible, a strip, map and sample of the area where ground disturbance is proposed in advance of the construction of the Scheme.
				If there is a requirement for further trenching to inform the extent and nature of any mitigation measures or the detailed design, the Applicant considers that this can be undertaken post-determination of the DCO application, and in advance of the construction of the Scheme.
				A 'without prejudice' archaeological WSI [REP5-035] has been prepared and submitted into the Examination that includes a programme for further archaeological trenching post-determination of the DCO application, matching the percentage area sample of trenching undertaken for the nearby Gate Burton Scheme, which was considered by LCC to be sufficient to inform the Gate Burton DCO application and mitigation strategy.



ExQ	Respondent	Question	Response	Applicant's Comment
3.9.3	Nottinghamshire County Council [REP5-053]	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.	Regarding areas of change 1 and 2 shown in the SEIR, the additional area to the south of Cottam power station has been recently evaluated as part of the Gate Burton scheme where sufficient evaluation has been undertaken and an appropriate mitigation strategy has been agreed including this area. In area of change 3 we would not expect additional archaeological investigation in this area. The authorities consider that areas 4 and 5 do require evaluation including trial trenching which has not yet been undertaken. The Nottinghamshire Archaeologist has also been working with Lincolnshire CC to form an agreed response to the applicants Written Scheme of Investigation (and also in response to the proposed Cultural Heritage Position Statement). As they currently stand both authorities cannot agree either of the two WSIs. Our position remains that they have failed to adequately evaluate the site in line with professional guidance and standard archaeological practice and as such both	An updated WSI was submitted at Deadline 5 that incorporates comments received from LCC and NCC on the 23rd February 2024 [REP5-012]. Originally 11 trenches (c.1.65% sample of the additional shared cable corridor route) were agreed with LHPT, but due to access issues only five trenches could be excavated. This meant a total sample of 0.75% was undertaken and agreed to be sufficient to inform the Change Application and mitigation strategy within Areas 1 and 2. The five excavated trenches were located in the field to the north of Fleet Plantation Moated Site Scheduled Monument (NHLE 1008594) and had a high correlation with the non-intrusive evaluation results. The only feature recorded comprised an undated ditch of negligible significance) (see paragraph 7.1.1 of the Trial Trenching Report [REP5-048]). The Applicant notes NCC's request for evaluation to be undertaken in Areas 4 and 5. In Area 4 non-intrusive evaluation (geophysical survey and air photo and LiDAR analysis) has been completed, which did not identify any buried archaeological



ExQ	Respondent	Question	Response	Applicant's Comment
			authorities cannot recommend either of the proposed post consent strategies. As we have consistently stated throughout the NSIP process, adequate trial trenching is required to inform an appropriate and fit for purpose mitigation strategy to adequately deal with the developmental impacts. This trenching should cover the full impact zone including the redline boundary and cable routes and be undertaken pre consent to be in accordance with NPPF paragraphs 200 and 201 and the EIA Regulation 5 (2d)). Trenching results are essential not only to inform mitigation but to ensure effective risk management and allows the developer to present a programme that is deliverable. As we are now in the post-submission stage we would do our best to facilitate completion of an appropriate scheme of trenching evaluation before the determination, to allow the results to inform a reasonable and robust site specific mitigation strategy.	features. Although access issues have prevented geophysical survey being completed within Area 5, as detailed in the updated WSI [REP5-012] the Applicant is committed to either undertaking geophysical survey or, if this is not possible, strip, map and sample within the area where ground disturbance is proposed in advance of the construction of the Scheme. The Applicant considers the archaeological evaluation is sufficient to support the DCO application for the Scheme, and a robust mitigation strategy (Written Scheme of Investigation (WSI) provided in ES Chapter Appendix 13.7 [REP5-012]), which is secured by Requirement 12 of Schedule 2 of the Development Consent Order [REP5-005]. If there is a requirement for further trenching to inform the extent and nature of any mitigation measures or the detailed design, the Applicant considers that this can be undertaken post-determination of the DCO application, and in advance of the construction of the Scheme.



ExQ	Respondent	Question	Response	Applicant's Comment
				A 'without prejudice' archaeological WSI [REP5-035] has been prepared and submitted into the Examination that includes a programme for further archaeological trenching post-determination of the DCO application, matching the percentage area sample of trenching undertaken for the nearby Gate Burton Scheme, which was considered by NCC to be sufficient to inform the Gate Burton DCO application and mitigation strategy.
				Please refer to the 'Comparison of Archaeological Evaluation Investigations on Solar Schemes' report [REP3-041], the Applicant's response 2.9.9 in its Responses to Deadline 4 Submissions [REP4-058], agenda item 3a of the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 2 and Responses to Action Points [REP3-033] and the Cultural Heritage Position Statement appended to the Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E], which was produced in conjunction with Nottinghamshire County Council (NCC).



ExQ	Respondent	Question	Response	Applicant's Comment
3.9.3	Nottinghamshire County Council [REP5-053]	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.	In the light of direction from the Examining Authority, we offer our specific comments on both WSIs below to give examples of the level and extent of issues we cannot agree: 'Areas assessed to have archaeological potential, based on consideration of all available archaeological data, were targeted with evaluation trenches within the Cottam 3b Site, both to 'ground truth' the results of previous surveys and to provide samples of 'blank' areas, in which archaeological remains had not been identified by non-intrusive methods.' (sections 3.1.32, 3.1.96 and elsewhere) This was not agreed by LCC, NCC or Bassetlaw who have consistently stated that the full impact zone including the redline boundary and cable routes must be adequately evaluated by trial trenching.	An updated WSI was submitted at Deadline 5 that, where they are considered acceptable, incorporates these comments, which reflect those received by the Applicant from LCC and NCC on the 23rd February 2024 [REP5-012]. As detailed in the Cultural Heritage Position Statement appended to the Statement of Common Ground [EN010133/EX6/C8.3.2_E] with Lincolnshire County Council (LCC), which was produced in conjunction with Nottinghamshire County Council (NCC), the main area of disagreement related to the extent of trenching undertaken pre-determination of the DCO application for the Scheme. Therefore, while the Applicant notes that the extent of trenching was not agreed with LCC or NCC, the Applicant considers that the extent of trenching requested by LCC and NCC to be contrary to national and local guidance and policy (See paragraphs 5.9.10 NPS EN1 (November 2023), 3.10.105 of NPS EN3 (November 2023), 200 of NPPF (December 2023),



