

**Tillbridge Solar Project
EN010142**

**Volume 9
Statement of Common Ground
with Lincolnshire County Council**

Draft

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The Infrastructure Planning (Examination Procedure) Rules 2010

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1. Introduction

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the application (“the Application”) for the Tillbridge Solar Project (“the Scheme”) made by Tillbridge Solar Limited (“the Applicant”). The Application was submitted to the Secretary of State for Energy Security and Net Zero (“the Secretary of State”) for a Development Consent Order (DCO) (“the Order”) under section 37 of the Planning Act 2008 (“PA 2008”) and was accepted for examination on 8 May 2024.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate’s website at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents>.
- 1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where matters are under discussion or where agreement has not been reached. The SoCG will be progressed during the pre-examination and examination periods to reach a final position between the Parties and to clarify if any issues remain unresolved. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between (1) the Applicant and (2) Lincolnshire County Council (jointly referred to as the Parties).
- 1.2.2 The Applicant is a joint venture between Tribus Clean Energy Limited and Recurrent Energy, a subsidiary of Canadian Solar, who are both experienced developers of renewable energy projects.
- 1.2.3 Lincolnshire County Council (LCC) is a host local authority. The Principal Site and part of the Cable Route Corridor is located within Lincolnshire. LCC is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref. 1) and so has been consulted during the preparation of the Application and following its acceptance.
- 1.2.4 Collectively, the Applicant and LCC are referred to as ‘the parties’.

1.3 The Scheme

- 1.3.1 The Order, if granted, would authorise the Applicant to construct, operate (including maintenance), and decommission ground-mounted solar

photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV arrays.

- 1.3.2 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 the solar PV arrays, electrical substations, grid balancing infrastructure, cabling and areas for landscaping and ecological enhancement.
- 1.3.3 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; underground cabling between the different areas of solar PV arrays; and areas of landscaping and biodiversity enhancement.
- 1.3.4 The Scheme also includes a 400kV 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.

1.4 Terminology

- 1.4.1 Section 3 summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’.
- 1.4.2 These terms are used as follows:
 - a. “Agreed” indicates where the issue has been resolved;
 - a. “Under discussion” indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties;
 - b. “Not Agreed” indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

- 2.1.1 A summary of all meetings and correspondence that has taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and where appropriate to comment on draft documentation. **Table 1** reflects the key meetings and emails of note.

Table 1: Record of Engagement

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
13 June 2022	Meeting (Teams with Head of Planning)	Introduction to the Applicant and overview of proposals and current activities including approach to engagement and context of the Scheme.
6 July 2022	Meeting (Teams with Head of Planning)	Following introductory meetings with planning officers' further briefings were held with members to introduce them to the Applicant and the Scheme.
20 October 2022	In person site visit (AECOM and LCC's landscape architect)	Visit to discuss and agree viewpoints for the purpose of the LVIA with LCC landscape consultant and the Scheme's landscape architect.
21 October 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on Environmental Impact Assessment (EIA) Scoping Report; • Technical queries following receipt of the EIA Scoping Opinion and leading up to statutory consultation; and • Communications update following collaboration workshops; subsequent engagement with neighbourhood planning team.
8 November 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Scheme update, including response to EIA Scoping Opinion; • Presentation of Applicant's approach to engagement in draft Statement of Community Consultation (SoCC); and • Discussion of Cable Route Corridor and potential for co-location with other Schemes.
22 November 2022	Meeting (Teams) (AAH planning, landscape and environmental consultants appointed by LCC)	Technical Note issued to LCC with respect to viewpoints.
28 November 2022	Meeting (Teams with LCC Historic Environment Officers)	Introduction to the Scheme, discussion of deliverables and timeframes, extent of study areas, fieldwork update on the geophysical survey and expectations for trench evaluation.
9 December 2022	Email (Lincolnshire)	<p>Introduction email setting out the scope of the Scheme and seeking a meeting to agree on:</p> <ul style="list-style-type: none"> • Access and routing strategy for the Scheme;

