

CORRECTION NOTICE

COTTAM SOLAR PROJECT ORDER 2024 (S.I 2024/No. 943)

SCHEDULE 4 TO THE PLANNING ACT 2008

CORRECTION OF ERRORS IN DEVELOPMENT CONSENT ORDER

DATE: 25 November 2024

The Secretary of State received a request dated 16 October 2024 from Cottam Solar Project Limited (“the Applicant”) for the correction of errors in the Cottam Solar Project Order 2024 (“the Order”), under section 119 of, and Schedule 4 to, the Planning Act 2008.

The Secretary of State has made the following corrections to the Order:

Corrections to the Articles

Article 2(1) - Interpretation

The definition of “the Gate Burton Energy Park Order” amended to replace the words “the Gate Burton Energy Park Order means the Gate Burton Energy Park Order 2024(b)” with “the Gate Burton Energy Park Order” means the Gate Burton Energy Park Order 2024(b)”.

Secretary of State’s rationale:

To amend a typographical error.

Article 2(1) - Interpretation

The definition of “West Burton Solar Project Order” amended to include the word “is” before the word “granted”.

Secretary of State’s rationale:

To amend a typographical error.

Article 14(1)(c) - Agreements with street authorities

Article 14(1)(c) amended to remove “(1)” from “article 10(1)”.

Secretary of State’s rationale:

To correct a reference.

Article 16(7) – Discharge of water

Article 16(7) amended to add the word “Act” after the words “Water Resources”.

Secretary of State’s rationale:
To correct a typographical error.

Article 23(1) – Private rights

The full stop at the end of “1965 Act” removed and replaced with a comma and a new line inserted at the end of Article 23(1) to say “whichever is the earliest”.

Secretary of State’s rationale:
Words inserted to make it clear that subject to the provisions of article 23, all private rights and restrictive covenants over land subject to compulsory acquisition under the Order are extinguished according to whichever is the earliest of sub-paragraphs (a) or (b) of article 23(1).

Article 35(6) – Consent to transfer the benefit of the Order

Article 35(6) amended to replace the words “fourteen” with “ten”.

Secretary of State’s rationale:
For consistency with the Gate Burton Order 2024.

Article 45(2) – Procedure in relation to certain approvals etc.

Article 45(2) is amended to replace the word “may” with “must” in paragraph (1).

Secretary of State’s rationale:
For consistency with other recent development consent orders.

Corrections to Schedules

Schedule 1, Shoulder Note

The shoulder note in Schedule 1 amended to remove the words “Article 1 and”.

Secretary of State’s rationale:
To correct a typographical error.

Schedule 1, Authorised Development, Work No. 3(a)

Work No. 3(a) amended to insert the word “sprinkler” in place of “fsprinkler”.

Secretary of State’s rationale:
To correct a typographical error.

Schedule 2, Interpretation, paragraph 1(c)

Paragraph 1(c) amended to substitute the words “Northamptonshire County Council” with “Nottinghamshire County Council”.

Secretary of State’s rationale:
To correct a typographical error.

Schedule 2, Interpretation, paragraph 1(d)

Paragraph 1(d) amended to remove the words “West Lindsay District Council and Bassetlaw District Council”.

Secretary of State’s rationale:
Correction made to reflect that Lincolnshire County Council is the relevant local authority for flood risk mitigation.

Schedule 2, paragraph 8(3)

Paragraph 8(3) amended to replace the word “plan” with “strategy”.

Secretary of State’s rationale:
To correct a typographical error.

Schedule 13, Part 1, Documents and Plans, row 2 (“Book of reference”), column 3 (“Revision number”)

For “G” substitute with “F”.

Secretary of State’s rationale:
To correct the revision number of the Book of reference.

Schedule 13, Part 1, Documents and Plans, row 10 (“Outline construction traffic management plan”), column 2 (“Document reference”)

Amendment made to replace “EN010132” with “EN010133”

Secretary of State’s rationale:
To correct the document reference number of the Outline construction traffic management plan.

Schedule 13, Part 1, Documents and Plans, row 10 (“Outline construction traffic management plan”), column 3 (“Revision number”)

For “F” substitute with “G”.

Secretary of State’s rationale:
To correct the revision number of the Outline construction traffic management plan.

Schedule 13, Part 1, Documents and Plans, row 10 (“Outline construction traffic management plan”), column 4 (“Date”)

Amendment made to replace the month “February” with “August”.

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 11 (“Outline Decommissioning Statement”), column 3 (“Revision number”)

Amendment made to replace the letter “A” with “B”

Secretary of State’s rationale:

To correct the revision number of the Outline decommissioning statement.

