

ExQ2	Question	LCC Response
DCO Draft Development Consent Order (dDCO)		
Q2 DCO 1.1	Part 3, Article 15 To LCC: In its response to ExQ1 DCO 1.6 the applicant [REP2-051] set out its view that the power to alter the layout of any street is reasonable and necessary and provides sufficient flexibility to the applicant without providing a disproportionate amount of discretion to it. Does LCC agree? If not, why not?	LCC can confirm it is in agreement provided the Deemed Consent period is increased to 56 days as proposed by the Applicant in its response.
Q2 DCO 1.2	Schedule 1, part 3. Requirement (R) 9 <ul style="list-style-type: none"> R9 of the dDCO [REP3-006] establishes that the onshore substation works must be carried out in accordance with the details set out in requirement R9(1), which in turn must be in accordance with the Design Principles Statement [APP-293]. Is the local authority satisfied that the level of detail submitted within the Design Principles Statement [APP-293] is sufficient for it to assess whether details submitted under R9(1) would be in accordance with it? Should an independent design review process also be secured under R9? If not, why not? (applicant is also welcome to respond to this question). 	<p>As the final solution for the substation is yet to be confirmed, it makes commenting on detailed design aspects of the project difficult at this stage. However, the Design Principles Statement provides detailed information in regards to the details of the onshore substation, and limits the building to the maximum parameters provided within paragraph 3.3.1. The information provided within this document seems reasonable to guide the detailed design stage, however the Council would expect there to be opportunities for local authority input into this process post decision stage.</p> <p>Due to the lack of a clear decision on the final substation solution, which will likely have a large effect on the appearance of the built scheme, an independent design review group may add value to the scheme and guide the design post decision. However, it is unclear how the findings and comments from this group would be implemented and enforced post decision. It is important that if recommendations are put forward these form part of any subsequent approvals.</p>
DES Good Design		
Q2 DES 1.1	Progress of the design process post-submission In its response to ExQ1 DES 1.1 [REP2-051] the applicant noted that it had concluded that further substation	The visualisations submitted seem reasonable and further visualisations are not required as part of the examination process.

	visualisations would not be necessary. Do you agree?	However, to enable any post decision understanding of the look, appearance and massing of the solution taken forward, visualisations may be included within these detailed design discussions. It is important the applicant demonstrate and clearly communicate to interested parties the final appearance of the scheme.
HOE Habitats and Onshore Ecology, including Onshore Ornithology		
Q2 HOE 1.4	<p>Hedgerow related amendments to the draft Development Consent Order (dDCO)</p> <p>Provide comments on the applicant's proposed amendments to the dDCO as outlined in its change notification [REP3-050] dated 13 December 2024 on: amendments to the dDCO (Document 3.1) (dDCO) based on the Applicant's review of The Management of Hedgerows (England) Regulations 2024; and amendment to the dDCO to include within Schedule 17, Part 2 a further important hedgerow under the Hedgerow Regulations 1997 which may be required to be removed. The ExA confirmed on 20 December that the amendments were not substantial changes that would warrant a formal change request [PD-019].</p>	LCC notes the proposed amendments and has no comments to make at this stage.
Q2 HOE 1.6	<p>Local Impact Report (LIR)</p> <p>Overall impact of the development on biodiversity and ecology Paragraph 8.31 of the LCC's LIR [REP1-053] concludes that "If the mitigation measures including the establishment of an ecological steering group are secured and delivered as proposed the Council considers that the development would have a minor negative impact on onshore ecology" If the establishment of an ecological steering group is not secured, what would LCC's position be on the overall impact on ecology?</p>	LCC's opinion is that without the ecological steering group, there would still be a minor negative impact on ecology. The steering group could identify opportunities for the delivery of required enhancement and mitigation measures to be delivered, including possibly in partnership with other organisations and developments, in ways which could minimise the effects of any negative impacts and increase the beneficial impact of mitigation and enhancement measures.
Q2 HOE 1.9	Monitoring, aftercare and compliance audits	LCC notes the Applicant's responses and feedback and the updates to

