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Case Manager
The Planning Inspectorate
National Infrastructure Planning
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14 January 2025

Dear Jessica

Application by Springwell Energyfarm Limited: Springwell Solar Farm (Application Reference: EN010149)

Responses to Section 51 advice and Section 55 Checklist

Thank you for issuing the Section 51 Advice and Section 55 Checklist on 18th December 2024, setting out the Planning Inspectorate's initial advice and observations in relation to this application. Appendix 1 to this letter sets out a detailed response to each point raised.

A number of documents and drawings have been updated. As discussed, these updates have been provided in advance of the commencement of the Relevant Representation period, which starts on 15th January 2025. For completeness, the applicant has also updated the Guide to the Application (Document Reference: EN010149/APP/1.2) [[APP-002](#)].

We trust that this is useful, but please do not hesitate to contact us if you require any further information.

Yours sincerely,

Rory Carmichael
Principal Development Manager
On behalf of Springwell Energyfarm Ltd



Appendix 1 – Revised Documents Submitted

Document/topic	Section 51/55 Advice	Response	Revised Document Submitted
Section 51 Advice [PD-002]			
Designated heritage assets	<p>The Inspectorate notes that there are numerous designated heritage assets located close to the Order limits. The potential effects of the Proposed Development on the settings of designated heritage assets are considered in Appendix 9.1: Archaeological Desk - Based Assessment and Stage 1 Setting Assessment, particularly Annex 12, of the Environmental Statement (ES) (Document Reference 6.3).</p> <p>Section 8.6 of the Planning Statement (Document Reference 7.2) identifies there will be some less than substantial harm to the designated heritage assets considered in Annex 12. The Inspectorate encourages the Applicant to clearly identify which of the designated heritage assets considered in Annex 12 would experience less than substantial harm to their significance as a result of the Proposed Development. Given that great weight should be given to the conservation of designated heritage assets, the Inspectorate also considers that such harm should be identified in Chapter 9 Cultural Heritage of the ES (Document Reference 6.1)</p>	<p>A Heritage Harm Statement has been added as Appendix 5 of the Planning Statement (Document Reference 7.2) to identify which of the designated heritage assets considered in Appendix 9.1: Archaeological Desk - Based Assessment and Stage 1 Setting Assessment (Document Reference 6.3) would experience less than substantial harm to their significance as a result of the Proposed Development</p> <p>Chapter 9 Cultural Heritage of the ES (Document Reference 6.1) now includes a reference for the Heritage Harm Statement for clarity.</p>	<p>Planning Statement</p> <p>ES Volume 1, Chapter 9: Cultural Heritage</p>
Designated heritage assets	<p>In addition, Appendix 9.1: Archaeological Desk - Based Assessment and Stage 1 Setting Assessment sets out that the potential effects on the settings of Dunsby Scheduled Ancient Monument (Paragraph 6.2.5), Scopwick and Blankney Conservation Areas (Paragraph 6.2.37) and Bloxholm Conservation Area (Paragraph 6.2.39) should be considered in ES Chapter 9 (Document Reference 6.1). However, in the same document Annex 12 considers that they should not be included. The Applicant is encouraged to address these discrepancies.</p>	<p>Appendix 9.1: Archaeological Desk-Based Assessment has been updated to correct the discrepancies with the Stage 1 Setting Assessment and its Annex 12.</p> <p>Annex 12 has also been updated to address minor spelling errors relating to these assets.</p>	<p>ES Volume 3, Appendix 9.1 – Archaeological Desk-Based Assessment and Stage 1 Setting Assessment</p>
Flood Risk Assessment	<p>The Flood Risk Assessment (FRA) (Document Reference 7.16) describes that the Proposed Development is primarily located in Flood Zone 1, with a small region within the</p>	<p>The FRA has been updated accordingly and additional plans differentiating Flood</p>	<p>Flood Risk Assessment</p>

