



EAST PARK ENERGY

East Park Energy

EN010141

Applicant's Response to Deadline 4 and 5 Submissions – Host Authorities

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This document sets out the responses of BSSL Cambsbed 1 Limited ('the Applicant') to the Deadline 4 and 5 submissions submitted by Host Authorities in relation to the Development Consent Order (DCO) application for the East Park Energy project (the 'Scheme').
- 1.1.2 The documents submitted with the application and at previous examination deadlines are referenced using the reference number assigned by the Planning Inspectorate (PINS) i.e. **[APP-XXX]**. Where application documents have been updated based on feedback received at Deadline 4 or 5, this response document sets out that the relevant updated document is "**[as updated alongside this submission]**".

1.2 Note about National Policy Statements

- 1.2.1 Section 1.6 of the 2026 NPS EN-1 confirms that for schemes accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect. East Park Energy was accepted for examination in October 2025 prior to the final publication of the 2025 amendments. The 2024 NPSs therefore have effect for decision making.
- 1.2.2 All references to the NPSs in this document made by the Applicant are to the 2024 NPSs unless stated otherwise.
- 1.2.3 The Applicant has prepared a separate **Note on updated National Policy Statements EN-1, EN-3 and EN-5 [PDA-018]**.

2.0 RESPONSE TO DEADLINE 4 SUBMISSIONS

2.1 Response to Bedford Borough Council

Table 1: Response to Bedford Borough Council (REP4-032)

Our Ref.	Ref.	BBC Comments	Applicant Response
Deadline 4 Cover Statement			
BBC-D5-01	1.6	The Council and Applicant acknowledge the Government's recent amendment to the Infrastructure Planning (Fees) Regulations 2024 and that as of the 8th June 2026, Councils acting on NSIPs now have a statutory route to recover all costs incurred for the duration of the Scheme in relation to NSIP applications. This would therefore address and conclude the issue of monitoring and/or s106 fees raised in the Council's Local Impact Report [REP1-071].	The Applicant welcomes agreement on this matter.
BBC-D5-02	2.1-2.3	The Council notes that various discussions have been had and are ongoing between the Host Authorities and the Applicant in respect to comments raised by the Host Authorities in their representations against the [REP3-009] Draft DCO Agreement (and related [REP3-011] Explanatory Memorandum) and versions thereof. Engagement has continued since that submission, including a number of meetings with the Applicant and the exchange of comments and suggested amendments. This work remains ongoing. The Host Authorities anticipate that any outstanding areas of disagreement or unresolved drafting points will be captured in the updated	The Applicant agrees that areas of disagreement have been narrowed. A schedule setting out the remaining points of discussion on the draft DCO has been provided alongside this submission as Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [EN010141/DR/8.71] .

Our Ref.	Ref.	BBC Comments	Applicant Response
		draft Statement of Common Ground (SoCG) to be submitted at Deadline 5.	
BBC-D5-03	5.2	As part of the Council's oral representation at ISH3, the Council noted that they had prepared a 'PRoW Vision Route' strategy: a) This strategy illustrated the Host Authorities collective intent to create and/or enhance the countryside network of public rights of ways, bridleways, and contribute to the existing national cycleways, across the local sub-area to facilitate active travel between villages, towns, and towards point of destination; b) The Council acknowledged that this strategy would be delivered as individual, possibly fragmented 'route-links', over the long-term. The Council noted that they have used this approach to inform <50MW solar farm applications and other applications in bringing forward significant enhancements to the existing PRoW network in the immediate area of this Scheme; and, c) The strategy is submitted to the ExA to demonstrate how this Scheme could deliver improvements, enhancements, and create new links to deliver this broader sub-regional strategy (Strategy attached as Appendix B). d) A draft of the strategy map was submitted at ISH3 to all Parties.	The Applicant notes the Council's aspirations for the creation and enhancement of a wider public rights of way network. However, the PRoW Vision Route strategy was not presented to the Applicant during either the non-statutory consultation undertaken in 2023 or the subsequent statutory consultation. Nor was the Applicant informed during the pre-application process that such a strategy was being prepared or that the Scheme might be expected to contribute towards its delivery. The strategy was first provided during the Examination, at Deadline 4, after the application proposals and associated mitigation and enhancement measures had been developed and submitted. The Applicant has also not been provided with evidence that the strategy, including the proposed routes affecting land within and beyond the Order limits, has been subject to consultation with the relevant landowners or other affected parties. Its deliverability and the extent to which the proposed links are supported by those parties therefore remain uncertain. The Applicant is necessarily constrained in the access improvements that it can deliver. It may propose new or enhanced public rights of way or permissive routes within the Order limits where it has the necessary land interests and powers. It cannot, however, impose new access rights or deliver routes over land outside the Order limits or outside its control without the agreement and cooperation of the relevant landowners. The Applicant remains willing, post-consent and across the lifetime of the Scheme, to engage constructively with the Council, landowners and other relevant stakeholders regarding

Our Ref.	Ref.	BBC Comments	Applicant Response
			opportunities for further proportionate enhancements to the PRow network, insofar as those opportunities are deliverable and within the Applicant's ability to help secure. In the absence of evidence that the strategy has been formally adopted, consulted upon or demonstrated to be deliverable, and given the late stage at which it was introduced, the Applicant does not consider that it should be afforded material weight in the determination of the application for development consent or provide a basis for requiring further mitigation or enhancement from the Scheme.
BBC-D5-04	5.6	With regards to ISH4 (BESS) the Council makes the following written summary of the oral representation made at the Hearing: the Council notes that this is highly specialised field, with infrastructure innovation and management approach moving at a pace that currently far exceeds existing regulations, legislation, and/or guidance. Consequently, the Council is not in a position to approve the detailed technical and management matters as set out in the Applicant's oBSMP and can only comment that the final management plan should 'substantially accord' with the Outline BSMP.	The Applicant acknowledges that battery safety is a specialist and developing field and that the detailed design and management measures will need to reflect the applicable legislation, guidance and industry good practice in force at the relevant time. However, the Applicant does not consider that the specialist nature of the subject prevents Bedford Borough Council from determining an application for approval of the final BSMP. The Council has previously determined applications involving BESS development within its administrative area, including a comparable 100 MW BESS adjacent to Eaton Socon Substation which is currently under construction. The final BSMP will also be reviewed in consultation with the relevant specialist bodies, including the fire and rescue service and other consultees identified in the outline BSMP. The requirement for the final BSMP to be in substantial accordance with the outline BSMP provides an appropriate and enforceable framework for its subsequent approval. The Applicant therefore considers that the Council would be able to

Our Ref.	Ref.	BBC Comments	Applicant Response
			determine whether the final BSMP complies with that requirement, taking account of any specialist advice received.
BBC-D5-05	5.9	[REP3-054] Outline Decommissioning Environmental Management Plan (oDEMP): the Council has reviewed the Applicant's oDEMP and make the following comments: a) Table 5.1: the Council maintains its position that the long-term management of habitats and mitigation features created by the Scheme should remain secured by the Applicant with the landowners following decommissioning. b) Table 5.3: the Council request greater specificity regarding ecological protection measures, including the use of indicative buffer distances for each habitat to ensure that the target is specific. c) Table 5.3: the Council object to wording that implies tree felling would normally occur during decommissioning and consider that any such works should only occur by exception and be justified through the DEMP. d) The Council suggests drafting amendments to improve clarity and consistency, including ensuring references are limited to the decommissioning phase. e) It is suggested that the observations etal made against the Outline Operational Environmental Management Plan should also be read against the oDEMP.	The Applicant has reviewed the oDEMP [as updated alongside this submission] and made amendments to address the comments made by the Host Authorities.
BBC-D5-06	5.11	[REP2-034] Outline Archaeological Mitigation Strategy (oAMS): the Council has reviewed the Applicant's Mitigation Strategy at both the principle and at the detailed (track-change) level and comment as follows:	The Applicant acknowledges the matters raised and welcomes the Council's confirmation that it is supportive in principle of the outline Archaeological Mitigation Strategy [REP4-028] .

Our Ref.	Ref.	BBC Comments	Applicant Response
		a) The current outline Archaeological Mitigation Strategy will require updating - the final form of the document will need to draw on the results of the completed evaluation and should cover elements of the Scheme including any maintenance works necessary during the operational phase and any works required during decommissioning phase in detail. The final form of the AMS may require multiple amendments and will need to be submitted to the Council for written approval prior to works on site being undertaken. b) §6.1.4, Table 1: the Council has concerns that the proposed No Dig solutions may not be viable for all of the proposed sites within this table. However, the Council notes that the Applicant has stated they are committed to working with the Council(s) to explore alternatives where this is the case. These alternatives could be set out in the final AMS to be drafted following consent of the DCO if forthcoming. c) Sections 7.4 and 7.5: the Council notes that there is still no detail on the measures that will be undertaken to control vegetation and scrub in areas where remains are proposed to be preserved by No Dig solutions. Further to this, no information is provided on species to be planted and their rooting depths etc. The Council is satisfied that additional information such as this can be agreed as part of the final AMS to be drafted following consent of the DCO if forthcoming. d) Probably the biggest issue identified is that the Council suggests that the Applicant is overly confident on the number of areas where they can utilise a 'no-dig' solution. The Council notes that alternative mitigation is available (just more expensive for excavation, or alternatively	The Applicant agrees that the final Archaeological Mitigation Strategy will need to be informed by the results of the further archaeological evaluation undertaken post-consent. The applicable sequence is therefore that the further evaluation will be completed and its results reviewed, following which the final Archaeological Mitigation Strategy will be prepared and submitted to the relevant local planning authority for written approval, in consultation with Historic England and the relevant county archaeologist. The relevant works will not commence until that approval has been obtained. The final Archaeological Mitigation Strategy will address the matters identified by the Council, including the suitability of the proposed no-dig solutions, any necessary alternative mitigation, vegetation management within areas of preserved archaeological remains, and the measures applicable to relevant maintenance, replacement and decommissioning activities. Although fixed dates cannot reasonably be provided before consent and the detailed construction programme are established, this approval process provides a clear and enforceable sequence for resolving the outstanding matters before the relevant works are undertaken. The Applicant therefore does not consider that a separate programme is necessary at this stage.

Our Ref.	Ref.	BBC Comments	Applicant Response
		necessitating the removal of panels from the most sensitive areas) which may need to be reviewed/ adopted prior to the preparation of the final AMS. e) Broadly, the Council would suggest that the review identifies minor issues that can be overcome. However, in many cases these would actually need the completed evaluation to be undertaken prior to the final version of the AMS being drafted which will only take place following a grant of the DCO if forthcoming. It is suggested that the Applicant submits an indicative programme (including LPA approvals) accordingly to conclude such matters. f) In principle, the Council is supportive of the [REP2-034] Outline Archaeological Mitigation Strategy as tabled.	
BBC-D5-07	6.3	Under correction, it is understood that the Examining Authority at Issue Specific Hearing 4 (ISH3) raised the option that the Community Benefit Fund could be used to support the creation or enhancement of public rights of way (PRoW) should fund beneficiaries choose to prioritise such projects. The Council considers that any necessary PRoW enhancements arising from the impacts of the Scheme should be secured and delivered directly by the Applicant as mitigation and enhancements, rather than being dependent on the discretionary allocation of the Community Benefit Fund. While the Council acknowledges the potential role of the Community Benefit Fund, discussions regarding the fund remain at an early stage and is subject to third-parties. No conclusions have yet been reached as to its feasibility, structure, or specific uses.	The Applicant agrees that any mitigation or enhancement necessary to address the effects of the Scheme, including measures relating to public rights of way, will be secured and delivered directly through the relevant management plans and requirements of the draft DCO [EN010141/DR/3.1]. The delivery of those measures will not be dependent on the Community Benefit Fund. The Community Benefit Fund will be separate from the mitigation and enhancement secured through the draft DCO. Although beneficiaries may choose to support public rights of way or other community projects through the Fund, decisions regarding its allocation would be discretionary. The Applicant's intention is that the administration of the Fund and decisions regarding its use would be undertaken by others, rather than by the Applicant.
Appendix A: Written Statement of Oral Representation made at ISH3			

Our Ref.	Ref.	BBC Comments	Applicant Response
BBC-D5-08	-	-	The Applicant has previously provided a response to the matters raised in Appendix A of BBC's submission [REP4-032] at Appendix C of the Written Summary of Applicant's Oral Submissions at Issue Specific Hearing 3 (ISH3) and Action Points [REP4-110]. The Applicant refers BBC to that response.
Appendix B: PRow Vision Route Strategy			
BBC-D5-09	-	-	The Applicant has provided a response to Appendix B of BBC's submission [REP4-032] above, our reference BBC-D5-03.
Appendix C: Outline Battery Safety Management Plan			
BBC-D5-10	1	As noted by the Council in their [REP1-071] Local Impact Report para 4.1, Matter 77 (Insurances) et al, the Council does not have the necessary professional and/or technical disciplines specifically relating to solar farms and BESS development's infrastructure, associated health and safety responsibilities, etc. to respond on this Management Plan against these aspect and consequently will only make in-principle observations in this Examination on planning matters and/or issues in-so-far as they affect the Scheme.	The Applicant acknowledges that battery safety is a specialist and developing field and that the detailed design and management measures will need to reflect the applicable legislation, guidance and industry good practice in force at the relevant time. However, the Applicant does not consider that the specialist nature of the subject prevents Bedford Borough Council from determining an application for approval of the final BSMP. The Council has previously determined applications involving BESS development within its administrative area, including a comparable 100 MW BESS adjacent to Eaton Socon Substation which is currently under construction. The final BSMP will also be reviewed in consultation with the relevant specialist bodies, including the fire and rescue service and other consultees identified in the outline BSMP. The requirement for the final BSMP to be in substantial accordance with the outline BSMP provides an appropriate and

Our Ref.	Ref.	BBC Comments	Applicant Response
			enforceable framework for its subsequent approval. The Applicant therefore considers that the Council would be able to determine whether the final BSMP complies with that requirement, taking account of any specialist advice received.
BBC-D5-11	2	[REP1-071] Matter 76(c)(v) (BESS Firewater), Matter 98 and Matter 99: 'The Applicant states in [oBSMP] para4.5.6 that the capacity of the surface water drainage system to contain firewater runoff has been calculated to 'accommodate a reasonable worst-case scenario'. However, no volumetric calculations are evidenced in firewater/ stormwater ponds layout/design/capacity to confirm this matter. The Council view this as a significant potential environmental risk. It is suggested that this Matter was raised by the ExA at ISH4 with the request that the Applicant submit detailed drawings of the water retention basin/ lagoon to evidence effect on the landscape in terms of any cut&fill undertaken and bunding, and that the volume capacity committed to can be attained. This request remains outstanding.	The calculations in relation to the detention basin are set out in Section 6.4 of the outline Surface Water Management Plan [as updated alongside this submission]. The Outline Drainage Plan at Figure 3 of the oSWMP [as updated alongside this submission] shows dimensions for the detention basin, accounting for the top area of 1,270 m³. It also shows the bottom area based on the 1.5m top depth (1.2m maximum water level plus 300mm freeboard), and 1:3 side slopes. It should also be noted that the detailed design of the detention basin must be undertaken not only within the Order limits, but also within the area of Work No 6B as shown on the Works Plan [APP-009]. The size of the BESS/Substation area which the calculations and drainage design are based has been prepared on a worst-case scenario based on maximum parameters. Whilst the Applicant has demonstrated in the oSWMP that the drainage design can be prepared within the above parameters, the reality is that the size of the BESS/Substation area will very likely be smaller than that shown, and the design of the drainage area would therefore also be correspondingly smaller. The local planning authorities (in consultation with the LLFA) will be required to approve the detailed design of the drainage area (with detailed supporting calculations) prior to construction. The Applicant considers this provides the necessary control to the local planning authority in relation to the final detailed design.

Our Ref.	Ref.	BBC Comments	Applicant Response
BBC-D5-12	3	[APP-162] oBSMP §1.2.1: rather than stating 'relevant local planning authority', this should be changed to solely state Huntingdonshire District Council. This should also be reflected in [REP3-009] DCO Agreement, Schedule 2, Part 1 (10)(1) and (3).	The Applicant disagrees on the basis that the local planning authority could change during the operational life of the Scheme. The Applicant therefore considers it appropriate that this refers to the 'relevant local planning authority'.
BBC-D5-13	4	oBSMP §1.5.3: this should reflect the commitment made by the Applicant against [REP1-071] Local Impact Report Matters 70 and 71 – "(or any subsequent equivalent standard)".	The Applicant has updated the outline Battery Safety Management Plan [as updated alongside this submission] to make this amendment.
BBC-D5-14	5	oBSMP §1.6.1 to 5: it is unclear why these historic statements are incorporated within the Management Plan.	The Applicant agrees, and has updated the outline Battery Safety Management Plan [as updated alongside this submission] to remove Section 1.6.
BBC-D5-15	6	oBSMP Table 1 (1.5): in-principle, the NFCC Guidance carries no weight and consequently, in discussions the Council has had with the respective Fire & Rescue Services, they do not have the powers and are reluctant to 'approve' any oBSMP or similar. This matter rests with the Applicant.	The Applicant agrees, and has updated the outline Battery Safety Management Plan [as updated alongside this submission] to remove Table 1.
BBC-D5-16	7	oBSMP §2.5.1 and §4.3.4: it is noted that the battery system enclosure and water storage tanks will be mounted onto concrete foundations but there is no reference in [REP3-054] para.2.4 Decommissioning Programme for their removal – this should be updated to reflect the Environmental Statement's commitment accordingly.	The Applicant has updated the outline Decommissioning Environmental Management Plan [as updated alongside this submission] to include reference to foundations at paragraph 2.4.2.

Our Ref.	Ref.	BBC Comments	Applicant Response
BBC-D5-17	8	oBSMP §4.4.1: 'The proposed BESS will have a robust and validated emergency plan, developed in consultation with CFRS'. It is suggested that this commitment is expanded to address environmental matters, namely – 'and the Environment Agency (EA). Where an incident has the potential to affect surface water or groundwater, the Emergency Response Plan (ERP) will include priority notification and escalation procedures for the EA and, where applicable, downstream receptors such as licensed abstractors. All relevant incident response parties, including the EA, the lead local flood authority and the Operator, will be made aware of the ERP and will have immediate access to it. Notification procedures will be activated at the earliest practicable stage of any incident with the potential to affect controlled waters'. Text as set out by third-parties.	The Applicant has updated the outline Battery Safety Management Plan [as updated alongside this submission] to make this amendment to paragraph 4.4.1.
BBC-D5-18	9	oBSMP §4.4.4: 'An Emergency Response Plan will be developed post planning consent to facilitate effective and safe emergency response'. It is suggested that this critical H&S Plan' commitment should be reworded; namely: 'An Emergency Response Plan will be developed by the Applicant in consultation with the necessary statutory authorities and submitted to and approved in writing by Huntingdonshire District Council no later than three-months post planning consent'.	The Applicant does not consider this to be necessary. It is a requirement that the Emergency Response Plan is approved as part of the final BSMP, which must be approved by the relevant local planning authority prior to construction. It is not necessary for this to occur within 3 months post-planning consent, when the relevant matter is that it is approved prior to construction.
BBC-D5-19	10	oBSMP Chp 4.5 (Surface-water run-off) the Applicant made the following statement which should be included within this Chp – 'Isolation will be capable of automatic activation (from the BESS fire alarm system) during an incident, with manual override provided as a secondary	The Applicant confirms that the latest version of the outline Battery Safety Management Plan [as updated alongside this submission] reflects this statement at paragraph 4.5.7.

Our Ref.	Ref.	BBC Comments	Applicant Response
		control. Isolation valves will be designed to operate on a failsafe basis, such that in the event of power loss, system fault or damage during an incident, the default position is closed to maintain containment. Power supply arrangements may include independent or solar-backed systems where appropriate, ensuring that valve operation is resilient and not reliant solely on the primary site power infrastructure. The automatic and manual isolation systems would be subject to regular [as a minimum annually] operational maintenance to ensure the reliability of the firewater isolation system in a flood event. The detail of this maintenance will be included in the detailed Battery Safety Management Plan once the detailed design of the Proposed Development has been completed'. Applicant to review that this strategy is set out in the oBSMP.	
BBC-D5-20	11	oBSMP §4.57: this should be amended as follows (in italics): 'Following a fire event, retained water will be sampled and analysed to confirm whether pollution has occurred, UK accredited labs would be used for water testing. If contaminated (polluted), the water will be removed from site by tanker for treatment at an appropriate offsite facility. If testing confirms that the water is suitable for discharge, it will be released to the local drainage network under controlled conditions, in consultation with the relevant regulators. Where required, an Environmental Permit or other applicable consent will be obtained prior to discharge. No release will occur without prior approval from the relevant regulator, and all actions will be undertaken in accordance with applicable environmental permitting and pollution control legislation. This approach ensures that environmental protection is	The Applicant confirms that the latest version of the outline Battery Safety Management Plan [as updated alongside this submission] reflects this statement at paragraph 4.5.8.

Our Ref.	Ref.	BBC Comments	Applicant Response
		maintained under both normal and emergency conditions'. Text as suggested by third-parties.	
BBC-D5-21	12	As noted by the Host Authorities at the ISH4 (BESS), due to the potential that a BESS fire could be a major incident, they would require that the necessary Battery Storage Management Plan and associated Emergency Response Plan are submitted and approved and that the related facilities/ infrastructure required to enable these plans are constructed and tested PRIOR to any BESS equipment being brought on Site to ensure absolute safety to the surrounding local community. This conditionality may need to be written into the DCO Agreement.	The Applicant confirms that Section 3.1 of the latest version of the outline Battery Safety Management Plan (oBSMP) [as updated alongside this submission] reflects this requirement, and confirms that a Construction Sequencing, Testing and Commissioning Plan will be provided as part of the final BSMP (as described in Appendix B of the oBSMP), The Applicant therefore does not consider it necessary for this commitment to be secured on the face of the draft DCO [ENE010141/DR/3.1].
BBC-D5-22	13	In terms of the [REP3-009] DCO Agreement, Schedule 2, Part 1 (10)(1)(2) – it is unclear why the wording 'to the extent that it is applicable to that phase' is used as in (4) the BSMP is made applicable to all phases. If this reading is correct, then the BSMP should have some address to both the replacement campaigns and to the Decommissioning Phase. Applicant to clarify or address as required.	The updated oBSMP [as updated alongside this submission] confirms that the approved BSMP will apply to the construction, commissioning, operation, maintenance, repair, renewal, replacement and decommissioning of the BESS. It includes specific provisions for reviewing the approved BSMP and Emergency Response Plan before any planned BESS replacement or augmentation campaign and, where necessary, securing approval for amendments before that campaign commences. The final BSMP will also include phase-specific emergency procedures, including procedures applicable to decommissioning, and will operate alongside the approved OEMP and DEMP.
Appendix D: Outline Surface Water Management Plan			
BBC-D5-23	1	The general terminology of the management plan should be one of a stated commitment – 'shall', 'will', 'enact' rather than may, would, 'subject to'; i.e. where the Applicant has given an undertaking against the	The Applicant has reviewed and updated the outline Surface Water Management Plan [as updated alongside this submission] to address this comment to provide certainty around the commitments made.