	<p>Please provide comments on the applicant's response to ExQ1 HOE 1.14 [REP2-051], its feedback on other responses to ExQ1 HOE 1.14 [REP3-054], as well as the related updates to the OLEMS [REP3-028].</p>	<p>the OLEMS.</p> <p>LCC is of the opinion that details included in the updated OLEMS now provide appropriate detail as to the level of monitoring that will be carried out at various stages of the development.</p> <p>LCC welcomes the commitment in Paragraph 240 of the OLEMS to seek opportunities to provide ecological enhancements to arable field margins within the ECC.</p> <p>LCC also welcomes the commitment in Paragraph 249 of the OLEMS to establishing "<i>an external review group</i>". The envisaged membership and role of this group aligns well with the ecological steering group proposed by LCC.</p>
Q2 HOE 1.10	<p>Compensatory habitat for skylark and yellow wagtail</p> <p>The applicant's response to ExQ1 HOE 1.11 [REP2-051] refers to the use of severed agricultural land to provide compensatory habitat for skylarks and yellow wagtail. It states "The mitigation on severed land is not included in the Order Limits and therefore not secured in the dDCO however the Applicant has agreed voluntary Heads of Terms with 94% of landowners along the ECC route and these agreements contain provisions for severed land. The Applicant is therefore confident that the mitigation measures are secured and can be implemented".</p> <ul style="list-style-type: none"> • NE, LCC, ELDC, BBC, SHDC and LWT are invited to comment on the applicant's approach 	<p>LCC welcomes the Applicant's intentions in this area but has concerns about the enforceability of any measures not secured in the DCO.</p>
HE Historic Environment		
Q2 HE 1.2	<p>Requirement 17 and Onshore Outline Written Scheme of Investigation (OWSI) for Archaeological Works</p> <p>Further to satisfying Issue Specific Hearing 3 (ISH3) Action Point 4 [EV7-010], where disagreement remains, all parties to set out their preferred wording of</p>	<p>Meetings and discussions have been held between Lincolnshire County Council Historic Environment Team, Historic England and the Outer Dowsing team regarding the wording of Requirement 17 and the OWSI.</p>

	<p>Requirement 17 with reasons.</p> <p>Furthermore, all parties to provide a detailed update on the OWSI, including any outstanding disagreements on the contents and the likelihood of these being resolved within the timescales of the examination.</p>	<p>Provisional agreement on the final wording has been reached and all that remains is for this to be signed off by all parties involved in the discussions. This is envisaged to be completed with final agreement expected to be confirmed in early February.</p>
Q2 HE 1.3	<p>Grouping of non-designated farmhouses</p> <p>In its relevant representation [RR-004] and Local Impact Report [REP1-053] LCC requests that the impact on non-designated farmsteads is set out in greater detail for each asset rather than in groups. The applicant's response to the relevant representation [PD1-071] states:</p> <p>"Historic England's Good Practice Advice Planning Note 3 (The Setting of Heritage Assets) references that assessment of impact through setting change needs to be proportionate to the significance of the heritage asset and proportionate to the degree of change. The grouping of non-designated farmhouses within the vicinity of the cable route, reflects the grouping of assets of low importance where potential impacts will be temporary. This level of assessment is in accordance with best practice and avoids unnecessary repetition. It is not anticipated that differential proximity to the cable route would alter conclusions around the potential harm through setting change. In no instance would it be anticipated that farmhouses within the vicinity of the cable route would experience an impact of greater than minor adverse effect. There is no potential for significant effects. The assessment of farmhouses within the vicinity of the cable route is considered sufficient on these grounds."</p> <ul style="list-style-type: none"> • In light of this response, do HE and LCC consider that the grouping of non-designated farmsteads 	<p>The grouping of farmsteads, as proposed, raises concerns about the adequacy of the information provided to allow for a confident determination of impacts.</p> <p>While LCC recognises the applicant's efforts to avoid repetition in assessments and the importance of a proportionate response; GPA3 does not provide explicit support for grouping low-value assets as a substitute for individual assessments.</p> <p>LCC recommends to the ExA that individual assessments for each farmstead would be the appropriate approach. These assessments could follow the applicant's existing framework demonstrated in Volume 3, Appendix 20.2 (pages 50–67) i.e. farmstead name, brief summary of its historic and architectural interest, key setting elements contributing to significance, OS mapping and photograph where applicable.</p> <p>LCC believes this approach ensures that the Secretary of State is presented with sufficient detail to fully understand the significance of each farmstead and evaluate the impacts with confidence, while drawing on a methodology already demonstrated by the applicant.</p>