Schedule 13, Part 1, Documents and Plans, row 11 (“Outline Decommissioning Statement”), column 4 (“Date”)

Amendment made to replace the date “December 2023” with “August 2024”

Secretary of State’s rationale:

To correct a drafting error

Schedule 13, Part 1, Documents and Plans, row 14 (“Outline landscape and ecological management Plan”), column 3 (“Revision number”)

Amendment made to replace the letter “E” with “F”

Secretary of State’s rationale:

To correct the revision number of the Outline landscape and ecological management plan.

Schedule 13, Part 1, Documents and Plans, row 14 (“Outline landscape and ecological management Plan”), column 4 (“Date”)

Amendment made to replace the month “January” with “August”

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 15 (“Outline operational environmental management plan”), column 3 (“Revision number”)

Amendment made to replace the letter “D” with “E”

Secretary of State’s rationale:

To correct the revision number of the Outline operational environmental management plan.

Schedule 13, Part 1, Documents and Plans, row 15 (“Outline operational environmental management plan”) , column 4 (“Date”)

Amendment made to replace the month “February” with “August”

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 18 (“Outline soil management plan”), row 2 (“Document reference”)

Amendment made to replace “EN010133/APP/C7. 18” with “EN010133/APP/C6.3.19.2”.

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 20 (“Streets plan”), columns 2 (“Document reference”)

Amendment made to replace “EN010133/APP/C2. 13_A” with “EN010133/APP/C2.13”.

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 21 (“Works plan”), column 3 (“Revision number”)

Amendment made to replace the letter “C” with “D”

Secretary of State’s rationale:

To correct the revision number of the Works plan.

Schedule 13, Part 1, Documents and Plans, row 21 (“Works plan”), column 4 (“Date”)

Amendment made to replace the month “January” with “August”

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 1, Documents and Plans, row 22 (“Written Scheme of Investigation”), column 2 (“Document reference”)

Amendment made to replace the letters “APP” with “EX5”.

Secretary of State’s rationale:

For correction purposes.

Schedule 13, Part 2, Substitute and Supplementary Documents, row 3 (“Environmental Statement”), column 5 (“Examination library reference”)

Amendment made to replace “[REP-012]” with “[REP2-008]”

Secretary of State’s rationale:

To correct a drafting error.

Schedule 13, Part 2, Substitute and Supplementary Documents, row 6 (“Environmental Statement, Without Prejudice Archaeological WSI”)

Amendment made to delete row 6 entirely.

Secretary of State’s rationale:

The Without Prejudice Archaeological WSI is not referred to in the made Order and is already certified as the written scheme of investigation in Part 1 of Schedule 13.

Schedule 15, Part 3, paragraph 28(7)

Substitute “Not” at the beginning of Paragraph 7 with the words “The undertaker is not”

Secretary of State’s rationale:

For clarification purposes.

Schedule 15, Part 3, paragraph 30(2)

Amendment made to replace the word “may” with “must”.

Secretary of State’s rationale:

For consistency with the Gate Burton Order 2024.

Schedule 15, Part 8, paragraph 93

In paragraph 93, the definition of the word “construction” amended to replace the full stop after the word ““accordingly” with a semicolon.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 8, paragraph 93

The definition of the word “evidence” amended to remove the word “and” after “geotechnical evaluations;”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 8, paragraph 93

The definition of “plans” amended to include the word “and” after the words “statements;”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 8, paragraph 94(3)(a)

Amendment made to replace the word “may” with “must”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 10, paragraph 119(2)

Amendment made to replace the word “may” with “must” after the words ‘under sub-paragraph (1)’.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 10, paragraph 125(5)

Amendment made to replace the word “may” with “must” after the words “Network Rail’s apparatus, Network Rail”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 11, paragraph 141

Amendment made to replace the word “may” with “must” after the words “Gate Burton, which”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 11, paragraph 142(1)

Amendment made to replace the word “may” with “must” after the words “Gate Burton, which”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 12, paragraph 157

Amendment made to replace the word “may” with “must” after the words “West Burton, which”.

Secretary of State’s rationale:

To correct a typographical error.

Schedule 15, Part 12, paragraph 158(1)

Amendment made to replace the word “may” with “must” after the words “West Burton, which”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 13, paragraph 170(6)

Amendment made to replace the word “may” with “must” after “to (5)”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 15, paragraph 210(3)

Amendment made to replace the word “may” with “must” after the words “Schedule it”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 17, paragraph 223

Amendment made to replace the word “may” with “must” after the words “Tillbridge, which”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 17, paragraph 224(1)

Amendment made to replace the word “may” with “must” after the words “Tillbridge, which”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 18, paragraph 243(4)(b)

Amendment made to replace the word “may” with “must”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 18, paragraph 247(2)

Amendment made to replace the word “may” with “must” after the words “undertaker, it”.

Secretary of State's rationale:
To correct a typographical error.

Schedule 15, Part 17, paragraph 253(4)

Amendment made to replace the word “may” with “must” after the words “this sub-paragraph (3)”.

Secretary of State's rationale:
To correct a typographical error.