ExQ	Respondent	Question	Response	Applicant's Comment
				Policy S57 of the Central Lincolnshire Local Plan, The Chartered Institute for Archaeologists Standard and Universal Guidance for Archaeological Field Evaluation, and the Lincolnshire County Council Archaeology Handbook) and not in line with the scope of works required for other solar-based DCO applications or solar schemes in Nottinghamshire or Lincolnshire, as evidenced in the Comparison of Archaeological Evaluation Investigations on Solar Schemes report [REP3-041].
			[B]	[B]
			Preservation in situ areas. Sections 7.1.8 to 7.1.11 discuss directional drilling but include no mitigation measures to ensure the preservation in situ areas are protected from development works such as machine tracking or plant storage which could damage or destroy the surviving archaeology. The full extent of the archaeological areas must be determined and each area must be fenced off and subject to a programme of monitoring throughout the construction, operation and the decommissioning	As detailed in Table 6.1.1 of both versions of the WSI [REP5-012] and [REP5-035] directional drilling access pits will be subject to archaeological monitoring. The Applicant considers it to be unusual to fence off areas where directional drilling is proposed, especially areas that are presently used for arable cultivation and so are currently subjected to heavy agricultural plant movement and tracking. There are five areas within the main solar sites that are proposed for 'in situ



ExQ	Respondent	Question	Response	Applicant's Comment
			phases, and there will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including plant movement or storage. The fencing will need to remain in place and be maintained throughout the lifetime of the scheme. They need an Archaeological Clerk of Works and the management strategy for the preservation in situ areas will need to be included in their CEMP to ensure the protection measures stay in place throughout the development.	preservation – no development' as a consequence of the presence of buried archaeological remains. It should be noted that, to enhance the preservation of buried archaeological remains, these areas will be removed from arable activity (ploughing)— which is currently causing a high level of destruction to archaeological features— and instead be used for ecological mitigation in the form of meadows and set aside for ground nesting birds. If the entirety of these areas were fenced for the duration of the Scheme this would reduce the effectiveness of the ecological mitigation, and make the areas where preservation in situ is proposed inaccessible to a range of species that the proposed habitats are specifically designed for, since these species select open, unobstructed habitats with long, unbroken sightlines. Additionally, the imposition of fencing is likely to hamper access to undertake necessary ecological habitat management works to secure the proposed mitigation. The archaeological management of these excluded areas is detailed in Table 3.2 of the Outline Construction Environmental Management



ExQ	Respondent	Question	Response	Applicant's Comment
				Plan [REP5-020], which states that areas will be fenced where existing fencing or hedgerow doesn't presently exist and that Banksmen will be made aware of 'no impact areas' and will be responsible for ensuring no vehicle / plant movement occurs in these areas.
			[C]	[C]
			Section 7.1.14 states that geophysical survey will be undertaken on land newly included by the change to the Order Limits. Evaluation trenching will also be required and the results used to inform any necessary mitigation works required to adequately deal with the development impact.	The Applicant considers the archaeological evaluation for the Scheme to be sufficient to inform the DCO application and a robust mitigation strategy. For full details please see the Cultural Heritage Position Statement appended to the Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E], which was produced in conjunction with Nottinghamshire County Council (NCC).
			[D]	[D]
			This section states that if limited potential archaeological remains are identified an archaeological watching brief would be sufficient. We do not agree, the appropriate level of mitigation cannot be determined until the trenching results are known.	The Applicant highlights that several areas where archaeological monitoring (watching brief) has been agreed were not subject to trenching in the Shared Cable Route Corridor, for example in fields to the west of the River Trent, and to the west and south of the Cottam Power Station.



ExQ Re	espondent	Question	Response	Applicant's Comment
			This section uses the phrase "strip, map and sample' monitoring" this phrase is incorrect, please use 'strip, map and sample' excavation. Monitoring implies a passive response which is not acceptable. [F] Sections 7.1.45 to 7.1.52 on 'Informative trial trenching' should be removed: trial trenching is not a mitigation response, it is an evaluation technique. A full programme of trial trenching must be agreed across the full impact zone to an adequate level to inform the mitigation stage of archaeological work. The trenching results form the basis for the site-specific mitigation strategy which will need to be reasonable and proportionate.	Paragraph 7.1.14 of both versions of the WSI [REP5-012] and [REP5-035] has been amended to "strip, map and sample" (removal of the word monitoring). 'Archaeology Watching brief' has been amended to 'Archaeological Monitoring' in line with recent updates to CifA guidance. [F] The Applicant respectfully disagrees that trenching cannot be used as a mitigation response and highlights that trenching is commonly undertaken post-determination of planning applications as demonstrated in Comparison of Archaeological Evaluation Investigations on Solar Schemes report [REP3-041]. The term 'informative trenching' has been adopted from Schemes in Norfolk where trenching is undertaken post-determination as the first stage of mitigation. If the Secretary of State is minded to agree with LCC and NCC's position and identifies that there is a requirement for further trenching, the 'without prejudice'



ExQ	Respondent	Question	Response	Applicant's Comment
			[G] Section 7.1.47 states that 'In line with the recommendation by Lincolnshire County Council Historic Environment Team for trenching across all areas of the Scheme, a further 902 untargeted trenches measuring 50m by 2m will be machine excavated (avoiding buffer zones as a result of utilities and ecological features) (see Figures 2 to 11). Although these proposed trenches are untargeted —i.e. are not targeting features with a potential archaeological interest they have been positioned with consideration to anomalies identified by geophysical survey, features identified by LiDAR and aerial photo mapping, and topographical changes.' The authorities are seeking clarification of the LCC recommendation - where does the 902 trenches come from? In an attempt to reach concordance we moved from our initial 3% with 1% to 2%	archaeological WSI [REP5-035] includes a programme of further archaeological trenching, including the additional areas that were included in the Order Limits as part of the Change Application. [G] Paragraph 7.1.46 of the 'without prejudice' WSI [REP5-035] has been updated in response to LCC/NCC comments, where the Applicant considered these to be acceptable. This includes the addition of the sample percentage for further trenches, which has been calculated by the Applicant to match the percentage area sample of trenching undertaken for the nearby Gate Burton Scheme, which was considered by LCC to be sufficient to inform the Gate Burton DCO application and mitigation strategy (please see the Comparison of Archaeological Evaluation Investigations on Solar Schemes report [REP3-041]). Paragraph 7.1.46 of the 'without prejudice' WSI [REP5-035] has been updated to clarify that trenches are not targeted on features considered to have an archaeological



