

**Tillbridge Solar Project
EN010142**

Volume 8

**Change Request Report
Document Reference: EN010142/APP/8.1**

**Planning Inspectorate advice page: Changes to an application
after it has been accepted for examination**

**September 2024
Revision Number: 00**

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1. Introduction

1.1 The Scheme

- 1.1.1 Tillbridge Solar Limited (the “Applicant”) submitted its application for a Development Consent Order (DCO) for the Tillbridge Solar Project (the “Scheme”) on 10 April 2024 (the “DCO Application”). The DCO Application was accepted for examination by the Planning Inspectorate on 8 May 2024.
- 1.1.2 The Scheme will comprise the construction, operation (including maintenance), and decommissioning of ground-mounted solar photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV arrays.
- 1.1.3 The Scheme is made up of the Principal Site, the Cable Route Corridor and works to the existing National Grid Cottam Substation. The Principal Site comprises solar PV, electrical substations, grid balancing infrastructure, cabling and areas for landscaping and ecological enhancement.
- 1.1.4 The associated development element of the Scheme includes but is not limited to access provision, a Battery Energy Storage System (BESS), to support the operation of the ground mounted solar PV arrays, the development of on-site substations and underground cabling between the different areas of solar PV arrays, and areas of landscaping and biodiversity enhancements.
- 1.1.5 The Scheme also includes a 400 kV underground Cable Route Corridor of approximately 18.5km in length connecting the Principal Site to the National Electricity Transmission System (NETS) at the existing National Grid Cottam Substation. The Scheme will export and import electricity to the NETS.
- 1.1.6 The Scheme is an onshore generating station exceeding a 50MW generating capacity and is classified as a Nationally Significant Infrastructure Project (NSIP). It therefore requires a Development Consent Order (DCO) Application to be submitted to the Planning Inspectorate for determination by the Secretary of State pursuant to the Planning Act 2008 (PA 2008) (Ref 1).

1.2 Purpose of this Report

- 1.2.1 Following the submission and acceptance of the DCO Application, the Applicant has continued to engage with affected landowners (hereafter referred to as “Affected Parties”) to acquire the relevant freehold interests, new rights, and temporary use of land needed for the construction, operation (including maintenance) and decommissioning of the Scheme by agreement, to ensure fulfilment of the Scheme.
- 1.2.2 As a result of this engagement, the Applicant is now making a request to change the DCO Application to amend the Order limits to reflect the outcome of negotiations with Affected Parties and to further refine some minor extents of land falling within the Order limits (the “Change Request”).

- 1.2.3 The changes that form part of this Change Request (the “Proposed Changes”) include reductions or modifications of the Order limits or minor refinements to the proposed layout of the Scheme. The Proposed Changes comprise the following:
- a. Reduction of the Order limits at east of B1241 Normanby Road and immediately south of East Farm (Change 1);
 - b. Reduction of the Order limits to the east of B1241 Normanby Road located to the north of Normanby by Stow. (Change 2);
 - c. Removal of triangular area of land from the Order limits to the north of Willingham Road (Change 3);
 - d. Reduction of the Order limits to remove part of Torksey Ferry Road (Change 4);
 - e. Refinement of the Scheme layout and design to create two additional accesses off School Lane (one temporary and one permanent). No change to the Order limits arising (Change 5);
 - f. Removal of highway extents from Order limits along Northlands Road and Kexby Road (Change 6);
 - g. Removal of highway extents from Order limits along the A631 Harpswell Lane (Change 7);
 - h. Removal of highway extents from Order limits along B1398 Middle Street (Change 8);
 - i. Reduction of the Order limits on land to the north of Common Lane (Change 9);
 - j. Removal of private driveway located to the South of School Lane from the Order limits (Change 10);
 - k. Removal of land from the Order limits to the west of the B1398 Middle Street (Change 11);
 - l. Removal of land from the Order limits to the south of Common Lane (Change 12);
 - m. Removal of track located south of Common Lane from the Order limits (Change 13);
 - n. Removal of land from the Order limits to the south-west of Marton adjoining the River Trent (Change 14);
 - o. The diversion of construction and decommissioning traffic from an existing access serving the Pickering & Son Farm located to the south off the A631 (Harpswell Lane) to an existing track serving Harpswell Low Farm, located west of the Pickering & Son Farm south off the A631 (Harpswell Lane). The access serving the Pickering & Son Farm will remain for operational use only (Change 15).
- 1.2.4 The Proposed Changes involve reductions or modifications to the Order limits only. As the Change Request will not involve any increase or extension of the Order limits, it does not necessitate any additional Compulsory Acquisition relating to new plots of land and/or interests.

- 1.2.5 **Appendix D** of the **Consultation Report [EN010142/APP/8.2]** illustrates the location of the Proposed Changes in relation to the current Order limits.
- 1.2.6 In accordance with Planning Inspectorate (PINS) guidance *Changes to an application after it has been accepted for examination* (August 2024) (the “PINS Guidance”) (Ref 3), the Applicant submitted a notification of its intention to formally submit this request for a change to the DCO Application on 18 July 2024 (the “Change Notification”). A response was published by the Examining Authority (ExA) on 8 August 2024.
- 1.2.7 This report (and/or the supporting documents submitted as part of the Change Request) sets out the information required for change requests in accordance with the PINS Guidance. It also provides additional information requested in the ExA’s response to the Change Notification, or otherwise explains where this information is provided in other relevant documents submitted as part of this Change Request and/or the DCO Application. It also details the engagement the Applicant has undertaken with relevant Affected Parties and Statutory Undertakers that informed the submission of the Change Request and provides an overview of the consultation undertaken in respect of the Change Request (with further details on consultation provided in the **Consultation Report** submitted alongside this Change Request [EN010142/APP/8.2]).

1.3 Structure of this Report

- 1.3.1 The subsequent sections of this report are set out as follows:
- a. Section 2: Description of Changes and Rationale for the Change Request
 - b. Section 3: Legislative and Policy Context for the Change Request
 - c. Section 4: Consultation
 - d. Section 5: Schedule of Revised Application Documents

2. Description of Changes and Rationale

2.1 Introduction

2.1.1 The Proposed Changes which are outlined below are in accordance with those set out in the Change Notification submitted to the Planning Inspectorate on 18 July 2024, this is with the exception of additional minor clarifications with respect to Change 5 and 14. These minor clarifications propose the same amendments to the Order limits as set out in the Change Notification, with the following minor amendments:

- a. Change 5 now includes a minor amendment to the proposed position of access 1/14 as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4 (Rev02)]**. This minor layout change was not identified at the time of the Change Notification and is a consequence of incorporating the second access to serve the proposed substation to create a one-way access and egress arrangement. This is explained in more detail below.
- b. In response to a request from the Canal and River Trust to provide clarification on the minimum depth of cables to be installed below the River Trent and Till, Change 14 now includes minor amendments to **Chapter 3: Scheme Description** of the Environmental Statement (ES) **[EN010142/APP/6.1(Rev01)]** and the **Outline Design Principles Statement [EN010142/APP/7.4(Rev01)]** to ensure that the Scheme Description is up to date and that these minor clarifications are secured through the **draft DCO [EN010142/APP/3.1(Rev 02)]**. This is explained in more detail below.