Document/topic	Section 51/55 Advice	Response	Revised Document Submitted
	northeastern corner of the site located in Flood Zones 2 and 3. The FRA does not specify whether the components located within Flood Zone 3 are within Flood Zone 3a or Flood Zone 3b or a combination. Flood Zone 3a and Flood Zone 3b are not differentiated on the figures in the FRA. An updated FRA with plans differentiating Flood Zone 3a and 3b should be reissued.	Zone 3a and 3b have been included in Appendix B.	
Flood Risk Assessment	The Inspectorate observes that Solar PV panels are proposed in areas of Flood Zone 2 and 3 and therefore it is necessary to demonstrate that the sequential test for flood risk has been met. Whilst the justification provided in Section 8.5 of the Planning Statement (Document Reference 7.2) is acknowledged, the Inspectorate encourages the Applicant to provide additional explanation to demonstrate that other plots of land within or surrounding the Order limits that are at lower risk of flooding, could not accommodate the proposed Solar PV panels or are less favourable when wider sustainable development objectives are considered.	Further detail has now been added to Section 8.5 of the Planning Statement.	Planning Statement
S55 Checklist Advice [PD-003]			
Draft DCO (Doc Ref 3.1)	The Crown Land Plans (Ref 2.7) have not been included in the list of certified documents in the dDCO.	The Crown Land Plans will be added to Schedule 13 in the next draft of the DCO, anticipated to be submitted at Deadline 1.	A revised Draft DCO will be submitted at Deadline 1.
	There is a formatting issue within the dDCO where Article 30 is referenced twice. The Applicant is advised to review/amend accordingly.	Article 30 is not repeated – the text starting “Part 4 Interpretation...” on page 25 of the draft DCO is the text to be inserted under Article 29(4)(b) above. This is therefore not an error and does not require updating.	N/A
Land Plans (Doc Ref 2.2)	For the Sheet 7 of 15 extension, the key plan shows a separate sheet, but this area is only shown on sheet 7 of 15 as an inset. The cut line is not depicted, however it's clear where this area is located from the key plan.	‘SHEET 7 EXTENSION’ has been added to the Key Plan.	Land Plans
	On Sheet 7 of 15, an unnumbered plot is shown with a grid pattern (East and below plot 7/14) located on Heath Road	This area is subject to works within the Order Land, but not subject to compulsory	N/A

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	<p>(B1191). It is unclear what this plot relates to. The legend describes this as 'Order limits - the area within which authorises development may be carried out, excluding all Crown interests (Secretary of State for Defence)', but it is not listed in the Book of Reference.</p>	<p>acquisition so no plot has been created. The grid pattern was retained over this land to acknowledge that whilst there is no compulsory acquisition, the Applicant is aware of the Crown Interest over this land.</p>	
	<p>On Sheet 12, the shading for plots 12/10 & 12/11 appears to be incorrect. Plots are coloured Green on the plan (temporary use of land), but the Book of Reference (Doc 4.3) states that these plots are Permanent acquisition of new rights.</p>	<p>The Book of Reference has been updated to include references to these plots.</p>	<p>Book of Reference</p>
	<p>Wording for land use in the Book of Reference differs from that on the plans, which could lead to confusion for stakeholders. The Applicant is advised to review/amend the Land Plans and/or the Book of Reference accordingly.</p>	<p>There are DCOs that have been consented where the land plans and BoR have had different descriptions but the power is the same. This approach is taken to provide useful information on the Land Plans regarding the powers, whilst reducing the description in the BoR to help keep the plot descriptions shorter and ensure it is concise for landowners. The power description is consistent between the two. The landowners can then look at the land plans or Table 3.1 in the Book of Reference setting out the relationship between the land plans and the draft DCO as an easy guide to identify the powers sought over each parcel. In addition, Table 3.2 in the Book of Reference sets out a guide of how to use the Book of Reference alongside the land plans and DCO.</p>	<p>N/A</p>
<p>Crown Land Plans (Doc Ref 2.7)</p>	<p>On sheet 2 of 2, an unnumbered plot is shown with a grid pattern (above 7/15 and west of plot 7/16) located on Heath Road (B1191). It is unclear what this plot relates to. The legend describes this as 'Order limits - the area within which authorises development may be carried out, excluding all Crown interests (Secretary of State for Defence)', but it is not</p>	<p>This area is subject to works within the Order Land, but not subject to compulsory acquisition so no plot has been created. The grid pattern was retained over this land to acknowledge that whilst there is no compulsory acquisition, the Applicant is aware of the Crown Interest over this land.</p>	<p>N/A</p>