ExQ	Respondent	Question	Response	Applicant's Comment
			trenching in our meeting with PINS. A 2% sample of the redline boundary is approximately 2900 trenches. 440 trenches have been completed. The proposed trenches not 'untargeted' if they are targeting geophysical survey anomalies and features. The authorities seek clarification.	interest based on the results of the non-intrusive evaluation.
			[H]	[H]
			Also, section 7.1.49 states that 'Once the detailed design of the Scheme has been finalised, in any areas where ground disturbance is not proposed, for example those areas that are being used for landscaping and ecological mitigation and enhancement, trenching would no longer be required as there would be no potential for impact to buried archaeological remains. Trenches in these locations would not be excavated.'	Paragraph 7.1.49 of the 'without prejudice' WSI [REP5-035] has been updated to clarify the types of ecological mitigation that do not involve ground disturbance. Any ecological mitigation that would cause ground disturbance would be subject to archaeological mitigation.
			This is incorrect. Landscaping and ecological mitigation work may have an archaeological impact, for example wildlife ponds and scrapes and tree planting. Trenching will need to take place across the impact zone as	



ExQ	Respondent	Question	Response	Applicant's Comment
			development impacts from all groundworks and plant movement whether for infrastructure, solar arrays or mitigation areas may damage or destroy surviving archaeology. [I] Section 7.1.51 states that 'Following excavation and recording of any archaeological remains, and with the agreement of the Lincolnshire County Council Historic Environment Team, the evaluation trenches will be backfilled with the previously excavated spoil.'	[l] The Applicant agrees that backfilling of areas would be undertaken following agreement with the 'curator', and so has added clarity, where possible, to both versions of the WSI [REP5-012] and [REP5-035].
			All areas must be signed off by curatorial agreement before backfilling can commence. [J] Sections 7.1.52 states that 'Where archaeological remains are encountered, the preference will be to preserve these in situ where possible using non-intrusive surface-mounted pre-cast concrete ground anchors.' If remains of a high significance are identified during the informative trial	Both the Applicant's preferred WSI [REP5-012] and the without prejudice WSI [REP5-035] contain provisions for the scope of mitigation to be reviewed if archaeological remains are identified of either a lesser or greater extent / significance than anticipated. Paragraph 7.1.98 has been added to both versions of the WSI to reinforce this point.



ExQ	Respondent	Question	Response	Applicant's Comment
			trenching, targeted open-area excavation may be required to preserve such remains by record (see below). The use of ground anchors can only be used where surviving archaeology is at a depth and of a nature that would not be detrimentally impacted by the placement, settling and removal of the ground anchors. In areas of shallow deposits which encompasses much of this agricultural landscape, ground anchors would cause damage or destruction without investigation and without recording. For example on the adjacent West Burton scheme previously unexpected human remains were found in the first few days of trenching at a depth of 20cm below the ground surface. There would be compaction when the ground anchors are installed, settling and readjustment during the decades of operational life and ground disturbance when the ground anchors are ripped out in decommissioning as the land will need to be restored 'to its preconstruction condition at the end of the operation.' (C7.2 Outline Decommissioning Statement section 2.1.1) There is no mention of archaeology in the Outline	As detailed in the Cultural Heritage Position Statement appended to the Statement of Common Ground with (LCC [EN010133/EX6/C8.3.2_E], which was produced in conjunction with NCC, the Applicant considers concrete feet to be an appropriate form of archaeological mitigation. No burials were identified during evaluation trenching for nearby West Burton Scheme. Burials were identified within the Cottam Scheme as detailed in paragraph 3.1.42 of [REP5-012], and this area has been proposed for open excavation (see table 6.1.1) [REP5-012]. Concentrations of buried archaeological remains were identified during non- intrusive evaluation works and confirmed by evaluation trenching. Section 10 headed 'Decommissioning' has been added to both versions of the WSI [REP5-012] and [REP5-035], and is considered to be in line with the approach to decommissioning adopted with other comparable solar schemes.



ExQ	Respondent	Question	Response	Applicant's Comment
			Decommissioning Statement including Table 3.1 Decommissioning Mitigation and Management Measures.	
			[K]	[K]
			Section 7.1.61 states that 'Apart from where not otherwise needed due to engineering requirements, it is assumed that archaeological excavation areas will be backfilled on completion.' The authorities would like the applicant to clarify what is meant by 'where not otherwise needed due to engineering requirements.' Again all areas must be signed off by curatorial agreement before backfilling can commence.	The Applicant considers it to be standard practice for areas to not be backfilled following 'sign-off' from the curator, where engineering requirements require areas to remain stripped of soil as part of the construction phase.
			[L]	[L]
			Section 7.1.62 states that 'Similar to Open-Area excavation, 'Strip, Map and Sample' excavation will be employed where non-intrusive previous archaeological investigations have identified potential archaeological remains but, based on current evidence, these do not appear to be extensive or potentially significant enough to warrant Open- Area excavation'.	The Applicant considers the archaeological evaluation for the Scheme to be sufficient to inform the DCO application and a robust mitigation strategy_(please see the Cultural Heritage Position Statement appended to the Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E]). The Applicant is not aware of any published local or



ExQ	Respondent	Question	Response	Applicant's Comment
			This is not acceptable. Effective fit for purpose mitigation of the developmental impact cannot be adequately determined through non-intrusive methods alone. Strip map and sample excavation along with the rest of the mitigation options should be selected based on an understanding of the surviving archaeological resource across the site. Therefore intrusive as well as non-intrusive evaluation is required. NPPF paragraphs 200 and 201 require the identification of archaeological remains, assessment of their significance and the proposal of suitable mitigation. Intrusive evaluation is essential for determining areas of archaeological mitigation. Strip map and sample excavation areas will be determined from interrogation of the full suite of standard archaeological evaluation techniques including intrusive work principally trenching.	national guidance that states a high sample of 'blanket' trenching is required to support a proposed development. Paragraph 200 of the NPPF (see below) requires a proportionate assessment both with consideration to the importance of the asset and level of impact of the proposed development to an asset's significance. The Applicant highlights the low impact of the Scheme (See paragraph 2.10.109 of NPS EN3 (November 2023)) and the positive effects that the Scheme will have on the archaeological resource through the removal of the land within the Order Limits from regular ploughing (See paragraph 2.10.110 NPS EN3 (November 2023)) as evidenced during the evaluation trial trenching (see pages 98 to 100 of [APP-129 to APP-130]). Consequently, the Applicant does not believe that there is any archaeological justification for the approach to evaluation trenching, mitigation and decommissioning requested by LCC and NCC. Sufficient information has been provided to inform the DCO application and is in line with local and national guidance, and the proposed