2.2 Need and Rationale for the Changes

- 2.2.1 Changes 1, 4 and 6 to 8 relate to further consideration and a refinement of the extent of public highway required for alterations to the layout of streets and for powers associated with traffic regulation measures. This has enabled a reduction in Order limits where highway works and traffic management measures are no longer required.
- 2.2.2 Changes 2 and 3 have arisen through further design refinement associated with land required for construction compounds. In terms of Change 2, the extent of land can be reduced and modified and with respect to Change 3, land previously required for a construction compound can be removed in its entirety due to an alternative option being available.
- 2.2.3 Change 5 relates to further design iteration with the inclusion of two new access points to be provided off School Lane. One access (Access 1/35 as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**) will be to serve a construction compound associated with the 400kv internal cable route corridor within the Principal Site and the other access (Access 1/34 as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**) will be to provide a second access to be used during the construction and

operation of Substation B. This will create a one-way system in conjunction with the single point of access (Access 1/14 as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**) that was originally proposed as part of the Application. This will allow vehicles to enter and exit the substation site in a forward gear and will improve manoeuvring within the Principal Site.

- 2.2.4 Changes 9 to 13 have arisen through continued discussions with Affected Parties seeking the removal of small areas of land from the Scheme. Change 14 was derived from ongoing discussions with the Canal and River Trust as a statutory consultee relating to the removal of two small parcels of land that form part of an operational dredging tip. Upon further consideration of the design parameters associated with this part of the Cable Route Corridor, the Applicant has agreed that this land is no longer necessary for the Scheme to proceed.
- 2.2.5 Change 15 relates to a minor change to the proposed design and layout of the Scheme with respect to access. This change has arisen from continued discussions with an Affected Party on the use of an existing access requesting that this is used during operation only. The resultant change will mean the diversion of construction and decommissioning traffic from this existing access to another existing track serving Harpswell Low Farm. The existing track serving Harpswell Low Farm was already proposed to be used during the construction and decommissioning of the Scheme. There will be no change to the principles of the overall access strategy associated with the Scheme.
- 2.2.6 The reductions and modifications to the Order limits associated with the Proposed Changes are minor and would not result in a materially different DCO Application than that accepted for examination. The description of the Scheme remains as per the Scheme description set out in **Chapter 3: Scheme Description** of the ES **[EN0101432/APP/6.1(Rev01)]**.
- 2.2.7 The Proposed Changes do not relate to any technical deficiencies associated with the Scheme and relate either to design evolution/refinement or to requests from Affected Parties to remove small parcels of land from the Order limits to support the acquisition of land through voluntary agreement.
- 2.2.8 Given their limited extent and non-material nature, the Proposed Changes will not impact or delay the Applicant's ability to secure any relevant consents or licences for the Scheme.

2.3 Change 1: Reduction of the Order limits at east of B1241 Normanby Road and immediately south of East Farm

- 2.3.1 Change 1 is sought to refine the Order limits to this part of the Scheme so that it only includes public highway extents and does not involve third party land interests.
- 2.3.2 This change will result in a reduction to the Order limits but will not impact on the nature or extent of the works proposed to be carried out at this location

as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**. No new land interests will be engaged through this change, as no additional land outside the Order limits is required. Given the minor nature of the proposed modification to the Order limits, it is considered that this change will not result in any new or different likely significant environmental effects.

2.4 Change 2: Reduction of the Order limits to the east of the B1241 Normanby Road located to the north of Normanby by Stow

2.4.1 Through further refinement of the Scheme layout and design, the Applicant has determined that a reduced area of land is required for the siting of a construction compound to the east of the B1241 Normanby Road. Land Plot 16-01a as shown on the **Land and Crown Land Plans [APP-006]** has been reduced and modified as part of this change, as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.

2.4.2 Change 2 will result in alterations of the Order limits and a reduction in the area of land included within the Order limits. The change will not result in any new land interests, as no new land is sought to be brought into the Order limits and no likely new or different significant environmental effects are anticipated as a result of the change.

2.5 Change 3: Removal of triangular area of land from the Order limits to the north of Willingham Road

2.5.1 Through further refinement of the Scheme layout and design, the Applicant has determined that a triangular area of land previously thought required for the siting of a construction compound to the north of Willingham Road is no longer needed, with sufficient space for a compound being available on adjacent land to the west. As such, there is no longer a need for this land to be part of the Scheme. Plots 12-04a and 13-03a as shown on the **Land and Crown Land Plans [APP-006]** have been removed as part of this change, with the revised Order limits now shown on the **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.

2.5.2 Change 3 will result in alterations to the Order limits and a reduction in the area of land included within the Order limits. The change will not result in any new land interests, as no new land is sought to be brought into the Order limits, and no likely new or different significant environmental effects are anticipated as a result of this change.

2.6 Change 4: Reduction of the Order limits to remove part of Torksey Ferry Road

2.6.1 It is proposed that the Order limits are reduced along Torksey Ferry Road to remove land that, upon further refinement of Scheme layout and design, is no longer required in relation to the alteration of the layout of streets. This

land is no longer necessary to facilitate access from Torksey Ferry Road into the National Grid Cottam Substation.

- 2.6.2 Plot 24-02 as shown on the **Land and Crown Land Plans [APP-006]** has been reduced and modified and shown in the amended **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.
- 2.6.3 Given the minor nature of the proposed modification of the Order limits, it is considered that there are no likely new or different significant environmental effects as a result of the change.

2.7 Change 5: Refinement of the Scheme layout and design to create two additional accesses off School Lane

- 2.7.1 An additional temporary access will be provided off School Lane to the north of the proposed Access 1/14 for Substation B, referred to as Access 1/35, as shown on **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]** to facilitate access to a temporary construction compound. A second permanent access will also be located north of Access 1/14, referred to as Access 1/34, to provide a second access to the proposed substation as shown on the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**. In addition, the location of Access 1/14 has been moved slightly to the north of the original position as shown on the **Streets, Rights of Way and Access Plans [APP-008]**, to create a one-way system in conjunction an additional second access (Access 1/34 as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**). Accesses 1/14 and 1/34 will provide a one-way system for Substation B allowing vehicles to enter and exit the substation site in a forward gear and will improve manoeuvring within the Principal Site. This minor re-alignment of Access 1/14 will provide a staggered junction to the west of Access 1/15 along School Lane offering an improved design as shown on Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**.
- 2.7.2 The refined layout will mean that the substation is served by a one-way access system ensuring that construction and operational vehicles can enter and exit the substation safely. This change will not amend the Order limits and has arisen through further technical considerations and the need to segregate the movement of vehicles associated with the construction of the Cable Route Corridor and the construction of Substation B.
- 2.7.3 Change 5 will not alter the distribution of trips to and from the Order limits, retaining the use of Principal Site Access 1 from Harpswell Lane. Given the minor nature of the change, it is not considered to result in any likely new or different significant environmental effects.

2.8 Change 6: Removal of highway extents along Northlands Road and Kexby Road

- 2.8.1 Change 6 will result in the removal of highway extents along Northlands Road and Kexby Road, as shown on Sheet 7 and 10 of the **Works Plans [APP-007]** and amended by **Works Plans [EN010142/APP/2.3(Rev01)]**, which the Applicant has determined are no longer required for access. The area of land included within the Order limits at this location will reduce as a result of the change.
- 2.8.2 This change will not result in a change to the layout of the Scheme or engage any new land interests. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no likely new or different significant environmental effects that would arise as a result of the change.

