

Action Point	LCC Response
Comment on the application of the duty to further the purposes of National Landscapes in relation to the Lincolnshire Wolds in the context of the applicant's Seascape Landscape and Visual Assessment.	The Council has nothing further to add to this point and is satisfied that this duty to further the purposes of the National Landscapes is not compromised by the details in applicant's Seascape Landscape and Visual Assessment.
Provide an update on reaching agreement with the Local Planning Authorities as to the authorisation process for 'discharging' Requirements that would enable LCC to undertake this responsibility.	<p>The Council has received the following update from the South East Lincolnshire Partnerships</p> <p>"whilst we are happy for LCC to be the discharge authority it should be done in consultation with the LPA. This is because there are some elements which you won't be able to comment on plus we still want to reserve the right to see final substation designs etc but happy for you to consult the LPA's rather than it coming from them, if that makes sense."</p> <p>The Council is happy to have the wording of the requirements written in such a way that LCC is required to consult the LPA on each of the requirements that require to be discharged.</p>
LCC to provide a list of consented orders that include a table listing the 'relevant planning authority' and both parties to have further discussions and update the ExA on this matter.	Please see Appendix A. This includes a separate table which lists recent consented DCOs within Lincolnshire, highlighting the interpretation of 'relevant planning authority' used within these DCOs.
LCC to provide reasoning for why it believes that a longer landscape maintenance period than set out in Requirement 11(2) is required	After further consideration a 5 year plant replacement period is reasonable. It's a typical period that we may see on planting conditions associated with TCPA schemes. The applicant has justified the reasoning in subsequent correspondence (e.g. that successful planting schemes may be looking to thinning operations from 5 to 7 years after planting, but the 5 year period ensures that the plants will be looked after appropriately).

Applicant to provide confirmation of work Nos that it proposes to maintain for the lifetime of the project and expand on the relationship between Requirements 10 and 11(2). LCC to be consulted and to also provide a response in this regard.

Having reviewed the approach the applicant provided to the Council on 20th February is reasonable – the key landscape areas are covered by *Work No. 23*. which are the areas around the substation (these are extensive areas of planting), and this would be maintained for the lifetime of the project, which is important due to their requirement for screening and integration of the proposals, but also ecological enhancement.

The other landscape areas, which will be associated with the cable route (and don't have a dedicated landscape Work No.), are identified in the OLEMS as reinstatement of habitats and land cover, hedgerow and tree replacement. These areas are being proposed as being maintained for 5 years, which due to these likely being somewhat fragmented or disjointed and we anticipate relatively localised to the cable, would provide this planting a decent establishment period. Then after 5 years this would be incorporated into whatever management these areas are currently under. This planting will be like for like replacements for that lost installing the cable, as well as access routes and compound areas.

5 year plant replacement period is acceptable.

This is based on what is expected to be included in v7.0 of the OLEMS which has not yet been provided to the Council ahead of Deadline 4a. Assuming this is included in the updated version of the OLEMS then the Council is satisfied with this approach.

Appendix A – Consented DCOs within Lincolnshire – Interpretation of relevant planning authority

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Cottam Solar Project	Schedule 2 – Requirements, Interpretation	<p>Interpretation</p> <p>1. In this Schedule—</p> <p>“relevant planning authority”, unless as provided otherwise, means—</p> <p>(a) Lincolnshire County Council for the purposes of—</p> <ul style="list-style-type: none"> (i) Requirement 6 (battery safety management); (ii) Requirement 11 (surface and foul water drainage); (iii) Requirement 15 (construction traffic management plan); (iv) Requirement 18 (public rights of way); (v) Requirement 19 (soils management); and <p>(b) West Lindsey District Council and Bassetlaw District Council for the purposes of—</p> <ul style="list-style-type: none"> (i) Requirement 3 (approved details and amendments to them); (ii) Requirement 4 (community liaison group); (iii) Requirement 5 (detailed design approval); (iv) Requirement 7 (landscape and ecological management plan); (v) Requirement 8 (ecological protection and mitigation strategy); (vi) Requirement 9 (biodiversity net gain); (vii) Requirement 10 (fencing and other means of enclosure); (viii) Requirement 13 (construction environmental management plan); (ix) Requirement 14 (operational environmental management plan);