ExQ	Respondent	Question	Response	Applicant's Comment
				mitigation is considered by the Applicant to be in line with the standard approach that is adopted on other comparable solar schemes (as evidenced in the Comparison of Archaeological Evaluation Investigations on Solar Schemes report [REP3-041]).
				Paragraph 200 of the NPPF (December 2023) states:
				"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based



ExQ	Respondent	Question	Response	Applicant's Comment
				assessment and, where necessary, a field evaluation."
				Paragraph 201 of the NPPF (December 2023) states:
				"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."
			[M] Section 7.1.64 states that 'An indicative sampling strategy is provided below, but if	[M] As stated above, both the Applicant's preferred WSI [REP5-012] and the without
			archaeological remains are identified to be less extensive or less potentially significant, then this may be subject to reduction in scope following liaison with the Lincolnshire County Council Historic Environment Team and Nottinghamshire.'	prejudice WSI [REP5-035] contain provisions for the scope of mitigation to be reviewed if archaeological remains are identified of either a lesser or greater extent / significance than anticipated.



ExQ	Respondent	Question	Response	Applicant's Comment
			Again this sentence needs a corresponding statement for where archaeological remains are found to be more intensive and more potentially significant. [N] Section 7.1.69 states that 'An archaeological watching brief will be undertaken on specific areas of groundworks (e.g. the cable route, access roads where these require intrusive groundworks) and where topsoil stripping is required as part of the construction process (e.g. battery storage areas, sub-stations, water tanks, construction compounds, directional drilling access pits etc.).' Unless a more intensive archaeological mitigation response has been identified as appropriate from the trenching results. Neither Nottinghamshire nor Lincolnshire agree with the rescue archaeology term 'watching brief' which implies passive monitoring of earth moving equipment. Instead please use 'archaeological	[N] 'Archaeology Watching brief' has been amended to 'Archaeological Monitoring' in line with recent updates to clfA guidance. "monitoring of the removal of structural remains" has been removed from Section 7.1.71.



ExQ	Respondent	Question	Response	Applicant's Comment
			monitoring under archaeological control and supervision' so the archaeologist is controlling the depth of soil being moved.	
			Section 7.1.71 states that <i>The</i> archaeological monitoring of construction groundworks will include the following:	
			 archaeological inspection of overburden / topsoil removal 	
			 monitoring of the removal of structural remains 	
			• inspection of subsoil for archaeological features	
			 excavation, recording and environmental sampling of features necessary to determine their date and character' 	
			This is not considered acceptable. Archaeological structural remains are significant and should be appropriately archaeologically excavated in proportion to their significance. Monitoring as mitigation of structural remains is entirely inappropriate.	



ExQ	Respondent	Question	Response	Applicant's Comment
			Section 7.1.73 states that 'Every effort will be made to implement the archaeological watching brief without affecting the construction timetable, however, some limited suspension of groundworks in specific areas of the Scheme under investigation may be required in order to record and sample any archaeological evidence uncovered (in line with the 'Strip, Map and Sample' methodology provided in this WSI). The length of stoppage time will be determined by the nature of archaeological features or deposits identified'. This paragraph is an excellent illustration of why sufficient evaluation is required in advance of finalisation of scheme details, and of any work programme. Sufficient evaluation will mean that site-specific mitigation can be determined and built into the work programme and schedule, thus reducing the risk to the construction programme this paragraph implies.	The Applicant considers the archaeological evaluation for the Scheme to be sufficient to inform the DCO application and a robust mitigation strategy_(please see the Cultural Heritage Position Statement appended to the Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E]). The Applicant respectfully disagrees that Paragraph 7.1.73 is 'an excellent illustration of why sufficient evaluation is required in advance of finalisation of scheme details' and Paragraph 7.1.74 "demonstrates a lack of understanding on the nature of archaeology". The Applicant disagrees with the assertion from LCC and NCC that trenching is an absolute technique in determining the potential for buried archaeological remains. For example, if a 2% sample of trenching is undertaken, as requested by LCC, this would mean 98% of the site is not sampled and so a level of 'risk' would still be present.



ExQ	Respondent	Question	Response	Applicant's Comment
			[P] Section 7.1.74 states that 'Where it can be demonstrated that survival conditions are such that archaeological potential is negligible, the Lincolnshire County Council Historic Environment Team will be informed and, where necessary, the watching brief suspended.' This is not agreed. This paragraph demonstrates a lack of understanding on the nature of archaeology. There may be a blank area for 50 metres then a number of unexpected burials, at what point should the watching brief be suspended and what specific area be excluded and then recommenced? Please clarify. [Q] Regarding paleoenvironmental sampling (sections 7.1.90 to 7.1.94) advice should be sought from Matthew Nicholas, Historic England's regional science advisor.	The Applicant considers it to be standard practice for archaeological monitoring (watching brief) to be suspended in specific areas where the archaeological potential is proven to negligible and continuing the archaeological monitoring is futile as stated in paragraph 7.1.74 of the Without Prejudice WSI [REP5-035] (paragraph7.1.72 of the preferred WSI [REP5-012]). For example if areas containing made ground or heavy disturbance were encountered where there was no potential for the survival of archaeological remains. [Q] Paragraph 7.1.93 of the Without Prejudice WSI [REP5-035] (paragraph7.1.91 of the preferred WSI [REP5-012]) states: "If required a qualified and experienced palaeoenvironmental specialist will undertake site visits to discuss the sampling strategy and, if necessary, assist in any required fieldwork, and the appropriate