2.9 Change 7: Removal of highway extents along A631 Harpswell Lane

- 2.9.1 Change 7 will result in the removal of highway extents along the A631 Harpswell Lane to the east of Principal Site Access 3 (the access leading to Pickering & Sons Farm) as shown on Sheet 3 of the **Works Plans [APP-007]** and amended by **Works Plans [EN010142/APP/2.3(Rev01)]** and Sheet 1 of 24 of the **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]**. Upon further review, this land is not required to facilitate alterations to the layout of existing streets or to allow traffic management measures to be put in place.
- 2.9.2 This change will not result in a change to the Scheme layout or engage any new land interests given that it is a reduction of the Order limits. Due to the minor nature of the proposed modification to the Order limits, it is considered that there are no likely new or different significant environmental effects that would arise as a result of the change.

2.10 Change 8: Removal of highway extents along B1398 Middle Street

- 2.10.1 Change 8 will result in the removal of highway extents along the B1398 Middle Street as shown on Sheet 4 of the **Works Plans [APP-007]** and amended by **Works Plans [EN010142/APP/2.3(Rev01)]**, where no works are proposed. Upon further review, this land is not required to facilitate alterations to the layout of existing streets or to allow traffic management measures.
- 2.10.2 This change would not result in a change to the Scheme layout. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no new or different likely significant environmental effects that would arise as a result of the change.

2.11 Change 9: Reduction of the Order limits on land to the north of Common Lane

- 2.11.1 Change 9 proposes a reduction of the Order limits at Work No. 1, 2, 6 and 9 as shown on Sheet 5 of the **Works Plan [APP-007]** and amended by **Works Plans [EN010142/APP/2.3(Rev01)]** following ongoing discussions and engagement with Affected Parties. Plot 5-07 as shown on the **Land and Crown Land Plans [APP-006]** has been reduced and modified as a result of the change as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.
- 2.11.2 This change will not result in a change to the Scheme layout and no new land interests would be engaged. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no new or different likely significant environmental effects that would arise as a result of this change.

2.12 Change 10: Removal of private driveway located to the south of School Lane from the Order limits

- 2.12.1 Following ongoing discussions and engagement with Affected Parties it is proposed that the Order limits are reduced to exclude land that relates to a private driveway serving a dwelling. The private driveway is not required for access to construct the Scheme. As a result, land from Plot 1-10 as shown on the **Land and Crown Land Plans [APP-006]** has been reduced and modified to remove the private driveway from the Scheme, as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.
- 2.12.2 Change 10 will not result in a change to the Scheme layout. No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no new or different likely significant environmental effects that would arise a result of this change.

2.13 Change 11: Removal of land from the Order limits to the west of the B1398 Middle Street

- 2.13.1 Change 11 proposes a reduction of the Order limits following ongoing discussions and engagement with Affected Parties. The change involves the removal of land from the Order limits that the relevant Affected Party would like to retain for their own use. Land from Plots 4-07 and 4-08 as shown on the **Land and Crown Land Plans [APP-006]** has been reduced and modified as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.
- 2.13.2 The change would remove an area of land from the Sensitive Archaeological Site (SAS) 23 and SAS 24 and require a proposed hedgerow to be relocated, and as such, the **Indicative Landscape Masterplan [AS-028]**

has been revised [EN010142/APP/7.19(Rev01)]. However, no other changes to the Scheme layout would be required. The removal of the SAS areas does not mean archaeology will be any less protected or that there will be any worse effects as a result of the Scheme, as the relevant areas will be excluded from the Order limits, with no effect on these areas.

- 2.13.3 No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits and changes to the Scheme layout, it is considered that there are no new or different likely significant environmental effects that would arise as a result of this change.

2.14 Change 12: Removal of land from the Order limits to the south of Common Lane

- 2.14.1 Change 12 proposes a reduction of the Order limits following ongoing discussions and engagement with Affected Parties. The change involves the removal of an area of private garden from the Order limits that the relevant Affected Party would like to retain in its existing use. Land associated with Plot 5-18 as shown on the **Land and Crown Land Plans [APP-006]** has been modified and reduced in size as a result of this change and as shown on **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**.

- 2.14.2 No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits and changes to the Scheme layout, it is considered that there are no new or different likely significant environmental effects that would arise as a result of this change.

2.15 Change 13: Removal of track located south of Common Lane from the Order limits

- 2.15.1 It is proposed that a track adjoining the eastern boundary of the Principal Site is removed from the Order limits following ongoing engagement and discussions with Affected Parties. Land from Plots 3-22 and 7-07 as shown on the **Land and Crown Land Plans [APP-006]** and has been removed as a result of the change.
- 2.15.2 This change will not result in a change to the layout of the Scheme. No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no new or different likely significant environmental effects that would arise as a result of this change.

2.16 Change 14: Removal of land from the Order limits to the south-west of Marton

- 2.16.1 Change 14 relates to a reduction of the Order limits following ongoing engagement and discussions with the Canal and River Trust who have

requested that Plots 20-07 and 20-12 as shown on the **Land and Crown Land Plans [APP-006]** are removed from the Scheme as this relates to their operational land, which they require to retain in existing use. The removal of these plots is shown the **Land and Crown Land Plans [EN010142/APP/2.2(Rev01)]**

- 2.16.2 Canal and River Trust also requested that **Chapter 3: Scheme Description** of the ES and the **Outline Design Principles Statement** clarify that the minimum 5 m Horizontal Directional Drill (HDD) depth under the River Trent is measured from 'the lowest surveyed point of the River Trent riverbed'. This change has been incorporated into the updated **Chapter 3: Scheme Description of the ES [EN010142/APP/6.1(Rev01)]** and the **Outline Design Principles Statement [EN010142/APP/7.4(Rev01)]**. This change was requested in association with and following further clarification from Canal and River Trust with respect to the removal of Plots 20-07 and 20-12. These amendments were not included in the Change Notification as they do not relate to a change to the layout of the Scheme or the extent of the Order limits, and relate to design parameters to be secured through the **draft DCO [EN010142/APP/3.1(Rev02)]**.
- 2.16.3 This change will not result in a change to the layout of the Scheme. No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Given the minor nature of the proposed modification of the Order limits, it is considered that there are no new or different likely significant environmental effects that would arise as a result of this change.

2.17 Change 15: The diversion of construction and decommissioning traffic from Principal Site Access 3 (an existing access serving the Pickering & Son Farm) located to the south off the A631 to Principal Site Access 2 (an existing access track serving Harpswell Low Farm) located south off the A631

- 2.17.1 Change 15 does not relate to a change in the Order limits but is a revision to the access strategy associated with the construction of the Scheme following discussions with Affected Parties. The proposed change will mean that the construction and decommissioning access south of the A631 (Harpswell Lane) via the Pickering & Son Farm will no longer be used during construction or decommissioning (to be used only during operation). Construction and decommissioning vehicles will instead use Principal Site Access 2, which is an existing access track serving Harpswell Low Farm also located south off the A631 (Harpswell Lane). Principal Site Access 2 is already proposed as a construction and decommissioning access for the Scheme.

2.17.2 This change will not result in a change to the layout of the Scheme. No new land interests would be engaged through this change. No additional land outside the current Order limits is required. Whilst the change will result in an increase in trips associated with the use of Principal Site Access 2, it is considered that there will not be any new or different likely significant environmental effects that would arise as a result of this change to the access strategy. This is because the overall traffic flows on the A631 would not change, but construction and decommissioning traffic from Principal Site Access 3 would simply be diverted further to the west to Principal Site Access 2.