	<p>for assessment provides sufficient information for the Secretary of State to have confidence on the effects on the significance of individual heritage assets when these have not been assessed individually? If not, why not? If not, please set out what you would require to satisfy yourselves within the timescales of the examination.</p>	
LU Land Use, Geology and Ground Conditions		
Q2 LU 1.2	<p>Agricultural Land Classification (ALC) survey The applicant's response to ExQ1 LU 1.7 [REP2-051], identifies examples of other Nationally Significant Infrastructure Projects (NSIPs) being approved by the Secretary of State (SoS) prior to ALC surveys being undertaken. In the case of the Hornsea Four Offshore Wind Farm, the applicant also points to the advice given by NE at the time which, whilst expressing a preference for pre-consent ALC surveys, accepted that the matter could be addressed via a planning condition. NE and LCC are invited to comment on whether the approach taken on other NSIPs in terms of the timing of ALC surveys has any implications for their respective positions on this matter</p>	<p>Natural England advise that pre permission ALC is preferred. It 'could' be dealt with by requirement, but the uncertainty remains until after consent.</p>
Q2 LU 1.9	<p>Agricultural drainage and irrigation In response to ExQ1 LU 1.18 [REP2-051], at deadline 3, the applicant updated section 5.15 (Agricultural Drainage and Irrigation) of the oCoCP [REP3-021] to detail arrangements for consultation with landowners regarding pre-construction and post-construction drainage works. The document also now states that "The cable shall be installed 300mm below any current drainage system where practical". Does the revised oCoCP address outstanding concerns</p>	<p>LCC is of the opinion that as long as the drainage infrastructure is properly recorded and if damaged is subsequently repaired, or satisfactorily buried below existing drainage infrastructure, then this approach should be acceptable.</p>

	regarding drainage as identified in respective relevant representations? If not, please specify further measures that should be included.	
Q2 LU 1.11	<p>Relationship between the oCoCP, oSMP, oOLP and dDCO</p> <p>Requirement 18 of the dDCO [REP3-007] makes provision for the preparation of the Code of Construction Practice (CoCP) that must be substantially in accordance with the oCoCP [REP3- 021]. It must be submitted to and approved by the relevant local planning authority following consultation with named bodies, including LCC, the Environment Agency (EA) and the relevant statutory nature conservation body. It must include an Organic Land Protocol.</p> <p>Following revisions made by the applicant, requirement 31 now separately secures the preparation of the SMP to be approved by the relevant local planning authority following consultation with LCC only. The ExA understands that the applicant's intention is that the SMP will no longer form part of the CoCP as originally proposed. However, the oCoCP appears to contradict this, including reference to the SMP within table 1.1 of the oCoCP.</p> <p>The ExA also notes comments from NE [REP3-066] and the EA [REP3-064] requesting amendments to the dDCO to ensure that they are consulted prior to approval of the SMP.</p> <p>To LCC and the local planning authorities:</p> <ul style="list-style-type: none"> Please provide comments on the above as necessary. 	<p>LCC requested the amendment to the dDCO to create a requirement specific to the SMP (requirement 31), separate from the oCoCP (requirement 18). Loss of agricultural land is a key concern for LCC and the focused requirement ensures appropriate regard upon discharge, at this time LCC also requested to be the discharging authority for requirement 31.</p> <p>LCC notes the reference to the SMP within table 1.1 of the oCoCP, should there be any reference to the SMP within the oCoCP this should correspond, and not contradict with the contents of the SMP. Whilst LCC notes the relevance of the SMP to the CoCP it has been previously agreed that the SMP will form a separate requirement and no longer form part of the oCoCP.</p> <p>LCC is in agreement with NE and the EA and considers Requirement 31 should include both parties as relevant consultees.</p> <p>LCC also notes the need for the applicant to produce an Organic Land Protocol as part of the oCoCP (requirement 18). Although the oOLP is not referenced within table 1.1 of the oCoCP, it is clearly reference later in the document 5.13.</p> <p>The oOLP states that the document sets out additional measures that must be taken to protect the organic integrity of the land above and beyond measures identified with in the oSMP for conventional land. It goes on to state that this document should be read in conjunction with the oCoCP and oSMP. The Council is of the view that this should be captured within requirement 31 rather than 18 so that all the agricultural matters are dealt with together. It would also be preferable if LCC were the discharging authority for requirement 18 as well so that</p>