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	Highway Authority)	<ul style="list-style-type: none"> • The scope and methodology for the transport deliverables; • The Study Area for the collision review; • Framework Construction Traffic Management Plan (CTMP) requirements; and • Cumulative schemes to be included as part of the assessment.
13 December 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Scheme update on EIA Scoping Opinion; • Wider engagement with LCC on technical disciplines and agreeing ways of working; and • Introduction to principles in draft SoCC, including presentation and seeking initial comments from LCC.
20 December 2022	Email to Head of Planning	Email from the Applicant to provide a copy of the draft SoCC ahead of formal s47(2) consultation, inviting officers to informally provide any comments on the content and detail set out therein.
19 January 2023	Meeting (Teams) (Lincolnshire Highway Authority)	<ul style="list-style-type: none"> • Introductory presentation setting out the Scheme; • Discussion of trip generation, staff distribution and site access arrangements; • Discussion of HGV routing and proposed approach; • Discussion of traffic surveys and collision Study Area; • Discussion of cumulative effects and potential overlap of construction with other Schemes; • Discussion of PRow management; • Discussion of permissive paths and potential inclusion within the Scheme; • Discussion of shared Cable Route Corridor and confirmation that the Applicant had start to collaborate with other developers; and • Discussion of Cable Route Corridor access.
13 February 2023	Letter to Head of Planning	Letter from the Applicant including a copy for the draft SoCC for formal consultation, requesting comments back within 28 days.
15 February 2023 to 6 March 2023	Ongoing correspondence / engagement (AAH consultants and Applicant's landscape architects	<ul style="list-style-type: none"> • Discussion on baseline Winter photography and viewpoints of Principal Site to be included within the ES; and • Summary of agreed viewpoints and rationale.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	appointed by LCC)	
6 March 2023	Technical Note (AAH consultants and Applicants landscape architects appointed by LCC)	<ul style="list-style-type: none"> • Dialogue on viewpoints to feed into the ES.
14 March 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • LCC informal feedback on SoCC and Applicant's regard to comments; • Ongoing stakeholder engagement, including with parish councils and '7000 acres' community group; • LCC engagement with PINS regarding cumulative impacts/joint examination of schemes; and • Upcoming statutory consultation and briefings with Host authority members.
21 March 2023	Meeting (Teams with LCC Historic Environment Officers)	Meeting to discuss approach for trial trench evaluation for the Principal Site and geoarchaeology scope. Agreement for Written Scheme of Investigation (WSI) submissions and sign-off agreed. Approach for monitoring site visits agreed and weekly reporting agreed.
4 April 2023	Email to Head of Planning	Email from the Applicant notifying LCC that the date for the Section 42 Statutory Consultation period had been amended.
11 May 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Feedback following face-to-face briefing in Lincoln; • Discussion of PEI Report and key issues for statutory consultation; and • Discussion of wider issues, including status of other solar schemes, status of RAF Scampton.
25 May 2023	Email to Head of Planning	Email from the Applicant issuing LCC a copy of the final SoCC and section 47 notice, along with a table setting out the issues raised by host authorities in response to the draft SoCC consultation, and the regard had to those responses by the Applicant in developing the final SoCC.
12 June 2023	Email to LCC Historic Environment Officers	Email setting out revised approach for fieldwork in relation to the Cable Route Corridor.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
13 June 2023	Meeting (Teams) (LCC - Minerals Authority)	<ul style="list-style-type: none"> • Meeting to agree on scope and approach to minerals safeguarding areas given that Scheme will be time limited and the works to the Cable Route Corridor are underground. • Agreement between parties that a Minerals Safeguarding Report was not required and that a proportionate assessment of the potential impact of the Scheme upon minerals safeguarding areas could be dealt with as part of the planning statement. • All agreed of the need to consider existing mineral sites with respect to the indicative layout of the Scheme.
13 June 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on statutory consultation; and • Discussion around project specific issues including cumulative impacts and minerals and waste.
8 August 2023	Meeting (Teams with County Archaeologist)	<ul style="list-style-type: none"> • Update on programme and trial trenching (TT) activities including identification of areas of high archaeological potential within the Principal Site. • Agreement that areas of preservation would be for the duration of the Scheme. • Agreement that fencing would be required to protect the archaeological exclusion zones. • Agreement to engage stakeholders with a Framework Archaeological Mitigation Strategy (AMS). • Agreement that the Cable Route Corridor could be subject to trench evaluation post DCO submission. • Agreement to share the TT reports with stakeholders ahead of submission to inform the AMS. • Arrangement of site visit with Historic England to discuss potential impacts upon heritage assets.
8 August 2023	Meeting (Teams with County Archaeologist)	<ul style="list-style-type: none"> • Presentation of the findings of the PEI Report assessments and trial trenching works completed. • Discussion of further work to be completed, buffer zones, mitigation strategies and programme going forward to the ES assessments.
21 August 2023	Email (LCC landscape consultant)	Adjustments to viewpoints and photomontage locations for the Principal Site.
21 August 2023 and	Email (AAH consultants and Applicant's	Continued dialogue with respect to viewpoints along the Cable Route Corridor.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
21 August 2024	landscape architect)	
12 September 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Updates on Applicant's programme and discussion with PINS; status of other solar schemes. • Discussion of targeted statutory consultation and nature of changes following statutory consultation. • Wider stakeholder engagement with LCC technical officers e.g. landscape.
21 September 2023	Technical Note (AAH consultants and Applicant's landscape architect)	Agreement on representative views and photomontage locations for Principal Site and Cable Route Corridor and confirmation of methodology.
13 October 2023	Meetings (Teams with Head of Planning)	<ul style="list-style-type: none"> • Ongoing stakeholder engagement with wider bodies, such as Historic England and Natural England. • Applicant's ongoing regard to consultation responses, including changes to indicative site layout plan. • Further detail on targeted statutory consultation.
10 November 2023	Email to Head of Planning	Email from the Applicant to outline a draft version of the targeted consultation methodology, detailing the changes and proposed length of the consultation period.
22 November 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Explanation and agreement of targeted consultation methodology and nature of changes; • Updates on how the Scheme has responded to feedback from statutory consultation; and • Programme update.
11 December 2023	Letter to Head of Planning	Covering letter and targeted consultation materials from the Applicant to LCC ahead of the start of the targeted consultation period.
13 December 2023	Email to Head of Planning	Electronic copy of covering letter and consultation material from the Applicant to LCC.
14 December 2023	Meeting (Teams) (Lincolnshire Highway Authority)	<ul style="list-style-type: none"> • Meeting to discuss Cable Route Corridor access and construction strategy. • Explanation temporary access locations, design parameters, temporary compounds, Abnormal Indivisible Loads (AILs). • Discussion of shared corridor with other developers and its design iteration.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
22 February 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Discussion of latest proposals for Scheme ahead of DCO application submission; • Briefing of Scheme updates ahead of publication of Community Newsletter; and • Updates related to other solar schemes.
28 March 2024	Email to Head of Planning	<ul style="list-style-type: none"> • Email from the Applicant to LCC advising of a delay in the submission of the Application.
7 August 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • General update on the current stage of the Scheme pre-examination; • Discussion on issues raised within Lincolnshire's Relevant Representation; • Introductory conversations surrounding SoCG; and • Introduction to the proposed Change Request.
16 August 2024	Email to Head of Planning	Email from the Applicant providing LCC with Change Request Consultation Brochure ahead of the beginning of consultation on proposed changes to the Scheme following acceptance of the Application.
2 October 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on the submission of the Change Request; • Update on Procedural Deadline A and the Rule 6 Draft Timetable; and • Introduction to SoCGs and next steps towards the examination.
15 October 2024	Meeting (Face-to-face with Head of Planning)	<ul style="list-style-type: none"> • To discuss draft DCO with specific focus on Articles 8 to 16 and Schedule 2 (requirements).