2.18 Materiality

- 2.18.1 In respect of changes to DCO applications that are proposed during the course of examination, there is no statutory definition as to whether a proposed change is “non-material” or “material”. The Planning Act 2008 (Ref 1) does not define what is a non-material or material change, and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (the “Changes Regulations”) (Ref 2) (which apply to proposed changes to made DCOs only) set out the process and procedure which needs to be followed in seeking a change.
- 2.18.2 The PINS Guidance (Ref 3) provides that a proposed change may be so substantial that it constitutes a ‘materially different project’. However, within the PINS Guidance it also confirms that there is no statutory definition of what constitutes a “material” or “non-material” change to a DCO application
- 2.18.3 Guidance on Changes to Development Consent Orders published by the Department for Communities and Local Government (Ref 4) in 2015 (the “2015 Guidance”), whilst of some relevance, only relates to dealing with changes to DCOs made under the Changes Regulations (i.e. once a DCO has been granted). Paragraph 10 of this guidance does state that a decision around materiality “will depend on the circumstances of the specific case.”
- 2.18.4 The 2015 Guidance (Ref 4) sets out circumstances where a change to a DCO could be a material change. These include where there may be a change in significant environmental effects, may invoke a need for a Habitats Regulation Assessment, would require the acquisition of additional land or result in new land interests, or impact on local people or businesses not previously identified. These are expressly referred to as a “starting point” only.
- 2.18.5 Noting that the 2015 Guidance does not apply directly to this Change Request, applying by analogy and having regard to the above, the matter of materiality is therefore a matter of judgement that needs to be applied on a case-by-case basis, depending on the extent of additional considerations (i.e. those not considered or assessed as part of the original DCO application) that may arise as a result of a proposed change.
- 2.18.6 In this case, Changes 1 to 4 and 6 to 14 relate to the discrete removal of limited areas of land from the Scheme following requests by Affected Parties or as a result of further design iteration relating to the extent of highway

required to secure the necessary alteration of layout associated with the Scheme. These changes involve reductions of the Order limits and would not impact on additional land interests not previously identified. The Change Request will not involve any material increase or extension of the Order limits and as such there is no 'additional land' included. Therefore, the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations) (Ref 5) are not engaged.

- 2.18.7 Changes 5 and 15, whilst relating to minor changes to the proposed layout of the Scheme, are sought following further technical considerations in relation to access or in response to requests from Affected Parties.
- 2.18.8 In the preceding sections we have addressed each of the Proposed Changes in turn and expanded upon the features of each which contribute to our conclusion that the changes are non-material.
- 2.18.9 The Change Request is supported by an **ES Addendum [EN010142/APP/6.6]**. This confirms that the Proposed Changes will not result in any new or different significant effects compared to those reported within the ES **[APP-031 to APP-207]** submitted with the DCO Application.
- 2.18.10 In addition, the Change Request would not impact upon any consents or licences for the project with these remaining as set out in the **Consents and Agreement Position Statement [APP-016]**.
- 2.18.11 In view of the above, it is clear that the Proposed Changes are non-material, resulting in the Scheme being materially no different to that described and assessed in the DCO Application and accepted for examination, which would not give rise to any materially new or different effects or involve the inclusion of additional land.

3. Legislation and Policy Context

3.1 The Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (2024)

- 3.1.1 The guidance set out in the Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects, 2024 (the “Examination Guidance”) (Ref 6) includes matters which relate to the Change Request and has therefore been given due regard by the Applicant.
- 3.1.2 The Examination Guidance outlines an expectation that applications will be as well prepared as possible prior to submission, but notes that *“there are occasions when applicants may wish to make changes to an application after it has been accepted for examination”*.
- 3.1.3 It is stated within the Examination Guidance (at Paragraph 018 Reference ID-07-018-20240430) that the Examining Authority is required to consider a number of factors when deciding whether to accept an applicant’s proposed changes, such as whether:
- a. *“the changes would mean the project is effectively a different one from that contained in the application”*. The Proposed Changes are non-material in nature resulting in reductions of the Order limits and refinements to the proposed Scheme layout. In terms of the scope and extent of changes proposed, the effect of the proposed changes would not be so substantial as to constitute a materially different project to the Scheme as submitted with the DCO Application.
 - b. *“the application (as changed) is still of a sufficient standard for examination”*. As the Proposed Changes are non-material and will not result in a materially different proposal, the DCO Application is still of a sufficient standard for examination with the Change Request being supported by updated documents, where relevant, produced to a sufficient standard.
 - c. *“sufficient consultation on the changed application can be undertaken to allow for the examination to be completed within the statutory timetable”*. The examination period is yet to commence for the Scheme. The Applicant has undertaken targeted consultation with Affected Parties and statutory undertakers, as well as other interested parties, to provide them with the opportunity to comment on the Change Request. These comments have been considered by the Applicant in preparing and submitting the final Change Request and as set out in the **Consultation Report [EN010142/APP/8.2]** submitted with this Change Request.
 - d. *“the changes would breach the principles of fairness and reasonableness for parties participating in the examination”*. The Applicant has determined that the majority of previous consultees will not be impacted by the Proposed Changes, beyond the impacts already assessed and consulted on as part of the DCO Application.

On this basis, a more targeted approach to consultation in respect of the Change Request was carried out as described in paragraph c) above. In the interest of fairness and transparency, prior to carrying out the consultation on the Change Request, the Applicant notified the relevant planning leads at each authority of its intention to submit the Change Request and to discuss the nature of the Change Request prior to the start of the consultation period.

- e. *“Any other procedural requirements can still be met”*. Due to the early submission of the Change Request, there is sufficient time for any other procedural requirements to be met with no impact on statutory timescales for the examination of the DCO Application. The Change Request has been subject to consultation. Section 4 of this Change Request report provides a summary of the consultation responses received and how consideration has been given to these. A full copy of the **Consultation Report [EN010142/APP/8.2]** is submitted with the Change Request. The Examination Guidance goes on to state *“It is expected that the applicants will discuss the implications of any changes they wish to make with the relevant statutory consultees and notify the Examining Authority at the earliest opportunity”*. The Applicant’s discussions with statutory undertakers and Affected Parties are ongoing. The Applicant informally notified the ExA of its intention to submit the Change Request on 5 July 2024, and the formal Change Notification was submitted on 18 July 2024, before the examination period. As detailed in the proposed programme in Section 5 of this report, and in line with the Examination Guidance, there is sufficient time to adequately and appropriately consult relevant parties before the start of the preliminary meeting on the 15 October 2024 (Paragraph 018 Reference ID-07-018-20240430).

3.2 Nationally Significant Infrastructure Projects: Advice Pages – Changes to an Application after it has been accepted for Examination (PINS, August 2024)

- 3.2.1 In considering the scale and nature of the Change Request, the Applicant has had regard to the Government’s Nationally Significant Infrastructure Projects: Advice pages, in particular, the advice page for *‘Changes to an application after it has been accepted for examination’* (referred to previously and hereafter as the “PINS Guidance”) (Ref 3).
- 3.2.2 The Applicant continues to engage with landowners and statutory undertakers in relation to the Scheme. The PINS Guidance recognises that the need for a change request may result from “on-going negotiations between the applicant and other interested parties”, as has been the case in relation to the Proposed Changes.
- 3.2.3 The PINS Guidance sets out a number of steps required as part of the process for requesting a change to a DCO application. These are set out below, along with how the Applicant has complied with each of these steps.