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	listed in the Book of Reference. The Applicant is advised to review/amend accordingly.		
Location, Order Limits Grid Coordinate Plans (Doc Ref 2.1)	It is unclear if the inset showing B1191 (Heath Road) on sheet 7 of 15 is to the same scale as the rest of this sheet. The Applicant is advised to review/amend accordingly.	The inset is shown at the same scale as the rest of the drawing. The scale / scale bar shown the title block is correct and applicable to both the main drawing and the inset.	N/A
Streets, Rights of Way and Access Plans (Doc Ref 2.4)	Scale listed on the key plan (1:100m) is likely incorrect. A pink line is used for Street Works ('SW' Reference) and for Proposed Alterations to Streets ('A' Reference). This could cause some confusion for stakeholders. The Applicant is advised to review/amend accordingly.	The Streets, Rights of Way and Access Plans have been updated to make this distinction clearer.	Streets, Rights of Way and Access Plans
Illustrative Layout Plans and Sections (12 of 16) (Doc Ref 2.5)	There is no key for the Proposed Substation or Battery Energy Storage System. The Applicant is advised to review/amend accordingly.	The Key Plan and Sheets 12 and 13 have been updated to add the Proposed Substation and Battery Energy Storage System to the key of these sheets.	Illustrative Layout Plans and Sections
Environmental Statement Volume 1 Chapter 14 Traffic and Transport (Doc Ref 6.1)	Paragraph 14.1.2. refers to 'Figure 14.5: Swept Path Analysis Drawings' but these have not been provided.	This was an error in the original chapter – swept path drawings have been provided as part of the Outline Construction Traffic Management Plan. The wording in the Chapter has been corrected.	ES Volume 1, Chapter 14: Traffic and Transport
Environmental Statement Chapter 9 Cultural Heritage (Doc 6.1) and ES Appendix 9.1: Archaeological Desk - Based	Appendix 9.1: Archaeological Desk - Based Assessment and Stage 1 Setting Assessment sets out that the potential effects on the settings of Dunsby Scheduled Ancient Monument (Paragraph 6.2.5), Scopwick and Blankney Conservation Areas (Paragraph 6.2.37) and Bloxholm Conservation Area (Paragraph 6.2.39) should be considered in ES Chapter 9 (Document Reference 6.1). However, there is a discrepancy as in the same document Annex 12 considers that they should not be included in ES Chapter 9 (and these assets are not	Please refer to the responses in the S51 advice section of this table above.	N/A

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Assessment and Stage 1 Setting Assessment (Doc 6.3)	assessed in Chapter 9). See further section 51 advice issued on this matter.		
Flood Risk Assessment (Doc 7.16)	The Flood Risk Assessment (FRA) describes that the Proposed Development is primarily located in Flood Zone 1, with a small region within the northeastern corner of the site located in Flood Zones 2 and 3. The FRA does not specify whether the components located within Flood Zone 3 are Flood Zone 3a or Flood Zone 3b or a combination. Flood Zone 3a and Flood Zone 3b are not differentiated on the figures in the FRA. See further section 51 advice issued on this matter.	Please refer to the responses in the S51 advice section of this table above.	N/A