Our Ref.	Ref.	BBC Comments	Applicant Response
		Environmental Statement or responses these need an absolute statement of mitigation/ delivery/ enactment etc. within the management plan (regarding approach, refer to other management plan reviews regarding the need for SMART management tools).	
BBC-D5-24	2	Figures 1, 2 and 3 have not been provided.	The Applicant notes that BBC requested the Microsoft Word versions of the various management plans for review / comment, which the Applicant provided. The Applicant made clear when issuing these that the supporting appendices and figures could be provided on request, but noting that these are available in the versions of the management plans that have been submitted as PDFs into the Examination and are available in the Examination Library. Figures 1, 2 and 3 have been available for review in the submitted versions of the oSWMP. Annex 1 and 2 have been available for review in the submitted versions of the oSWMP.
BBC-D5-25	3	Annex 1 and 2 have not been provided (refer to other management plan' reviews regarding the need to submit supporting material/ reports which form part of the management plan for Council review).	
BBC-D5-26	4	In Chp 1.1 (Purpose), the Management Plan should refer/ make reference to the commitments made in the Environmental Statement regarding mitigation and enhancement as these commitments are the benchmark against which this MP will be structured, is to be managed, and is to be maintained.	The Applicant notes that the mitigation relied upon by the ES is secured by the relevant management plans. The ES is also a certified document as set out in Schedule 15 of the draft DCO [EN010141/DR/3.1] .
BBC-D5-27	5	Section 1.3 and Chp 2 are a near duplication across all the various management plans but are not required to form the scope of this oSWMP, suggest that this is set out once in the oOEMP to attain absolute clarity across all management plans.	The Applicant respectfully disagrees with this comment. The Applicant considers it important that each management plan sets out its relationship with the other relevant management plans, so that no individual management plan is considered in isolation. The Applicant acknowledges the repetition across Chapter 2, but

Our Ref.	Ref.	BBC Comments	Applicant Response
			does not consider this to be a fundamental issue with the management plans.
BBC-D5-28	6	The oSWMP makes reference to the operational and decommissioning phases but no mention of any works activity related to the replacement campaign. Further, the actual activities set out in Chp5 are unmeasurable and hence un-enforceable – these all need to be SMART (by example, §4.1.8 makes a statement regarding water quality monitoring but does not set out how this is to be undertaken).	The Applicant has reviewed and updated the outline Surface Water Management Plan (oSWMP) [as updated alongside this submission] to address this comment to provide certainty around the commitments made to ensure they are enforceable. In addition, the Applicant has provided clarification at paragraph 1.1.4 of the oSWMP [as updated alongside this submission] around the replacement phase. Paragraph 4.1.8 of the oSWMP [as updated alongside this submission] has been updated to refer to the oCEMP, where the commitment around water quality monitoring has been agreed with the Environment Agency.
BBC-D5-29	7	The proposal to use (§4.1.9) V-shaped ditches to proposed access tracks needs to be read against works damage that may occur to existing habitats; issues relating to topsoil management (as set out in the oSMP); and, issues relating to safe access to PRoW where the Applicant proposes using the PRoW network where such ditches may create hazards to bridleways; et al.	The Applicant has amended and expanded the former ‘V-Shaped Ditches’ sub-section, which is now titled ‘Surface Water Interception and Conveyance’. The revised oSWMP [as updated alongside this submission] no longer sets out V-shaped ditches as the default solution. Instead, paragraph 4.1.9 provides for the selection of an appropriate measure, comprising one or more of a shallow cut-off ditch or swale, a shallow ditch combined with a low bund, a recharge trench where ground conditions permit, or a piped cross-drain. The location and form of each measure will be identified in the final SWMP. The alignment and form of each measure will be reviewed by the Environmental Clerk of Works before installation, in consultation with the Ecological Clerk of Works and soil scientist where relevant. The selected measures will avoid retained habitats, trees and root protection areas, watercourse buffers and existing field drainage unless otherwise permitted by an approved management plan or method statement. Any excavated topsoil

Our Ref.	Ref.	BBC Comments	Applicant Response
			and subsoil will be segregated and reinstated in accordance with the approved SMP. The revised oSWMP [as updated alongside this submission] also sets out that no new open ditch, swale or trench will be located within the usable width of an open PRow or where it would present a hazard to PRow users. The Applicant considers that these amendments address the Council's concerns regarding habitats, soil management and the safety of PRow users.
BBC-D5-30	8	Filter strips (§4.1.10 -11) and silt fencing (§4.1.12) it is unclear if these measures will be removed post construction and if they may be used during the replacement campaign.	The Applicant has updated the oSWMP [as updated alongside this submission]. The provisions for filter strips and silt fencing have been expanded to identify how and when those measures will be installed, inspected, removed and reinstated. The oSWMP [as updated alongside this submission] also now addresses operational repair, renewal and replacement activities. Before those activities begin, the Site Manager and Environmental Clerk of Works will inspect the proposed work area. Where an activity could expose soil, disturb vegetation, concentrate run-off or mobilise sediment or contaminants, the relevant temporary controls will be installed before work begins and retained until the land has been stabilised and reinstated.
BBC-D5-31	9	The Applicant sets out (§4.1.26) Spillage Risk but does not set out the measures of reporting, management, responsibilities, and remediation measures to be undertaken should spillage occur.	The Applicant has updated the oSWMP [as updated alongside this submission] . The Applicant has introduced a new roles and responsibilities section and has expanded the provisions relating to spills and suspected pollution incidents - paragraphs 4.1.35-39 now establish the incident response procedure.
BBC-D5-32	10	The Council raises several concerns regarding §6.2.3 'The access tracks throughout most of the Site will be constructed of permeable compacted stone, except for the	a) The Applicant confirms that the importation of aggregate for access tracks and compounds was assessed in the ES. ES Vol 1 Chapter 9: Traffic and Transport [REP4-012] identifies

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		tracks within and around the BESS and Substation compound and the track along the access route from the Main Site Access at the B645. Tracks internal to the BESS and Substation compounds will be constructed of concrete or asphalt', namely: a) 'permeable compacted stone': the Access Tracks as proposed on [APP-121] Illustrative Environmental Masterplan are extensive across the Scheme – Applicant to confirm that the potential importation of such material was assessed in the Environmental Statement; and, that such material will be removed at decommissioning. b) Main Site Access: Applicant to confirm if this construction and materiality will also apply to the secondary emergence access to the BESS (Ref. [APP-121] Fig. 2-1k); and, that such material will be removed at decommissioning. c) BESS and Substation compounds: for the purposes of clarity, it is assumed that this is the 'impermeable surface' referred to [APP-121] Fig. 2-1k); and, that such material will be removed at decommissioning (statement also applies to §6.5.7) d) It is suggested that these statements and commitments need to then be transferred to the oOEMP and oDEMP.	aggregate delivery as the most intensive period of construction HGV activity. ES Vol 2 Appendix 15-1 Greenhouse Gas Assessment [REP4-021] has accounted for the aggregates in the carbon assessment. The Applicant confirms that the aggregates will be removed at decommissioning, as set out in the oDEMP [as updated alongside this submission], and that the land restored in accordance with the approved SMP. b) The secondary BESS emergency access forms part of the BESS internal access arrangement. The Applicant confirms that these access tracks will be removed at decommissioning, as set out in the oDEMP [as updated alongside this submission], and that the land restored in accordance with the approved SMP. c) This is correct. The Applicant confirms that these access tracks will be removed at decommissioning, as set out in the oDEMP [as updated alongside this submission], and that the land restored in accordance with the approved SMP. d) The Applicant notes these commitments are secured by the oDEMP [as updated alongside this submission]. The outline Waste Management Plan [as updated alongside this submission] also accounts for approximately 30,000 tonnes of aggregate arising from the removal of access tracks or hardstanding during decommissioning.
BBC-D5-33	11	§6.5.2 'the grassland should be established once the solar panels are in place and would be able to prevent scouring along the panel driplines' - two issues arise a) the Applicant should set out a strategy that, should the grassland establishment fail, details what remedial actions will be undertaken; b) the Council has set out in written representations their concerns that there may be scouring	Paragraphs 6.5.2 to 6.5.6 of the oSWMP [as updated alongside this submission] have been revised to provide a specific establishment, monitoring and remediation strategy for grassland beneath the panels and erosion along the panel driplines.

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		along the drip line throughout the Operational Phase – it is unclear if this matter has been addressed by the Applicant.	
BBC-D5-34	12	§6.5.6-7 ‘...impermeable and surface water run-off will be directed towards the adjacent detention basin. In normal operation the basin will allow for the attenuated discharge of surface water run-off into the proposed swale and then into an existing unnamed watercourse’ and §6.5.12 ‘will deliver adequate treatment of the run-off’ - as some of the surface water run-off may be contaminated from maintenance/ industrial activities associated with the BESS, substation, Operations and Maintenance Building, and surrounding compound this water will need to be tested prior to release into the surrounding watercourses, a requirement of the ES, or at least, the Applicant will need to set out a strategy to evidence ‘adequate treatment’ and measures should this fail.	The revised oSWMP [as updated alongside this submission] now distinguishes between routine, uncontaminated rainfall run-off and water known or suspected to have been affected by a fire, spill, leak, maintenance activity or other pollution incident. Paragraphs 6.5.10-13 and 6.5.21-27 address the Council’s concern regarding the treatment and release of surface water run-off from the BESS, Substation, Operations and Maintenance Building and associated impermeable areas.
BBC-D5-35	13	It would assist clarity if the ‘SuDS feature’, ‘basin-swale’, ‘drainage feature’, ‘lagoon (detention basin)’, and ‘BESS and substation retention basin’ were titled consistently across all documentation.	The Applicant has standardised the terminology used in the revised oSWMP [as updated alongside this submission].
BBC-D5-36	14	Table 6 should be set against phases; should address testing regime to ensure compliance; and, should set out measures of habitat, landscape and/or water quality failure should this occur.	The Applicant has updated the oSWMP [as updated alongside this submission] so that the former Table 6 has been revised and renumbered as Table 7. It now identifies, for each drainage feature or control: - the Scheme phase or phases during which the requirement applies; - the inspection, maintenance or testing activity; and

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			the minimum inspection, maintenance or testing frequency.
BBC-D5-37	15	Chp7 'Further guidance provided in this document on construction activities, vehicle access/maintenance, felling and spillage control would also be followed to further ensure pollution control' and 'it is recognised that some areas on site are more vulnerable than others and these may require additional surface water protection measures, including implementing a number of measures in series to ensure adequate treatment' - any such guidance/ measures should be set out in the oSWMP as part of the Examination.	The Applicant has updated the oSWMP [as updated alongside this submission] to remove Section 7, because it duplicated the detailed provisions elsewhere in the oSWMP and restated them using less precise terminology. No substantive mitigation has been removed. The matters previously described generally as "additional" measures at vulnerable locations are now set out as commitments in paragraphs 4.1.30 to 4.1.33. The other matters formerly summarised in Section 7 are now addressed through the detailed construction controls in Section 4.1, the operational drainage and water-quality provisions in Section 6.5 and the phase-specific inspection and maintenance requirements in Table 7.
Appendix E: Outline Construction Environmental Management Plan			
BBC-D5-38	1	§1.1.5: suggest amending text to: 'This oCEMP is a control document that will be certified by the Secretary of State as part of the DCO and implemented via a requirement in Schedule 2 (Part 1, Article 5) of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented, the final CEMP(s) produced for any phase of the Scheme (see paragraph 2.4.6* below for more information) will be in substantial accordance with this oCEMP, and approved by the relevant local planning authority (LPA) before construction commences'. *paragraph as currently numbered in the DCO.	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] accordingly.
BBC-D5-39	2	Section 1.3 and Chp 2 are a near duplication across all the various management plans, suggest that this is set out	The Applicant respectfully disagrees with this comment. The Applicant considers it important that each management plan sets

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		once in the oCEMP and oOEMP to attain absolute clarity across all management plans.	out its relationship with the other relevant management plans, so that no individual management plan is considered in isolation. The Applicant acknowledges the repetition across Chapter 2, but does not consider this to be a fundamental issue with the management plans.
BBC-D5-40	3	Across the oCEMP the use of the word 'temporary' should be redefined as noted elsewhere.	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] to clarify the uses of the word 'temporary'.
BBC-D5-41	4	Chp4: it is suggested that like topics (text in bold blue) are grouped together around certain activities or subjects rather than as currently presented as a random list of activities – this will aid clarity and reading. Further, these topics should have some reference to the Environmental Statement's commitments, mitigation and enhancement measures to control/ manage harm. Most of the text has no reference point against which the topic/ activity can then be measured (this observation would also apply to Tables 5).	The Applicant respectfully disagrees that this is a random list of activities, or that the oCEMP requires restructuring in this regard. Section 4 of the oCEMP [as updated alongside this submission] sets out a series of minimum environmental requirement in relation to general areas of construction, and it is considered standard practice to set these out in such a way within a construction environmental management plan. The Applicant has reviewed the wording through Section 4 to provide certainty around the commitments made in the updated oCEMP [as updated alongside this submission] .
BBC-D5-42	5	Table 5.3 (Great Crested Newts): the Council seeks further clarification on the measures proposed to prevent offences relating to great crested newts and awaited the updated Reasonable Avoidance Measures document	The Applicant notes that the outline Reasonable Avoidance Measures for Great Crested Newts are set out in Section 2.3 of the oCEMP [REP3-048] .
BBC-D5-43	6	Table 5.3 (Bats): the Council consider that insufficient information has been provided to demonstrate how impacts on trees with bat roost potential would be avoided and request further detail on mitigation measures,	The Applicant has updated Table 5.3 of the oCEMP [as updated alongside this submission] to include detail on the approach to trees with bat roost potential. The approach set out was discussed with the Council's ecologists at a meeting in June 2026.

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		including surveys, buffers, timing restrictions and working methods.	
BBC-D5-44	7	Table 5.3 Trees): suggest text amended – ‘Hedgerows to include a minimum 6m buffer, extending beyond this to include the full root protection zone for retained trees where this extends beyond 6m, and excluding any locations where points of widening or crossing points, in which no works (other than landscaping) are to occur excluding points of widening or crossing points, in which no works (other than landscaping) are to occur ’.	The Applicant recognises the intent of BBC’s suggested amendments, and the need to ensure trees are protected from damage or harm that hasn’t been assessed within the ES. However, the Applicant does not consider a blanket exclusion to works within root protection areas to be appropriate, as it is acceptable to undertake such works within the RPA of a tree or hedgerow when undertaken sensitively, and in accordance with an arboricultural method statement, and under the guidance of a qualified arboriculturalist. The Applicant reiterates that trees would be protected during construction in accordance with BS:5837 (as set out in both the oCEMP and the oLEMP).
BBC-D5-45	8	The following appendixes as stated have not been submitted: a) Outline Construction Dust Management and Monitoring Plan b) Ecological Reasonable Avoidance Measures Method Statements c) Unexpected Contamination Protocol [BBC-RR-136] d) Peat Management Plan [BBC-RR-154] e) Control measures for the former oil pipeline [BBC-RR-161]	The Applicant notes that BBC requested the Microsoft Word versions of the various management plans for review / comment, which the Applicant provided. The Applicant made clear when issuing these that the supporting appendices and figures could be provided on request, but noting that these are available in the versions of the management plans that have been submitted as PDFs into the Examination and are available in the Examination Library. The Outline Construction Dust Management and Monitoring Plan and Ecological Reasonable Avoidance Measures have been available for review in the submitted versions of the oCEMP. The Applicant has discussed this matter with the Host Authorities and it has been agreed that all committed documents need not be provided, but that an appendix to the oCEMP should be provided that sets out the additional documents that will accompany the final CEMP, along with a summary of the minimum requirements of that document. The Applicant has

Our Ref.	Ref.	BBC Comments	Applicant Response
			updated the oCEMP [as updated alongside this submission] to provide this additional appendix.
BBC-D5-46	9	General comments across the entire suite of management plans apply to the oCEMP.	The Applicant has reviewed and updated the oCEMP [as updated alongside this submission] to make substantial amendments to increase the clarity, enforceability, and monitoring requirements as suggested by BBC.
Appendix F: Outline Landscape and Ecological Management Plan			
BBC-D5-47	1	§1.1.3: suggest amending to as noted in the oCEMP above.	The Applicant has updated the oLEMP [as updated alongside this submission] to make this amendment.
BBC-D5-48	2	§2.6.4 -5: This section needs some clarification and linking to other measures that are proposed to ensure that the County Wildlife Sites (CWS) adjoining the Site will be protected against the Scheme's impacts.	The Applicant has updated the oLEMP [as updated alongside this submission] to make this amendment.
BBC-D5-49	3	Section 3.4: the Council requests greater detail and clarity regarding buffer distances to retained vegetation, trees and public rights of way (as requested by the Council in various representations to date).	In relation to retained vegetation, the Applicant disagrees as this design buffer is a '<i>minimum of...</i>' - regardless of the RPA of retained hedgerows or trees which across almost all of the scheme is less than 6m. As set out at paragraph 5.2.6 and 5.2.7 of the oLEMP [as updated alongside this submission], vegetation will be protected in accordance with the Arboricultural Assessment unless an arboricultural method statement is provided as part of the final LEMP submitted for approval demonstrating how the work will be undertaken without adversely impacting the tree / hedgerow. An absolute constraint around RPAs is not considered necessary or proportionate when works (e.g. a fencepost) could safely be undertaken within an RPA without harm to the tree. In relation to public rights of way, the Applicant agrees and has updated paragraph 3.4.1 of the oLEMP [as updated alongside

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			this submission] to confirm that the buffer should be taken from the centreline of a PRoW.
BBC-D5-50	4	Section 3.5: this should clearly set out what landscape is provided as mitigation and/or enhancement, and that which is to be instated for BNG purposes so that this can be monitored and enforced accordingly.	The Applicant has updated paragraph 3.5.5 of the oLEMP [as updated alongside this submission] to clarify that Table 1 shows the Biodiversity Net Gain (BNG) habitat categories to which the landscape proposals relate and that will be used as the basis for future monitoring.
BBC-D5-51	5	Section 3.6 and Table 1: the Council requests clarification and justification regarding the proposed Biodiversity Net Gain commitments; habitat classifications and target conditions, including the rationale for targeting woodland in poor condition; clearer identification of grassland habitat types; and, stronger provisions for monitoring and securing BNG outcomes.	The Applicant has updated Section 3.6 and Table 1 of the oLEMP [as updated alongside this submission] to provide greater clarity around the commitments. The Applicant notes that rationale for targeting poor condition was to follow a precautionary approach as part of the assessment, and has updated this accordingly.
BBC-D5-52	6	§3.6.2: suggest amending as follows: 'At the detailed design stage, the Applicant will seek to maximise BNG as far as practicable (as per Design Principle 4.1 secured by the Design Parameters and Principles Statement [EN010141/DR/7.1]). ADD - Whilst maintaining the minimum BNG commitments set out in paragraph 3.6.1. opportunities to increase BNG beyond the committed position will be considered through detailed design, including opportunities to increase watercourse units where practicable. DELETE – remainder.	The Applicant has updated paragraph 3.6.2 of the oLEMP [as updated alongside this submission] in line with comments made by AECOM on behalf of the Host Authorities.
BBC-D5-53	7	§3.6.3: suggest additional text: '...Scheme. ADD - Any deviation from the habitat types, target conditions or timescales identified in Table 1 should be justified and agreed with the relevant local planning authority, with confirmation that the BNG commitments remain	The Applicant has updated the oLEMP [as updated alongside this submission] to make this amendment.

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		achievable. Additional details of the BNG Assessment are provided in the Biodiversity Net Gain Report [EN010153/DR/7.17].	
BBC-D5-54	8	§4.2.1: the Council suggests that the Landscape and Ecological Management Plan Steering Group should be established within six-months of the commencement of the operational phase.	The Applicant has updated the oLEMP [as updated alongside this submission] to make this amendment.
BBC-D5-55	9	§5.3.46: the Council and Cambridgeshire County Council would welcome discussions with the Applicant regarding the proposed measure proposed to address anti-social behaviour. The Council would request entry into a formal agreement outlining the terms, and introduction of a mechanism for ensuring the terms are observed.	The oLEMP [as updated alongside this submission] contains an incident-log, reporting and escalation procedure. Material or repeated incidents must be reported to the relevant authorities, and proportionate responses may include signage, increased inspection, repairs, vegetation management and engagement through the Community Liaison Group. Closure is limited to substantiated repeated behaviour or a serious incident giving rise to unacceptable risk. The Applicant has updated the oLEMP to state that <i>'No permanent closure or material reduction in the network can be implemented without prior written LPA approval following consultation with the highway authority.'</i> The Applicant welcomes continued liaison with the Host Authorities but does not consider a separate agreement necessary when considering the updated measures set out in both the oLEMP and oPROWMP [both as updated alongside this submission].
BBC-D5-56	10	§7.1.3: request whether text could be added to advise that the ongoing height management of hedgerow would be lower than the three metre as set out in this oLEMP and would be in accordance with the prevailing height of hedgerows in the surrounding area.	The Applicant notes that it would be at the discretion of landowners to manage their land following decommissioning of the Scheme.

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BBC-D5-57	11	§8.2.3: request clarification whether monitoring reports are to be submitted to the relevant LPA, or LPAs where monitoring relates to land within both administrative areas, at the stated monitoring intervals. This should be confirmed for consistency and to support long-term oversight of the LEMP and BNG commitments.	The Applicant has updated paragraph 8.1.5 of the oLEMP [as updated alongside this submission] to address this comment.
BBC-D5-58	12	Appendix A: updated appendices and illustrative landscape proposals have not been provided for review and the Council reserves its position pending assessment of the revised material.	The Applicant notes that BBC requested the Microsoft Word versions of the various management plans for review / comment, which the Applicant provided. The Applicant made clear when issuing these that the supporting appendices and figures could be provided on request, but noting that these are available in the versions of the management plans that have been submitted as PDFs into the Examination and are available in the Examination Library. Appendix A has been available for review in the submitted versions of the oLEMP.
BBC-D5-59	13	Appendix C (Outline Farmland Bird Mitigation Strategy): a) The Council comments that this strategy document would benefit from a statement confirming that the oLEMP is a committed document secured through the DCO (Paragraph 1.1). b) The Council seeks clarification and consistency regarding habitat descriptions and terminology (Paragraph 2.2). c) The Council seeks further detail to confirm the linkage between construction phasing and the provision of mitigation habitats, and considers the proposed approach to landscaping implementation to be too open-ended and requests a clear timetable for initial habitat creation and	a) The Applicant has updated Appendix C of the oLEMP [as updated alongside this submission] to make this amendment. b) The Applicant has updated Appendix C of the oLEMP [as updated alongside this submission] to make this amendment. c) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. d) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment.