Step 1 – the change notification

- 3.2.4 The PINS Guidance states that where an applicant decides to request a change to an application which has already been accepted for examination, they must inform the ExA in writing. The Scheme was accepted for examination on 8 May 2024 and the Applicant submitted a Change Notification to the ExA on 18 July 2024.
- 3.2.5 As part of the Change Notification, the Applicant complied with the PINS Guidance in terms of the information required to be included in a change notification. The Change Notification letter submitted on 18 July 2024 included:
- a. A clear description of the Proposed Changes, including any new works, altered works and ancillary matters.
 - b. A statement setting out the reasons and need for making the Proposed Changes with reference to the government’s guidance on the Examination stage, any relevant National Policy Statements, and any other important and relevant matters.
 - c. A statement establishing the Proposed Changes involve changes (being minor modifications and reductions) to the Order land.
 - d. A statement establishing that the Proposed Changes are not expected to result in any new or different likely significant environmental effects, including a summary description of those effects and any mitigation proposed.
 - e. Information to establish how the Applicant considers the Proposed Changes can be accommodated within the remaining statutory timescales.
 - f. The timescale for the Applicant’s consultation about the Proposed Changes, and the Applicant’s view on the scope of that consultation, including justification.
 - g. The expected submission date for the Change Request, which was confirmed to be no later than 27 September 2024.

Step 2 – Advice from the Examining Authority

- 3.2.6 The PINS Guidance states that, after considering the change notification, the ExA will provide advice to the applicant about the procedural implications of the proposed change, including the need, scale, and nature of consultation that the applicant should undertake before formally submitting the change application.
- 3.2.7 The ExA published its response to the Change Notification on 8 August 2024, which provided the following advice to the Applicant:
- a. The ExA confirmed that the targeted approach to consultation was ‘reasonably proportionate’.

- b. It was requested that in consulting statutory undertakers that the Applicant should ensure that this included ‘the relevant highway authorities affected by the proposed changes.’
 - c. The ExA requested consultation with ‘those authorities, including parish councils, who will be affected by these changes’, and persons with land interests ‘adjacent to these changes where traffic frequency might alter as a result of a distance of at least 1km either direction from the proposed access.’
 - d. The ExA requested that the Applicant carried out a 28-day consultation period on the Proposed Changes.
- 3.2.8 Following receipt of the above advice, the Applicant amended its consultation methodology to ensure that additional parties identified by the ExA as described in paragraph 3.2.7 above were consulted alongside Affected Parties and statutory undertakers. The full list of consultees who were consulted on the Change Request is set out in Section 3 of the **Consultation Report [EN010142/APP/8.2]**.

Step 3 – The applicant consults about the proposed changes

- 3.2.9 The PINS Guidance states that the applicant should carry out appropriate consultation about the proposed change, where the applicant should consult all those persons prescribed under section 42(1)(a) to (d) of the Planning Act 2008 who would be affected by the proposed change, giving a minimum of 28 days from receipt of the information about the proposed change for responses.
- 3.2.10 The PINS Guidance allows for a targeted approach to the identification of those affected by the proposed change to be adopted. Where this approach is taken, detailed justification should be provided about why the applicant considers it is not necessary to consult all the prescribed persons.
- 3.2.11 Section 4 of this Report outlines the approach to consultation taken in relation to the Change Request. A **Consultation Report [EN010142/APP/8.2]** is submitted with the Change Request, which sets out the consultation undertaken in respect of the Proposed Changes in more detail.

Step 4 – The change application

- 3.2.12 The PINS Guidance sets out that a formal request must be made by the applicant to the ExA to change the application by providing the required information.
- 3.2.13 The PINS Guidance sets out the information that should be included within a change request. Table 3-1 below sets out the information required, and where this can be found within this report and supporting documentation.
- 3.2.14 As noted in Table 3-1, a revised Explanatory Memorandum has not been submitted as part of the Change Request. The Applicant notes that the nature of the consequential amendments to the **draft DCO**

[EN010142/APP/3.1(Rev02)] arising from the Proposed Changes are to document references and plot numbers only, and as such do not necessitate any amendments to the Explanatory Memorandum.

Table 3-1: Information required for a Change Request

Information / Requirement	Location of Information
1. Confirmed / Updated description of the changes	Section 2 of this Report
2. Confirmed / Updated rationale for the changes	Section 2 of this Report
3. Full schedule of application documents / revisions	Section 6 of this Report sets out the documents that will be updated as a consequence of this Change Request. The Guide to the Application [EN010142/APP/1.2 (Rev02)] contains the full list of updated documents, with those documents that have been updated as a result of the Change Request clearly shown.
4. Statement identifying any impact the Proposed Changes would have on securing any consents or licences for the Scheme	Section 2 of this Report
5. Clean and track changed versions of the draft DCO and Explanatory Memorandum	Clean and tracked changed versions of the draft DCO [EN010142/APP/3.1(Rev02)] have been submitted alongside the Change Request. Changes are not required to the Explanatory Memorandum and therefore an updated version has not been submitted.
6. Confirmation that Compulsory Acquisition Regulations are not engaged	Section 2.5 of this report outlines the non-material nature of the Proposed Changes and confirms that the Compulsory Acquisition Regulations (Ref 5) are not engaged.
7. If there are any new or different likely significant environmental effects, provision of other environmental information and confirmation that, effects have been adequately addressed; and copies of any responses from consultation bodies who may have an interest in the proposed changes.	As the Proposed Changes would not result in any new or different significant environmental effects, this requirement is not engaged. An ES Addendum [EN0101042/APP/6.6] is submitted alongside the Change Request. Further information on the consultation undertaken as a result of the Change Request is detailed in Section 4 of this Report. A Consultation Report [EN010142/APP/8.2] is also submitted as part of the Change Request.
8. Where consultation has been carried out (either voluntarily, at the direction of the ExA or pursuant to	Section 4 outlines the approach to consultation taken in relation to the Change Request.

Information / Requirement	Location of Information
the requirements of the CA A Consultation Report [EN010142/APP/8.2] Regulations) a Consultation Report is submitted with the Change Request, which must be provided. The consultation complies with the PINS Guidance. report should:	
a. confirm who has been consulted in relation to the proposed change and explain how and why they have been consulted	
b. include details of how the applicant has considered the content of the consultation responses received	
c. include copies of all consultation responses received, including any responses to publicity about the proposed change. These should be included as an annex to the consultation report	

3.3 Relevant Planning Policy

- 3.3.1 The Applicant has considered relevant planning policy and guidance alongside the Change Request and considers the Proposed Changes to be in line with:
- a. Overarching National Policy Statement for Energy (EN-1) (Ref 7);
 - b. National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref 8); and
 - c. National Policy Statement for Electricity Networks Infrastructure (EN-5); (Ref 9)

Early Engagement

- 3.3.2 Paragraph 4.1.19 of NPS EN-1 acknowledges the importance of early engagement at the pre-application stage between the Applicant, key stakeholders, statutory consultees and others likely to have an interest in the application. While this refers to the pre-application stage of the DCO application and not the pre-examination stage of a change request, the Applicant considers it important and relevant to note that the rationale for the Change Request has arisen due to continued engagement largely with Affected Parties to enable voluntary agreement to be reached in relation to the acquisition of land and interests. This proactive approach to engagement is intended to support the examination process.

Obtaining Land by Negotiation

- 3.3.3 As set out in the CA Regulations (Ref 5) the Applicant should only seek compulsory acquisition of land where it does not succeed in reaching a voluntary agreement through negotiations with landowners.
- 3.3.4 Changes 9 to 15 have arisen from on-going discussions with Affected Parties and Statutory Undertakers and are the result of negotiations seeking to secure land through voluntary agreement. They are in line with paragraph 2.6.2 of NPS EN-5 (Ref 9), which states “where the Applicant does not own or wish to own the land in question, it should try to reach a voluntary agreement giving it sufficient rights and/or permissions to undertake the relevant work”.