ExQ	Respondent	Question	Response	Applicant's Comment
			[R] Section 7.1.100 states that 'Where areas of the Scheme or parts of individual sites have been shown to contain no archaeological remains following stages of archaeologically monitored top-soil stripping, or where specific areas of the Scheme have been fully archaeologically excavated, agreement will be sought with the Lincolnshire County Council Historic Environment Team to allow for construction groundworks to proceed in these specific areas.' Nottinghamshire County Council should be referred to here and throughout the document where agreement is to be reached. [S] Section 7.1.102 states that 'Should unexpectedly extensive, complex or significant remains be uncovered that warrant, in the professional judgment of the archaeologists on site, more detailed recording or extensive excavation than is	advice of the Historic England Regional Science Advisor will be sought." [R] It is understood by the Applicant that Historic Environment Team provide archaeological advice for Bassetlaw in Nottinghamshire and West Lindsey in Lincolnshire. To allow for flexibility within local planning authorities, Lincolnshire County Council Historic Environment Team has been replaced with Archaeological Advisor to the relevant Local Planning Authority. The Applicant would, however, highlight that it is uncustomary for the County archaeologist for Nottinghamshire to request jurisdiction over archaeological works in Lincolnshire. [S] As detailed above, the Applicant respectfully disagrees that the risk has not been appropriately manged and considers the archaeological evaluation for the Scheme to be sufficient to inform the DCO application and a robust mitigation strategy (please see the Cultural Heritage Position Statement appended to the



ExQ	Respondent	Question	Response	Applicant's Comment
			appropriate in the terms of this WSI, the scope of the WSI will be reviewed.' This paragraph shows that the risk has not been managed appropriately at the evaluation stage as previously stated. Regarding the figures, we have grave doubts regarding interpretation of the air photo and LIDAR features, for example Figure 4 which identifies banks as Post Medieval. Without intrusive investigation it is impossible to know the dates of these features. Some of these features do not align with Post Medieval field boundaries and some look like they may be part of Medieval settlement. These are mitigation strategies proposed on the basis of inadequate intrusive field evaluation. If accepted they would pose an unacceptable precedent for two counties with huge potential to deliver sustainable energy demand, there is no public benefit in it being at the expense of the loss of unknown inadequately evaluated archaeology across thousands of hectares.	Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E]). As detailed in the updated paragraph 3.1.24 of both versions of the WSI [REP5-012] and [REP5-035], the programme of aerial photographic and LiDAR mapping and interpretation was undertaken by a nationally recognised leading expert in aerial photographic and LiDAR analysis, who has worked extensively for numerous key organisations including English Heritage and Historic England. The Applicant therefore has a high confidence in the interpretation.
3.9.5	Historic England	Historic England's views are sought on the effect of	This change mirrors that in the shared cable corridor with the Gate Burton Solar,	The Applicant notes this comment.



ExQ	Respondent	Question	Response	Applicant's Comment
	[REP5-059]	Changes 1 and 2 on the Scheduled Monument Fleet Plantation Moated Site (NHLE 1008594).	we are content that with the benefit of archaeological work carried out towards the Gate Burton Scheme scheme [sic] (and the associated stand-off from the scheduled area) no additional impact upon the significance of the scheduled monument is likely to occur.	
10. Trans	sport and access,	highways and public rights	of way	
3.10.2	Nottinghamshire County Council [REP5-053]	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.	Nottinghamshire CC does not hold information as to the type or frequency of users on RoW generally and specifically on Rampton BOAT 13 (Torksey Ferry Road) so the impact on the public use is unknown. A temporary closure of the BOAT will only prevent the public passing and re-passing along the route on foot, cycle, horseback or leading a horse, horse and cart and motorised vehicle. It does not affect the access to fields and land adjacent who are using a private right. This access will have to be managed by the applicant. The BOAT is a dead-end to the east but does connect before that with another BOAT (Rampton BOAT 12 also known as Shortleys Road) which	The Public Rights of Way Management Plan [REP5-018] was updated at Deadline 5. In relation to BOAT 13, paragraph 3.14 of the Public Rights of Way Management Plan [REP5-018] states: For Torksey Ferry Road, works will require the temporary closure of part of a circa. 1.7km section of PRoW NT Rampton BOAT13 for a maximum period of four weeks. The temporary closure would be required where resurfacing work is being undertaken. This will principally be in the area at the eastern end of the Order limits near the Cottam Power Station access. Prior to construction, the extent and duration of the closure will be reviewed depending on existing road
			itself links to Helenship Lane, Laneham. Rampton FP7 connects with the eastern	condition, construction sequencing, final design and weather conditions during the



ExQ	Respondent	Question	Response	Applicant's Comment
			end of BOAT 13. The applicant must ensure that suitable signage is present at all access points to the closed path.	works, to reduce this as far as possible. Where practicable, access on foot will be maintained or diverted throughout the period of the temporary road closure. Advisory signage will be in place to notify users. Notifications will be provided as early as possible. The contractor will work with local landowners to minimise disruption as much as possible.
				Where a temporary stopping up/diversion of a PRoW is required, prior notices to the PRoW officers at the local highway authority will be provided so far as possible.
				Under Article 11(2) of the Draft Development Consent Order [REP5-005], the undertaker must provide reasonable pedestrian access to landowners if there is no other access. The exact wording of Article 11 (2) states:
				"The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary prohibition, restriction, alteration or diversion of a street or public right of way under this article if there would otherwise be no such access".



ExQ	Respondent	Question	Response	Applicant's Comment
				Please also see the Applicant's response to ExQ 3.10.1 in the Applicant's Responses to ExA Third Written Questions [REP5-032].
13. Other	r planning matter	'S		
3.13.2	Nottinghamshire County Council [REP5-053]	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.	Nottinghamshire County Council agrees that changes 1 and 2 as shown on the plan at the end of the SEIR would not affect delivery of the approved restoration scheme for the former Rampton Quarry. This scheme last approved in 2016 is to return a field south of Torksey Ferry Road to agriculture and also creates a reed bed. The amended scheme boundary does not affect this area and it is considered that works can be achieved without having any significant effect on the restoration and ecological benefit of the scheme.	The Applicant notes this comment.