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		completion of landscaping within each phase (Section 5.2). d) The Council considers that additional detail is required regarding the size and timing of habitat creation areas and states that a table clearly showing expected habitat losses and gains and when these will occur is required and requested by the last deadline (Section 5.2). e) It is suggested that an additional aim relating to the early establishment of mitigation habitats should be included to limit impacts on birds during the construction phase (Table 5.1). f) Finally, the Council notes that, without evidence regarding when habitat creation will occur relative to construction, it is not possible to verify whether the expected changes in conservation status are realistic (Table 7.1).	e) The Applicant has updated Table 5.1 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. f) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment.
BBC-D5-60	14	ISH3 (PRoW) Tree sizes: it is noted that at the ISH3 a question was raised regarding the bought size of all plant material – the Applicant was to revert.	The Applicant provided a response with reference to Hearing Action Point 9 in the Written Summary of Applicant's Oral Submissions at Issue Specific Hearing 3 (ISH3) and Action Points [REP4-110] .
BBC-D5-61	15	ISH3, Table 2 (Permissive Routes) and §5.3.44: the statement that 'The final route, signage, waymarking, surfacing material and widths of proposed permissive paths will be defined in the final LEMP' is in-principle not accepted by the Council. Some basic specification needs to be submitted by the Applicant for the Council to review if these routes contribute to actual access to the countryside, offer safe access, and address Active Travel requirements. The statement that the surfacing will be 'grass' does not address the Council's understanding if	The Applicant updated Table 2 of the oLEMP [as updated alongside this submission] to set out the routes, surfacing material and widths of permissive paths. This is also now set out in the oPROWMP [as updated alongside this submission] .

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		these routes are level, cleared access, or a pathway over rough terrain.	
BBC-D5-62	16	§6.3.7: 'Watering [RC18.1] of planted areas (including woodland and hedgerows) would generally be undertaken....' - there is no quantifiable measure of how much water per plant/ m2 or what events would trigger the need for watering and frequency. Further, as noted by the Council, there are water pressure issues in the surrounding area and consequently the Operator should not rely on the water mains to obtain water.	The Applicant notes this comment however watering will be at the discretion of the landscape manager under the overarching requirement of the LEMP to ensure the successful establishment of the proposed planting. There is no firm commitment provided at paragraphs 6.3.4-7 of the oLEMP [as updated alongside this submission] to undertake any specific quantum of watering to achieve successful establishment, but if it is undertaken, paragraphs 6.3.4-7 set out the approach that will be taken. Any watering undertaken will not draw water from the mains supply, as set out in paragraph 6.3.6 of the oLEMP [as updated alongside this submission] .
BBC-D5-63	17	General comments across the entire suite of management plans apply to the oLEMP.	The Applicant has reviewed and updated the oLEMP [as updated alongside this submission] to make substantial amendments to increase the clarity, enforceability, and monitoring requirements as suggested by BBC.
Review of Technical Note on Replacement Works <i>[The Technical Note on Replacement Works [REP3-075] has been incorporated into the Environmental Statement and is now included as Appendix 2-4: Replacement Works [EN010141/DR/6.2]. Several modifications have been made to the original technical note to incorporate feedback from BBC and other interested parties. References below to the Technical Note on Replacement Works [REP3-075] should be interpreted in light of these changes.]</i>			
BBC-D5-64	1.2.1	While the Council is in broad agreement with the statement made by the Applicant that the impact, and consequently the assessment/ mitigation of Operational (replacement) Phase is less than that of the construction phase, such works/ commitments as required should still be reflected/ set out within the [REP3-052] outline	The Applicant is pleased that the Council is in broad agreement that the works set out by the Applicant in Technical Note on Replacement Works [REP3-075] would result in less impact than the construction phase. The Applicant does not consider that paragraphs 2.6.5-9 of [APP-038] should be transposed into the oOEMP. However,

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		Operational Environmental Management Plan (oOEMP) as works to be undertaken in their own right (by example, the management and maintenance works as provisionally identified in [APP-038] The Scheme, §2.6.5-9 should be transposed into the oOEMP and other relevant Management Plans). Currently this is NOT evident.	Section 2.4 of the oOEMP [as updated alongside this submission] has been substantially updated to make clear the parameters of any routine replacement works and the approach that shall be taken to replacement campaigns of less than 20% of the panels in any one year. The section has also been updated to specify the information that would need to be provided to the relevant LPA in the event that a Major Replacement Campaign was proposed.
BBC-D5-65	1.2.2	The Applicant's statement, as set out in [REP3-075] Technical Note §1.1.6 'to ensure that such works do not give rise to any materially new or materially different environmental effects compared to those identified in the environmental statement', needs to be reflected in the oOEMP with the Applicant setting out a strategy as to how this is monitored, maintained/ managed, and what remedial/ recourse actions are enacted by the Operator should the effect/ harm be identified as being greater or if new effects are identified. Currently this is not addressed.	The oOEMP [as updated alongside this submission] has been updated to reflect the commitment set out at paragraph 1.1.6 of the Technical Note [REP3-075]. It requires any notification relating to the replacement of more than 20% of the solar panels to be accompanied by a Major Replacement Campaign Method Statement and Environmental Review demonstrating that the proposed works would not give rise to any materially new or materially different environmental effects from those identified in the Environmental Statement. Paragraph 3.3.1 of the oOEMP identifies the responsibilities of the operational site team, including responsibility for overseeing and monitoring operational activities such as replacement works. Section 7.0 sets out the monitoring and record-keeping arrangements that will be implemented to demonstrate compliance with the OEMP. In addition, where topic-specific monitoring requirements have been identified, these are set out in the relevant tables within Section 5.0. These monitoring and record-keeping arrangements would apply to replacement campaigns in the same way as to all other operational activities. Where the notification and approval process for a major replacement campaign identifies the need for additional management measures, the measures set out in the Major Replacement Campaign Method Statement and Environmental Review would form part of the approved

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			operational management framework and would be implemented and monitored through the OEMP. The oOEMP [as updated alongside this submission] has also been updated to require the preparation and maintenance of a replacement register so that the LPA can inspect the number and location of panels which have been replaced within any 12 month period.
BBC-D5-66	1.2.3	Secondly, the statement does not address how the Council will be able to monitor and enforce such commitments (with potential financial and/or stop-work penalties). This remains a concern for the Council.	Compliance with the final OEMP would be secured through Requirement 9. Failure to comply with the approved OEMP would therefore constitute a failure to comply with the DCO requirement. As such, the Council would monitor and enforce, as it would in relation to compliance with any Requirement, noting the specific powers provided in Part 8 of the Planning Act 2008 in relation to enforcement.
BBC-D5-67	1.2.4 a) i.	This is a substantial number of PV panels that will need to be removed, stored, and transported on and off site, as well as their replacements being brought to site. This may require the original construction phase compound being reinstated, a series of new satellite compounds being created, former construction phase routes/ tracks being reconstructed. This remains unclear and it would aid understanding if emphatic statements were made in each regard.	Paragraph 2.3.3 of Technical Note [REP3-075] confirms that the construction compounds would not be reinstated, with the laydown area for components between the rows of panels or for other equipment existing hardstanding areas. Paragraph 2.1.2 confirms that there would be no requirement to construct new tracks and accesses, or for ground disturbance. The oOEMP [as updated alongside this submission] has been updated to include a specific section on existing infrastructure, compounds and laydown relating to replacement activities to reflect the position set out in Technical Note [REP3-075] .
BBC-D5-68	1.2.4 a) ii.	It is suggested that there is potentially a not insignificant level of HGV movements generated by the replacement activity. The Applicant has stated that the internal haulage routes from site C to D, and access for the construction	The Applicant has provided an assessment of the traffic impacts associated with the replacement campaign in Section 3.6 of the Technical Note [REP3-075] , with Appendix A setting out how

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		phase, will not be retained during the operational phase. Therefore, details route logistics are required from the Applicant to evidence how panels will be delivered to site C and beyond, and how any new impacts to the highway network as identified during replacement are to be mitigated. The Council notes [REP3-075] 'Appendix A: Proposed operational access strategy plan' but it is unclear whether this is also submitted to illustrate the replacement campaign vehicle activity. If so, it illustrates the considerable traffic generated on the public highways – this should be evidences as being less than that identified during the Construction Phase.	vehicles would be routed during operational activities, including replacement campaigns. The assessment of traffic impact demonstrates that: • delivery of replacement panels to Site D would generate approximately three to seven two-way articulated-HGV movements per day, depending on the number of crews; • internal distribution would generate a maximum of 20 two-way medium goods vehicle movements per day in the most intensive five-crew scenario; • this represents approximately a 1% increase in total traffic through Pertenhall and approximately 0.7% through Great Staughton; and • deliveries passing Great Staughton Primary School would avoid peak and school arrival and departure periods. The conclusion at 3.6.20, which considers the maximum likely trips, sets out <i>"In EIA terms, this is therefore considered to represent a low magnitude of impact. Across the majority of the affected highway network, which is of low or medium sensitivity, the effects of solar panel replacement traffic would therefore be of negligible or minor adverse significance, which is considered to be not significant in EIA terms."</i> Even if a Major Replacement Campaign involving replacement of all panels were proposed, the maximum daily traffic intensity would not necessarily exceed that assessed in the Technical Note. For example, if no more than five crews were deployed within Site A, accessed via Pertenhall, the maximum daily activity would remain at 20 two-way medium goods vehicle movements. The principal difference would be the duration of the works rather than the number of daily movements. On the

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			assumptions used in the Technical Note, replacement of all panels within Site A would take approximately 74 working days. Activity using the relevant access and affecting nearby receptors would therefore remain temporary and limited to that period, rather than continuing throughout the wider Scheme-wide campaign. The precise number of crews deployed would, however, be considered through the approval of the Major Replacement Campaign Method Statement and Environmental Review. Depending on the circumstances prevailing at that time, a greater or lesser number of crews could be approved or preferred by the relevant Local Planning Authority. Any such variation would need to demonstrate that the proposed programme, phasing and traffic arrangements would not give rise to any materially new or materially different environmental effects from those identified in the Environmental Statement, as supplemented by the Technical Note on Replacement Works. Once the planned replacement within Site A had been completed, no further wholesale replacement campaign would be anticipated during the operational life of the Scheme, save for isolated replacements arising from damage, faults or the identified contingency allowance. On this basis the impacts are not considered significant in EIA terms.
BBC-D5-69	1.2.4 b)	While it is acknowledged that this activity may occur every c. 20-years, the works' duration could be between 6 to 19 months (allowing for some flexibility and weather). The latter is not insubstantial and consequently such replacement duration(s) should be acknowledged in its own right by the Applicant, rather than as less than any Construction Phase activity.	Paragraph 2.3.13 of the Technical Note [REP3-075] explains that, for a larger replacement campaign, it is expected that between two and five crews would typically be deployed. This reflects the practical and commercial incentive for the operator to complete necessary replacement works efficiently and restore the optimum generating performance of the Scheme. However, for robustness, the Technical Note considers the full range of between one and five crews. In practice, at least two crews would be required to replace 20% of the panels within a 12-

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			month period; the single-crew scenario is therefore a deliberately conservative sensitivity case rather than the expected delivery model. The oOEMP [as updated alongside this submission] has been updated to include a commitment to use a minimum of two crews in any replacement campaign of up to 20% of panels. The overall duration of a replacement programme should not be considered in isolation from its magnitude and geographical extent. A two-crew scenario would involve ten operatives working at one localised work location within the extensive operational Scheme, with approximately four 18-tonne rigid-vehicle deliveries to the relevant work area each day. It is acknowledged that a lower number of crews would extend the overall programme but would correspondingly reduce the daily workforce, vehicle movements and extent of simultaneous activity. Conversely, deploying additional crews would shorten the programme but increase its daily magnitude of impact. The Technical Note therefore assesses an appropriate range of delivery scenarios rather than assuming that the shortest programme would necessarily result in the lowest environmental effects. Replacement works would also proceed sequentially through defined panel areas. The overall Scheme-wide programme duration should not therefore be equated with the duration of activity experienced at any individual work area, settlement or environmental receptor. Each area would be affected for a materially shorter period than the overall replacement programme as the crews progressed through the Scheme.
BBC-D5-70	1.2.4 c)	This assumes: i. Continuous working not accounting for supply/logistic issues and bad weather: slight	Illustrating a range of crew numbers provides flexibility in the assessment to account for supply/logistical issues and bad weather, as the number of crews could be adjusted to account

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		adjustment/ flexibility therefore allowed for in the above durations. That the major replacement(s) activity will occur as a bulk replacement within a specific localised area of the Scheme (i.e. consolidated activity, disturbance and harm, etc.), rather than say 20% scattered replacement across the entire Site (i.e. fragmented activity, disturbance and harm, etc.). These are two very different scenarios in terms of duration and activity generated and consequently need acknowledgement and address as such within the oOEMP and [APP-162] BSMP.	for periods where there are issues which may affect the programme. Isolated or scattered failures, which would ordinarily constitute routine maintenance involving vans and small numbers of panels, would by their nature result in dispersed activities. However, the oOEMP [as updated alongside this submission] commits to undertaking planned replacement campaigns on a phased and sequential basis as follows: • all active panel-replacement crews will operate within the area served by a single operational Site access on any working day; • each crew will operate within a defined work area and will progress systematically through that area; • completed areas will be cleared and reinstated before crews progress to subsequent areas, so far as reasonably practicable; • unnecessary dispersed or uncoordinated working across the Scheme will be avoided; • the number of accesses and local highway routes affected simultaneously will be minimised; and • the programme will minimise the duration of activity at individual receptors and settlements. Where a major replacement campaign involving more than 20% of the panels within any rolling 12-month period is proposed, the Applicant would be required to submit details of the measures to be implemented to manage that campaign. Those details would include the proposed programme, phasing, work areas, access arrangements and vehicle-routing strategy. The oOEMP [as updated alongside this submission] has been amended to

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			make these matters an express requirement of the notification and approval process.
BBC-D5-71	1.2.4 d)	The assessment and Applicant's statement (and related Management Plans) should also address the very worst-case scenario: i. Worst case scenario: 100% replacement by: ▪ Single crew: (19mx5(20%)) 95months = c.8-years continuous replacement activity. While the EA harm identified may be less than that of the Construction Phase activity, it represents c.3x duration on that of the construction phase (c. 30months/2.5years): this should be acknowledged by the Applicant as a prolonged industrial activity with related disturbance and harm to the local community. ▪ 2No. crew (9.5mx5) = c.4-years. ▪ 3No. crew (6.5mx5) = c.2.7-years. i.e. in the worst-case scenario using 3No. crew the replacement activity is the same duration as the stated Construction Phase. This is not (directly) recognised nor addressed by the Applicant	As set out at paragraph 2.3.8 of the Technical Note [REP3-075], there is unlikely to be a single technical or commercial trigger requiring all solar panels to be replaced at the same point in time. Panel degradation, damage and obsolescence would be expected to arise progressively and to vary across the Scheme. A targeted or rolling programme of replacement is therefore considerably more likely than the wholesale replacement of all panels as a single continuous campaign. The Technical Note therefore assesses the likely and reasonably foreseeable effects of replacing up to 20% of the panels within a rolling 12-month period. The oOEMP, as secured through the requirements of the DCO, establishes the controls applicable to works within that assessed envelope. A campaign involving more than 20% of the panels could not proceed without further approval. Any application for such approval would be required to provide details of the scale, programme, phasing and management of the works and to demonstrate that the campaign would not give rise to materially new or materially different environmental effects from those identified in the Environmental Statement, as supplemented by the Technical Note. The Applicant acknowledges the Council's calculation that, using three crews, the replacement of all panels could theoretically take a similar overall period to the construction phase. Although the Applicant's calculations indicate that with three crews 100% panel replacement would take 549 days, i.e. less than the construction period. Irrespective, this calculation assumes that 100% replacement would be undertaken as a single continuous campaign, which the Applicant does not consider to be a likely or reasonably foreseeable operational scenario.

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			No matter which scenario was followed, any replacement works would be undertaken sequentially within an established operational solar farm, using existing accesses, tracks and infrastructure, and would not involve the ground disturbance, construction of foundations, installation of access tracks or other intensive activities associated with the original construction phase. Activity at any individual work area or receptor would therefore be of a much lower magnitude of effect than assessed for the construction phase. The Council's calculation illustrates that, were a wholesale replacement campaign ever proposed, it could be programmed within a period comparable to, or on the Applicant's calculations shorter than, the construction phase while involving activities of a substantially lower magnitude of impact. Such a campaign would nevertheless fall outside the assessed 20% envelope and could not proceed without the additional approval required by the oOEMP. The purpose of that approval process is to ensure that the detailed campaign remains within the environmental envelope established through the Environmental Statement, rather than to permit materially new or materially different environmental effects to arise without further scrutiny.
BBC-D5-72	1.2.4 e)	The Council evidences its concern above in that the durational impact(s) of any major replacement campaign(s) could be significant, and that these are not addressed by the Applicant. In this regard, the Council's request for an identifiable, coherent and legible Replacement Phase Management Plan to address concerns raised above and in the Host Authority's Local Impact Reports should therefore be given more weight in any further discussions on this matter.	The Applicant is unclear whether the Council is stating that a major replacement campaign could result in significant environmental effects. If so, the Applicant disagrees with this proposition. The oOEMP and related approved plans contain the controls required to manage the replacement of up to 20% of the panels within any rolling 12-month period to avoid significant environmental effects occurring. Any campaign exceeding 20% would require prior approval from the relevant LPA, supported by details of its scale, programme, phasing and management. The details which must be provided as part of the approval process are now set out, and therefore

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			secured, in the oOEMP. Additional campaign-specific measures would be required where necessary to demonstrate that the works would not give rise to materially new or materially different environmental effects from those identified in the Environmental Statement. If this could not be demonstrated, the campaign could not be approved; as such, there would not be significant environmental effects from a replacement campaign. The Applicant has therefore retained the existing management-plan framework but amended the oOEMP [as updated alongside this submission] to clarify the information required for approval of a major replacement campaign.
BBC-D5-73	1.2.4 f)	[APP-038] para 2.7.5 'Decommissioning is expected to take between 12 and 24 months and would be undertaken in phases' – in light of the fact that the number of crews play an absolute role in duration of works, some statement/ clarification regarding duration should be made within the [REP3-054] outline Decommissioning Environmental Management Plan (oDEMP) to evidence that the Decommissioning will occur with the period stated; i.e. 'is expected' should be changed to 'will' to make it an absolute commitment (this matter is also raised by the EXAQ2.1.1).	The Applicant does not consider it necessary or practicable to replace the wording "is expected" with an absolute commitment that all decommissioning works will be completed within 12 to 24 months. Decommissioning may be undertaken in phases, and its detailed programme will depend on matters that cannot reasonably be fixed at this stage, including the sequencing of dismantling works, grid disconnection, waste and recycling arrangements, seasonal environmental constraints and the condition of the Site at that time. Requiring completion within an inflexible period could also increase the magnitude of impact and concurrency of activity, rather than reduce environmental effects. The oDEMP provides the necessary framework to ensure that decommissioning is undertaken acceptably. The Applicant will amend the oDEMP [as updated alongside this submission] to require each final DEMP to include a detailed programme and phasing plan. This will enable the necessary controls to be put in place to ensure that the works do not give rise to any unacceptable effects. Where necessary, this may involve controlling the duration of effects at particular receptor locations, some of which may not exist at present or may change in sensitivity over the intervening 40-year period prior to

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			decommissioning. The Applicant considers the current approach to be reasonable, proportionate and to provide the necessary controls to protect the environment and local community at the decommissioning stage.
BBC-D5-74	1.2.5	Observation 1: at 20% replacement, the single and two-crew options in terms of site activity c/would have a lengthy duration with related local disruption. While recognising that work-resourcing may not be a planning matter, the Council expresses concern regarding the overall duration of activity and asks the Applicant to review their working approach to reduce the duration of the replacement activity (by example stating that in the 20% replacement campaigns they will only use a minimum of three crews, and in the eventuality of more than say 50% replacement, they will only use say a minimum of six crews to in all cases keep the work duration to under 12-months).	As set out above, the Technical Note [REP3-075] assesses a range of crew sizes to provide a robust range of potential effects that could arise. Table 4 identifies the duration of activity associated with each site access, none of which is considered excessive or likely to give rise to unacceptable effects. The relevant mitigation and controls to ensure there are no significant effects on any receptor are secured through the oOEMP [as updated alongside this submission]. It is also important to distinguish the overall duration of a replacement campaign from the period of activity experienced at any individual location. Replacement works would progress sequentially through defined areas, with crews moving on once the panels within each area had been replaced. Activity at any individual access, work area or receptor would therefore occur for a materially shorter period than the overall campaign. Given the assumption that each panel would ordinarily be replaced only once during the 40-year operational period, there would be no need to return to that area for a further planned replacement campaign, other than for routine maintenance or isolated repairs. Nevertheless, the Applicant has agreed to provide greater certainty regarding the duration of planned replacement campaigns. The oOEMP [as updated alongside this submission] has been amended to require a minimum of two crews for any planned replacement campaign, as distinct from ad hoc replacement arising from individual faults or damage. For a major replacement campaign involving more than 20% and up to 50% of the panels within any rolling 12-month period, a minimum of three crews would be required. Where more than

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			50% of the panels are proposed to be replaced within that period, a minimum of five crews would be required. The Applicant reiterates that wholesale replacement of all panels as a single campaign is exceptionally unlikely. However, using five crews, such a campaign could be completed within approximately 285 working days. On this basis, the duration and magnitude of impact of replacement activity would remain within the envelope assessed in the Environmental Statement and Technical Note. The Applicant does not consider it appropriate to commit to a minimum of six crews, as that scenario has not been assessed and could increase the daily magnitude of impact of activity. However, where a major replacement campaign is proposed, the approval process would allow the number of crews to be considered alongside the programme, phasing and other management measures. If a greater number of crews were considered appropriate at that time, this could be secured through the approval of the Major Replacement Campaign Method Statement and Environmental Review.
BBC-D5-75	1.2.6	Observation 2: critical to this calculation is the Applicant's statement that a crew can replace 420panels/ day. The Council strongly suggest that this needs to be evidenced as this is a critical assumption in assessing effect, harm, and mitigation.	As set out in the Technical Note [REP3-075], a panel replacement crew would typically comprise up to five operatives: • three trained panel technicians; • one telehandler or logistics operative; and • one quality or electrical engineer. Working as a coordinated production-line operation, it is the Applicant's experience that an experienced crew could replace up to approximately 420 modules during a full working day. The following process would be undertaken by the team.