Flexibility in the Project Details

- 3.3.5 NPS EN-3 (Ref 8) recognises the importance of flexibility in proposals as “*not all aspects of the proposal may have been settled in precise detail at the point of application*”. The Change Request is the result of ongoing engagement with Affected Parties and Statutory Undertakers to continue to settle issues and make amendments to the Scheme that were not settled at the time of submission of the DCO Application. The Change Request does not change the approach to design flexibility in relation to the Scheme.

3.4 Compulsory Acquisition Regulations

- 3.4.1 For the avoidance of doubt, as the Proposed Changes relate to the removal of land and the reduction or modification of the Order limits, with no ‘additional land’ included, the CA Regulations (Ref 5) are not engaged.
- 3.4.2 Since the Proposed Changes are either reductions of the Order limits or minor refinements of the Scheme layout, thereby not impacting on the extent of the Order limits, there is no new Category 3 land as defined by section 57 of the PA 2008 (Ref 1). Given this, there are no new claimants as a result of the Change Request and no new or different significant effects arising from the Proposed Changes to enable a relevant claim to be made.

3.5 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

- 3.5.1 The Applicant has submitted supporting environmental information in the form of an **ES Addendum [EN0101042/APP/6.6]**. This concludes there are no new or different likely significant effects associated with the Change Request, therefore the conclusions of the **ES [APP-031 to APP-207]** submitted with the DCO Application remain valid and unchanged.
- 3.5.2 While it is acknowledged that the **ES Addendum [EN0101042/APP/6.6]** would form supplementary environmental information, the Applicant notes there is no statutory requirement to consult on this, including in respect of the consultation requirements under Regulation 20 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA

Regulations) (Ref 10), as the ES Addendum does not constitute “further information” for the purposes of the EIA Regulations.

3.5.3 Further to this, the PINS Guidance (Ref 3) states: “If the proposed change results in any new or different likely significant environmental effects, provision of other environmental information and confirmation that:

- a. the effects have been adequately assessed and that the environmental information has been subject to publicity. Whilst not statutorily required, the publicity should reflect the requirements of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) and applicants should also submit copies of any representations received in response to this publicity with the change request.
- b. any consultation bodies who might have an interest in the proposed changes have been consulted (reflecting the requirements of the EIA Regulations). Applicants should submit copies of any responses received from consultation bodies with the Change Application. Applicants should identify those consultation bodies who were consulted on the proposed changes but not on the original application”.

3.5.4 The Applicant undertook proportionate targeted consultation with all potentially Affected Parties and Statutory Undertakers providing these parties with an opportunity to provide feedback on the Proposed Changes. The approach to consultation is outlined in Section 4 of this report, with further detail provided in the **Consultation Report [EN010142/APP/8.2]**.

3.5.5 Additionally, the Applicant has submitted the Change Request before the Preliminary Meeting and the commencement of the examination thereby allowing Interested Parties and others the opportunity to consider the implications of the Proposed Changes before the start of the examination.

4. Consultation

4.1 Introduction

4.1.1 This section provides an overview of the consultation process that has been undertaken for as part of the consultation carried out on the Proposed Changes that form this Change Request. Full details of the consultation undertaken, including confirmation of who has been consulted and how and why they have been consulted and details of how the Applicant has considered the content of the consultation responses received, are included in the **Consultation Report [EN010142/APP/8.2]**. Copies of all consultation responses received, including any responses to publicity about the Proposed Changes, are provided as appendices to the **Consultation Report [EN010142/APP/8.2]**.

4.2 Consultation methodology

4.2.1 In considering the scale and nature of the Change Request and the extent of any consultation undertaken, the Applicant had regard to the PINS Guidance.

4.2.2 As outlined in section 3.2 of this report, the Applicant considers that the reductions and modifications to the Order limits associated with the Proposed Changes are minor and would not result in a materially different DCO Application than that accepted for examination. Given the specific circumstances of this Change Request and the nature of the Proposed Changes, the Applicant therefore considered that it would not be proportionate to consult all prescribed consultees set out under section 42(1)(a) to (d) of the Planning Act 2008 (PA 2008) that were previously consulted through the non-statutory, statutory and targeted consultations carried out in respect of the Scheme.

4.2.3 This approach is in accordance with the PINS Guidance, which expressly allows for a targeted approach to the identification of those affected by a change application, provided there is adequate justification as to why it is deemed unnecessary to consult all prescribed persons. This justification is summarised in this report and set out in more detail in the **Consultation Report [EN010142/APP/8.2]**.

4.2.4 In accordance with the PINS Guidance and the ExA's advice, the Applicant held a 28-day period of targeted consultation on the Change Request between 19 August and 16 September 2024.

List of consultees

- 4.2.5 The Applicant wrote to 11 statutory undertakers in relation to the Proposed Changes, which were:
- a. BT Limited
 - b. Cadent Gas Limited
 - c. Canal & River Trust

- d. Cottam Solar Project Limited
- e. EDF Energy (Thermal Generation) Limited
- f. IGas Energy Production Limited
- g. National Gas Transmission plc
- h. National Grid plc
- i. Northern Powergrid (Yorkshire) plc
- j. Openreach Limited
- k. Upper Witham Internal Drainage Board
- l. Anglian Water Services Limited
- m. Virgin Media
- n. Scunthorpe & Gainsborough WMB

4.2.6 The Applicant also wrote to 51 separate landowners who were identified as having an interest in the land that is the subject of, and/or potentially affected by, the Change Request.

4.2.7 In accordance with the ExA's advice, the Applicant also wrote to the relevant Local Highways Authorities, namely the Head of Highways at Lincolnshire County Council and Nottinghamshire County Council. The Applicant also wrote to 11 parish councils who were identified as having an interest in the Scheme generally (and therefore may have an interest in the Change Request). These were:

- a. Corringham Parish Council
- b. Fillingham Parish Council
- c. Glentworth Parish Council
- d. Harpswell and Hemswell Parish Council
- e. Heapham Parish Council
- f. Kexby Parish Council
- g. Marton and Gate Burton Parish Council
- h. Rampton and Woodbeck Parish Council
- i. Springthorpe Parish Meeting
- j. Stow Parish Council
- k. Willingham by Stow Parish Council.

4.2.8 The Applicant shared information on the Proposed Changes with each relevant local planning authority, including an initial email on 16 August 2024 – which enclosed the consultation brochure – and a reminder email on 20 August 2024 – which enclosed the letters sent to the 11 affected parish councils.

Ongoing engagement with Local Authorities

- 4.2.9 In addition to consultation undertaken in line with PINS Guidance and the ExA's advice for the Change Request, the Applicant has discussed the Proposed Changes with each relevant planning authority prior to the submission of the Change Request as part of regular meetings to ensure that the relevant authority understood the context in which the Proposed Changes are sought and to allow any potential concerns or queries to be discussed and resolved.
- 4.2.10 On 7 August 2024, the Applicant held separate meetings with Lincolnshire County Council and Nottinghamshire County Council to discuss the proposed Change Request. The outcomes of the meetings are as follows:
- a. Lincolnshire County Council acknowledged the changes and confirmed that they will be shared with the local highways officer and the landscape officer to provide feedback if required. Lincolnshire County Council had some concerns on the impact on hedgerows in relation to the changes, therefore the Applicant is proposing to submit an updated **Hedgerow Removal Plan [EN010142/APP/2.9(Rev01)]**.
 - b. Nottinghamshire County Council acknowledged the Proposed Changes and had no comments to make at that stage.
- 4.2.11 On the 9 August 2024, the Applicant held a meeting with West Lindsey District Council to discuss the Change Request. West Lindsey District Council acknowledged the Proposed Changes and had no comments to make at that stage.
- 4.2.12 On the 28 August 2024, the Applicant held a meeting with Bassetlaw District Council to discuss the proposed Change Request. Bassetlaw District Council acknowledged that only one of the Proposed Changes is in Bassetlaw District and had no comments to make at that stage.

