

### Issue Specific Hearing 3

#### Lincolnshire County Councils (LCC) Response to Hearing Action Points

Action		LCC Response
14	<p>Provide responses to questions from Examining Authority raised at ISH3 including why they think National Policy Statement for renewable energy infrastructure (EN-3) is relevant to this Application.</p>	<p>LCC has set out its position on National Policy Statements (NPS's) in its Local Impact Report (LIR) (REP1-058) section 5 and in its response to the Examining Authorities first round of written questions (ExQ1 1.1.3) (REP1-059).</p> <p>Overarching National Policy Statement for Energy (EN-1) (2011) outlines requirements for understanding the significance of heritage assets that will be affected, including 5.8.10: 'The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.' This statement is repeated at paragraph 5.9.12 of the 2023 EN-1. The significance of any heritage assets cannot be assessed until there has been sufficient evaluation to identify the currently unknown archaeology across the proposed development area. Trial trenching is essential in finding and characterising the archaeology, and is currently ongoing. The results of the trenching are required to understand 'the significance of any heritage assets' so this cannot be determined until the trenching programme is complete and a record of the findings has been produced, in line with EN-1.</p>

		<p>LCC accept that National Policy Statement for Renewable Energy Infrastructure (EN-3) (2023) is not a directly relevant policy for this proposal, however it references EN-1 (discussed above) and also includes the following useful advice: ‘The results of pre-determination archaeological evaluation inform the design of the scheme and related archaeological planning conditions’ (footnote 94) that is not contained in any of the NPS’s that are deemed to be relevant to this proposal and is flagged by LCC as a good practice point.</p> <p>In the context of the NPS’s, the point that LCC is seeking to reiterate is that the trial trenching must be completed and the results produced, as they are required to form the basis for a reasonable and fit for purpose mitigation strategy which will adequately deal with the developmental impact on the surviving archaeology across the redline boundary.</p> <p>Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) state that ‘The EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors...(d)material assets, cultural heritage and the landscape.’ (Regulation 5 (2d)) The direct and indirect significant effects of the development on cultural heritage cannot be understood until sufficient trial trenching has been undertaken across the full impact zone. Again the trenching programme must be completed and the results produced in order to comply with the EIA Regulations.</p>
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