		it has oversight of matters that are associated with topics that LCC is the discharging authority for.
Q2 LU 1.12	<p>Climate change, increased rainfall and soil impacts</p> <p>At Issue Specific Hearing 3 [REP3-051], the ExA sought clarification from the applicant regarding the possible effects of increased peak rain fall intensity due to climate change on earth movement and subsidence. In response the applicant has provided a clarification note regarding Climate Change, Increased Rainfall & Soil Impacts [REP3-055].</p> <p>Please provide comments on the assumptions and conclusions made in the clarification note.</p>	LCC is satisfied that the additional remarks provided by the applicant within REP3-055 now give confidence that Climate Change implications have been factored into the calculations.
LV Landscape and Visual Effects		
Q2 LV 1.1	<p>Landscape mitigation during the construction phase</p> <p>The applicant's mid examination principal issues progress tracker [REP3-052] states that "the applicant has updated the Outline Code of Construction Practice (CoCP) for Deadline 3, to include mitigation measures that could be applied in respect of the small number of residential properties with potential to be affected." The ExA notes paragraph 46 of the CoCP deals with temporary construction compounds, however, this is not highlighted as a change in the tracked document [REP3-021].</p> <p>To LCC:</p> <ul style="list-style-type: none"> • Provide comment on the mitigation outlined in paragraph 46 of the CoCP [REP3-021]. 	<p>Temporary mitigation in landscape terms is difficult to implement, and often provides limited reduction in visual effects, particularly from receptors in residential properties who are typically judged to be high sensitivity. However the mitigation detailed in para. 46 will go some way in mitigating adverse effects.</p> <p>LCC accept that moving the compounds away from visual receptors, locating larger elements away from principle views and utilising exiting vegetation to provide screening, as detailed in para. 46, are aligned with good practice and would expect these to be implemented. The construction compounds should be bound by temporary hoarding to clearly delineate working areas, and these may be supplemented with grass seeded earth bunding to assist in screening (as suggested in paragraph 46). However LCC would query as to whether earth bunding would in reality be implemented, or how this would be managed.</p> <p>The access routes and vehicular movement to these compounds should also be carefully considered, ensuring these are away from receptors and along routes that have limited impact upon existing</p>

		<p>vegetation</p> <p>There should be a commitment to ensure good site management and housekeeping, with careful siting of construction machinery, materials, and welfare facilities to avoid unnecessary intrusion, minimise soil compaction and avoid damage to existing vegetation and trees, including their root systems.</p> <p>Adjacent and nearby trees and vegetation to be retained should be protected throughout the duration of the works to BS5837: Trees in relation to design, demolition and construction.</p>
SV Seascape and Visual		
Q2 SV 1.1	<p>Duty to further the purposes of National Landscapes</p> <p>The ExA notes the respective responses from the applicant [REP2-051], LCC [REP2-069] and NE [REP2-074] to ExQ1 SV 1.1. On 16 December 2024, the Department for Environment Food and Rural Affairs (DEFRA) published new guidance on the duty to further the purpose of National Landscapes.</p> <p>To NE and LCC:</p> <ul style="list-style-type: none"> Please comment on whether the new DEFRA guidance has any implications for responses to ExQ1 SV 1.1. <p>To LCC:</p> <ul style="list-style-type: none"> Please provide comments on NE's position as set out in its response to ExQ1 SV 1.1 that the duty does not apply as the project "will not be having significant impacts on the setting of the designated landscape..."? 	<p>The Council note that the LVIA states that "<i>the Lincolnshire Wolds AONB have been scoped out of the assessment</i>" with it going to state that "<i>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</i>"</p> <p>Therefore LCCs response to ExQ1 SV 1.1 would remain the same, stating that "<i>the developer should be requested to provide some assurances that the setting and visual envelope of the Lincolnshire Wolds NL/AONB are not just protected but enhanced by the project</i>".</p>
Q2 SV 1.2	<p>East Coast Flyway - World Heritage Site bid</p> <p>LCC's response to ExQ1 SV1.2 [REP2-069] refers to the East Coast Flyway World Heritage Site bid which is at the</p>	<p>The East Coast Flyway for England is part of the longer migratory flyway of the East Atlantic from South Africa to the polar regions of the north. The coastal areas of eastern England being important resting or</p>