Engagement with Affected Parties

- 4.2.13 The Applicant has also continued to engage with the relevant Affected Parties throughout the pre-application and pre-examination process as set out in Table 4-1 below.

Table 4-1: Engagement with Affected Parties Pre-Submission of the Change Request

Landowner	Plot	Record of Engagement
Aubrey James Francis Buxton	1-10	Statutory consultation notice issued 26.05.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Clydesdale Bank plc	4-07, 4-08	Statutory consultation notice issued 26.05.2023. Section 56 notice issued 12.06.2024.

Landowner	Plot	Record of Engagement
		Change application notice issued 14.08.2024.
Geoffrey Bernard Kealey	4-07, 4-08	Extensive consultation with Landowner regarding exclusion of sufficient land in proximity to existing grain store building and area consented for further building from Order limits, to protect future viability of farming enterprise, plus removal of areas of public highway no longer required.
Glentworth Scottish Farms Limited	7-14	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Harpwell Farms Limited	4-07, 4-08	Extensive consultation with Landowner regarding exclusion of sufficient land in proximity to existing grain store building and area consented for further building from Order limits, to protect future viability of farming enterprise, plus removal of areas of public highway no longer required.
HSBC UK Bank plc	5-07	Statutory consultation notice issued 26.05.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
James Alexander Casswell	1-10	Following representations made by the agricultural tenant (Martin Raymond Casswell and James Alexander Casswell) and consultation with the agent to the Landowner, section of farm access track removed from Order limits as not required.
James Charles Stewart Reynold Milligan-Manby	16-01a	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.

Landowner	Plot	Record of Engagement
Jennifer Ann Booth	5-18	Consultation following request from Landowner to remove area adjacent to farmhouse leading to removal from Order limits.
John Anthony Shepherdson	16-01a	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Kevin Simon Webster	16-01a	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Limestone Farming Company Limited	16-01a	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Martin Raymond Casswell	1-10	Statutory consultation notice issued 26.05.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Nottinghamshire County Council	24-02	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Paul Marris	3-22, 5-07, 7-07	Farm track removed from Order limits due to being included in error initially and not required for purposes of the Scheme.
Pauline Mary Kealey	4-07, 4-08	Statutory consultation notice issued 26.05.2023.

Landowner	Plot	Record of Engagement
		Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Peter Edwin Pike Booth	5-18	Statutory consultation notice issued 26.05.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Rampton and Woodbeck Parish Council	24-02	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Simon Andrew Elwess	5-07	Request from the Landowner to vary the detailed alignment of the Order limits to facilitate the development of a second consented egg-laying building and associated chicken litter storage facilities.
Southwell and Nottingham Diocesan Board of Finance	24-02	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Tarmac Aggregates Limited	24-02	Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
The Agricultural Mortgage Corporation plc	7-14	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
The Church Commissioners For England	4-07, 4-08, 7-14	Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023.

Landowner	Plot	Record of Engagement
		Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
The Official Custodian For Charities	24-02	Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
The Wardens and Assistants of Rochester Bridge in the County of Kent	1-10	Following representations made by the agricultural tenant (Martin Raymond Casswell and James Alexander Casswell) and consultation with the agent to the Landowner, section of farm access track removed from Order limits as not required.
Thomas James Ponsonby Ramsden	1-10	Site notices were erected at or near the land in which the rights interest applies but no address has been identified to serve via post. Notices were erected on the following dates and monitored for 6 weeks: Statutory consultation notice issued 26.05.2023. Targeted consultation notice issued 11.12.2023. Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Tillside Limited	16-01a	Section 56 notice issued 12.06.2024. Change application notice issued 14.08.2024.
Winterquay Limited	12-04a, 13-03a	Site for Temporary Construction Compound removed Order limits as not required for purposes of the Scheme.

4.3 Outcomes of the consultation and the Applicant's responses

4.3.1 Between 19 August and 16 September 2024, the Applicant received four responses to the consultation on the Proposed Changes, from the following consultees:

- a. Springthorpe Parish Meeting;
- b. Affected Party at Springthorpe Grange;
- c. Anglian Water; and

- d. Rutland County Council.
- 4.3.2 Anglian Water and Rutland County Council's comments were to confirm that they do not wish to make any representations on the Proposed Changes. Anglian Water confirmed that none of their existing assets or formal easements, or new sites or easements, will be affected by the Proposed Changes.
- 4.3.3 Springthorpe Parish Meeting requested clarification on a number of points relating to traffic on local roads:
- a. The location of the entrances to the fields off School Lane relating to Change 5;
 - b. The closure of School Lane during construction or operation;
 - c. How the Scheme will contribute to the upgrading of a single track lane to take the anticipated flow of construction traffic; and
 - d. Whether construction traffic will use the western approach to the Order limits from Springthorpe Village.
- 4.3.4 The Applicant has had regard to the comments received and has provided clarification and responses to these comments in section 4 of the **Consultation Report [EN010142/APP/8.2]**. To summarise, the Applicant directs Springthorpe Parish Meeting to the updated **Streets, Rights of Way and Access Plans [EN010142/APP/2.4(Rev02)]** submitted as part of the Change Request application, for confirmation on the locations new accesses proposed, the **Traffic Regulation Measures Plans [EN010142/APP/2.5(Rev02)]** confirming the extent of School Lane subject to temporary traffic signals and banksman control area, Schedules 6, 7 and 8 of the **draft DCO [EN010142/APP/3.1(Rev02)]** setting out temporary single or full closure of School Lane, improvements to existing accesses and works to create new accesses and traffic management measures and the updated **Framework Construction Traffic Management Plan [EN010142/APP/7.11(Rev01)]** setting out how the Applicant will manage construction traffic.
- 4.3.5 An Affected Party, from Springthorpe Grange, raised queries relating to comments made at the Statutory Consultation during the pre-application phase of the project, which have since been addressed, and are therefore not relevant to the Proposed Changes. The Applicant has responded to these comments in section 4 of the **Consultation Report [EN010142/APP/8.2]**.

5. Updated Application Documents

- 5.1.1 As a result of the Proposed Changes, the following documents in Table 5-1 have been submitted as part of the Change Request. These comprise updated DCO application documents and new documents that have been produced specifically for the Change Request. Both tracked and clean versions of the updated documents are submitted along with a full schedule of all documents and plans, including revision numbers, to enable the ExA and Interested Parties to identify the updates that have been made from the previous iteration of the documents submitted with the Application. This is in accordance with advice set out in the PINS Guidance.
- 5.1.2 The schedule of the latest updated and new documents and plans is included within the updated Guide to the Application [**EN010142/APP/1.2 (Rev.02)**] submitted with this Change Request. This provides a full schedule of documents, both latest and superseded. Any superseded documents are shaded grey in the **Guide to the Application [EN010142/APP/1.2 (Rev.02)]**. Where no revisions are proposed to a document, the relevant section of the Guide remains unchanged.