Boston Alternative Energy Facility	Part 1, Preliminary, interpretation.	<p>(a) Lincolnshire County Council for the purposes of article 15 (access to works) and the following requirements in Schedule 2 (requirements) to this Order—</p> <ul style="list-style-type: none"> (i) requirement 7; (ii) requirement 8; (iii) requirement 9; (iv) requirement 13;
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		<ul style="list-style-type: none"> (v) requirement 14; (vi) requirement 17; (vii) requirement 18; (viii) requirement 21; (ix) requirement 24; and (x) requirement 25; <p>(b) Boston Borough Council for the purposes of the following requirements in Schedule 2 (requirements) to this Order—</p> <ul style="list-style-type: none"> (i) requirement 3; (ii) requirement 4; (iii) requirement 6; (iv) requirement 10; (v) requirement 11; (vi) requirement 12; (vii) requirement 15; (viii) requirement 16; (ix) requirement 19; (x) requirement 22; and (xi) requirement 23; <p>“relevant planning authorities” means both Lincolnshire County Council and Boston Borough Council;</p> <p>“requirements” means those matters set out in Schedule 2 to this Order;</p>
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Gate Burton Energy Park	Schedule 2, Requirements, Interpretation	<p>Interpretation</p> <p>1. In this Schedule—</p> <p>“relevant planning authority” means—</p> <p>(a) Lincolnshire County Council for the purposes of:</p> <ul style="list-style-type: none"> (i) requirement 6; (ii) requirement 10; (iii) requirement 14; (iv) requirement 16; (v) requirement 17; and <p>(b) West Lindsey District Council and Bassetlaw District Council for the purposes of:</p> <ul style="list-style-type: none"> (i) requirement 3; (ii) requirement 4; (iii) requirement 5; (iv) requirement 7; (v) requirement 8; (vi) requirement 9; (vii) requirement 12; (viii) requirement 13; (ix) requirement 15; (x) requirement 18; (xi) requirement 19; and <p>“relevant planning authorities” means Lincolnshire County Council, West Lindsey District Council and Bassetlaw District Council, as applicable.</p>
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West Burton Solar Project	Schedule 2, Requirements, interpretation.	<p>Interpretation</p> <p>1. In this Schedule—</p> <p>“relevant planning authority” means—</p> <p>(a) Lincolnshire County Council for the purposes of—</p> <ul style="list-style-type: none"> (i) Requirement 6 (battery safety management); (ii) Requirement 11 (surface and foul water drainage); (iii) Requirement 15 (construction traffic management plan); (iv) Requirement 18 (public rights of way); (v) Requirement 19 (soils management); and (vi) Requirement 22 (long term flood risk mitigation); and <p>(b) West Lindsey District Council and Bassetlaw District Council for the purposes of—</p> <ul style="list-style-type: none"> (i) Requirement 4 (community liaison group); (ii) Requirement 5 (detailed design approval); (iii) Requirement 7 (landscape and ecological management plan); (iv) Requirement 8 (ecological protection and mitigation strategy); (v) Requirement 9 (biodiversity net gain); (vi) Requirement 10 (fencing and other means of enclosure); (vii) Requirement 13 (construction environmental management plan); (viii) Requirement 1 (operational environmental management plan); (ix) Requirement 16 (operational noise); (x) Requirement 20 (skills, supply chain and employment); and (xi) Requirement 21 (decommissioning and restoration); and <p>(c) Lincolnshire County Council and Nottinghamshire County Council for the purposes of Requirement 12 (archaeology);</p> <p>and in the case of any requirement not specified above “relevant planning authorities” and “relevant planning authority” means Lincolnshire County Council, West Lindsey District Council, Nottinghamshire County Council and Bassetlaw District Council, as applicable.</p>
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<p>Heckington Fen Solar Park</p>	<p>Schedule 2, Requirements, Interpretation. LCC is not referred to as the relevant planning authority in this DCO only the County Authority.</p>	<p>Interpretation</p> <p>1. In this Schedule—</p> <p>“county authority” means Lincolnshire County Council;</p> <p>“both relevant planning authorities” means North Kesteven District Council and Boston Borough Council each being the relevant planning authority for part of the authorised development.</p>
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