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			The telehandler operative would position pallets of replacement modules and empty panel transport racks close to the active working area. This operative would continue to replenish the working area and remove replaced modules while the installation technicians progressed along the row, thereby avoiding significant manual carrying distances or interruptions to the replacement activity. The three installation technicians would operate as a coordinated working unit. Typically, one technician would prepare the next module by releasing its electrical connectors, cable clips and mounting clamps, while the other technicians complete the removal and installation of the preceding module. The existing module would be lifted from the mounting structure and placed directly into an adjacent empty panel transport racks. A replacement module would then be taken from the pre-positioned pallet, placed onto the existing rails or support structure and correctly aligned. The module clamps or fixings would be secured using calibrated torque-controlled tools set in accordance with the mounting-system and module manufacturer's requirements to allow quick installation. The module connectors would then be fully engaged and the cables secured so that they were not under tension and could not contact the ground or become trapped or damaged. The authorised electrical technician or quality supervisor would work alongside the installation team, checking the condition and engagement of connectors. Once a string or defined working block had been completed, the relevant electrical checks would be undertaken, with the completed string or block returned to service in accordance with the approved energisation procedure. The output of approximately 420 modules per day is achievable because the work would be undertaken sequentially along accessible rows using the existing mounting structure and

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			cabling. New automated replacement rigs, which lift and position panels in place are also becoming increasingly common which can further enhance the speed of panel replacement.
BBC-D5-76	1.2.7	Observation 3: the Council notes that the Applicant may be able to significantly reduce HGV activity on the Public Highway, by wherever possible, committing to delivering a full vehicle load (@ 18-tonne) of solar panels etc.; namely (§2.3.16) Vehicle movement (delivery), stated as '18-tonne/ min 210 panels: 2No. deliveries per day' to the compound at site D. At 30kg/panel x 210No. = c.6.5-tonnes. Therefore, a commitment to load the vehicle to full capacity could reduce overall HGV movement to potentially one vehicle/day to supply one crew. The Applicant will need to evidence that the movement of new and old PV panels between sites A, B, C and D are to be in vehicles appropriate for the roads and accesses available at the operational phase, and movements minimised by efficient use to loads.	There appears to be a misunderstanding between the vehicle's gross vehicle weight and its available payload. The 18-tonne figure refers to the vehicle's maximum gross vehicle weight, including the vehicle itself, fuel, driver and load. An 18-tonne rigid curtain-sided vehicle would typically have an available payload of approximately 8–10 tonnes, depending on its specification. The Council's assumption of 30 kg per panel is not consistent with the assumptions used in the ES. Panel weights will vary depending on the technology selected; for example, Appendix 15-1 [APP-116] assumes a bifacial panel weight of approximately 38 kg. At that weight, 210 panels would weigh approximately 8 tonnes. The number of panels that can be carried is also constrained by panel and pallet dimensions, safe stacking limits, axle-load distribution and loading and unloading requirements, rather than payload weight alone. The assumption that an 18-tonne rigid curtain-sided vehicle would carry a minimum of 210 panels is therefore considered reasonable and robust. It would not be appropriate to assume that the vehicle could necessarily carry sufficient panels to reduce the requirement to one delivery per crew per day. Nevertheless, the oOEMP [as updated alongside this submission] has been amended to require vehicle loads to be consolidated and vehicle capacity to be used efficiently, so far as reasonably practicable and consistent with safe loading, product protection and access constraints. This is an appropriate general principle for minimising traffic movements and associated emissions.

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			An 18-tonne rigid curtain-sided vehicle has been specified for the onward movement of panels from the Operations and Maintenance Area in Site D because it is suitable for the proposed rural access routes. Compared with a standard articulated HGV, a rigid vehicle is shorter and more manoeuvrable, with lower swept-path and turning requirements. Vehicles of this type are commonly used for local deliveries on rural and unclassified roads. Their use would therefore reduce the potential for access and manoeuvring difficulties while retaining sufficient capacity to distribute panels efficiently. All movements would remain subject to the routing and access controls set out in the oOEMP [as updated alongside this submission] .
BBC-D5-77	1.2.8 – 1.2.10	Observation 4: (§2.3.19) 'During replacement campaigns, works would be undertaken using a phased and sequential approach. While more than one crew may be operating at any one time, each crew would progress gradually and systematically through defined panel areas rather than working across the whole Site simultaneously'. 1 This approach assumes bulk replacement per sector/ area but does not address the impact and approach if the 20% replacement is fragmented across the entire Site. This would generate more dispersed work activity, and may actually increase vehicle activity across the entire Site and surrounding area to manage the associated logistics. It is suggested that the Applicant assesses accordingly.	Scattered individual faults would ordinarily be addressed through routine maintenance. Where a larger planned campaign involves panels in separate areas / Sites to be replaced, the sequencing and access strategy would be programmed to avoid unnecessary simultaneous activity and unnecessary travel. There would be no rationale to undertake an uncoordinated and distributed approach to replacement campaigns, which would be less efficient and therefore more expensive than a well-organised, sequential approach. Nevertheless, to provide greater certainty, the oOEMP [as updated alongside this submission] has been amended to require replacement crews to work progressively and sequentially within defined work areas in each Site. This would limit the spatial extent of activity at any one time and avoid unnecessary dispersed working and vehicle movements.
BBC-D5-78	1.2.11	Observation 5:	The Applicant considers wholesale replacement of all panels in a single campaign to be extremely unlikely. The Technical Note

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		In light of the fact that the Operational Phase will be 40-years, and during this period circumstances could arise, say force majeure or changing technologies that make the Scheme's infrastructure systems less viable/operational or similar, that requires total replacement, the Applicant should assess the impact of 100% replacement to evidence a strategy for the very worst-case scenario and related potential impact/ harm that this may create to ensure and evidence their statement that in all cases harm identified will be less than the Construction Phase. It is noted that the Applicant states in [REP3-075] §2.3.39 'It is extremely unlikely that the Applicant would replace all battery storage units within the BESS at the same time, or within the same year'. However unlikely, it would be prudent to have measures and a strategy address in place should such an event occur.	[REP3-075] therefore assesses the more likely and reasonably foreseeable scenario of replacing up to 20% of the panels within a rolling 12-month period. Nevertheless, the Applicant recognises that a larger campaign could be required. In those circumstances, as set out above prior approval would be required. As set out in response to paragraph 1.2.5, deployment of five crews could enable a 100% replacement campaign to be completed within approximately 285 working days. However, any campaign exceeding 20% could only proceed where it was demonstrated that the proposed works would not give rise to materially new or materially different environmental effects from those identified in the Environmental Statement. Any necessary campaign-specific management measures would be secured through that approval process. For the BESS, the Technical Note considers the unlikely scenario in which all 96 units are replaced within a single year. This would generate only approximately two two-way HGV movements per day per on the B645 between the A1 and Site D. BESS replacement would remain subject to the controls secured through the BSMP and OEMP. The Applicant therefore considers that an appropriate strategy is already provided through the existing management-plan framework. Notwithstanding, the oOEMP [as updated alongside this submission] has been updated to specify that only a single BESS unit shall be delivered per day during a BESS replacement campaign.
BBC-D5-79	1.2.12	Observation 6: The replacement activity will generate the need for staff welfare facilities - it is assumed that these would already be on site within the Operations Building having been	As set out in paragraph 2.4.1 of Technical Note [REP3-075] the Operations and Maintenance Area in Site D would be used as the primary hub during the operational phase, including for the storage of components, staff welfare, and parking. Paragraph 2.4.6 sets out that there would be no requirement for new

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		delivered in the Construction Phase (Site D). It is assumed that NO satellite facilities, access tracks, and parking will be created for staff during any replacement activity outside those already indicated in [APP-121] Illustrative Environmental Masterplan.	access tracks, or for any vegetation clearance to facilitate access within and around the Site. However, 4.1.34 of the oOEMP [REP4-097] sets out that where maintenance, repair, or other such work is taking place at a distance from the storage, operations and maintenance building it may be necessary to provide temporary facilities for welfare. If so, these will be fit for purpose, and will include toilet facilities and welfare facilities that store foul/wastewater. These will then be collected/emptied by specialist licenced contractors.
BBC-D5-80	1.2.13 – 1.2.20	Observation 7: The Council raises concerns regarding the proposed trigger requiring further approval only where more than 20% of the panels are replaced within a year. It considers that the threshold may be viewed as arbitrary, could potentially be avoided by limiting successive campaigns to 19.99%, and may be difficult for the relevant LPA to verify and enforce without information provided by the operator. The Council is therefore concerned that repeated campaigns below the 20% threshold could occur throughout the operational life of the Scheme without triggering its involvement. While supporting the principle of an approval trigger and recognising the need for operational flexibility, it considers that the trigger should be objectively verifiable, enforceable and linked to the environmental effects assessed in the ES, rather than solely to the proportion of equipment being replaced.	The Applicant does not consider the 20% threshold to be arbitrary. It represents a conservative and objective threshold linked to the replacement scenario assessed in the Technical Note and the nature of effects identified in the Environmental Statement. Importantly, it is not the point below which replacement works would be uncontrolled. All replacement activities would remain subject to the mitigation, monitoring and management measures secured through the OEMP and associated plans. The 20% threshold identifies the scale at which additional engagement with, and approval by, the relevant LPA is considered appropriate. This recognises that a major replacement campaign may take place many years after construction, when the environmental baseline, regulatory requirements and surrounding development context may have changed. Any campaign exceeding the threshold would therefore require further details and assessment to demonstrate that it would not give rise to materially new or materially different environmental effects. The Applicant does not consider that an alternative trigger is necessary. The 20% threshold is clear, capable of being applied

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			in advance and directly related to the replacement scenario assessed. The oOEMP requires the final OEMP and associated management plans to be reviewed and updated periodically to maintain compliance with regulatory requirements and good practice. Monitoring and record-keeping requirements apply to all replacement activities, and relevant records must be made available to the LPA on request. The Applicant therefore considers that campaigns below the threshold would remain appropriately controlled and capable of enforcement. To provide a clear and verifiable basis for applying the threshold, the oOEMP has been amended to require that the number of panels installed at the final commissioning of each phase be recorded, together with auditable records of the number and location of panels subsequently replaced within each rolling 12-month period. This information would be recorded in a Replacement Register, which would be available for inspection by the relevant LPA in accordance with the requirements set out in Section 7 of the oOEMP [as updated alongside this submission]. The oOEMP [as updated alongside this submission] has also been updated to incorporate a number of the Council's suggested changes at paragraph 1.2.20, including greater clarity regarding the information, programme, phasing and management measures to be submitted for approval where a major replacement campaign is proposed. The information that is required to be provided within the Major Replacement Campaign Method Statement and Environmental Review is now specified within the amended oOEMP.
BBC-D5-81	1.2.21	Observation 8:	The Applicant has reviewed and updated the various management plans to make substantial amendments to increase

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		General observation – actions, Applicant's intent, statements etal should be phrased in the Management Plans as an intent (will) rather than as an option (may).	the clarity, enforceability, and monitoring requirements as suggested by BBC. The Applicant has also updated the management plans for the operational phase to provide explicit reference to replacements as part of the operational phase.
Review of outline Public Rights of Way Management Plan			
BBC-D5-82	1.2.3	The four headline points of concern raised by the Council/ Host Authorities regarding the Applicant's current proposals were defined as: a) The Scheme does not maximise the opportunities to facilitate enhancements to the public rights of way and the opportunity to enable/ deliver connections to the local and strategic PRow networks (both as existing and as work-in-progress by the Council as shared with the Applicant in say the Local Impact Report). b) That the same statement above is made in terms of the permissive paths. c) There is a lack of accessibility provided for all forms of Active Travel, and potential limitations to type of user with regard to the permissive paths. d) There are concerns regarding the Applicant's address of anti-social behaviour; what is viewed as priority given to construction traffic with regards to PRowS; approach to diversions and temporary stopping-up; and, the use of PRowS for construction traffic.	The Applicant notes the Council's summary of its four headline concerns but does not accept that it accurately characterises either the Scheme proposals or the applicable policy position. Public rights of way have been considered throughout the identification, design and evolution of the Scheme. The Scheme has been designed to retain all existing PRow during the operational phase, with development setbacks, landscaped corridors and route-specific management measures intended to protect their continued recreational use and amenity. The Applicant has previously explained that the affected network is locally valued but principally comprises local rural connections between roads, farms and settlements. No national trail or promoted long-distance recreational route crosses the Order limits, and there are no nearby country parks, promoted viewpoints or similar destinations indicative of a strategic or nationally important recreational network. This does not diminish the local value of the routes, but it is relevant to the nature and proportion of the enhancement reasonably expected from the Scheme. In addition to retaining the existing network, the Scheme will provide approximately 5.3 km of new permissive access for the operational lifetime of the Scheme. This includes a 2.35km, 4m wide route available for equestrian use between the B660 Kimbolton Road and Green End, Little Staughton, together with

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			additional pedestrian connections and a circular recreational route within Site C. The Applicant therefore does not accept that the Scheme has failed to provide meaningful enhancement to public access or connectivity. The policy requirement in paragraph 2.10.44 of NPS EN-3 is to consider and maximise opportunities for enhancement, taking account, where appropriate, of the views of landowners. It does not require an applicant to provide every conceivable route or to deliver a wider strategic network regardless of landownership, environmental constraints or deliverability. The Applicant is not seeking compulsory acquisition powers over the landowners of Sites A to D. New permissive or permanent access rights over that land cannot therefore be imposed by the Applicant and require the agreement of the relevant landowner. The Applicant has nevertheless considered and explored the additional routes suggested during the Examination. Where agreement and a deliverable route have been identified, the Scheme has been amended accordingly, as demonstrated by the provision of the equestrian connection between the B660 and Green End. Other suggestions are subject to identifiable constraints rather than having been rejected without consideration. For example, the proposed connection across Pertenhall Brook would require landowner agreement, further assessment and a flood risk activity permit from the Environment Agency because the Brook is a main river. Within Site C, the location and extent of public access have been considered with Historic England, and the Applicant has retained a single point of public access from Great Staughton because of the need to protect both Scheme security and the archaeological resource. Further access in that area has also not been agreed by the relevant landowners. Other suggested connections either duplicate existing access, depend upon landowner agreement that has not been obtained, or would not provide the claimed

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			visual compensation because of existing mature boundary vegetation. The Council's wider PRow Vision Route was not an adopted or consulted strategy presented to the Applicant during the pre-application design process. Individual aspirations for additional links were introduced through the Local Impact Report and subsequent Examination submissions, after the Scheme design and Order limits had been established. The Applicant is willing to continue engaging with the Host Authorities and landowners regarding deliverable opportunities, but a developing strategic aspiration cannot retrospectively require the Applicant to deliver routes over land outside its control or demonstrate that the opportunities available to the Scheme have not been appropriately considered. The Applicant also does not accept that there is a general lack of provision for active travel. Walking is itself a form of active travel, and the Scheme additionally provides a substantial route available for equestrian use. The proposed access rights reflect the status of the routes to which the permissive paths connect and the rights agreed with the relevant landowners. Most of the proposed pedestrian routes connect with existing public footpaths. Providing cycle or equestrian access over an isolated permissive section that connects only to routes on which those users have no corresponding legal right would not create a coherent or usable all-mode network. The Applicant has previously explained that consistency must be maintained between the access rights provided on the permissive paths and those available on the connecting PRow network. The permissive paths are intended as rural recreational routes rather than engineered, all-weather active-travel infrastructure. It is not necessary or proportionate for every route to accommodate every category of user or to be constructed to an

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			urban cycleway or mobility-route specification. The final LEMP and PROWMP will nevertheless define the precise alignments, access points, gates, signage, waymarking and any localised surface preparation. Grass-surfaced routes will be maintained as reasonably even and unobstructed routes suitable for their intended access rights in normal seasonal conditions, with rutting, ponding, trip hazards and vegetation encroachment addressed through inspection and corrective-action procedures. The concern regarding antisocial behaviour has also been expressly addressed in the updated outline PROWMP. Incidents associated with the permissive paths will be recorded in an incident log and material or repeated incidents reported to the relevant authorities. Proportionate responses may include additional signage, increased inspection, repairs, vegetation management and engagement through the Community Liaison Group. Closure would be considered only where justified by a substantiated pattern of repeated antisocial behaviour or a serious incident, and no permanent closure or material reduction in the permissive path network may be implemented without the prior written approval of the relevant local planning authority following consultation with the relevant highway authority. The Applicant further rejects the suggestion that priority is given to construction traffic over PROW users. The majority of interfaces involve vehicles crossing a PROW rather than travelling along it. Where it has not been practicable to avoid travelling along a PROW, this is limited to locations where the PROW already follows an established agricultural access track. The alternative of constructing separate parallel tracks would require additional land and materials, would itself create further environmental effects and would be disproportionate given the limited use of the existing tracks.

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			The outline PROWMP establishes a hierarchy under which PROW will remain open with local controls wherever safe and reasonably practicable. Short managed closures will be used only where required for a particular activity, and full temporary closures and diversions only where lesser controls cannot maintain safe passage. Closures and diversions will be limited to the area and period reasonably required and phased to minimise disruption. Route-specific measures include signage, segregation, banksmen, managed crossings, stop-and-hold procedures, inspection and reinstatement. Equestrian and other PROW users will be given priority, with Scheme vehicles stopped and held until users have safely passed. Temporary diversions will not remain in place throughout the whole construction period and their detailed timing, alignment, width and surfacing will be subject to approval through the final PROWMP. The Applicant has not sought to present the permissive paths as mitigation for all effects on existing PROW. Those effects are addressed separately through the Scheme design, the outline PROWMP and the requirements of the draft DCO. The permissive paths constitute an additional recreational benefit, which the Applicant has consistently acknowledged should attract limited positive weight rather than being treated as permanent mitigation. Accordingly, the four headline concerns either have been addressed through the revised management plans or relate to additional strategic betterment which is not necessary to mitigate the effects of the Scheme and is not wholly within the Applicant's control.
BBC-D5-83	1.2.4	The Council referred to [APP-034] Design Approach para5.4.12 where four 'opportunities' were identified by the Applicant, inter alia:	The references in the Design Approach Document [APP-034] to opportunities to upgrade or expand the PROW network recorded matters considered during design development. They did not constitute commitments that every identified opportunity

Our Ref.	Ref.	BBC Comments	Applicant Response
		a) Opportunity to upgrade public footpaths to bridleway status; b) Opportunity to improve public rights of way / expand the public rights of way network across the Site;	would be delivered or that the definitive status of an existing route would necessarily be altered.
BBC-D5-84	1.2.5	Whilst the Council is supportive of [APP-034] Section 5.2 Design Principles, in terms of the ES Aspect of PRowS the Applicant has yet to: a) Evidence how they comply with NPS policy regarding both mitigation and improvements (as underlined above). b) Evidence how they are going to deliver against their Design Approach opportunities as identified by means of a set of detailed, measurable commitments.	The Council's comment does not distinguish between the opportunities identified during the design process and the mitigation and enhancement measures ultimately incorporated into, and secured as part of, the Scheme. The opportunities identified at paragraph 5.4.12 of the Design Approach Document [APP-034] were not commitments that each identified opportunity would necessarily be delivered. They were matters to be investigated through the iterative design process, taking account of landownership, environmental and technical constraints, the existing PRow network and overall deliverability. The Applicant considers that compliance with the relevant provisions of NPS EN-3 has been demonstrated. In relation to mitigation, the Scheme has been designed to retain all existing PRow during the operational phase, without permanent closure or diversion. Where solar infrastructure is proposed on both sides of a PRow, a minimum 10 m offset from the centreline of the definitive route to the solar fence will be maintained on each side, creating a corridor of at least 20 m. During construction, the outline Public Rights of Way Management Plan [as updated alongside this submission] establishes a hierarchy under which routes will remain open with local controls wherever safe and reasonably practicable, with short managed closures or temporary diversions used only where lesser measures cannot maintain safe passage. Any closure or diversion will be limited to the area and period reasonably required. In relation to improvements, paragraph 2.10.44 of NPS EN-3 requires applicants to consider and maximise opportunities for

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			enhancement, taking account, where appropriate, of the views of landowners. It does not require every potential route identified during the design process to be delivered irrespective of landownership or other constraints. This is particularly relevant because the Applicant is not seeking compulsory acquisition powers over the landowners of Sites A to D and cannot impose new permanent or permissive access rights over their land. The Applicant further disagrees that the commitments are not detailed or measurable. The updated oLEMP [as updated alongside this submission] and oPROWMP [as updated alongside this submission] specify, for each permissive path, its route, length, intended access rights, minimum width and outline surface. Pedestrian routes will have a minimum width of 2 m and the equestrian route a minimum width of 4 m. Grass-surfaced routes must be maintained as reasonably even and unobstructed, vegetation must not exceed 150 mm, and rutting, ponding, trip hazards and vegetation encroachment must be addressed through defined inspection and corrective-action procedures. The final LEMP and PROWMP will define the precise alignments, access points, gates, signage, waymarking and any localised surface preparation. The final plans must be approved under Requirements 4 and 11 of the draft DCO [EN010141/DR/3.1] and implemented as approved. Accordingly, the Applicant considers that the Scheme demonstrates compliance with the relevant NPS provisions in respect of both mitigation and enhancement.
BBC-D5-85	1.2.6	As part of the Council's oral representation at ISH3, the Council noted that they had prepared a 'PRoW Vision Route' strategy:	The Applicant notes the Council's aspirations for the creation and enhancement of a wider public rights of way network. However, the PRoW Vision Route strategy was not presented to the Applicant during either the non-statutory consultation

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		a) This strategy illustrated the Host Authorities collective intent to create and/or enhance the countryside network of public rights of ways, bridleways, and contribute to the existing national cycleways, across the local sub-area to facilitate active travel between villages, towns, and towards point of destination. b) The Council acknowledged that the strategy would be delivered as individual, possibly fragmented 'route-links', over the long-term. The Council noted however that they have used this approach to inform <50MW solar farm applications and other applications in bringing forward significant enhancements to the existing PRoW network in the immediate area of this Scheme. c) The Council stated that the strategy needed to address all forms of Active Travel mobility. d) The strategy was submitted to the ExA to demonstrate how this Scheme could deliver improvements, enhancements, and create new links to deliver this broader sub-regional strategy (Strategy attached as Appendix A). A draft of the strategy map was submitted to all Parties at ISH3.	undertaken in 2023 or the subsequent statutory consultation. Nor was the Applicant informed during the pre-application process that such a strategy was being prepared or that the Scheme might be expected to contribute towards its delivery. The strategy was first provided during the Examination, at Deadline 4, after the application proposals and associated mitigation and enhancement measures had been developed and submitted. The Applicant has also not been provided with evidence that the strategy, including the proposed routes affecting land within and beyond the Order limits, has been subject to consultation with the relevant landowners or other affected parties. Its deliverability and the extent to which the proposed links are supported by those parties therefore remain uncertain. The Applicant is necessarily constrained in the access improvements that it can deliver. It may propose new or enhanced public rights of way or permissive routes within the Order limits where it has the necessary land interests and powers. It cannot, however, impose new access rights or deliver routes over land outside the Order limits or outside its control without the agreement and cooperation of the relevant landowners. The Applicant remains willing, post-consent and across the lifetime of the Scheme, to engage constructively with the Council, landowners and other relevant stakeholders regarding opportunities for further proportionate enhancements to the PRoW network, insofar as those opportunities are deliverable and within the Applicant's ability to help secure. In the absence of evidence that the strategy has been formally adopted, consulted upon or demonstrated to be deliverable, and given the late stage at which it was introduced, the Applicant does not consider that it should be afforded material weight in

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			the determination of the application for development consent or provide a basis for requiring further mitigation or enhancement from the Scheme.
BBC-D5-86	1.2.7	The Council noted the Applicant's commitments to permissive paths, but it was suggested that these are currently not secured in the DCO, they are not secured in perpetuity, and consequently should carry limited to no weight.	The Applicant does not agree that the permissive paths are unsecured or should be afforded no weight. The Applicant acknowledges that the routes will not constitute permanent public rights of way and are not secured in perpetuity. They will, however, be provided and maintained throughout the operational lifetime of the Scheme, and their time-limited nature does not prevent them from constituting a positive planning benefit. Work No. 8 of Schedule 1 to the draft DCO [EN010141/DR/3.1] includes the creation of permissive paths, together with associated fencing, gates, boundary treatments, signage, information boards and other supporting works. Table 2 of the oLEMP [as updated alongside this submission] identifies the routes to be provided and confirms that approximately 5.3km of additional permissive access will be provided and maintained for the operational lifetime of the Scheme. Requirement 4 of the draft DCO requires the final LEMP to be in substantial accordance with the outline LEMP, to be approved by the relevant local planning authority and to be implemented as approved and maintained throughout the operation of the relevant part of the Scheme. The delivery and maintenance of the permissive paths are therefore secured through an enforceable requirement of the draft DCO. The Applicant has consistently attributed limited positive weight to the additional recreational opportunities provided by the permissive paths, having regard to their permissive status and duration. It does not, however, accept that a benefit must be

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			secured in perpetuity before it may be afforded positive weight in the planning balance.
BBC-D5-87	1.2.8	In the oral representations the Council asked for absolute clarity regarding approach, technical specification and delivery, legal framework, management and maintenance works, and intent at decommissioning. It was felt that to date the Council did not have sufficient clarity regarding this aspect.	The Applicant has updated the oPROWMP [as updated alongside this submission] to provide clarity on the approval framework, minimum technical standards, route-specific construction arrangements, temporary diversions, surfacing and reinstatement, permissive path specifications, operational maintenance and replacement activities, monitoring and corrective action, and decommissioning.
BBC-D5-88	1.3.1- 1.3.2	Observation 1 (Environmental Statement): the Council notes that it is a requirement of environmental legislation and planning policy that a development should identify harm/ effect of that scheme and then table both a mitigation strategy AND an enhancement strategy to address the identified harm/effect. In [APP-034] Design Approach the Applicant has identified PRoW enhancement opportunities, however to date, neither 1.2.4 (a) nor (b) as underlined have been evidenced. While the Council recognises that it is not practicable for all public rights of way running through the Site to be upgraded to bridleway, the Applicant has not identified a single such opportunity (as intended within [APP-034] para5.4.12).	The Applicant does not agree that it is a legislative or policy requirement to prepare a separate PRoW 'enhancement strategy'. Whilst the Scheme is not delivering any permanent additional dedicated bridleways, the Scheme does include a 2.35km permissive route providing equestrian access through East Park Site B for the operational life of the Scheme. Although this does not permanently change the definitive status of the underlying footpaths, it provides an additional right of access and is a material enhancement for equestrian users during the operational lifetime of the Scheme.
BBC-D5-89	1.3.3- 1.3.4	Observation 2 (Active Travel): embedded in national policy is a requirement to encourage modal shift by making walking, wheeling, and cycling for both abled and non-abled bodies more attractive and more accessible. Local Planning Authorities are actively encouraged to engage with applications to deliver modal shift and create and/or improve a network of routes at various scale. Due	The Applicant acknowledges the importance of walking, wheeling, cycling and equestrian access but does not agree that all proposed routes must be designed as a multi-user strategic active-travel route.