3. Areas of Discussion between the Parties

3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2 Areas of Discussion with Lincolnshire County Council (LCC)

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
1. Scheme Description						
1.1	Scheme Description	Chapter 3: Scheme Description of the ES [AS-053]	The Site and Scheme description set out in Chapter 3: Scheme Description of the ES [AS-053] is accurate and agreed.	LCC agree the Scheme description set out in Chapter 3: Scheme Description of the ES [AS-053] is accurate.	Agreed	High
2. Cumulative Schemes						
2.1		Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments of the ES [APP-124]	The Applicant discussed the cumulative developments with LCC as part of the regular catch-up meetings and sent the list of cumulative developments via email. No issues were raised by LCC.	LCC agrees with the cumulative schemes set out in Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments of the ES [APP-124] .	Agreed	High
3. General Planning Matters						
3.1	PA 2008	Planning Statement [AS-029]	<p>The Application is to be determined under Section 104 of the PA 2008 where national policy statement has effect.</p> <p>This means that in the case of the Scheme, in accordance with NPS EN-1 (Ref. 2), there is an urgent need for the development and that substantial weight should be given to this in decision making.</p> <p>In accordance with paragraph 4.1.3 of NPS EN-1 (Ref. 2) given the urgent need that there is a presumption in favour of granting consent. The Application is a CNP Scheme and the need case will outweigh residual effects in all but the most exceptional cases.</p>	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report.	Under Discussion	High
3.2	Planning policy context in decision-making	Planning Statement [AS-029]	The Applicant states that since the Scheme needs to be considered under Section 104 of the PA 2008 (Ref. 3) that in assessing the merits of the application it must be considered in accordance with the relevant national policy statement (NPS EN-1 (Ref. 2), NPS EN-3 (Ref. 4) and NPS EN-5 (Ref. 5)) this being of primary importance, but regard must also be had to any local impact report and any other	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report.	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			important and relevant matters. In this case (LCC), it is agreed that the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (adopted June 2016) (Ref. 6), the Lincolnshire Minerals and Waste Local Plan: Site locations (adopted December 2017) (Ref. 7).			
3.3	Compliance with local planning policy	Planning Statement [AS-029]	The Applicant has identified the planning policy documents listed in Table 1 of Appendix B of the Planning Statement [AS-029] as being relevant and important in relation to the area of the Application within LCC.	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report.	Under Discussion	High
3.4	Development consent granted for the Gate Burton Energy Park and the Cottam Solar Project	Gate Burton Energy Park ExA Recommendation Report and SoS decision [EN010131] and the Cottam Solar Project ExA Recommendation Report and SoS decision [EN010133]	Development consent was granted for the Gate Burton Energy Park on 12 July 2024 and for the Cottam Solar Project on the 5 September. The ExA appointed to examine the Tillbridge Solar Project and the Secretary of State in reaching a decision should have regard to the decision on these Schemes as important and relevant in relation to the decision on the Tillbridge Solar Project.	LCC has referred to the Gate Burton Energy Park having been development consent in its Relevant Representation (RR165) thereby it is assumed that LCC agrees that this and the decision on the Cottam Solar Project is important and relevant pursuant to section 104 of the PA 2008.	Agreed	High
3.5	Planning Balance	Section 7 of the Planning Statement [AS-029]	<p>The Applicant considers that the following planning balance should be applied to the Scheme:</p> <p>Positive Impacts and Benefits</p> <ul style="list-style-type: none"> a. Climate Change – substantial positive weight. b. Ecology – significant positive weight. c. Minimum 10% BNG – moderate positive weight. d. Provision of permissive paths – moderate positive weight. e. Employment generation – moderate positive weight. f. Socio-economics and land use – moderate positive weight. g. Soils and agriculture – moderate positive weight. <p>Neutral Impacts</p>	LCC has not commented on its judgement on the acceptability of the Tillbridge Solar Project through applying the 'planning balance' in due course.	Under Discussion	Medium