3. Applicant's Responses to Deadline 5 Submissions

West Lindsey District Council [REP5-055]

Reference	Theme	Summary of Issue Raised	Applicant's Response
	Alternatives and Design Evolution Principle of Development Cumulative Development	C8.2.12 Aerial Flyover Footage using Google Earth Data The submission of this document is helpful to illustrate some of the key matters of concerns and objection by WLDC. In summary, it demonstrates: - The ad-hoc approach to the design and layout. The non-contiguous use of land - The inefficient use of land at a project in relation to the installed capacity (demonstrated by the comparison with the Gate Burton Energy Park in particular) - The significant geographical are over which the impacts of the project will be experienced. - The scale and amount of land that will not be available for the practice of food production. - The scale of the cumulative effects with other projects that will be experienced by communities. - Why WLDC is disappointed that there has not been a firmer commitment to a conjoined approach to construction between then project. The flyover shows	The Applicant disagrees that there is an ad-hoc approach to design and layout and that the Scheme will be experienced over a significant geographical area. The Scheme has been designed to enhance and retain the existing landscape character and visual amenity of the area. Please refer to the LVIA [REP2-008] specifically Table 8.21 which sets out the strategic approach to the landscape design parameters that have been adopted in the process of developing the environmental masterplan and associated landscape mitigation measures. These measures are particularly suited to a series of separate sites. The Applicant position on this matter is set out in the signed Statement of Common Ground with WLDC [REP5-040] – please refer to LAN-06 and LAN-07. It is the Applicant's view that the introduction of the solar panels and other associated infrastructure would not be an inefficient use of land and would not become a defining feature on the landscape once operational (e.g. at year 1 and year 15). The six primary reasons are set out below: 1. Dispersed nature of the Sites: The dispersed nature of the Sites will assist with assimilation. The low-lying areas between the separate Sites



how communities will be significantly impacted by multiple projects.

- That the cumulative impact will have a significant adverse impact on the landscape character and visual perceptions of that character. The prevailing rural landscape character of the West Lindsey District will be significantly eroded for a period of 60 years (which should be treated as 'permanent' impact for the purpose of decision making).

- are effective as visual buffers on a horizontal plane. This helps in reducing the visual impacts of the panels.
- 2. Nature of Scheme being 'overlaid' and reversable: Schemes for mineral extraction fundamentally change the nature of the landscape in which they operate, whereas solar projects, with the exception of the footprint of the buildings, are 'overlaid' on the landscape allowing the important landscape features such as hedgerows, trees and watercourses to remain.
- 3. Strong framework of existing vegetation: The strong framework will provide the structure for the Scheme to be set comfortably and not become intrusive. This will be evident at year 1 when the existing hedgerows will have grown out to allow the Scheme to remain low-level. The intermediary areas between the separate Sites boast a strong network of existing vegetation providing structural benefits to the landscape. The existing vegetation also acts as a backdrop for the panels and helps them integrate, particularly in views towards the horizon. By contrast, some areas between the separate Sites provide open character. Whilst this may not be a requirement in all locations, the character of these areas can also be



		celebrated, emphasizing the importance of preserving these unique landscape qualities.
	4.	The benefits of mitigation: The benefits of the new planting would be realised by year 15 of the operation of the Scheme, and would reduce the adverse effects. Please refer to the LVIA [REP2-008] specifically Table 8.21 which sets out the strategic approach to the landscape design parameters that have been adopted in the process of developing the environmental masterplan and associated landscape mitigation measures. These measures are particularly suited to a series of separate sites and also beneficial for the features of importance for example, the watercourses are noted as distinct features in the landscape, and careful use of scattered tree and shrub planting helps reinforce their presence in a generous open context while setting panels back.
	5.	Biodiversity Net Gain: In following the mitigation hierarchy, the Scheme will deliver significant areas of mitigation that will enhance the natural environment by providing net gains for biodiversity. This will deliver additional enhancement and connections to wider ecological networks as well as contributing to the enhancement of the quality of the



landscape going well beyond biodiversity net gain.

6. Defining legacy: The defining legacy of the landscape would be the robust framework of features that have become improved through the mitigation and landscape enhancements. This mitigation in turn would giving rise to longterm wider benefits, including maintaining and enhancing biodiversity and in promoting the resilience of ecosystems. A key policy objective is the incorporation of new planting and green infrastructure in all landscape mitigation measures. The receiving landscape is designed to allow space for such green infrastructure between areas. Public rights of way are also buffered, maintaining accessibility while minimising the impact of the panels along these routes for the long-term. The areas between the Sites also provide scope for extended enjoyment of the landscape in these areas either through interpretation, access or exponentially. The time depth within the landscape involves considering historical and cultural aspects such as the setting of settlements and the views of churches. The receiving landscape between the Sites provides scope to preserve and enhance the time depth.



A conjoined approach to construction has been taken within the outline Construction Traffic Management Plan [REP5-016] which includes for provision of a Joint Construction Traffic Management Plan in the event that the construction schedules associated with this Scheme and other schemes in the area overlap (being the West Burton Solar Project, the Gate Burton Solar Project, and the Tillbridge Solar Project). Other schemes that come forward in the area could be included as appropriate.

The Joint CTMP would set out construction traffic management and control measures relevant to those areas where the construction vehicle routes for the schemes would overlap, to reduce and manage any potential cumulative effects. With regard to cumulative effects, please refer to Appendix B of the Statement of Common Ground with Lincolnshire County Council [EN010133/ EX6/C8.3.2_E] and Section 3 of the Applicant's Closing Statements on Landscape and Visual [EN010133/EX6/C8.1.36].

The Applicant's position on the matter of the geographical area over which the impacts of the project will be experienced is set out in the Closing Statement [EX6/C8.1.37] – please refer to paragraph 3.1.5, which sets out the agreement between Lincolnshire County Council (LCC) and the Applicant that the delivery of the Scheme would not result in any Significant Adverse Residual Effects.



The Applicant's position on the matter of a conjoined approach is set out in the signed Statement of Common Ground with WLDC [REP-040] – please refer to LAN-04, where WLDCs opinion is not the same opinion that Lincolnshire County Council have come to.
The Applicant's position on the matter of cumulative effects is set out in the Closing Statement [EX6/C8.1.37] – please refer to paragraph 3.1.7, where it is set out that LCC maintain that Significant Residual Landscape Effects associated with the Scheme and the West Burton Solar Project, Tillbridge Solar and Gate Burton Solar Farm are limited to Land Use and to the Host Landscape Character Area (Regional Scale LCT – 4a Unwooded Vales) only, and again, LCC have not suggested there to be any additional Significant Adverse Residual Effects beyond those identified within the LVA.