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		to the unique locational extent of this Scheme (circa nine mile east to west) it has the real potential to deliver significant enhancement to the local sub-regional PRow network(s). Further, the Scheme has the potential to upgrade existing PRow and/or deliver new links that may prove a safer route than current PRow links. Numerous suggestions for links and/or improvements (to encourage Active Travel) have been tabled by the Host Authorities but have been refused by the Applicant on the basis of land agreements with the landowners. Consequently, as currently tabled, the Scheme offers no actual physical improvements, link improvements, or alternative links to the existing PRow, as proposed by the Host Authorities. Further, the Scheme makes no commitments to Active Travel.	
BBC-D5-90	1.3.5	Observation 3 (ISH3 - Technical specification): a) As raised at ISH3, no technical specification (regarding PRow widths, materiality, nature of the PRow green corridor; signage/ wayfinding; maintenance and maintenance regime; etc.) has been set out by the Applicant with sufficient clarity to enable a comprehensive understanding by the Council of the PRow mitigation and enhancement measures that the Applicant intends to deliver across the PRow network affected by the Scheme. Such a specification is required to monitor construction delivery, management and maintenance, and enforcement against an agreed common standard or document. b) As asked at ISH3, the Council has successfully applied Decision Notice Conditions to set out design standards regarding PRow; namely:	The Applicant has updated the oPROWMP [as updated alongside this submission] which now sets out commitments around technical standards at paragraphs 5.1.11-14. This confirms the final PROWMP must contain a schedule identifying the lawful user group, width, existing surface and condition, surfacing, fencing, drainage, signage, crossings, route furniture and reinstatement standard. The final PROWMP must be submitted to the relevant local planning authority for approval, in consultation with the local highway authority, prior to construction of the Scheme.

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		▪ Paths should be multi-user routes (pedestrians, cyclists, and bridleway) and have a minimum width of three metres (pedestrians, cyclists)/ four metres (bridleway). ▪ There should be a one metre green space either side of the routes. Vegetation must not be allowed to encroach on the paths. ▪ Landscape management and maintenance details should be provided. ▪ '...a minimum three-metres-wide footpath surface (compacted hoggins)...and the installation of timber wayfinding posts/ boards...' and '...proposed green corridors...minimum of three cuts of the grass footpath surface'; etc. c) As stated at ISH3, the three Host Authorities do have PRow technical design specifications, but would defer to Cambridgeshire County Council's adopted Active Travel Design Guide(March 2023) as this is the most comprehensive. d) While it is recognised that it is not practicable for all PRowS through the Site to be enhanced and/or upgraded to bridleway status (as stated in [APP 034] Para 5.4.12), currently the Applicant has not committed to any enhancements that would address the requirements of the technical design specifications; i.e. the PRowS will retain their current status quo.	
BBC-D5-91	1.3.6-1.3.7	Observation 4 (Permissive Paths - Technical specification): whilst the Council is supportive of the provision of permissive paths across the Site, an in-principle concern is raised that these are not retained in perpetuity and have limited to no physical improvement to	The Applicant acknowledges that the permissive paths will not be dedicated as permanent public rights of way or retained in perpetuity. They will, however, comprise approximately 5.3 km of additional public access and will be provided and maintained throughout the operational lifetime of the Scheme. Their time-

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		their surfacing and the green corridor within which they are provided. They do not deliver any Active Travel enhancements. [REP3-056] Table 2 (Permissive Routes) and §5.3.44: the statement that 'The final route, signage, waymarking, surfacing material and widths of proposed permissive paths will be defined in the final LEMP' is in-principle not accepted by the Council. Some basic specification needs to be submitted by the Applicant for the Council to review if these routes contribute to actual access to the countryside, offer safe access, and address Active Travel requirements. The statement that the surfacing will be 'grass' does not address the Council's understanding if these routes are to be level, cleared access, or a pathway over rough terrain. Currently the Application gives no technical specification of the permissive paths (other than as stated in Work No. 8). In contract, EN010170 Green Hill NSIP DCO (March 26) the permissive paths are SPECIFICALLY defined: Work No. 10a— creation of permissive paths for the exclusive use of pedestrian users comprising: a) Ramps, bridges and other means of access; b) Fencing, gates, boundary treatment and other means of enclosure; c) Signs, interpretation boards or any other information display board; and, d) Landscaping and biodiversity mitigation and enhancement measures including planting. Further, within Green Hill NSIP there is SPECIFIC reference in the DCO to 'PRoW AND PERMISSIVE Paths	limited and permissive status does not mean that they are unsecured or that they provide no planning benefit. BBC's comparison with the (draft) Green Hill Solar Farm DCO does not identify a material deficiency in the drafting of the East Park draft DCO [EN010141/DR/3.1]. The works quoted by BBC from Green Hill are already included within Work No. 8 in the draft DCO [EN010141/DR/3.1]. The Scheme adopts a different but equally effective securing mechanism, under which the routes and associated landscape works are delivered and maintained through the approved LEMP, while the final PROWMP provides the associated access-management, signage, waymarking, inspection and corrective-action arrangements. It is not necessary for the title of Requirement 11 separately to refer to permissive paths where their delivery and maintenance are already secured through Work No. 8 and Requirement 4 of the draft DCO [EN010141/DR/3.1]. The Applicant considers that the permissive paths are appropriately defined, secured and capable of being maintained as safe and usable rural access routes. The Applicant has consistently acknowledged that, because the routes are permissive and limited to the operational lifetime of the Scheme, the additional recreational benefit should attract limited positive weight. It does not accept, however, that the routes are unsecured or should be afforded no weight.

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		Management Plan (vs East Park Energy DCO Schedule 2 Part 1 Requirement 11).	
BBC-D5-92	1.3.11	Observation 5 (Betterment): with regards to [APP-034] Design Approach para5.4.12 'Opportunity to improve public rights of way / expand the public rights of way network across the Site' the Applicant suggests opportunities to improve/ enhance the existing PRoW network. In this regard, the Applicant will need to: a) Undertake a Conditions Survey of the affected PRoW stating existing condition (width, surfacing material, nature of green corridor, etc.) (It is noted that the ExA asked if this had been undertaken at ISH3). b) Apply for a Public Path Order under the Highways Act (1980) to register the change in materiality of the PRoW and/or changing the routes status (e.g. from Footpath to Bridleway). c) It is suggested that the existing condition and suggested changes should be reflected in [REP3-058] Table 1 'PRoW within Order limits'. At present the table states the 'interaction' with the PRoW, but then does not set out remedial works/ enhancements that will be undertaken against each PRoW. d) In this regard, the statement made in (Surfacing and reinstatement of PRoW) para 5.1.6 'Where the implementation of the final PROWMP requires any temporary or permanent change to the surfacing of a public right of way (including, but not limited to, temporary surface protection, temporary surfacing to facilitate a diversion, surface strengthening where a PRoW is used as a construction access route, and reinstatement	The updated oPROWMP [as updated alongside this submission] now requires a pre-work condition survey before Scheme works or traffic first directly affect a PRoW. The survey will record the route alignment, width, surface, drainage, rutting, ponding, vegetation encroachment, gates, stiles, signs, waymarking and route furniture, supported by dated photographs. A post-work survey must also be completed, with Scheme attributable damage repaired so that the route is returned to no worse than its pre-work functional condition, or to any agreed betterment specification. A Public Path Order is not required for temporary surfacing, strengthening or reinstatement is undertaken. No permanent alteration to the legal alignment or status of a statutory PRoW is proposed. If such a legal change were proposed in future, the applicable statutory process would need to be followed. Table 1 of the oPROWMP is intended to identify construction interactions, rather than set out remedial works/enhancements. The oPROWMP [as updated alongside this submission] sets out at paragraphs 5.1.11-14 that the final PROWMP must contain a schedule identifying for each PRoW, the lawful user group, width, existing surface and condition, surfacing, fencing, drainage, signage, crossings, route furniture and reinstatement standard.

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		following trenching/crossings), the final PROWMP submitted pursuant to Requirement 11 must include full details of such surfacing works' that this will only be set out, discussed, and concluded within the final PROWMP is not acceptable to the Council – such matters should be resolved within the Examination to evidence the Applicant's Design Principles' intent. e) The Applicant within Table 1 identifies 'No direct impact on PROW' but does not use the table to suggest opportunities for enhancement (as indicated by their Design Principles). (strikethrough suggested by Council) f) Betterment for each specific PROW should be explicitly detailed in the [REP3-009] DCO Agreement Schedule 6. Currently Schedule 6 Part 1 states the effect ('Temporary management including temporary closure over the public right of way comprising a length of 15m at the point marked 1 on sheet 1 of the streets, public rights of way and access plans') but does not state the betterment which should be recorded.	
BBC-D5-93	1.3.12-1.3.13	Observation 6 (Corridor widths): [APP-034] Design Approach para5.4.74 'The Applicant has designed the Scheme to retain all existing public rights of way within the Order limits throughout the operational [and decommissioning] phase. All public rights of way will have a minimum 10m buffer between the centreline of the definitive right of way alignment and the solar fenceline either side, and such will be sat within minimum 20m wide corridors that will include grasslands, hedgerows, trees and woodland planting. The Applicant considered narrower and wider corridors as part of the design process, but concluded that 20m wide corridors were generally the right balance for efficiency of land use, whilst	The statutory definitive PROW width, the fenceline offset and the wider landscape treatment serve different purposes. The definitive alignment, legal status and width of each PROW will remain unchanged. The Scheme layout will maintain a minimum 10m offset between the solar fenceline and PROWs, while planting must not encroach upon the definitive route, obstruct access or unreasonably restrict visibility at crossings or intersections. Following decommissioning, the statutory PROW network will remain and the Scheme will be removed. Proposed woodland,

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		protecting amenity as far as possible. The final proposals for the landscape design of these corridors will be in substantial accordance with the Indicative Landscape Proposals shown in the outline Landscape and Ecological Management Plan [EN010141/DR/7.7]. This broad commitment is welcomed but should be read in conjunctions with say: a) The nature and width of the existing PRow corridor (in some cases these may not be 20m wide); b) How such proposed changes, if made, will affect the intrinsic nature and character setting of the existing PRow as assessed within the Environmental Statement; and, c) Understanding if this 20m wide corridor will be retained in perpetuity, or be reduced to the current width post decommissioning of the Scheme. d) Differentiation is required on all PRow as to which will and which will not provide 20m width from the centre line by the Applicant. It is unclear why certain technical specifications and maintenance regimes regarding the PRow are set out in the [REP3-056] oLEMP (§6.3.11-16 ; 6.4.14-16) but not within the oPRowMP – it is suggested that the aspect of PRow is consolidated into one management plan to provide clarity and reference.	hedgerows and individual trees are intended to be retained and handed back to landowners. Detailed planting, habitat establishment and landscape management remain in the LEMP because that is the plan through which those matters are implemented and monitored.
BBC-D5-94	1.3.14	Observation 7 (Green Lanes): [APP-034] Design Approach para5.4.75 'In accordance with the objectives of the local green infrastructure strategies and the landscape management guidelines, where these routes pass through the Scheme the Applicant is proposing to make them 'green lanes' that will function not only for recreational	The oLEMP defines the 'green lane' concept as a PRow within an open 20 m landscape corridor bounded by hedgerows and woodland blocks for visual screening, landscape integration and habitat connectivity. The relevant landscape proposals are

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		access, but also as wildlife corridors improving habitat connectivity and ecosystem benefits'. To date no details have been given as to which PRow and how many PRow are to be made "green lanes" and the nature of their technical specification.	shown on the Illustrative Landscape Proposals at Appendix A of the oLEMP [as updated alongside this submission] . 'Green lane' is used a landscape and ecological description and does not alter the legal status, lawful user group, alignment or definitive width of the PRow and does not itself require a change to the existing route surface.
BBC-D5-95	1.3.15	Observation 8 (Maintenance): [APP-034] para5.4.78 'The surfacing and landscaping of the public rights of way will be managed throughout the lifetime of the Scheme in accordance with the outline Landscape and Ecological Management Plan'. In order for the Council to review maintenance is adhered to, the Conditions Survey and technical specification is required in order to create a benchmark for any enforcement.	The Applicant has updated the oPROWMP [as updated alongside this submission] to require pre-work and post-work condition surveys, dated photographic records, defined technical standards, repair of Scheme-attributable damage and retention of survey, repair and sign-off records. Operational inspections must take place at least quarterly and additionally following maintenance, replacement activity, severe weather, user reports or incidents. Defects must be recorded together with the action required, responsible party and target timescale.
BBC-D5-96	1.3.16	Observation 9 (ISH3 - Early planting): as raised in oral representation at ISH3, the Council noted the Applicant's strategy of extensive planting to the affected PRow network to screen and/or frame views of the Scheme. A concern raised at the Hearing was to do with address of failure of this landscape to establish and grow to the heights assessed in the LVIA. A review of the [REP3-056] oLEMP (say §6.5.3) suggests replacement, but such a strategy will need far greater clarity (i.e. SMART) to assure the Council that the assessed harm to the PROWs will be mitigated.	The Applicant has updated the oLEMP [as updated alongside this submission] to address this concern. During the five-year establishment period, planting will be inspected annually in September, with all dead, dying or diseased stock replaced with stock of a similar size and species during the following November to February planting period. The oLEMP also requires weed control, checks of guards and ties, drought inspections and watering where necessary. Maintenance and Monitoring Reports will be submitted to the relevant local planning authorities annually during operational years 1 to 5, at year 10 and every fifth year thereafter. Where the planting is not achieving the aims of the final LEMP, the

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			Landscape Manager must identify and implement appropriate changes, including altered maintenance, replanting or other remedial measures. The Applicant therefore considers that the updated oLEMP provides a specific, measurable and enforceable framework to identify establishment failure promptly and secure corrective action. The final LEMP will be approved and maintained pursuant to Requirement 4 of the draft DCO [EN010141/DR/3.1].
BBC-D5-97	1.3.17	Observation 10 (Temporary closure and diversions): in terms of EN3 §2.10.33 ('to ensure continued recreational use of public rights of way'), it is noted that: a) Temporary closure, restriction or prohibition of use of Public Rights of Way: temporary closures should be applied for to the Local Highway Authority (LHA) under Section 14 Road Traffic Regulation Act 1984. The Operator must not temporarily close, prohibit the use of, restrict the use of, authorise the use of, alter or divert any public right of way without first consulting and attaining the written approval of the LHA. b) The Operator will need authorisation from the LHA to alter the surface of a PRoW. c) The LHA will require details of what works are required to the surface and why, precise lengths and widths of those PROW that are affected, (which need to be shown on an annotated plan) and subsequent restoration remedial works. The LHA will need confirmation of a suitable alternative available route to be provided whilst the closure is effective. The LHA will need a	The Applicant has updated the oPROWMP [as updated alongside this submission] to establish: • a hierarchy under which closure or diversion is used only where lesser controls cannot maintain safety; • limits on the area and duration of any closure or diversion; • daily inspection of routes and temporary controls; • minimum widths and condition standards for diversions; • pre-work and post-work condition surveys; • detailed requirements for surfacing, installation and reinstatement; • signage and wayfinding requirements; • route-specific indicative diversion drawings for the longitudinally affected PRoWs; and • advance notification to PRoW users, landowners, relevant authorities and other stakeholders. The Applicant does not agree that a separate section 14 Road Traffic Regulation Act 1984 procedure is invariably required.

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		comprehensive timescale for any proposed closure to allow stakeholders to be advised. d) If any PRoW to be used as a temporary access route has received authorisation from the LHA, the Operator must commit to restoring the PRoW to the reasonable satisfaction of the LHA. e) Currently as tabled, the oPRoWMP does not provide clarity with regards to how engagement with the LHA will be undertaken on such matters.	Article 15 of the draft DCO provides a project-specific statutory power to close, restrict, alter, divert and authorise use of PRoWs. For routes identified in Schedule 6, article 15 requires consultation with the street authority. For any other route, street-authority consent is required. Requirement 11 also requires the final PROWMP to be approved by the local planning authority in consultation with the relevant highway authority.
BBC-D5-98	1.3.18	Observation 11 (Vehicle traffic): as stated throughout representations made by the Council, the Council is in-principle NOT supportive of the Operator using the PRoWs for construction, operational, and maintenance vehicle traffic due to concerns regarding: a) General user safety (the Council has set out concerns within their representations regarding banksmen, visibility restricted by hedgerows, ditches adjacent to PRoW, Bridleway safety, etc.). These need far greater clarity and assurances than currently tabled within the oPRoWMP. b) It is noted that transversing (i.e. perpendicular) a PRoW to facilitate cross vehicle movement and/or the of laying of the cable across the PRoW is acknowledged by the Council as being a requirement to enable delivery of the Scheme. There is no object to this on the basis that acceptable safety measures are put in place by the Operator. c) However, when the PRoW is used as an access route for Scheme vehicles movement that the Council raises significant concern and a position of not supportive as it is suggested that alternative routes could be explored by the	The Applicant disagrees with BBC's in-principle position that PRoW cannot be used by motor vehicles. Paragraphs 2.10.40-45 of NPS EN-3 (2024 version) recognise that solar development may affect PRoWs and that routes may need to be temporarily closed or diverted to enable construction, but expresses a clear preference towards keeping PRoW open during construction, as far as is practicable and safe, in accordance with a public rights of way management plan. This is the approach the Applicant has taken, ensuring that PRoW remain open and safe where practicable, with temporary diversions where necessary. The mitigation measures set out by the Applicant are set out in the outline Public Rights of Way Management Plan [as updated alongside this submission] and include: • temporary fenced diversions where vehicles travel along Pertenhall 29, Bolnhurst and Keysoe 37, Little Staughton 4, Hail Weston 112/7 and Hail Weston 112/8; • route-specific banksman triggers at Pertenhall 2, Pertenhall 26 and Bolnhurst and Keysoe 40;

Our Ref.	Ref.	BBC Comments	Applicant Response
		Applicant. To date no alternative routes have been tabled by the Applicant. d) These matters remain of significant concern. In this regard the Applicant has to date not tabled alternative access routes to enable construction et al traffic that excluded use of the PRoW. e) Structural integrity: a PRoW is not suitable for construction traffic without major structural alteration, work's closure to complete such, and long-term monitoring being put in place. This has not been addressed by the Applicant.	- equestrian priority, stop-and-hold controls and defined separation distances; - give-way signage at every Scheme vehicle crossing; - pre-work and post-work condition surveys; - detailed approval of surface strengthening and reinstatement; and - daily inspection of affected routes and temporary controls. The use of PRoW by motor vehicles on this Scheme has been shown to be necessary, and is limited to PRoW which are made tracks already used by agricultural vehicles, including as construction access for existing solar development (at Site A). An in-principle position against the use of motor vehicles on PRoW is neither reasonable, proportionate or supported by national policy.
BBC-D5-99	1.3.19	Observation 12 (Decommissioning Phase): the oPROWMP should address the following matters: a) [APP-158] oDEMP para2.4.2 'The Site will be returned to a condition suitable for return to its original use after decommissioning' - if a route has been upgraded in status, width, or surfacing through the DCO then the Council request that such routes are not returned to their original state. b) Equally, if changes to the surface of a PRoW are required at decommissioning, then this will be subject to S131A Highways Act (1980) whereby the Operator will require authorisation from the LHA to alter the surface and make remedial repairs.	The Applicant has updated the oPROWMP [as updated alongside this submission] to include a new section on decommissioning.