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>h. Air Quality – limited weight.</p> <p>i. Water Environment – limited weight.</p> <p>j. Human Health – limited weight.</p> <p>k. Noise and Vibration – limited weight.</p> <p>l. Transport and access – limited weight.</p> <p>m. Other Environmental Topics – limited weight.</p> <p>Negative Impacts</p> <p>n. Significant residual effects with respect to severance/pedestrian delay/non-motorised amenity on the B1241, North Fleets Road – limited negative weight.</p> <p>o. Landscape and visual amenity – moderate negative weight.</p> <p>p. Cultural heritage – moderate negative weight.</p> <p>q. Loss of best and most versatile land – limited negative weight.</p> <p>r. Cumulative Impacts – moderate negative weight.</p> <p>From the above, it is the Applicant's position that it is very clear that the residual impacts do not trigger the exceptional circumstance set out in national planning policy to refuse consent with the presumption firmly engaged in favour of granting development consent, to deliver critical national infrastructure. The benefits of the Scheme are very substantial (in terms of climate change) and significant (in terms of ecology and nature conservations) at both a national, regional and local levels, leading to an overwhelming balance in favour of granting development consent for the Scheme. The benefits of the Scheme are clearly and decisively outweighed by its limited and localised adverse impacts.</p>			

4. Alternatives and Design Evolution

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
4.1	Site Selection	Chapter 4: Alternatives and Design Evolution of the ES [APP-035]	The methodology used in the site selection process as detailed in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] is appropriate for the Scheme.	LCC agree the methodology set out in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] and used in the site selection process is appropriate for the Scheme.	Agreed	High
5. Legislation and Planning Policy						
5.1	Legislation and Planning Policy	Environmental Statement [APP-037 to APP-049] and AS-006 Planning Statement [AS-029]	The ES [APP-037 to APP-050] has identified all relevant application legislation, national and local policy that relate to county matters pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme: <ul style="list-style-type: none"> • Chapter 7: Climate Change [APP-038]; • Chapter 8: Cultural Heritage [APP-039]; • Chapter 9: Ecology and Nature Conservation [APP-040]; • Chapter 10: Water Environment [APP-041]; • Chapter 11: Human Health [APP-042]; • Chapter 12: Landscape and Visual Amenity [APP-043]; • Chapter 14: Socioeconomics and Land Use [APP-045]; • Chapter 15: Soils and Agriculture [APP-046]; • Chapter 16: Transport and Access [APP-047]; • Chapter 17: Other Environmental Topics [APP-048]; • Chapter 18: Cumulative Effects and Interactions [APP-049]. <p>The Planning Statement [AS-029] has also has identified all relevant application legislation, national and local policy that relates to county matters.</p>	LCC agree that the ES [APP-037 to APP-048] and Planning Statement [AS-029] has identified all relevant applicable legislation, national and local policy pertaining to the assessments undertaken as part of the EIA and in relation to the appraisal of the Scheme against its accordance with national planning policy and other relevant and important matters.	Agreed	High
6. Study Area Definition and Extents						
6.1	Study area definition and extents	Environmental Statement [APP-037 to APP-050].	The study areas adopted by the Applicant within the chapters of the Environmental Statement outlined in section 5. reflect current best practice and standards. The geographical extents of the adopted study areas are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.	LCC agree that the study areas and geographical extents of these set out within the chapters of the Environmental Statement outlined in section 5 are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.	Agreed	High
7. Application of Expert and Professional Judgement						