LNT / Blyton Park Driving Centre [REP5-060]

Reference	Theme	Summary of Issue Raised	Applicant's Response
LNT-01	Principle of Development Noise and Vibration	Please refer to document reference [REP5-060] for the full text of the submission.	The Applicant has provided updated proposed protective provisions within The Applicant's Closing Statements [EN010133/EX6/C8.1.36]. The Applicant notes the submission of comments by S & D Garritt on the Applicant's Noise Impact Assessment submitted as Appendix A of ES Addendum 21.2: Blyton



Glint and Glare Protective Provisions	Park Driving Centre [REP4-069]. As S & D Garritt correctly point out, it is the difference in sound levels with and without the Scheme which are important in determining the impact of deflection from the proposed solar panels. The assessment undertaken by the Applicant makes no attempt to predict absolute sound levels at the nearest receptors as this was not included in the scope of the assessment.
	In respect of the comments made relating to the nature of the modelled source – point or line – both methods have been considered by the Applicant's technical consultants. Point sources have been modelled at approximately one metre intervals following the same path as the line source. Similar results were obtained, however, the deflection contribution when considering point sources was slightly less. Therefore, the worst-case line source results were presented in the report submitted as Appendix A of ES Addendum 21.2: Blyton Park Driving Centre [REP4-069].

Marine Management Organisation [REP5-061]

Reference	Theme	Summary of Issue Raised	Applicant's Response
MMO-01	Draft DCO	The MMO acknowledges the comments on the	The Applicant has set out its responses to the
		9	comments of the Marine Management Organisation,
		Development Consent Order. The MMO supports the	including the proposed changes to the dDCO, within



	Appendix A of The Applicant's Responses to
Marine Licence from the dDCO. The MMO also notes	Deadline 3A and Deadline 4 Submissions [REP5-031].
the ExA's acknowledgment of the applicant including	
the DML based on precaution.	

Fillingham Parish Meeting [REP5-056]

Reference	Theme	Summary of Issue Raised	Applicant's Response
FPM-01	Principle of Development Alternatives and Design Evolution	Having been made aware of the Aerial Flyover Footage (EN010133 REP4-104), showing an indication of the combined effect of 4 NSIP solar projects within our region, I am writing to express the two key points on behalf of Fillingham Parish Meeting: • Firstly, words cannot properly express the emotion of having watched what this video represents, but it is shocking and upsetting to say the least. It is impossible to consider how development at this scale will do anything other than utterly transform the character and decimate the appeal of this region.	Please refer to response reference WLDC-01 within this document. The cumulative landscape impact of the four NSIP schemes was assessed within Chapter 8: Landscape and Visual Impact Assessment of the Environmental Statement [REP2-008]. This was accompanied by illustrations of the visibility of schemes. Document [APP-294] provides an overview and is accompanied by more detailed plans [APP-295 to APP-303].
		• Secondly, it is a clear failure of the consultation that this information has not been adequately presented to the public before now, which is already after the Gate Burton examination has concluded, and in the very late stages of the Cottam and West Burton examinations.	



How can it be that such information was not made
widely and promptly available to the public?

Exolum Pipeline System Limited [REP5-058]

Reference	Theme	Summary of Issue Raised	Applicant's Response
EXO-01	Draft DCO Compulsory Acquisition	Exolum operates a network of fuel distribution pipelines that form a critical part of the UK's fuel supply system, including supplying the Ministry of Defence. Exolum has been engaging with the Promoter as the cable routes and solar panels for the Scheme are expected to impact and interfere with two of Exolum's existing pipelines. Exolum requires protective provisions to be included in the DCO, if granted, to ensure that its apparatus is adequately protected and can continue to operate safely.	Protective provisions have now been agreed with Exolum Pipeline System Limited and the draft DCO [REP5-005] was updated at Deadline 5 to include the agreed form of protective provisions (see Part 15 of Schedule 16). Please also see the Applicant's response to ExQ 3.1.9 in the Applicant's Responses to ExA Third Written Questions [REP5-032].
		The acquisition of Exolum's rights and/or interruption of supply through these pipelines would result in severe damage to its business and the suspension of fuel delivery to the Ministry of Defence, so could not be compensated in the usual way.	
		We have agreed protective provisions with the Promoter, subject to one minor amendment on which we await confirmation of agreement from the Promoter's solicitors (though we do not expect this to	



be controversial). We enclose a copy of these provisions for your reference.	
Please refer to the full submission at [REP5-058] for the text of the proposed protective provisions.	

Terry Organ [REP5-106]

Reference	Theme	Summary of Issue Raised	Applicant's Response
TO-01	Compulsory Acquisition	Cottam Solar cannot use Plot 10-220 without damaging our water line for the cattle. I attach a scan of the Land Registry Plan of our land in Coates Lane. You will see that Plot 10-220. The corner was fenced off to protect the stop cock enabling us to control our water line Blackthorn has overgrown it. LCC do not have any entitlement to it.	Please refer to the Applicant's responses reference TO-01 to TO-08 (particularly TO-01 and TO-02) in The Applicant's Responses to Deadline 3A and Deadline 4 Submissions [REP5-031].

Pauline Organ [REP5-105]

Reference	Theme	Summary of Issue Raised	Applicant's Response
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PO-01	Compulsory Acquisition	Initially, it appeared that our only fenced, watered grazing field with handling facilities, was going to be used. We are in receipt of Countryside Stewardship money for hedgerows and Lowland Grazing.	Please refer to the Applicant's response references PO- 01 and TO-01 to TO-08 within The Applicant's Responses to Deadline 3A and Deadline 4 Submissions [REP5-031].
		We have planted THOUSANDS of trees and hedging plants, which are now mature, and dug a pond. Cottam's survey showed it was very wildlife rich, they stated that it would NOT be taken.	The location of the route of the cable running down Green Lane will be determined at detailed design stage in order to limit impacts, including on the existing water pipe.
		We have written to you stating this case. It would be the end of our livelihood, our small but very productive beef farm.	
		We also contacted Eve Browning, who received the same letter. I forward her response, which is very reassuring and common sense, as there are alternative sites.	
		Please can you ensure, at the hearing, that this is indeed the case and we are able to continue.	
		*** There is one last point. If and when, the project goes ahead, they propose to lay the cable down the Geen Lane, leading to Inham Rd. Stow. Our waterline runs the full length of that lane, on its WESTERN EDGE. The cable MUST be laid on the EASTERN edge, to keep well away from the water pipe.	