Our Ref.	Ref.	BBC Comments	Applicant Response
		c) In all cases, the Operator will need to undertake a Conditions Survey to evidence to the LHA that the PRowS are the same, or a betterment of the PRow, as surveyed at the inception of the Construction Phase. d) Para 4.1.17 'Where Public Rights of Way (PRow) cross the Site or interact with decommissioning access routes they will be suitably managed to protect the public. Management of PRow is likely to involve the use of mesh fencing or Heras fencing as appropriate in order to clearly demarcate and separate PRow from decommissioning traffic and activities. Where necessary, banksmen would be utilised where decommissioning traffic is required to cross a PRow' - the Operator will be required to table a Decommissioning Phase PRowMP for the written approval of the LHA prior to undertaking decommissioning works. This is essential to ensure public user safety. This MP will need to address inter alia, what works are required to the surface, precise lengths and widths that are affected, subsequent restoration remedial works, and timescale for any proposed closure to allow stakeholders to be advised. e) The Operator is required to contact the LHA as we will require details of what works are required to the surface and why, precise lengths and widths that are affected, and subsequent restoration remedial works. We will need a comprehensive timescale for any proposed closure to allow stakeholders to be advised. f) This process is not set out in the oPRowMP.	

Our Ref.	Ref.	BBC Comments	Applicant Response
BBC-D5-100	1.3.20	Observation 13 ([REP3-058] general): a) General safety of PRoW users (§6.16.3, 6.17.3, 6.17.6, 6.18.3, 6.19.3): the Council is supportive of the introduction of proposed warning signage for Scheme vehicles approaching crossing points over, alongside, and/or on* PRoW (Footpaths and Bridleways). However, give-way markings should also be provided to ensure that vehicles are encouraged to come to a complete stop before affecting the PRoW. This is particularly relevant if there are locations where visibility of potential PRoW users is restricted meaning drivers are unable to make a judgement on whether or not it is safe to cross the PRoW without first coming to a halt; where there is potential for horse flight; etc. b) Operational hours (§6.17.7 and 6.18.4): use of e.g. Bridleway 112/7 and Footpath 112/8 'outside of construction hours' - permitting Scheme use of the PRoW at different times of the day risks confusion for operatives and PRoW users with related implied safety concerns*. * However, as noted in the Council's [REP1-071] Local Impact Report, in-principle, the use of PRoW's for Scheme vehicle traffic is NOT supported. c) Diversion (§6.18.1 and 6.18.2): it is unclear why a temporary PRoW diversion is required (para 6.18.2) when in para 6.18.1 it is stated that construction phase traffic will have no direct impact on Footpath 112/8. d) Defects (§7.1.5): Chp 7 in general does not address the planning requirement under which the Operator will be required to rectify defects on the affected PROW during all phase of the development caused by the Scheme's activity. This requirement should be expanded to include a	a) Paragraph 5.1.20 of the oPROWMP [as updated alongside this submission] now requires signs at every vehicle crossing to inform drivers that they must give way to PRoW users. b) No Scheme vehicle movements will take place along the affected PRoW outside approved working hours unless approved through the applicable CEMP and PROWMP procedures. The Applicant has updated the relevant paragraphs of the oPROWMP [as updated alongside this submission] to set out that outside of construction hours, either the diversionary route or the existing PRoW can be used by PRoW users. c) The Applicant has updated the oPROWMP [as updated alongside this submission] to correct this inconsistency. d) The updated oPROWMP [as updated alongside this submission] requires pre-work and post-work condition surveys, repair of Scheme attributable damage, immediate make-safe action for safety defects, identification of responsible parties and target completion dates, and retention of inspection and corrective-action records. e) The Applicant has updated the oPROWMP [as updated alongside this submission]. f) The PROWMP [as updated alongside this submission] contains an incident-log, reporting and escalation procedure. Material or repeated incidents must be reported to the relevant authorities, and proportionate responses may include signage, increased inspection, repairs, vegetation management and engagement through the Community Liaison Group. Closure is limited to substantiated repeated behaviour or a serious incident giving rise to unacceptable risk. The Applicant has updated the oLEMP to state that <i>'No permanent closure or material reduction</i>

Our Ref.	Ref.	BBC Comments	Applicant Response
		Conditions Survey, that details the completion of defect repairs within the Operator's control where not unreasonably requested by the local highway authority. e) Closure (§7.1.16): any temporary closures or diversions to public rights of way - refer to Observation 10. f) §7.2.4: the Host Authorities (as LHA) would welcome discussions with the Applicant about the proposed steps with regard to protecting the permissive access paths in the event of anti-social behaviour. They would request entry into a formal agreement outlining the terms, and introduction of a mechanism for ensuring the terms are observed. This comment also applies to paras 5.3.45 and 5.3.46 of the oLEMP [REP3-057].	<i>in the network can be implemented without prior written LPA approval following consultation with the highway authority.'</i> The Applicant welcomes continued liaison with the Host Authorities but does not consider a separate agreement necessary when considering the updated measures set out in the oPROWMP [both as updated alongside this submission].
BBC-D5-101	1.3.21	Observation 14: in terms of all Management Plans these should address and be structured along the lines of/ be: Specific; Measurable; Achievable; Relevant; Time-bound: i.e. SMART. Currently this universal management approach/ tool is not evident.	The Applicant has reviewed and updated the outline Public Rights of Way Management Plan [as updated alongside this submission] to address this comment to provide certainty around the commitments made.
	1.3.22	Observation 15 (DCO Agreement): the DCO Agreement should reflect the changes made to the PRow and address of permissive paths as noted above.	The draft DCO [EN010141/DR/3.1] authorises works to existing PRow's, the creation of permissive paths, fencing, gates, signage, information boards and benches through Work No. 8. Requirement 4 secures the LEMP, while Requirement 11 secures the PROWMP. Article 15 and Schedule 6 provide the statutory powers and controls for temporary closure, diversion, restriction and vehicular use.
Outline Soil Management Plan			
BBC-D5-102	1.2.1	Observation 1: in terms of all Management Plans these should address and be structured along the lines of/ be:	The Applicant has reviewed and updated the outline Soil Management Plan [as updated alongside this submission] to

Our Ref.	Ref.	BBC Comments	Applicant Response
		Specific; Measurable; Achievable; Relevant; Time-bound: i.e. SMART. Currently this universal management approach/ tool is not evident.	address this comment to provide certainty around the commitments made. The Applicant does not consider that each management plan must be reformatted as a separate SMART schedule.
BBC-D5-103	1.2.2	Observation 2: the Soil Management Plan (SMP) needs to be both a 40-year 'live' workable document for the Operator on site in order to secure the objectives as assessed in the Environmental Statement; enable clear commitments to the management and maintenance of the soil; and, the SMP needs to be framed within the planning requirements of the NPS EN-1 (ALC) to enable monitoring and enforcement of such requirements over the duration of the Schemes, including ALC commitments made regarding post-decommissioning. It is suggested that the SMP is light in these matters; i.e. it lacks a strong frame of reference.	The oSMP is an outline control document which establishes the minimum principles and requirements with which the phase-specific final SMPs must substantially accord. The final SMP approved for each phase will apply throughout that phase, including, in the case of the operational phase, routine maintenance, repair, renewal and replacement activities. The updated oSMP [as updated alongside this submission] now addresses the construction, operational and decommissioning phases, together with post-decommissioning monitoring. It defines the responsible roles for each phase, establishes the objective of returning affected agricultural land to its pre-construction ALC grade, provides for operational soil monitoring and corrective action, and requires decommissioning surveys, aftercare and post-decommissioning monitoring.
BBC-D5-104	1.2.4	Observation 4: '(1) No phase of the authorised development may commence until a soil management plan for that phase has been submitted to and approved by the local planning authority in consultation with Environment Agency'. It is noted that this commitment is not set out against each phase in Chp 5 'Soil management by project phase' of the Management Plan. In some cases, surveys may need to be undertaken in the previous phase to inform the preparation of the next phase's Soil Management Plan.	Paragraphs 1.1.2 and 9.1.4 of the oSMP [as updated alongside this submission] have been amended to confirm that a final SMP for each phase must be submitted to and approved by the relevant local planning authority. Section 6 of the oSMP [as updated alongside this submission] sets out the measures applicable to construction, operation and decommissioning. Paragraph 9.1.4 has also been amended to confirm that surveys or investigations needed to inform the SMP will be undertaken prior to the construction.

Our Ref.	Ref.	BBC Comments	Applicant Response
BBC-D5-105	1.2.5	Observation 5: under the overarching NPS EN-1, operators of NSIP schemes must include an outline soil decommissioning and restoration management plan. While specific restoration timeframes are heavily dependent on the Applicant's Environmental Statement, national guidance require agricultural lands to be restored to acceptable conditions within a typical one to five-year post-decommissioning monitoring period. a) The Operator will therefore need to undertake a final survey and prepare a final SMP to evidence that the soil is brought back to the baseline ALC requirement, to be submitted to the Council for written approval, prior to the Site being handed-over back to the landowner. b) It is this report and approval that determines the completion of the Scheme. It is therefore suggested that the Operator may need to include for extended flexibility within the Decommissioning Phase across all management plans, rather than rely on the statement [APP-038] The Scheme para2.7.5 'Decommissioning is expected to take between 12 and 24 months and would be undertaken in phases'.	Section 6.3 of the updated oSMP [as updated alongside this submission] requires agricultural land affected by the Scheme to be restored to its pre-construction ALC grade, subject only to any areas agreed with the relevant planning authority for retained habitat, landscape or ecological purposes. The decommissioning SMP must address soil stripping, stockpiling, reinstatement, restoration of soil profiles and field drainage, soil placement, aftercare and remediation. A suitably qualified Soil Scientist will undertake detailed surveys to evidence whether the baseline ALC grades have been restored. Paragraph 6.3.10 of the oSMP [as updated alongside this submission] has been amended to require post-decommissioning monitoring for not less than two years, with further remedial measures and an additional monitoring period where the approved restoration objectives have not been achieved. A soil restoration verification report will then be prepared by the Soil Scientist and provided to the relevant local planning authority.
BBC-D5-106	1.2.6	Observation 6: (2) The soil management plan must be in substantial accordance with the outline soil management plan to the extent that it is applicable to that phase. (3) Each phase of the authorised development must be carried out in accordance with the approved soil management plan for that phase.	a) Sections 5 and 6.2 of the oSMP [as updated alongside this submission] now identify the controls applicable during operation, including cable repairs, access-track maintenance, panel, inverter, transformer and BESS replacement activities, compaction alleviation, soil-quality monitoring, drainage and erosion repairs, reseeding and the avoidance of livestock poaching. Section 5 also establishes requirements for the location and dimensions of stockpiles, the recording of material volumes and the management of unexpected contamination.

Our Ref.	Ref.	BBC Comments	Applicant Response
		In this regard, the Applicant has not set out in any detail: a) Typical management and maintenance activities than may/will occur to retain and/or enhance soil quality during the Operational Phase - the Council's track-changes (at 5.4.2) sets out an indicative framework of issues/ works that should be addressed within each phase. Additional detail would as a minimum include say soil storage locations, estimates of volumes, removal of spoil/ contaminated soil not identified previously, etc. Additional information could and should be added at any phase of the Scheme's life, such as when research results become available (as monitored by the Operator) – this broader intent/ commitment to works should be reflected in the SMP. b) While the Applicant proposes setting up an Agrisolar research area ([APP-038] Work No. 10) – which is strongly supported by the Council - it is unclear how any such research and/or findings can then be used to contribute to soil quality etc. The Applicant is silent on this matter. c) The Applicant references [APP-038] para 2.4.16 how 'sheep grazing on solar farms is successfully used in the UK and carries with it multiple benefits such as maintaining agricultural output from the land, soil health improvement and...' but does not set out a methodology to evidence that for the 40-year Operational Phase such benefits are incurred (In this regard, the arrangement and management of the sheep has not been set out in any documentation by the Applicant). d) While the DCO required the Council to approve the final SMP that will 'be in substantial accordance with the outline' currently the Council does not have sufficient	b) The oSMP [as updated alongside this submission] has been amended to require findings from the Agrisolar Research Area to be reviewed and relevant findings will inform remedial measures during the preparation of the decommissioning SMP. c) The Scheme does not rely upon sheep grazing as the mechanism by which the ALC restoration objective will be secured. Vegetation may be maintained through mowing or grazing in accordance with the approved LEMP. The oLEMP [as updated alongside this submission] sets out the approach to sheep grazing. d) The Applicant considers that the updated oSMP [as updated alongside this submission] provides sufficient clarity regarding the minimum outcomes, controls and monitoring arrangements against which the phase-specific final SMPs will be assessed. Site-specific details which depend on further surveys, detailed design or the nature of future maintenance works are appropriately reserved for those final SMPs.

Our Ref.	Ref.	BBC Comments	Applicant Response
		clarity of intent to review the outline SMP (refer to track-changes).	
BBC-D5-107	1.2.7-1.2.8	Observation 7: it terms of SMART, the SMP needs to set out fixed outcomes related to say ALC compliance; work methods/ objectives so that the Operator understand the long-term ambition/measurable objectives; remedial actions if required; and measures/ recourse for for non-compliance and correction measures. This is not addressed in the current SMP. It is explicitly noted by the Council that the Applicant/ Operator will need some flexibility in preparing the SMP, but for all phases some broad intent is required.	Paragraph 5.1.30 of the oSMP [as updated alongside this submission] now establishes the fixed objective that there will be no degradation of the pre-construction ALC grade as a result of the Scheme. The oSMP also contains mandatory stop-work criteria, numerical stockpile and buffer requirements, defined responsibilities for the ECoW and Soil Scientist, and corrective measures addressing compaction, erosion, waterlogging, contamination, settlement and damage to land drainage.
BBC-D5-108	1.2.9	Observation 8: it should be noted that the SMP form a compliance document for planning purposes and consequently the SMP should address how the Council will be able to monitors and enforces such commitments (with potential financial and/or stop-work penalties). This lack of stated recourse remains a concern for the Council.	Th oSMP is a control document that will be certified as part of the DCO and implemented via Requirement 7 in Schedule 2 of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented, the DCO will require that a final Soil Management Plan (SMP) is prepared and approved by the Local Planning Authorities (in consultation with the Environment Agency and Natural England) prior to the start of construction. Section 10 of the oSMP [as updated alongside this submission] requires monitoring, incident and corrective-action records to be maintained and paragraph 10.2.4 requires those records to be made available to the relevant local planning authority, Natural England or the Environment Agency where requested. Any statutory sanctions are governed by the DCO and applicable legislation rather than by the management plan. The Applicant considers that the combination of DCO enforcement,

Our Ref.	Ref.	BBC Comments	Applicant Response
			stop-work authority and an auditable compliance record adequately addresses the Council's concern.
BBC-D5-109	1.2.10	Observation 9: the Applicant has committed to preparing supporting report to the SMP – the Council has listed these out as Appendixes. Drafts of intent or similar should be submitted within the Examination period for the Council's review as the Applicant is asking for endorsement from the Council on such on the basis of 'in substantial accordance with the outline'. a) Outline Construction Soil Management Plan (Ref. DCO Sch2(1)(7) & BBC Matter 81) b) Outline Decommissioning Soil Management Plan (Ref. oDEMP [REP1-038] & BBC Matter 81) c) Materials Management Plan (Ref. oSMP [REP1-045] para 8.1.4)	The Applicant has discussed this matter with the Host Authorities and it has been agreed that all committed documents need not be provided, but that an appendix to the oSMP should be provided that sets out the additional documents that will accompany the final SMP, along with a summary of the minimum requirements of that document. The Applicant has updated the oSMP [as updated alongside this submission] to provide this additional appendix.
BBC-D5-110	1.2.11	Observation 10: General observation – all actions/ statements/ Applicant's undertakings, etal should be phrased within the Management Plans as an intent (will) rather than as an option (may).	The Applicant has reviewed and updated the outline Soil Management Plan [as updated alongside this submission] to address this comment to provide certainty around the commitments made.
Outline Operational Environmental Management Plan			
BBC-D5-111	1.2.1	Observation 1: it is suggested that the [REP3-052] outline Operational Environmental Management Plan should acts as inter alia an 'Introduction to Management Plans' cover document: it is suggested that the stand-alone 'Introduction' is then applicable to and referenced only with full weight in all other Management Plans; this could cover:	The Applicant does not agree that the outline Operational Environmental Management Plan should be recast as a Scheme-wide 'Introduction to Management Plans'. The oOEMP is deliberately a phase-specific control document for the operational phase, secured through Requirement 9 of the draft DCO. Construction and decommissioning are controlled through

Our Ref.	Ref.	BBC Comments	Applicant Response
		a) 'Scheme Description' (description as set out in the DCO Application as applied for). b) 'Site Context' (very short as this is referenced in greater detail across the ES). c) Roles & Responsibilities (to ensure consistency of all FTE and PTE); identify stakeholders; identify communication contact points; etc. d) Outline implementation protocols, reporting, audits, etc., with detailed management systems/ documents, etc. set out within each individual management plan. This will allow a Scheme-wide/ collective understanding of roles vs responsibilities vs implementation protocols vs across phasing, etc. This is currently very unclear. e) 'Relationship with Other Management Plans' – emphasising that this is a suite of documents that need to be read both singularly and collectively. There is currently absolute concern on behalf of the Council that as presented there may be gaps of intent, gaps of mitigation/ enhancement works, gaps in management and delivery commitments, etal between the various MPs which are/ have not been identified/ addressed (by example the is no operational transport management plan, this is only addressed as commitments set out in the [REP3-075] Technical Note). A diagram that shows the phase-duration, review periods, etc. of each management plan and how this leads into the next phase may aid understanding. f) The 'Introduction' would give/aid absolute clarity regarding phases, replacement campaign, and critically programme of works (monthly, seasonal, annual, 10-years) etc. against each phase.	their own phase-specific environmental management plans and DCO requirements.

Our Ref.	Ref.	BBC Comments	Applicant Response
		g) It is noted that this 'Introduction' document would need weight/ reference within the DCO Agreement. By way of this approach this may prevent duplication of standard statements between management plans, focus the plans to within their specific remit, and aid reading across the various management plans. It is suggested that this is the very purpose of the OEMP but this clarity and structure is currently not evident.	
BBC-D5-112	1.2.2	Observation 2: obligations: a) The specific legislative and planning policy requirements/ compliances; and, b) The specific DCO Agreement's schedules and requirements should be set out against each individual Management Plan to create an understanding within each MP of the compliance, management, and enforcement framework. This is currently not apparent.	The Applicant does not agree that the oOEMP should list all relevant legislation or planning policy requirements. The oOEMP [as updated alongside this submission] sets out it is a control document, its approval and implementation through Requirement 9 of the draft DCO, and its relationship with the other separately secured management plans. Section 1.3 identifies the principal plans applicable during operation, while the topic-specific tables in Section 5 cross-refer to the relevant approved plans through which the detailed mitigation and monitoring will be delivered. Section 7 of the oOEMP [as updated alongside this submission] requires the maintenance of records relating to regulatory approvals and licences, monitoring, inspections, audits, incidents, complaints and corrective action. Any change involving additional or modified control measures may only be implemented following prior agreement from the local authorities, and the relevant records must be made available to the authorities on request. The Applicant considers that this provides a clear and enforceable compliance framework without unnecessarily

Our Ref.	Ref.	BBC Comments	Applicant Response
			reproducing the full legislative and policy context in each management plan.
BBC-D5-113	1.2.3	Observation 3: in all cases, the Management Plan(s) need to be SMART (acronym): a) Specific, Measurable, Achievable, Relevant, Time-bound. There is currently a real concern by the Council that the management plan remain too generic. SMART is an acknowledged, international management tool for such very purposes. b) The oOEMP need absolute clarity of terms/ terminology/ wording that is consistent with the definitions set within the DCO Agreement. c) There needs to be a review of the word 'temporary' – this should be changed to refer to a specific development phase against a specific, individual work programme. d) The general terminology of the management plan should be one of a stated commitment – 'shall', 'will', 'enact' rather than may, could, 'subject to'; i.e. where the Applicant has given an undertaking against the Environmental Statement or responses these need an absolute statement of mitigation/ delivery/ enactment etc. within the management plan. g) The management plan(s) should address the aspect of failure - the OEMP/other should set out what happens in case of default, catastrophic failure of delivery against the ES commitments (e.g. landscape works); the OEMP should set out a strategy of undertaking i.e. reinstatement works, habitat surveys, notifications and planning regime commitments, rectification periods programmes, funding and/or bond securities, on-site resourcing, long-term	a) The Applicant does not consider that each management plan must be reformatted as a separate SMART schedule. b) The Applicant has updated the oOEMP [as updated alongside this submission] so that commitments are expressed using "will", "must" or "shall". Conditional language has only been retained where the need for a particular measure depends upon circumstances that cannot be known at this stage. c) The Applicant has updated the oOEMP [as updated alongside this submission] to make these amendments. d) The Applicant has updated the oOEMP [as updated alongside this submission] so that commitments are expressed using "will", "must" or "shall". g) The Applicant has reviewed and updated the oOEMP [as updated alongside this submission] in this regard. Failure is addressed through the monitoring, incident-reporting, complaint, stop-work and corrective-action provisions. By way of example, planting which fails to establish or achieve the relevant LEMP aims will be subject to remedial management, infill planting or replacement planting; work must stop where a protected species or active nest is identified until the necessary controls are in place; and, operational noise issues must be investigated and corrected before normal operation resumes where necessary to avoid an exceedance. Compliance with the approved OEMP is secured through Requirement 9 of the draft DCO [EN010141/DR/3.1] and will be enforceable as a DCO requirement. The Applicant does not consider that separate financial bonds or penalty provisions

Our Ref.	Ref.	BBC Comments	Applicant Response
		monitoring to attain ES commitment. Most of the management plans reviewed by the Council are silent on this matter.	within the oOEMP are necessary or proportionate. The appropriate statutory enforcement powers are available if the approved OEMP is not complied with.
BBC-D5-114	1.2.4	Observation 4: in response to the matter raised by the Council in their Local Impact Report regarding an approach to the replacement activity/ works of Scheme infrastructural components, and the request by the Council that these works should be identified within a Replacement Phase, the Applicant has prepared the [REP3-075] 'Technical Note on Replacement Works' which sets out an approach to such works. While the Council's response to the Applicant's suggestion is addressed in the 'Cover to Technical Note; July 2026' submitted as part of Deadline 4, the various commitments made by the Applicant in the Technical Note should find their way into all management plans, with specific reference to the OEMP. While the Applicant has stated that this review has been undertaken, the Council suggests that the clarity of intent of the replacement campaign' works as set out in the Technical Note does not find itself into the various management plans, and could benefit from a sub-section within the OEMP.	Section 2.4 of the oOEMP [as updated alongside this submission] has been substantially expanded and now contains a dedicated sub-section addressing replacement activities. It defines Routine Replacement Works, Planned Panel Replacement Campaigns and Major Replacement Campaigns; requires the as-built number of panels and all subsequent replacements to be recorded; establishes the rolling 12-month calculation; and prevents the threshold from being exceeded without prior approval. The Applicant has also updated the relevant other operational phase management plans to include specific reference to replacement works.
BBC-D5-115	1.2.5	Observation 5: as part of the preparation of the Environmental Statement (ES), the Applicant identified and committed to both mitigation AND enhancement measures. It is suggested that the OEMP, and related management plans, make specific reference to each individual measure to create a baseline of objectives (measures) that over time can be surveyed, monitored, remediated, and enforced as then set against Scheme	The oOEMP is not intended to reproduce every mitigation and enhancement measure contained in the ES. Detailed topic-specific measures are secured and implemented through the relevant approved management plans. Section 5 of the oOEMP [as updated alongside this submission] brings together the operational impacts, mitigation and monitoring requirements, while Section 1.3 identifies the plans which deliver the detailed

Our Ref.	Ref.	BBC Comments	Applicant Response
		delivery programme (e.g. the LVIA was prepared on the basis that after 10-years the landscape would screen the Scheme. How does the OEMP address and monitor the attainment of this objective?).	landscape and ecology, heritage, public rights of way, soil, surface-water, waste and other commitments.
BBC-D5-116	1.2.6	Observation 6: as part of tabling [REP3-052] oOEMP, the Applicant makes reference to the following Appendixes which have not been included. As noted across the review of all management plans, the Council would like to see an intent framework/ template of the following as committed to by the Applicant; namely: a) Environmental Incident Management and Pollution Prevention Plan (EIMP) template (see [Ref. BBC-RR-136]). b) Unexpected Contamination Protocol template ([REP3-075]; Technical Note para3.9.1)). c) Emergency Response Plan template ([REP3-052] oOEMP, para 4.1.44-47). d) Flood Warning and Evacuation Plan template ([REP3-052] oOEMP, para 4.1.57). e) Complaints Register template ([REP3-052] oOEMP, para 4.1.62). As it currently stands, the Council has not seen evidence of even the framework of some of these proposed documents - this is viewed as a significant concern as the Council needs to have clarity as to their long-term planning involvement/ commitments as local planning authorities in reviewing/ monitoring the management, maintenance, and enforcement measures of the Scheme;	The Applicant has discussed this matter with the Host Authorities and it has been agreed that all committed documents need not be provided, but that an appendix to the oOEMP should be provided that sets out the additional documents that will accompany the final OEMP, along with a summary of the minimum requirements of that document. The Applicant has updated the oOEMP [as updated alongside this submission] to provide this additional appendix.