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
7.1	Application of professional Judgement	Environmental Statement [APP-037 to APP-050].	The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of the relevant technical specialists, where necessary. The application of professional judgement by specialists within the environmental topic assessments outlined section 5 and set out in the respective technical chapters of the ES [APP-037 to APP-050] are appropriate and robust.	LCC agree the application of professional judgement by specialists within the chapters of the Environmental Statement outlined in section 5. are appropriate and robust.	Agreed	High
8. Assessment Methodology						
8.1	Methodology	Environmental Statement [APP-037 to APP-050].	The assessment methodology adopted within the chapters of the Environmental Statement outlined in section 5 have been derived from the information obtained through consultation with stakeholders, by reviewing relevant guidance and studies and undertaken in accordance with best practice. The assessment methodology is sound and robust and therefore acceptable.	LCC largely agree the assessment methodology adopted within the chapters of the Environmental Statement outlined in section 5. is acceptable. Those areas remaining under discussion are set out under individual topics.	Agreed	High
9. Baseline						
9.1	Baseline	Environmental Statement [APP-037 to APP-050].	The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities. The scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the technical chapters of the ES [APP-037 to APP-050] .	LCC agree the scope, coverage and timing of surveys undertaken are appropriate and in line with best practice.	Agreed	High
10. Cultural Heritage – Non-designated farmsteads						
10.1	Assessment of Impacts and Effects	Chapter 8: Cultural Heritage of the ES [APP-039]	The assessment of impacts and effects set out in Chapter 8: Cultural Heritage of the ES [APP-039] are acceptable confirming no significant effects. Further explanation of the assessment conclusions on historic farmsteads has been set out on pages 88 to 98 of the Applicant's Response to Relevant Representations [EN010142/APP/9.1] submitted at Deadline 1 and has also been separately shared with the LCC's Built Heritage Officer in an email sent on 8 October 2024.	LCC is concerned regarding the potential effects of the Scheme upon historic farmsteads.	Under Discussion	High



Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
11. Socio-Economics						
11.1	Assessment of Impacts and Effects	Chapter 14: Socio-Economics and Land Use of the ES [APP-045] and Chapter 15: Soils and Agriculture of the ES [APP-046]	<p>The assessment findings with respect to socio-economics and soil and agriculture specifically in relation to agricultural land confirm that impacts and effects are not significant.</p> <p>Chapter 14: Socio-economics and Land Use of the ES [APP-045] confirms that the loss of land in agricultural production as a result of the Scheme equates to 0.25% in Lincolnshire. The Scheme presents reversible impacts on land use for agricultural production and represents a very small proportion of land in Lincolnshire.</p> <p>Chapter 15: Soils and Agriculture of the ES [APP-046] confirms that during construction and operation, there will be a temporary curtailment of arable production within the Principal Site. However, the agricultural land resource will not be lost or degraded. There will be suspension of agricultural land during the operational period, but the impact will not be significant. The soil resource during the operation of the Scheme will improve with the fallow period enhancing the functional capacity of the soil resource for future arable production. In addition, during operation, the land can include grazing by livestock.</p> <p>A Framework Soil Management Plan (FSMP) is submitted alongside the DCO application [EN010142/APP/7.12(Rev01)]. The aim of this document is to indicate measures for the preservation of the soil resource within the Order limits, avoiding both the loss of soil material and the loss of soil functional capacity. The detailed SMP will be secured by requirement 18 of the draft DCO [EN010142/APP/3.1(Rev03)] and will need to be substantially in accordance with the Framework SMP [EN010142/APP/7.12(Rev01)]. This provides a control mechanism to ensure the protection of agricultural land quality and soil resource within the Order limits.</p> <p>In terms of the Cable Route Corridor, the works will be temporary with a negligible and not significant</p>	LCC in its Relevant Representation response (RR-165) confirmed that it does not agree with the impact of the Scheme upon agricultural land and impacts on food production. It is stated that for a project of this scale there is an impact given that the land will be tied up for 60 years. LCC states that the loss of such a large area of land would normally be considered as significant at a District level, even though the use is 'temporary'.	Under Discussion	Low