Table 5-1: Documents submitted alongside this Change Request

Doc No.	Document Name	Changes made since previous version
1.2	Guide to the Application	Updated to show superseded versions of documents and any new documents.
2.1	Location Plan	Updated to show new Order limits.
2.2	Land and Crown Land Plans	Updated to show new Order limits.
2.3	Works Plans	Updated to show proposed new Order limits and works within them.
2.4	Streets, Rights of Ways and Access Plan	Updated to show new Order limits and management of accesses.
2.5	Traffic Regulation Measures Plan	Updated to show new Order limits.
2.9	Hedgerow Removal Plan	Updated to reflect the new Order limits.
3.1	draft DCO	Updated to reflect Proposed Changes.
4.1	Statement of Reasons	Updated to amend details of plot numbers as a result of the Proposed Changes.
4.3	Book of Reference	Updated to amend details of land interests as a result of the Proposed Changes
4.4	Schedule of Negotiations and Powers Sought	Updated to reflect negotiations with altered land interests.
New Doc 6.6	Environmental Statement Addendum	Provides an Environment Impact Assessment of the Proposed Changes and

Doc No.	Document Name	Changes made since previous version
		confirms no new or different likely significant effects will occur as a result.
6.1	Chapter 3: Scheme Description of the ES	<p>Updated to include the additional internal accesses.</p> <p>Updated to present the redistribution of construction traffic across the Principal Site accesses.</p> <p>Updated to include a revised description of the trenchless crossing depth under the River Trent and River Till requested by the Canal and Rivers Trust.</p> <p>Updated to reflect the change in hectare covered by the Principal Site due to the new Order limits.</p> <p>Updated to reflect the changed allocation of car parking spaces around the Principal Site accesses.</p> <p>Updated to reflect the revised Biodiversity Net Gain assessment.</p>
6.3	Figure 3-1 Indicative Principal Site Layout Plan	Updated to reflect the new Order limits, additional internal accesses and relocation of new hedgerow previously proposed adjacent to SAS 23 and SAS 24.
6.3	Figure 3-7 Access Locations	Updated to present the additional accesses.
7.11	Framework CTMP	Updated to include revised access drawings to reflect the new Order limits and additional internal accesses.
7.14	Biodiversity Net Gain (BNG) Report	Updated to reflect the new Order limits and changes to Figure 3-1: Indicative Principal Site Layout Plan. In addition, revisions to data tables have been made to consolidate habitat types, as a result of the removal of areas from the Order limits. Overall, the changes to the BNG score are non-material.
7.19	Indicative Landscape Masterplan	Updated to reflect the new Order limits and relocation of new hedgerow previously proposed adjacent to SAS 23 and SAS 24.
7.4	Outline Design Principles Statement	Updated to reflect a change requested by Canal & River Trust alongside the change to exclude Plots 20-07 and 20-12 to include a revised description of the trenchless crossing depth under the River

Doc No.	Document Name	Changes made since previous version
		Trent and River Till requested by the Canal and Rivers Trust.
New Doc 8.1	Change Request Report	Provides details and rationale of the Proposed Changes.
New Doc 8.2	Consultation Report	Provides details of the consultation undertaken for the Proposed Changes.

6. Conclusion

- 6.1.1 The Proposed Changes are a result of the Applicant's proactive and continued engagement with Affected Parties and Statutory Undertakers. Changes 1, 4 and 6 to 8 are the result of the Applicant's willingness to refine the Order limits to ensure that only highway land that is necessary to deliver the Scheme is included. Changes 2 and 3 have arisen through further design refinement associated with land required for construction compounds. Change 5 relates to further design iteration, and Changes 9 to 15 are the product of ongoing discussions with Affected Parties and Statutory Undertakers to secure land through voluntary agreement rather than compulsory acquisition.
- 6.1.2 The Proposed Changes are all non-material, resulting in no new or different likely significant effects, as concluded in the **ES Addendum [EN010142/APP/6.6]** submitted in support of the Change Request. The Applicant regards the changes as non-material reductions/refinements of the Order limits that are unsubstantial in nature. The Proposed Changes are not so substantial as to constitute a materially different Scheme to that submitted and accepted for examination. The Proposed Changes will not result in a DCO Application that is materially different in character to the one submitted and accepted for examination. The non-material changes to the proposed layout arising from proposed Change 5 and 15 are positive design evolution arising from continued engagement with Affected Parties and Statutory Undertakers which are in accordance with relevant policy, legislation and guidance.
- 6.1.3 The Applicant considers the pre-application engagement undertaken in relation to the Change Request and scope of the consultation undertaken to be appropriate and proportionate to the nature of the Proposed Changes.
- 6.1.4 The Applicant has considered the appropriate approach to bringing forward the Change Request in the context of the requirements of the Examination Guidance (Ref 6) and PINS Guidance (Ref 3). The Applicant considers that the changes can be adequately considered in full by the ExA, and the Change Request decided, prior to the preliminary meeting, such that it will not impinge on the commencement of the examination.
- 6.1.5 The documents listed in Section 5 are provided in support of this Change Request and the Applicant trusts that this report is useful to the ExA in providing an overview of the scope and nature of the Proposed Changes, and the consultation undertaken to support the Change Request. The Applicant welcomes confirmation from the ExA that the Change Request can be accepted.

7. References

- Ref 1 The Stationary Office (2008). Planning Act 2008. Available at Planning Act 2008 ([legislation.gov.uk](https://www.legislation.gov.uk)) [Accessed on 31 July 2024]
- Ref 2 The Stationary Office (2011). The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. Available at <https://www.legislation.gov.uk/ukxi/2011/2055/contents> [Accessed on 31 July 2024]
- Ref 3 The Planning Inspectorate (2025). Nationally Significant Infrastructure Projects – Changes to an application after it has been accepted for examination. Available at <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-changes-to-an-application-after-it-has-been-accepted-for-examination#new-or-revised-information> [Accessed on 05 September 2024]
- Ref 4 Department for Communities and Local Government (2015). Planning Act 2008: Guidance on Changes to Development Consent Orders. Available at <https://www.gov.uk/government/publications/changes-to-development-consent-orders> [Accessed on 31 July 2024]
- Ref 5 The Stationary Office (2010). The Infrastructure Planning (Compulsory Acquisition) Regulations 2010. Available at: <https://www.legislation.gov.uk/ukxi/2010/104/contents/made> [Accessed 31 July 2024]
- Ref 6 Ministry of Housing, Communities and Local Government (2024). Planning Act 2008: Examination Stage for Nationally Significant Infrastructure Project. Available at: Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects - GOV.UK (www.gov.uk) [Accessed 31 July 2024]
- Ref 7 Department for Energy Security & Net Zero (2023). Overarching National Policy Statement for Energy (EN-1). Available at: <https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1> [Accessed 31 July 2024]
- Ref 8 Department for Energy & Net Zero (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3> [Accessed 31 July 2024]
- Ref 9 Department for Energy Security and Net Zero (2023). National Policy Statement for Electricity Networks (EN-5). Available at: <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5> [Accessed 31 July 2024]
- Ref 10 The Stationary Office (2017). The Infrastructure Planning (Environmental
Ref 11 Impact Assessment) Regulations 2017. Available at: <https://www.legislation.gov.uk/ukxi/2017/572/contents/made> [Accessed 31 July 2024]