Our Ref.	Ref.	BBC Comments	Applicant Response
		and, in terms of any agreements reached within the Examination.	
BBC-D5-117	1.2.7	Observation 7 (enforcement): the Council suggests that there is no consistency and/or clarity between the various management plans, the Scheme phases (Construction, Operational & Decommissioning), and to the DCO Agreement to give the Council sufficient confidence on how the management plans are to be used and how they allow enforcement should this be required. It is suggested that the OEMP is the central management document that should enable this.	The Applicant does not accept that there is insufficient clarity regarding the use or enforcement of the management plans. Each phase of the Scheme is governed by its own phase-specific environmental management plan and the corresponding DCO requirement. The OEMP is the principal environmental management document for the operational phase; it is not intended to replace or control the construction and decommissioning management plans.
BBC-D5-118	1.2.8-1.2.12	Observation 8 (replacement): in response to [REP3-052] oOEMP, the Council suggests that the proposal for the 20% replacement as a trigger is not appropriate and it would be better to reflect the step change from operation to at scale replacement. Whilst accepting the impact is less than at the construction phase, replacement at scale 20 years or more into the operation where staff levels, traffic, and materials to and from site are very low, even one field of PVs is a significant change. Equally some impacts will be new. For example, the haulage road will not be in place at the operational stage and therefore new vehicle movements will occur. (See comment below regarding movement of HGVs). Therefore, a trigger that better represents at scale replacement activity prompting a significant change in impacts from that of operation is preferred. For example, an increase in staff on site over a defined period of time,	The Applicant does not consider the 20% threshold to be arbitrary. It represents a conservative and objective threshold linked to the replacement scenario assessed in the Technical Note [REP3-075] and the nature of effects identified in the Environmental Statement. Importantly, it is not the point below which replacement works would be uncontrolled. All replacement activities would remain subject to the mitigation, monitoring and management measures secured through the OEMP and associated plans. The 20% threshold identifies the scale at which additional engagement with, and approval by, the relevant LPA is considered appropriate. This recognises that a major replacement campaign may take place many years after construction, when the environmental baseline, regulatory requirements and surrounding development context may have changed. Any campaign exceeding the threshold would therefore require further details and assessment to demonstrate that it would not give rise to materially new or materially different environmental effects.

Our Ref.	Ref.	BBC Comments	Applicant Response
		or replacement of panels taking place for 3 months or longer in a 12 month period. Whilst it is welcome that the Applicant states that any at scale replacement will adhere to the Construction Environmental Management Plan et al, the Council believes the Applicant needs to demonstrate ahead of any replacement that an assessment of the impacts have been carried out and that the mitigation measures as proposed are appropriate and agreed to by the Council. Discussions are ongoing with the applicant to resolve this matter through further updates to the Management Plans. It is noted that the above matter is addressed in greater detail within the Council's review of the [REP3-075] Technical Note on the Replacement Works, submitted as part of Deadline 4.	The Applicant does not consider that an alternative trigger is necessary. The 20% threshold is clear, capable of being applied in advance and directly related to the replacement scenario assessed. The oOEMP [as updated alongside this submission] requires the final OEMP and associated management plans to be reviewed and updated periodically to maintain compliance with regulatory requirements and good practice. Monitoring and record-keeping requirements apply to all replacement activities, and relevant records must be made available to the LPA on request. The Applicant therefore considers that campaigns below the threshold would remain appropriately controlled and capable of enforcement. To provide a clear and verifiable basis for applying the threshold, the oOEMP [as updated alongside this submission] has been amended to require that the number of panels installed at the final commissioning of each phase be recorded, together with auditable records of the number and location of panels subsequently replaced within each rolling 12-month period. This information would be recorded in a Replacement Register, which would be available for inspection by the relevant LPA in accordance with the requirements set out in Section 7 of the oOEMP.
BBC-D5-119	1.2.13	Observation 9 (highways): in response to [REP3-052] OEMP Table 5.5 – a) 'Prior to any planned replacement of a centralised inverter or solar transformer within Site A, Site B or Site C, ...': the Council would like to understand why site D is not included.	a) Site D is intentionally excluded from the specific notification applying to replacement of a centralised inverter or solar transformer within Sites A, B and C. Site D contains the Operations and Maintenance Area and is accessed directly from the B645 (and in turn the A1). The specific notification for Sites A, B and C is intended to address the onward movement of large components from Site D to the more remote operational areas

Our Ref.	Ref.	BBC Comments	Applicant Response
		b) '...the Site Operator must notify the relevant local highway authority or authorities not less than 28-days in advance': the Council considers 28-days is too short a notice period, especially if there is to be any review of identified impacts and the mitigation measure proposed by the Applicant. c) Traffic management measures need to be approved in accordance with the local highways process for all traffic management on the public highway. Note the highway authorities are in discussions with the Applicant relating to highways protective provisions or a highways legal side agreement that may include the process to approve traffic management measure. d) It is suggested that HGV movements extending through Great Staughton. At the construction phase this was avoided by the use of an internal haulage route. It is appropriate to avoid at the replacement phase too wherever possible (noting transformers and inverters are suggested on the same page as needing to be transported by HGV). Elsewhere it is suggested smaller fixed axle vehicles as being the largest type of vehicle to be used during operation. HGVs deliveries should where possible be restricted to site D. e) The Council welcomes the avoidance of peak hours, including drop off and pick up times in front of the primary school, as well as to notify the highway authority. This would be appropriate to include when, as suggested above, the Applicant demonstrates to the authorities it has assessed the impacts, and the proposes mitigation measures to address these.	and the resulting use of local more sensitive routes and accesses. Replacement activity within Site D will nevertheless remain subject to the OEMP, the Operational Access Strategy and any applicable highway authority notification or approval requirements. The exclusion of Site D from this particular notification does not remove those controls. b) The 28-day period is a minimum advance notification period for the identified component replacements; it is not intended to replace any separate approval procedure. Where the replacement forms part of a Major Replacement Campaign, no campaign may commence until the Major Replacement Campaign Method Statement and Environmental Review has been submitted to and approved in writing by the relevant planning authority. c) The Applicant agrees that any traffic management measures proposed on the public highway must be subject to the applicable highway authority approval process. The notification procedure in Table 5.5 does not authorise traffic management works and will not displace any relevant statutory process or highways side agreement. d) Bulk deliveries of replacement solar panels, general replacement components, plant and equipment will first be made to the Operations and Maintenance Area in Site D. Onward panel distribution will use an 18-tonne rigid vehicle, or an equivalent vehicle suitable for the delivery location. It would not be appropriate to impose an absolute prohibition on HGV movements to Sites A, B and C. The replacement of a centralised inverter or solar transformer may require a vehicle selected for the size and weight of that component. This is

Our Ref.	Ref.	BBC Comments	Applicant Response
			materially different from the routine distribution of replacement panels, for which a smaller rigid vehicle has been specified. e) Paragraph 2.4.39 and Table 5.5 of the oOEMP [as updated alongside this submission] require delivery movements passing the school to take place outside highway peak periods and school drop-off and pick-up periods. The precise school periods will be identified in the final OEMP having regard to the operating hours of the school and advice from the highway authority.

2.2 Response to Cambridgeshire County Council

Table 2: Response to Cambridgeshire County Council (REP4-033, REP4-034)

Our Ref.	Ref.	CCC Comments	Applicant Response
Response to ExQ2 [REP4-034]			
CCC-D5-01	Q2.3.1	The Council welcomes the ExA question regarding trading of BNG credits. The Council also suggests the applicant confirm whether excess on-site biodiversity gains will be secured and attributed to the proposed development or will be allocated to another development. And provide a map showing the location of any allocated excess gains (as required under 9.3(13) of DEFRA (2026) NSIP Projects: Biodiversity Gain Statement for Energy').	The Applicant is not proposing to trade any BNG credits for purchase by other developers unable to accommodate on-site BNG provision within other proposed developments.
Statutory and Non-Statutory Sites or Features for Nature Conservation Plan			
CCC-D5-02	-	For completeness, the council recommend that the drawings are updated to show all irreplaceable habitat that have been recorded within the order limit, or that could be impacted by the scheme. For example, veteran/ancient trees (identified in the tree surveys and considered in the biodiversity net gain calculations).	The Applicant has updated the Statutory and Non-Statutory Sites or Features for Nature Conservation Plan [as updated alongside this submission] to include the potential veteran trees identified in ES Vol 2 Appendix 2-2 Arboricultural Impact Assessment [APP-056] .
Draft Development Consent Order			
CCC-D5-03	-	Discussions are ongoing with the applicant in respect of changes to the DCO to address matters the councils have raised in previous submissions.	The Applicant agrees that areas of disagreement have been narrowed. A schedule setting out the remaining points of discussion on the draft DCO has been provided alongside this submission as Summary of outstanding matters on the draft

Our Ref.	Ref.	CCC Comments	Applicant Response
			DCO between the Host Authorities and the Applicant [EN010141/DR/8.71].
Explanatory Memorandum			
CCC-D5-04	9.3.25	Flood Risk Activity permits are within the remit of the Environment Agency, so the council has no comments regarding the removal of section 9.3.25 on page 27, however, the updated 9.3.25 on page 28 refers to the Environment Agency. Environment Agency Flood Risk Activity permits fall under the Permitting Regulations (2016) and not the Land Drainage Act (1991), and therefore further clarification is required. Other than the aforementioned request for clarity, the principle of the updates to section 9.3.25 are acceptable subject to agreeing the wording of the Protective Provisions (Schedule 13, Part 3). At present no response has been received to address this matter raised at RR [RR-150].	Section 32 of the LDA 1991 provides a mechanism that enables the EA to formally amend or remove provisions in relation to drainage of land. The reason for disapplying this is to ensure that the bespoke provisions dealing with drainage included in the draft DCO take precedent and cannot be amended by an application made by the EA. This runs in parallel with Flood Risk Activity Permits but is not the same. The Applicant has included protective provisions for the benefit of drainage authorities at Part 3 of Schedule 13 of the draft DCO [EN010141/DR/3.1]. The Applicant responded to the CCC's relevant representation on this matter with reference to CCC-RR-23 in Applicant Responses to Relevant Representations - Host Authorities, Statutory Environmental Bodies, and Other Interested Parties [REP1-055].
CCC-D5-05	9.4.19 - 9.4.21	CCC requires that it is consulted upon and required to authorise the temporary closure/diversion/permission of vehicular traffic, on any PROW, during the construction operation or decommissioning of the development. This is to prevent any prolonged inconvenience to the public users of the affected PROW.	The Applicant is required to submit a final Public Right of Way Management Plan in accordance with Requirement 11 of the draft DCO [EN010141/DR/3.1] that must be approved by the relevant local planning authority in consultation with the local highway authority prior to construction commencing on Site. The Applicant considers this provides the necessary approval sought by CCC.
Other Consents and Licences Statement			

Our Ref.	Ref.	CCC Comments	Applicant Response
CCC-D5-06	3.1.13	Flood Risk Activity Permits and responsibilities of main rivers fall within the remit of the Environment Agency. We therefore have no comments to make.	The Applicant notes this comment.
	Page 18 – Table 1	Flood Risk Activity Permits and responsibilities of main rivers fall within the remit of the Environment Agency. We therefore have no comments to make.	The Applicant notes this comment.
ES Vol 1 Chapter 2 The Scheme			
CCC-D5-07	2.4.164	Please can the applicant confirm what is meant by <i>“existing verges and vegetation sitting within or adjacent to visibility splays will be managed to maintain visibility by coppicing vegetation to 1m in height.”</i> The council are concerned this may result in coppicing of veteran / ancient trees or trees with potential to support roosting bats or nesting schedule 1 birds. This is of particular concern given that the ecological assessment to date has: a) stated that no veteran / ancient trees will be impacted by the scheme; b) no detailed bat surveys have been completed to identify whether roosts are present in trees on the site and may be impacted by the visibility works c) management of visibility splays doesn't appear to have been considered within the ecological assessment, particularly for impact on veteran / ancient trees, bats or schedule 1 birds The council seek that the applicant provide further clarification as to what 'coppiced to 1m in height' means	The required visibility splays would not involve the removal of any hedgerows, but could involve annual pruning of hedgerows should foliage grow out to obstruct visibility; this is covered in Section 5.4 of the oCTMP [as updated alongside this submission]. Coppicing to 1m in height would mean cutting the top of the hedgerow down to 1m in height. The Applicant has provided visibility splay drawings which are provided at Appendix D of the oCTMP [as updated alongside this submission] which demonstrate that any significant hedgerow management is unlikely to be required.

Our Ref.	Ref.	CCC Comments	Applicant Response
		and how the ecological features (mentioned above) will be adequately protected.	
ES Vol 1 Chapter 8 Hydrology and Flood Risk			
CCC-D5-08	Table 8.7, Page 8-43	The Council welcome the addition of irreplaceable habitat to the ecology criteria, as requested in our 'Comments on any updated or additional documents from the applicant' submitted at deadline 2 [REP2-049].	The Applicant notes this comment.
CCC-D5-09	8.6.19	The Council welcomes the addition of Huntingdon Wood, as requested in our 'Comments on updated or additional documents from the applicant' submitted at deadline 2 [REP2-049].	The Applicant notes this comment.
CCC-D5-10	Table 8.11, Page 8-64	The Council welcomes the addition of Huntingdon Wood within designated sites, as requested in our 'Comments on updated or additional documents from the applicant' submitted at deadline 2 [REP2-049].	The Applicant notes this comment.
CCC-D5-11	Table 8.12, Page 8-73 & 8-76	The Council welcomes the addition of Huntingdon Wood (ancient woodland / County Wildlife Site) and notes there will be negligible impact. This addresses the Council's concerns regards adequately assessing impact to ancient woodland / County Wildlife Site as part of the hydrological assessment [REP2-049].	The Applicant notes this comment.
CCC-D5-12	Table 8.12, Page 75	The updated assessment identifies ancient woodland as a potential sensitive receptor and, whilst the proposed SuDS approach (following natural drainage patterns and providing water quality treatment) is acceptable from a surface water perspective, input from the biodiversity	The Applicant notes this comment and assumes the biodiversity team input was provided as part of the response in the row above.

Our Ref.	Ref.	CCC Comments	Applicant Response
		team would also be appropriate to consider whether any additional mitigation is required.	
CCC-D5-13	Table 8.12, Page 78	The assessment notes that water supply would be drawn from a licensed source and groundwater levels are unlikely to be affected by the scheme; however, this falls outside the LLFA's remit and the Environment Agency should be consulted.	The Applicant notes this comment. The Applicant has a Statement of Common Ground with the Environment Agency [REP4-104] .
CCC-D5-14	Table 8.13, Pages 8-80 & 8-84	The Council welcomes the addition of Huntingdon Wood (ancient woodland / County Wildlife Site) and notes there will be negligible impact. This addresses the Council's concerns regards adequately assessing impact to ancient woodland / County Wildlife Site as part of the hydrological assessment [REP2-049].	The Applicant notes this comment.
CCC-D5-15	Table 8.13, Page 82	The updated assessment identifies ancient woodland as a potential sensitive receptor and, whilst the proposed SuDS approach (following natural drainage patterns and providing water quality treatment) is acceptable from a surface water perspective, and as it related to ecology the council welcomes the response and update to hydrology and flood risk. See comment under REP3-073 below.	The Applicant notes this comment.
CCC-D5-16	Table 8.13, Page 86	The assessment notes that water supply would be drawn from a licensed source and groundwater levels are unlikely to be affected by the scheme; however, this falls outside the LLFA's remit and the Environment Agency should be consulted.	The Applicant notes this comment. The Applicant has a Statement of Common Ground with the Environment Agency [REP4-104] .
ES Vol 1 Chapter 9 Traffic and Transport			

Our Ref.	Ref.	CCC Comments	Applicant Response
CCC-D5-17	9.8.10	The Transport Assessment Team note the revisions which do not lead to any concerns	The Applicant notes this comment.
CCC-D5-18	Table 9.15, Page 76	Transport Assessment Team note the revisions which do not lead to any concerns	The Applicant notes this comment.
CCC-D5-19	Table 9.16, Page 77	Again, the revisions are noted. However, there are no concerns with the amendments	The Applicant notes this comment.
CCC-D5-20	Table 9.17, Page 78	The Transport Assessment Team are happy with the revisions and thus have no concerns	The Applicant notes this comment.
CCC-D5-21	Table 9.18, Page 80	Again, the Transport Assessment Team are happy with the revisions and thus have no further concerns	The Applicant notes this comment.
CCC-D5-22	9.8.25, Page 82	As above there are no concerns in respect of this element of the proposal	The Applicant notes this comment.
CCC-D5-23	Table 9.20, Page 101	The Transport Assessment Team are satisfied with the revised information and would not raise any concerns as a result of the revisions	The Applicant notes this comment.
ES Vol 2 Appendix 8-1 Flood Risk Assessment			
CCC-D5-24	4.3	The council have no comments to make. The council would expect the Environment Agency to review the modelling and confirm acceptability.	The Applicant notes this comment. The Applicant has a Statement of Common Ground with the Environment Agency [REP4-104] .
CCC-D5-25	4.4	The applicant has confirmed that there are no offsite impacts and this is therefore supported by the LLFA. The greatest changes in depth are seen within in East Park Site B, which is not within the remit of CCC.	The Applicant notes this comment.

Our Ref.	Ref.	CCC Comments	Applicant Response
CCC-D5-26	5.0	The applicant has confirmed that there are no offsite impacts and this is therefore supported by the LLFA. The greatest changes in depth are seen within in East Park Site B, which is not within the remit of CCC.	The Applicant notes this comment.
ES Vol 2 Appendix 9-1 Transport Assessment			
CCC-D5-27	Section 3.5	The Transport Assessment Team are satisfied that there are no inherent safety issues on the section of road that would be exacerbated by the development	The Applicant notes this comment.
CCC-D5-28	5.5	The Transport Assessment Team note the amendments and have no concerns or comments.	The Applicant notes this comment.
CCC-D5-29	Table 5.5	Again the Transport Assessment Team have no concerns or comments to make. The revisions are noted	The Applicant notes this comment.
CCC-D5-30	Table 6.4, Page 67	The figures do show a marked increase in the percentage flows. However, the Transport Assessment Team agree that this is due to the very low baseline and thus have no concerns or comments	The Applicant notes this comment.
CCC-D5-31	6.6.13	The Transport Assessment Team accept that the figures do represent a worse case scenario and that the introduction of minibus pick up would reduce this.	The Applicant notes this comment.
CCC-D5-32	8.1.19	This paragraph refers to the modelling of the A1/B645 junction although there is no indication as to whether the modelling itself has been updated to reflect the increase in flows through this junction.	The Applicant confirms that the modelling was updated.
ES Vol 2 Appendix 9-2 Traffic Flow Diagrams			

Our Ref.	Ref.	CCC Comments	Applicant Response
	Whole Document	Theses appear to be satisfactory, having undertaken 'spot checks'	The Applicant notes this comment.
ES Vol 3 Chapter 7 Ecology and Nature Conservation Figures			
CCC-D5-33	Figures 7-3a to 7-3d	No tracked changes version of the document has been provided and therefore, it is difficult to understand what has been altered, since the previous versions. The council assume that all drawings with the original version (P01) indicated on the drawings have not been changed. This suggests that only Figure 7-3 has been updated. The Council seeks confirmation as to what has changed on figures 7-3a to 7-3d	The Applicant confirms that only Figure 7-3 in the ES Vol 3 Chapter 7 Ecology and Nature Conservation Figures [REP3-047] was updated. No amendments were made to Figures 7-3a-d, only the revision number was changed. Figures 7e-7g were updated to show the extent of areas of limited survey access.
	Figures 7-3e to 7-3g	The Council welcomes clarification as to the extent of areas of limited survey access.	
Outline Construction Environmental Management Plan			
CCC-D5-34	4.1.33, Page 32	The Council welcomes the inclusion of a list of sensitive ecological receptors. Huntingdon Wood, linear features and retained individual trees are identified as sensitive receptors <i>"for which lighting control measures will be implemented"</i>. The Council is still concerned that the scheme will potentially result in lighting of these features and that insufficient bat survey work has been provided to be able to determine the level of impact of the scheme on roosting bats as a result of the proposed works.	The Applicant updated the oCEMP [as updated alongside this submission] at Deadline 4 to include: • Commitment to providing light spill plans and agreeing a lighting strategy with the host authorities • Pre-construction survey of trees • Ecological Clerk of Works (EcoCoW) to assess boundary trees and advise on appropriate mitigations or further survey

Our Ref.	Ref.	CCC Comments	Applicant Response
		The council seek that further bat surveys are completed in respect of all trees that may be impacted by the proposed lighting for the site. Or alternatively, the lighting scheme should confirm that a dark corridor will be retained around all trees within the site or immediately adjacent to the site, including Huntingdon Wood. The council would ask that the following typos are amended in the paragraph: Huntingdon Wood Local Wildlife Sites should be Huntingdon Wood County Wildlife Sites (the term Local Wildlife Site is not used in Cambridgeshire) Bullet point 4 should read 'ponds; and'	The Applicant has amended the typos noted by CCC in the updated oCEMP [as updated alongside this submission].
CCC-D5-35	4.1.34, Page 31	The council welcome the potential of additional ecological receptors being identified through pre-construction. There is reference to barn owls. The council recommend this reference is expanded to other schedule 1 birds.	The Applicant has updated the oCEMP [as updated alongside this submission] to make this amendment.
CCC-D5-36	Table 5.3, Page 43	It is unclear how the applicant has determined that the trees within the site would only <i>"have the potential to result in low level disturbance to individual bats potentially roosting within trees"</i> without completing any detailed bat roost surveys at the site. It is known that trees in Cambridgeshire support a variety of bats species and types of roosts including maternity roosts and mating roost, as well as roosts supporting 'individual bats'. Ancient woodland, such as Huntington Woods, also have the potential to support rarer bat species, such as barbastelle bats.	The Applicant updated the oCEMP [as updated alongside this submission] at Deadline 4 to include: • Commitment to providing light spill plans and agreeing a lighting strategy with the host authorities • Pre-construction survey of trees • Ecological Clerk of Works (EcoCoW) to assess boundary trees and advise on appropriate mitigations or further survey Following consultation with the CCC ecologist the following was also added to the oCEMP [REP4-094]:

Our Ref.	Ref.	CCC Comments	Applicant Response
		Given the lack of bat survey information, the Council is considered that the oCEMP does not adequately mitigate any potential impacts on roosting bats.	<i>"All trees within 50m of construction compounds, the East Park Substation location and the East Park BESS would be subject to detailed pre-construction survey to assess bat roost potential and inform detailed design and/ or requirement for mitigation.</i> <i>Prior to the onset of works in any new field area, the EcoCoW would undertake a walkover survey to assess boundary trees for bat roosts. It would be the EcoCoWs responsibility to advise on additional mitigation to be employed, which may include changes to phasing of works, requirement for further surveys, licencing or works to be undertaken under watching brief of the EcoCoW."</i>
CCC-D5-37	Table 5.4, Page 49	Addition welcomed, no further comments.	The Applicant notes this comment.
CCC-D5-38	Table 5.8, Page 58	Contamination of ground and controlled waters from bentonite has some additions and may need review.	The Applicant notes this comment.
CCC-D5-39	Table 5.11, Page 65	Addition of fugitive emissions is welcomed, however no monitoring approach has been included in the table. This should be added.	The Applicant has updated the oCEMP [as updated alongside this submission] to make this amendment.
Outline Construction Traffic Management Plan			
CCC-D5-40	5.8	Detailed Design Section has been added – the council support the changes made.	The Applicant notes this comment.
CCC-D5-41	5.9	Highways Condition Survey Section has been updated and reviewed – the council notes that 5.9.4 remedial works should have a time limit reasonable related to the scale and nature to the defect found in accordance with the county councils HOS document.	The Applicant has updated the oCTMP [as updated alongside this submission] to make this amendment.