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>effect on agricultural land quality. A soil resource assessment will be carried out, once detailed design has defined the cable route, to inform the detailed Soil Management Plan. The SMP will be secured by requirement 18 of the draft DCO [EN010142/APP/3.1(Rev03)] and will need to be substantially in accordance with the Framework SMP [[EN010142/APP/7.12(Rev01)].</p> <p>In addition to the above, the decision to grant development consent for the Cottam Solar Project [EN010133] is important and relevant. Paragraphs 4.74 and 4.75 of the Secretary of State's decision states:</p> <p><i>“The Secretary of State agrees that the Proposed Development would revert back to agricultural use once the operational time-period has expired and agrees with the ExA that any effects would be temporary and reversible. The Secretary of State acknowledges however, that whilst these losses e.g., in arable food production would be temporary it would be for a prolonged period of time, and the cumulative effects over 60 years would heighten such losses. The ExA consider that for these reasons, the Proposed Development would not meet the requirements of the NPPF in this regard, which the Secretary of State agrees with. However, the Secretary of State agrees with the ExA that this should be classed as “little negative weight” rather than “significant negative weight” in recognition of the point that, whilst the use of arable farmland exceeds NPPF guidance, it is in line with the 2024 NPS.</i></p> <p><i>The Secretary of State concludes that as the losses to agricultural and BMV land brought about by the Proposed Development would be temporary and reversible, he agrees with the ExA and ascribes little negative weight in the planning balance.”</i></p>			
12. Other Environmental Topics - Waste						
12.1	Assessment of Impacts and Effects and Mitigation	Chapter 17: Other Environmental Topics of the ES [APP-048] and Chapter 18:	The assessment findings set out in Chapter 17: Other Environmental Topics of the ES [APP-048] in relation to waste confirm that effects from waste	LCC in its Relevant Representation (RR-165) raise concerns in relation to the securing mechanisms to achieve recycling targets and the cumulative impact	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
		Cumulative Effects and Interactions of the ES [APP-049].	<p>will not be significant during construction, operation or decommissioning will not be significant.</p> <p>The Applicant has prepared a Waste Quantitative Cumulative Assessment Topic Paper which forms Appendix A to the Applicant's Relevant Representation Report [EN010142/APP/9.1] submitted at Deadline 1 into examination. This is based on an approach used for the equivalent assessment completed during the Gate Burton Energy Park [EN010131] examination. This assessment confirms that under an absolute worst case scenario (assuming zero recycling/recovery) that cumulative impacts would be significant. However, under the realistic worst case (70% recovery), cumulative impacts would not be significant.</p> <p>The Framework OEMP [EN010142/APP/7.9(Rev01)] is also updated and submitted at Deadline 1 to include a commitment to 70% waste recovery (diversion from landfill). A detailed OEMP, which will be required to be substantially in accordance with the Framework OEMP [EN010142/APP/7.9(Rev01)], will need to be approved by the relevant Local Planning Authority (/Authorities) prior to operation and the Scheme implemented in accordance with the approved OEMP. This is secured by requirement 13 of Schedule 2 of the Draft DCO [EN010142/APP/3.1(Rev03)].</p>	of the Scheme in relation to the management of waste.		
13. Cumulative Effects and Interactions – Soils and Agriculture and Socio-Economic Effects						
13.1	Assessment of Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [APP-049].	<p>Section 18.13 of Chapter 18: Cumulative Effects and Interactions of the ES [APP-049] sets out the Applicant's assessment of cumulative effects. Further information on cumulative effects, mitigation and the approach taken to coordinate with the other solar DCOs is provided in the Joint Report on the Interrelationship with other Nationally Significant Infrastructure Projects [APP-215 to APP-217].</p> <p>The assessment findings set out in Chapter 18: Cumulative Effects and Interactions of the ES [APP-049] is acceptable.</p>	<p>LCC raises concerns regarding the cumulative impact of the Scheme upon the loss of agricultural land for food production.</p> <p>LCC raise concerns that the Scheme will tie up the land for up to 60 years. LCC state the loss of such a large area of land would normally be considered as significant at District level, even though the use is 'temporary'.</p>	Under Discussion	Low