Simon Skelton [REP5-120]

Reference	Theme	Summary of Issue Raised	Applicant's Response
SS-01	Landscape and Visual Impact Alternatives and Design Evolution	The Applicant's response is inconsiderate to those who would have to live within this proposal and barely answers the question. It is also inaccurate. The existing hedgerows will not begin to screen 4.5m panels within 1-2 years. Their current height is only about 3m and have been flailed extremely thin offering very little screening even in Summer. Many years of growth and filling in will be needed to provide even minimal screening. These hedges being deciduous are transparent for 6 months of the year. New hedge planting will have no effect in 5 or even 10 years and combined with the losses from the abundance of hare and deer, a sparse hedge will clearly have little impact on 4.5 metre steel and glass structures. I have recently applied for a tree planting grant from the Woodland Trust, and they categorically ask if deer are present in the area, as costly extra protective measures will be required. I see no mention of these measures by the Applicant. The significant impact of this solar scheme would be indefinite due to our home's elevated position, the	Please refer to the Applicant's response to ExQ 2.5.4 in the Applicant's Responses to ExA Second Written Questions [REP4-058], which details the mitigation the Applicant is proposing in the vicinity of North Farm. This mitigation is secured through the approval and implementation of the Landscape and Ecological Management Plan which is secured through requirement 7 of the draft DCO [REP5-005] and which must be substantially in accordance with the Outline Landscape and Ecological Management Plan [REP4-035]. The commitment to provide planting as screening for mitigation as early as possible was offered by the Applicant in the previous deadline submission 5. This mitigation has included consideration of the existing vegetation and where new planting will help supplement the tree cover in the hedgerows. Where hedgerows have previously been managed to create low, neat field boundaries, these are to be allowed to grow out (particularly along Willingham Road) and managed to a height of 5m with the addition of irregularly spaced hedgerow trees to help boost this overall. Furthermore, the Scheme provides the scope to introduce new areas of planting and build upon the character.



rising topography of the land chosen and the close proximity of the panels to the North.

I have extensive experience of hedge planting in this area and new hedges could take 10 to 15 years to achieve even 2 metres of screening. See my North Farm WR.

Hawthorn will only grow 50cm per year at best and would require several hard prunings to encourage bushy growth.

We are again being misled on the effectiveness of new hedgerows as mitigation. These office based assessments of our home and the impacts of the industrialised nature of giant solar installations are wrong and insulting. We expect the Applicant to listen and offer compromise on this huge land grab. My constructive suggestions of moving mitigation fields or skylark plots to around our home or cutting back on "overplanting" as a solution to create a buffer, has disappointingly fallen on deaf ears.

The detailed landscape proposals will consist of the area and extent of the Scheme shown on C6.4.8.16.1_A - C6.4.8.16.10_A Landscape and Ecology Mitigation and Enhancement Plans (Figures 8.16.1_A to 8.16.10_A) [REP-024 to REP-034].

Please refer to the Applicant's Statement of Common Ground with Lincolnshire County Council (LCC) [EN010133/EX6/C8.3.2_E] that has been agreed between both parties and in which the landscape and ecology mitigation is considered sufficient [LAN-13].

Please refer to Section 3 of the Applicant's Closing Statements on Landscape and Visual [EN010133/EX6/C8.1.36] that acknowledges the agreement by LCC and the Applicant that delivery of the Cottam Solar Project where to date, LCC have not suggested there to be any additional Significant Adverse Visual Effects in addition to those identified within the LVIA. LCC have not identified there to be any Significant Adverse Residual Effects for Residential Receptors or users of Public Rights of Way, which is consistent with the findings of the LVIA.



7000 Acres [REP5-068] and [REP5-069]

Reference	Theme	Summary of Issue Raised	Applicant's Response
7A-01	Noise and Vibration	This short video clip is from a visit to a 50MW BESS. The true dB rating is not known but the sound is clearly unreasonable for a quiet rural village setting. High noise levels are during charging and discharging, when maximum cooling is required, this is an unacceptable noise issue for local residents. This level of nuisance needs to be fully understood before many times this is deployed here.	The Applicant acknowledges the comment from 7000 Acres. The predicted noise levels for the BESS have been based on manufacturers' noise data and have been assessed based on industry standard prediction methods and in accordance with guidelines contained within the current British Standards. Plant of this nature is not silent and up close, as in the video clip, it can be considered the dominant noise source. The Applicant re-iterates that Chapter 15: Noise and Vibration of the Environmental Statement [APP-050] concludes that, with the implementation of mitigation, no likely significant adverse effects are anticipated resulting from noise during the construction, operation and maintenance, and decommissioning of the Scheme.
7A-02	Cumulative Development	Please see the attached map showing 9 solar NSIPs, with 5 falling within a 10km radius!	Please refer to Section 5 of the Applicant's Closing Statements [EN010133/EX6/C8.1.36].
		The 7000 acres group was initially named after the first 3 solar applications in the area, covering some 7000 acres of farmland. Its name, now being out of date with an unprecedented amount of solar proposals in this single 10km zone. This area has now almost doubled to around 13,000 acres, with new schemes seemingly	As far as the Applicant is aware, a Scoping Report for Voltis Solar has not been published. Therefore, the Applicant cannot consider the potential cumulative effects of this scheme, as there is as yet no published information relating to in on which to base such an assessment. This approach accords with the approach to cumulative effects assessments set out in the



being announced every few months. As a voice for the rural communities affected, we urge that any decisions made regarding so much farmland being given over to this inferior and inefficient electricity generator, are based on the full facts of net zero, food security, climate change and affordable electricity. We believe solar on farmland would hinder all of these ambitions.

This map is shocking evidence of an opportunistic and out of control industry. The brakes must be applied. Solar in the UK, on this scale and in this form is damaging and does not have a compelling case.

The schemes shown include;

1.COTTAM SOLAR PROJECT

2.WEST BURTON SOLAR PROJECT

3.GATE BURTON ENERGY PARK

4.TILLBRIDGE SOLAR

5.STEEPLE RENEWABLES

6.VOLTIS SOLAR (scoping)

7.ONE EARTH SOLAR

8.FOSSE GREEN

9.GREAT NORTH ROAD SOLAR

1-5 fall inside the 10km Gainsborough solar complex.

Planning Inspectorate's Advice Note 17: Cumulative effects assessment relevant to nationally significant infrastructure projects (August 2019 – version 2).



6&7 fall just outside the 10km zone.	
8&9 are also shown on this map and this is by no means the full picture, with at least 4 more solar NSIPs, South of Lincoln; SPRINGWELL, HECKINGTON FEN,	
BEACON FEN and MALLARD PASS	