	<p>preliminary assessment appraisal stage. To LCC:</p> <ul style="list-style-type: none"> Please elaborate on the location of the potential site and timescale for the bid and any implications that it may have for the project. 	<p>roosting points for millions of birds. The specific sites along the coastline stretch from Northern Essex coast to the Humber. For Lincolnshire this includes the Wash and its coastline and the Humber region where coastal wetlands exist.</p> <p>The flyway is already an existing migratory route however the World Heritage Bid seeks to recognise its international importance and to recognise the Outstanding Universal Value (OUV) to humanity of its global significance to nature conservation.</p> <p>The current bid timeframe is for determination to be concluded in 2030</p> <p>As the project is based across the east coast care and assessment should be made on the impacts that the construction and operation of the project may have on the flyway and the migratory route</p>
SE Socio-economic Effects		
Q2 SE 1.1	<p>Economic impact on agricultural operations Explain and quantify in the context of a local, regional and national scale, the likely economic impacts on agricultural operations from the proposed development, including but not limited to, land severance, dust contamination and crop quality.</p>	<p>Lincolnshire is home to 10% of English agricultural production. It's combination of climate, soil type and topography make the country ideal for a variety of crops. There are significant proportions of wheat, oilseed rape, sugar beet and potatoes, with the country producing 12% of England's arable crops.</p> <p>Lincolnshire is also home to around 25% of the UK's vegetable production, and 21% of ornamental crop production. This high level of production is vital to the country's economy, generating a Gross Value Added of £446 million in 2012. To preserve fresh produce and minimise supply chain distance, highly productive food hubs have built up in the south of the country. The importance of this sector for the local economy is reflected in a number of jobs it generates: if this food supply chain is included alongside food retail and catering in the country, the number of employees exceeds 100,000.</p>

		<p>LCC considers that the economic impacts on agricultural operations such as land severance, dust contamination and crop quality would most likely be temporary. However, at a localised level they could be serious on a field by field (or crop by crop) basis.</p> <p>Dust can settle on horticultural crops causing quality problems and may hinder harvest or price/quality of the crop. It may be less likely to be a problem with cereal crops, but could affect grassland, either for grazing or hay/silage making. However, LCC notes that it is likely to affect individual fields or farmers, rather than the whole route.</p>
Q2 SE 1.2	<p>Tourism impacts of construction traffic</p> <p>Following LCC response to ExQ1 SE1.1 [REP2-069], the applicant's comments on responses to ExQ1 [REP3-054] and the conclusions of Environmental Statement (ES) Chapter 27 [AS1-052] LCC to outline specific tourist locations where it has concerns regarding traffic congestion and how this relates to the conclusions of ES Chapter 27[AS1-052]. Also, provide evidence to demonstrate the link between traffic congestion and a resulting reduction in tourist numbers.</p>	<p>The Council has no further comments to make on this point and accepts the evidence the applicant has put forward to address this point satisfactory.</p>
TT Transportation and Traffic		
Q2 TT 1.2	<p>Public Rights of Way (PRoW)</p> <p>With reference to the applicant's written response in 1.4 of [REP3-053] to Action Point 7 from ISH3 [EV7-010] regarding the Public Rights of Way and Outline Public Access Management Plan.</p> <p>Does Lincolnshire County Council (LCC) have any concerns about the applicant's response? If so, please provide recommendations on how these concerns should be addressed.</p>	<p>LCC can confirm that they do not wish to raise any concerns surrounding the applicants written response in 1.4 of REP3-053.</p> <p>The response covers all points that LCC have discussed with the applicant and conforms with LCC agreement at the meeting with the applicant team on 20th December 2024.</p>