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>Chapter 18: Cumulative Effects and Interactions of the ES [APP-049] assesses the loss of agricultural land in combination with all cumulative solar schemes (Gate Burton Energy Park, West Burton Solar Project and the Cottam Solar Project and others set out in Table 18-22 in Chapter 18 of the ES [APP-049]). This confirms that in combination with all cumulative solar developments that there is still not a significant effect on agricultural production as a result of the schemes. The area of agricultural land that would be temporarily taken out agricultural use across all four schemes would be 2.2% of agricultural land in Lincolnshire.</p> <p>The Applicant has also prepared a report setting out the cumulative effects of solar projects on BMV land within Lincolnshire. This is located at Appendix B of the Applicant's Response to Relevant Representations [EN010142/APP/9.1] which is submitted at Deadline 1. This report further concludes that the potential permanent loss of BMV land in Lincolnshire as a result of solar DCO projects would be 0.8%, and would be 0.27% as a result of ground mounted solar TCPA projects. This amounts to only 0.9% of all BMV land within Lincolnshire permanently lost to solar projects within Lincolnshire.</p> <p>The Secretary of State in his recent decisions for Gate Burton Energy Park [EN010131] and Cottam Solar Project [EN010133] recognised the local concerns on the loss of productive agricultural land but concluded that, on a cumulative basis alongside the other solar projects (including the Tillbridge Solar Project), that the cumulative assessments forming part of each application have suitably considered cumulative effects. The Secretary of State at paragraph 4.178 of the Gate Burton Energy Park decision states that the "<i>cumulative loss of BMV land in Lincolnshire due to NSIP solar projects amounts to 0.83% of the total BMV land with a further 0.21% loss to TCPA solar projects. The Secretary of State considers that this is only around 1% of the total BMV land in Lincolnshire, further noting that the land will be lost for a temporary, albeit long-term period and that the land can be returned upon decommissioning of development to its original state. The Secretary of State places great importance on</i></p>			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><i>BMV land but is satisfied that the siting of the Proposed Development on BMV land has been justified.</i></p> <p>The ExA in its recommendation report on Gate Burton, which the Secretary of State agreed with, also confirmed at paragraph 3.11.114 that:</p> <p><i>“Whilst I appreciate the concerns of many IPs and the concerns expressed there is no meaningful assessment of the extent of lost production.”</i></p> <p>The Tillbridge Solar Project, through its site selection process sought to minimise impacts upon BMV land and through design iteration of the Scheme, has further minimised impacts. The siting of the Scheme on BMV land is justified and the loss of agricultural land and therefore potential food production would be temporary and reversible allowing the Principal Site to be brought back into agricultural use following decommissioning.</p> <p>The 58% self-sufficient figure is based on economic value at the farm gate. Further detail is given in the most recent UK Food Security Report from Defra (2021) (Ref. 8) that notes that UK grain production is approximately equivalent to UK grain consumption (p96). The same is also true of UK production and consumption of meat, milk and eggs (p99). This therefore demonstrates that the UK is self-sufficient producing as much food as is consumed.</p>			
14. Biodiversity Net Gain						
14.1		<p>Biodiversity Net Gain Report [AS-062]</p> <p>Draft DCO [EN010142/APP/3.1(Rev03)]</p> <p>Framework LEMP [EN010142/APP/7.17(Rev02)]</p>	<p>The Scheme will deliver a minimum 10% gain for biodiversity secured by both requirements 7 (landscape and ecological management plan) and 8 (biodiversity net gain) of Schedule 2 of the draft DCO [EN010142/APP/3.1(Rev03)].</p> <p>The requirement to provide a minimum 10% gain is not mandatory until November 2025. The Applicant has demonstrated through the submitted Biodiversity Net Gain Report [AS-062] that the Scheme will achieve at least the 10% despite this not being a mandatory requirement and that it will be secured by requirement 8 of the draft DCO</p>	<p>Given the scale and nature of the proposed development LCC will expect the project to deliver significantly more than 10% Biodiversity Net Gain (BNG).</p> <p>LCC acknowledge that the Applicant has set out their broad approach to within the Biodiversity Net Gain Report [AS-062]. This document identifies the opportunities of the Scheme to deliver BNG and states that the final design has not yet been finalised. However, based on current plans, the Scheme is predicted to result in a net gain of 64.55% for area-based habitat units, 17.33% for hedgerow units, and</p>	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
		<p>Framework CEMP [EN010142/APP/7.8(Rev01)]</p>	<p>[EN010142/APP/3.1(Rev03)] to submit and agree a BNG strategy with the relevant authority and for this to be substantially in accordance with the Framework LEMP [EN010142/APP/7.17(Rev02)]. The Framework LEMP [EN010142/APP/7.17(Rev02)] and Framework CEMP [EN010142/APP/7.8(Rev01)] include measures for the management, maintenance and monitoring of landscape and biodiversity and implementation of green infrastructure. Requirements 7 (landscape and ecological management plan) and 12 (construction environmental management plan) of Schedule 2 of the draft DCO [EN010142/APP/3.1(Rev03)] prevent the commencement of development until the LEMP and CEMP are submitted to and approved by the relevant planning authority.</p>	<p>22.94% for watercourse units. LCC notes however that the trading rules set out in the Statutory BNG metric user guide are not currently being met. This is specifically in relation to medium distinctiveness habitats due to the loss of arable field margins and rural trees.</p>		
		<p>As set out in the Biodiversity Net Gain Report [AS-062] the trading rules within the Metric are not satisfied for the 'Medium' distinctiveness habitats of 'Cropland – Arable field margins cultivated annually' and 'Individual trees – Rural tree'. Despite the trading rules not being strictly passed, qualitatively, it is deemed that the increased provision of proposed 'Grassland – Other neutral grassland' and 'Woodland and forest – Other woodland; broadleaved' provide similar functional benefits to 'Cropland – Arable field margins cultivated annually' and 'Individual trees – Rural tree'. Therefore, the failure in 'Medium' distinctiveness habitats is acceptable in this case. It is not deemed suitable to retain/create the 'Cropland – Arable field margins cultivated annually' when the Principal Site will be converted to a grassland / solar array mix and a margin habitat of 'Grassland – Other neutral grassland' is more suitable to this habitat composition. This would also not meet the objectives of the Scheme to deliver a solar energy project, if having to retain arable land to achieve the trading rules, which would miss an opportunity to provide renewable energy and offset greenhouse gas emissions from alternative energy sources.</p>				

15. draft Development Consent Order

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
15.1	Articles 8 to 16	Draft DCO [EN010142/APP/3.1(Rev03)]	<p>It is agreed that the Draft DCO [EN010142/APP/3.1(Rev03)] largely aligns with the DCO as made for the Gate Burton Energy Park. It is confirmed that as per Article 8(3) of the Draft DCO [EN010142/APP/3.1(Rev03)] given Tillbridge Solar Limited is not the street authority within the Order limits, the provisions of sections 54 – 106 of the New Roads and Street Works Act 1991 (Ref. 9) in respect of the various approvals required from LCC as the street authority for works within the highway will be required.</p> <p>Following the meeting held prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 with LCC, the Applicant proposes to amend the Framework Construction Traffic Management Plan [EN010142/APP.7.11(Rev02)] (FCTMP) at Deadline 1. The FCTMP now includes provisions providing that prior to the carrying out of any works to the public highway pursuant to Articles 8, 9, 10 and 11 of the draft DCO [EN010142/APP/3.1(Rev03)], the detailed design of such works must be submitted to the highway authority for approval (either as part of the CTMP or separately). This aligns with the Council's permitting scheme in respect of confirming the detailed design, while still enabling certainty for the Scheme that these works will proceed. The FCTMP also agrees to pay LCC for the technical approval process.</p> <p>The Final CTMP is secured by requirement 14 attached to the Draft DCO [EN010142/APP/3.1(Rev03)] to be updated at Deadline 1 and which must be substantially in accordance with the FCTMP.</p>	<p>LCC states in its Relevant Representation Report (RR-165) that the Draft DCO seems to be very similar to the DCO which was approved for Gate Burton in July 2024 by the Secretary of State. It is considered the wording in Articles 8 to 16 is intended to give the developer similar rights as a standard Statutory Undertaker (e.g. Anglian water or British Gas) and therefore they would still be required to follow the Council's Permitting Scheme to obtain consents prior to working in the highway.</p> <p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 sought clarification on the technical approval process for alterations to the highway and how this is to be secured.</p>	Under Discussion	High
15.2	Schedule 2 (Requirements 7 (LEMP), 8 (BNG), 12 (CEMP) and 13 (OEMP)).	Draft DCO [EN010142/APP/3.1(Rev03)]	<p>The Applicant wishes to work positively with LCC on this matter but seeks to discuss the nature of the additional inputs LCC would be providing in respect of these management plans, in light of jurisdiction and function of LCC as compared to West Lindsey District Council (being the local planning authority in this case).</p>	<p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 sought clarification with respect to consultation with LCC in relation to details to be approved with respect to requirement 7 (landscape and ecological management plan), 8 (biodiversity net gain, 12(construction environmental management plan) and 13 (operational environmental management plan).</p>	Under Discussion	Medium

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
15.3	Articles	Draft DCO [EN010142/APP/3.1(Rev03)]	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 did not raise any issues with Articles other than those under Part 3 (Streets) – Articles 8 to 16. On this basis, it is assumed that all other Articles are agreed.	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 did not raise any issues with other Articles other than those under Part 3 (Streets) – Articles 8 to 16.	Agreed	High
15.4	Schedules	Draft DCO [EN010142/APP/3.1(Rev03)]	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 16 of the Draft DCO [EN010142/APP/3.1(Rev03)] , other than in respect of the requirements outlined in row 15.2 above. It is therefore assumed that these are agreed.	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 16 of the Draft DCO [EN010142/APP/3.1(Rev03)] , other than in respect of the requirements outlined in row 15.2 above.	Agreed	High

4. References

- Ref. 1 Stationary Office (2009). The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Accessed on 16/10/2024 at <https://www.legislation.gov.uk/uksi/2009/2264/contents/made>
- Ref. 2 Department for Energy Security & Net Zero. (2023). Overarching National Policy Statement for Energy (EN-1). Accessed on 16/10/2024 at <https://assets.publishing.service.gov.uk/media/65bbfdbc709fe1000f637052/overarching-nps-for-energy-en1.pdf>
- Ref. 3 Stationary Office (2008). Planning Act 2008. Accessed on 16/10/2024 at <https://www.legislation.gov.uk/ukpga/2008/29/contents>
- Ref. 4 Department for Energy Security & Net Zero. (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Accessed on 04/10/2024 at <https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf>
- Ref. 5 Department for Energy Security and Net Zero. (2023). National Policy Statement for Electricity Networks Infrastructure (EN-5). Accessed on 04/10/2024 at <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5>
- Ref. 6 Lincolnshire County Council (2016). Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies. Accessed on 08/10/2024 at <https://www.lincolnshire.gov.uk/downloads/file/2361/core-strategy-and-development-management-policies>
- Ref. 7 Lincolnshire County Council (2017). Lincolnshire Minerals and Waste Local Plan Site Locations. Accessed on 08/10/2024 at <https://www.lincolnshire.gov.uk/downloads/file/2274/adopted-site-locations-pdf>
- Ref. 8 DEFRA (2021). United Kingdom Food Security Report 2021. Accessed on 08/10/2024 at <https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021>
- Ref. 9 Stationary Office (1991). New Roads and Street Works Act 1991. Accessed on 08/10/2024 at <https://www.legislation.gov.uk/ukpga/1991/22/contents>