Our Ref.	Ref.	CCC Comments	Applicant Response
CCC-D5-42	6.3	The council has no objections to the use of banksmen, but it should be indicated that the banksmen will control site traffic as and when required however, it should be highlighted that they are not controlling the traffic within the public highway and the construction traffic would remain subservient to the highway.	The Applicant notes this comment.
CCC-D5-43	6.6	Parking and Onsite Vehicle Management Section has been updated – the council support the changes made.	The Applicant notes this comment.
CCC-D5-44	9.1	Monitoring and Compliance section has a number of updates – the council support the changes made.	The Applicant notes this comment.
CCC-D5-45	9.2	Communications Strategy has been updated to include contact methods to the LHA and LPA – the council support the changes made.	The Applicant notes this comment.
CCC-D5-46	9.3	Enforcement and Corrective Measures Section has been amended – the council support the changes made.	The Applicant notes this comment.
Outline Operational Environmental Management Plan			
CCC-D5-47	2.4.10	The council believes more than 20% replacement is not an appropriate trigger and it would be better to reflect the step change from operation to at scale replacement. Whilst accepting the impact is less than at construction, replacement at scale 20 years or more into the operation where staff levels, traffic, and materials to and from site are very low, even one field of PVs is a significant change. Equally some impacts will be new. For example, the haulage road will not be in place at the operational stage and therefore new vehicle movements	The Applicant does not consider the 20% threshold to be arbitrary. It represents a conservative and objective threshold linked to the replacement scenario assessed in the Technical Note [REP3-075] and the nature of effects identified in the Environmental Statement. Importantly, it is not the point below which replacement works would be uncontrolled. All replacement activities would remain subject to the mitigation, monitoring and management measures secured through the OEMP and associated plans.

Our Ref.	Ref.	CCC Comments	Applicant Response
		will occur. (See comment below regarding movement of HGVs). Therefore a trigger that better represents at scale replacement activity prompting a significant change in impacts from that of operation is preferred. For example, an increase in staff on site over a defined period of time, or replacement of panels taking place for 3 months or longer in a 12 month period. Whilst it is welcome the applicant states any at scale replacement will adhere to the Construction Environmental Management Plan, Public Rights of Way Management Plan, Construction Traffic Management Plan and Operational Environmental Management Plan, the council believes the applicant needs to demonstrate to the authorities ahead of at scale replacement an assessment of the impacts has been carried out and the mitigation measures proposed are appropriate. Discussions are ongoing with the applicant to resolve this matter through further updates to the Management Plans.	The 20% threshold identifies the scale at which additional engagement with, and approval by, the relevant LPA is considered appropriate. This recognises that a major replacement campaign may take place many years after construction, when the environmental baseline, regulatory requirements and surrounding development context may have changed. Any campaign exceeding the threshold would therefore require further details and assessment to demonstrate that it would not give rise to materially new or materially different environmental effects. The Applicant does not consider that an alternative trigger is necessary. The 20% threshold is clear, capable of being applied in advance and directly related to the replacement scenario assessed. The oOEMP [as updated alongside this submission] requires the final OEMP and associated management plans to be reviewed and updated periodically to maintain compliance with regulatory requirements and good practice. Monitoring and record-keeping requirements apply to all replacement activities, and relevant records must be made available to the LPA on request. The Applicant therefore considers that campaigns below the threshold would remain appropriately controlled and capable of enforcement. To provide a clear and verifiable basis for applying the threshold, the oOEMP [as updated alongside this submission] has been amended to require that the number of panels installed at the final commissioning of each phase be recorded, together with auditable records of the number and location of panels subsequently replaced within each rolling 12-month period. This information would be recorded in a Replacement Register, which would be available for inspection

Our Ref.	Ref.	CCC Comments	Applicant Response
			by the relevant LPA in accordance with the requirements set out in Section 7 of the oOEMP.
CCC-D5-48	Table 5.5, Page 41	"Prior to any planned replacement of a centralised inverter or solar transformer within Site A, Site B or Site C, ..." The council would like to understand why site D is not included. "...the Site Operator must notify the relevant local highway authority or authorities not less than 28 days in advance." The council considers 28 days is too short a notice, especially if there is to be any review of identified impacts and the mitigation measure proposed by the applicant. Traffic management measures need to be approved in accordance with the local highways process for all traffic management on the public highway. Note the highway authorities are in discussions with the applicant relating to highways protective provisions or a highways legal side agreement that may include the process to approve traffic management measure. It is suggested HGV movements extending through Great Staughton. At the construction phase this is avoided by the use of an internal haulage route. It is appropriate to avoid at the replacement phase too wherever possible (noting transformers and inverters are suggested on the same page as needing to be transported by HGV). Elsewhere it is suggested smaller fixed axle vehicles as being the largest type of vehicle to be used during operation. HGVs deliveries should where possible be restricted to site D.	a) Site D is intentionally excluded from the specific notification applying to replacement of a centralised inverter or solar transformer within Sites A, B and C. Site D contains the Operations and Maintenance Area and is accessed directly from the B645 (and in turn the A1). The specific notification for Sites A, B and C is intended to address the onward movement of large components from Site D to the more remote operational areas and the resulting use of local more sensitive routes and accesses. Replacement activity within Site D will nevertheless remain subject to the OEMP, the Operational Access Strategy and any applicable highway authority notification or approval requirements. The exclusion of Site D from this particular notification does not remove those controls. b) The 28-day period is a minimum advance notification period for the identified component replacements; it is not intended to replace any separate approval procedure. Where the replacement forms part of a Major Replacement Campaign, no campaign may commence until the Major Replacement Campaign Method Statement and Environmental Review has been submitted to and approved in writing by the relevant planning authority. c) Any traffic management measures proposed on the public highway must be subject to the draft DCO and outline CTMP. The notification procedure in Table 5.5 does not authorise traffic management works and will not displace any relevant statutory process or highways side agreement.

Our Ref.	Ref.	CCC Comments	Applicant Response
		The council welcome the avoidance of peak hours, including drop off and pick up times in front of the primary school, as well as to notify the highway authority. This would be appropriate to include when, as suggested above, the applicant demonstrates to the authorities it has assessed the impacts, and the proposes mitigation measures to address these.	d) Bulk deliveries of replacement solar panels, general replacement components, plant and equipment will first be made to the Operations and Maintenance Area in Site D. Onward panel distribution will use an 18-tonne rigid vehicle, or an equivalent vehicle suitable for the delivery location. It would not be appropriate to impose an absolute prohibition on HGV movements to Sites A, B and C. The replacement of a centralised inverter or solar transformer may require a vehicle selected for the size and weight of that component. This is materially different from the routine distribution of replacement panels, for which a smaller rigid vehicle has been specified. e) Paragraph 2.4.39 and Table 5.5 of the oOEMP [as updated alongside this submission] require delivery movements passing the school to take place outside highway peak periods and school drop-off and pick-up periods. The precise school periods will be identified in the final OEMP having regard to the operating hours of the school and advice from the highway authority.
Outline Landscape and Ecological Management Plan			
CCC-D5-49	5.3.46	Both Cambridgeshire and Bedford Borough would welcome discussions with the applicant about the proposed steps in the event of anti-social behaviour. The LHA would request entry into a formal agreement outlining the terms, and introduction of a mechanism for ensuring the terms are observed.	The oLEMP [as updated alongside this submission] contains an incident-log, reporting and escalation procedure. Material or repeated incidents must be reported to the relevant authorities, and proportionate responses may include signage, increased inspection, repairs, vegetation management and engagement through the Community Liaison Group. Closure is limited to substantiated repeated behaviour or a serious incident giving rise to unacceptable risk. The Applicant has updated the oLEMP to state that <i>'No permanent closure or material reduction in the network can be implemented without</i>

Our Ref.	Ref.	CCC Comments	Applicant Response
			<i>prior written LPA approval following consultation with the highway authority.'</i> The Applicant welcomes continued liaison with the Host Authorities but does not consider a separate agreement necessary when considering the updated measures set out in both the oLEMP and oPROWMP [both as updated alongside this submission].
CCC-D5-50	6.5.47	The Council welcomes the commitment to seeding 'Open Grassland suitable for Ground Nesting Birds' as part of Site Preparation Works prior to construction.	The Applicant notes this comment.
CCC-D5-51	8.2.5 7 Table 8.2, Page 78 - 79	The Council welcomes the inclusion of ecological monitoring to meet industry standard. However, the Council still considers bespoke surveys / research for skylark, which will be adversely impacted by the scheme, is still inadequate – please see response to Outline Farmland Bird Mitigation Strategy (para 6.1.5-6.1.6), Appendix C below.	This point is addressed below with reference to CCC-D5-54.
CCC-D5-52	Table 4.2, page 19-20	We welcome the inclusion of the size of areas to be allocated for ground nesting birds (total of 125 ha). However, we are still unclear how this relates to the number of skylark territories that will be lost or created as a result of the scheme. It also doesn't provide adequate figures to show the scheme will result in greater skylark productivity and therefore the assumptions the scheme will support nesting skylarks from surrounding farmland. We suggest that further assessment, such as the usage of a 'skylark metric' are undertaken to demonstrate the mitigation is adequate.	The Applicant maintains that current skylark metrics are flawed, as at present they do not account for increased breeding attempts by skylark within an area. It is well acknowledged that the decrease in nesting attempts resulting from modern farming methods are a primary cause of recent declines, and so should be a key consideration within any mitigation strategy. A skylark metric (Fox, 2022) has however been undertaken and is provided as Technical Note on Skylark Metric [EN010141/DR/8.73]. It should be noted that the Fox metric does not necessarily advocate for 100% mitigation (i.e., compensation on a 1:1 basis). The Fox (2022) methodology states that 'Depending on

Our Ref.	Ref.	CCC Comments	Applicant Response
			the balance of other likely ecological impacts and benefits, there may be an 'acceptable' number of un-compensated displaced territories. Ultimately, this will be a professional judgement call based on site and development specifics'.
CCC-D5-53	Appendix C, Table 4.2, page 19-20 & Open Grassland for Ground Nesting Birds - Sheet 3 of 3 drawing	Site C is shown to contact three defined areas of Open Grassland suitable for Ground Nesting Birds – areas 6, 13, 15. The council assumes these have been separated because they are defined fields, with boundaries that easily separate the sections and help calculate the already available land for skylarks (given the assumptions they will not nest within 50m of a boundary). However, the council are unclear why Area 6 was not separated into two smaller areas, given that the location of a permissive path through the field which may act as a boundary feature / barrier to ground-nesting birds. We welcome further clarification from the applicant on this issue, and whether the potential impact of a footpath has been already factored into the mitigation calculations.	While it is acknowledged that public access can affect bird nesting, it would not be expected that a permissive path would result in significant edge effects to skylark or discourage nesting in the same way as a defined field boundary feature (e.g., hedge) would. Skylark are frequently observed in locations subject to footfall, as evidenced by baseline territory mapping results which indicate skylark territories in proximity to existing footpaths. As stated within the outline Farmland Bird Mitigation Strategy at Appendix C of the oLEMP [as updated alongside this submission], signage will be in place to encourage dog owners to keep dogs on leads.
CCC-D5-54	Appendix C, 6.1.5 - 6.1.6, page 28,	While breeding bird surveys is welcomed for assessment of farmland bird assemblage; we consider it not adequate to demonstrate that the level of impact (positive or negative) for skylarks. Therefore, we seek a more robust research to be completed to demonstrate that the assumption that the solar farm will delivery increased skylark productivity, and that assumptions made in the skylark mitigation were correct. The data should also be utilised to inform future skylark 'metrics' / mitigation schemes for large scale solar farms.	Overall productivity of a bird is a highly complex outcome to study, and would be governed by factors including bird fitness (ability to attract a mate and hold a territory), nesting attempts and chick survival amongst others. Several of these factors (e.g., survival to breeding age) would be dependent on factors well beyond the Solar Site, such as skylark condition in wintering grounds. As such, it is considered beyond the scope of the project to attempt to holistically measure productivity. The element of this most likely to be influenced by proposed habitat changes, nesting attempts. It is already well established in literature that breeding attempts are limited to one to two attempts in modern agricultural settings, but can achieve three to four attempts within more suitable habitats. E.g., the British

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			Trust for Ornithology (BTO) BirdFacts site states '<i>Skylarks can lay up to four clutches a year, but this has likely been limited by agricultural intensification in recent decades, and the switch from spring to autumn crop sowing in particular.</i>' As such, it is unclear what would be gained from undertaking monitoring beyond verifying an already established fact. Instead, it is considered that monitoring is better focussed on ensuring that habitat remains optimal for skylark and allows three to four nesting attempts. Where habitat remains suitable, there is no reason to believe that skylark would not continue to nest throughout the full breeding season. As such, the proposed monitoring (i.e., standard breeding bird survey) will be able to monitor the consistency of observations of skylark throughout the breeding season. It would be expected that observations of skylarks advertising territory would be more consistent/ persist through a longer proportion of the breeding season than nearby agricultural land.
Outline Public Rights of Way Management Plan			
CCC-D5-55	7.1.16	Any temporary closures or diversions to public rights of way during the Operational Phase to provide for maintenance activities must be approved through the correct processes with a Temporary Traffic Regulation Order (TTRO) being applied for and accepted by the LHA before any temporary closure or diversion is implemented.	The Applicant is required to submit a final Public Right of Way Management Plan in accordance with Requirement 11 of the draft DCO [EN010141/DR/3.1] that must be approved by the relevant local planning authority in consultation with the local highway authority prior to construction commencing on Site. The Applicant considers this provides the necessary approval sought by CCC.
CCC-D5-56	7.2.4	Both Cambridgeshire and Bedford Borough would welcome discussions with the applicant about the proposed steps with regard to protecting the permissive	The oLEMP [as updated alongside this submission] contains an incident-log, reporting and escalation procedure. Material or repeated incidents must be reported to the relevant

Our Ref.	Ref.	CCC Comments	Applicant Response
		access paths in the event of anti-social behaviour. CCC would request entry into a formal agreement outlining the terms, and that introduces a mechanism for ensuring the terms are observed. This comment also applies to paras 5.3.45 and 5.3.46 of the oLEMP [REP3-057].	authorities, and proportionate responses may include signage, increased inspection, repairs, vegetation management and engagement through the Community Liaison Group. Closure is limited to substantiated repeated behaviour or a serious incident giving rise to unacceptable risk. The Applicant has updated the oLEMP to state that <i>'No permanent closure or material reduction in the network can be implemented without prior written LPA approval following consultation with the highway authority.'</i> The Applicant welcomes continued liaison with the Host Authorities but does not consider a separate agreement necessary when considering the updated measures set out in both the oLEMP and oPROWMP [both as updated alongside this submission].
CCC-D5-57	9.1	Monitoring reports should be shared with the LHA.	Section 10.2 of the updated oPROWMP [both as updated alongside this submission] confirms that all monitoring records will be made available to the relevant authorities upon request.
CCC-D5-58	9.4	Any permanent repairs to PROW surfaces should be agreed with the LHA.	The updated oPROWMP [as updated alongside this submission] requires the final PROWMP to provide full details of any proposed change to a PROW surface, including surface protection, strengthening, repairs and reinstatement. Those details must include the location and extent of the works, the surfacing specification, installation method and the proposed reinstatement standard, and must be approved as part of the final PROWMP by the relevant planning authority in consultation with the relevant local highway authority.

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CCC-D5-59	6.16.3, 6.17.3, 6.17.6, 6.18.3, 6.19.3	We welcome the introduction of proposed warning signage for vehicles approaching crossing points over PROW. However, give way markings should also be provided to ensure that vehicles are encouraged to come to a stop before crossing PROW. This is particularly relevant if there are locations where visibility of potential PROW users is restricted meaning drivers are unable to make a judgement on whether or not it is safe to cross the PROW without first coming to a halt.	Paragraph 5.1.20 of the oPROWMP [as updated alongside this submission] now requires signs at every vehicle crossing to inform drivers that they must give way to PROW users.
CCC-D5-60	7.1.5	This paragraph notes the circumstances under which the operator will rectify defects on the affected PROW during the operation of the development. This paragraph should be expanded to include completion of defect repairs within the Operator's control where not unreasonably requested by the local highway authority.	The updated oPROWMP [as updated alongside this submission] requires pre-work and post-work condition surveys, repair of Scheme attributable damage, immediate make-safe action for safety defects, identification of responsible parties and target completion dates, and retention of inspection and corrective-action records.
CCC-D5-61	6.17.7, 6.18.4	Use of Bridleway 112/7 and Footpath 112/8 'outside of construction hours'. Permitting use of the PROW at different times of the day risks confusion for operatives and PROW users. Measures will need to be in place to ensure that during the hours of construction, the fact that sections of these PROW are closed to the public is made clear to all potential users.	No Scheme vehicle movements will take place along the affected PROW outside approved working hours unless approved through the applicable CEMP and PROWMP procedures. The Applicant has updated the relevant paragraphs of the oPROWMP [as updated alongside this submission] to set out that outside of construction hours, either the diversionary route or the existing PROW can be used by PROW users.
CCC-D5-62	6.18.1, 6.18.2	It is unclear why a temporary PROW diversion is required (para 6.18.2) when in para 6.18.1 it is stated that construction traffic will have no direct impact on Footpath 112/8.	The Applicant has updated the oPROWMP [as updated alongside this submission] to correct this inconsistency.
Outline Surface Water Management Plan			

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CCC-D5-63	6.3.2	The climate change allowances appear to have been updated which is supported by the LLFA, however, Table 2 'Greenfield Runoff Rates' still refers to a 20% allowance rather than a 40% allowance. It remains unclear why the Greenfield runoff rate for the climate change scenario would be increased as suggested in Table 2. In accordance with Environment Agency guidance the 3.3%AEP storm event should also include an allowance for climate change.	Table 2 of the oSWMP [as updated alongside this submission] shows the 1.0% AEP plus a 40% climate change allowance for climate change. It has also been updated to include the 3.3% AEP plus 35% Upper End allowance for the Upper and Bedford Ouse catchment. However, the drainage design has been informed by the 1.0% AEP plus climate change event.									
CCC-D5-64	6.4.4	Section 6.4.4 refers to a total depth of the basin as 1.5m, which includes 300mm freeboard, however, section 6.5.10 refers to a <u>water depth</u> of 1.5m. The applicant must clarify maximum water depths in each design storm and the firewater scenario along with the available freeboard for each.	Section 6.5.17 of the oSWMP [as updated alongside this submission] has been updated to reflect the basin dimensions set out in Section 6.4.4, i.e., top depth of 1.5 m (maximum water depth of 1.2 m plus for the 300 mm freeboard).									
CCC-D5-65	Annex 1	Discharge rates At present the discharge rates seem excessive. Annex 1 shows that the 1 in 100 year greenfield runoff rate is 6.36l/s/ha. Which, based on an impermeable area of 2.7ha, would suggest the greenfield runoff rate for the impermeable BESS area in the 1 in 100 year + 40% CC storm event should be 17.17l/s. It therefore remains unclear as to why a discharge rate of 24.95l/s is proposed and used to assess the required volumes of attenuation. The same applies for the storage calculations in relation to the main swale. Long term storage The drainage strategy appears to adopt a flow matching approach rather than limiting discharge to QBar;	Discharge Rates For clarity, the greenfield rates are summarised in the below screenshot. 24.95l/s is used as the scheme is designed for the 100-year + 40% CC rainfall event. <table><tr><th>Return Period</th><th>Greenfield Run-off Rate (l/s/ha)</th><th>Rate over 2.7 ha (l/s)</th></tr><tr><td>100-year</td><td>6.36</td><td>17.17</td></tr><tr><td>100-year + 40% CC</td><td>9.24</td><td>24.95</td></tr></table> Long Term Storage The oSWMP [as updated alongside this submission] has been updated to include Long Term Storage (LTS) provision for additional runoff volumes (paragraphs 6.5.18 to 6.5.20). This	Return Period	Greenfield Run-off Rate (l/s/ha)	Rate over 2.7 ha (l/s)	100-year	6.36	17.17	100-year + 40% CC	9.24	24.95
Return Period	Greenfield Run-off Rate (l/s/ha)	Rate over 2.7 ha (l/s)										
100-year	6.36	17.17										
100-year + 40% CC	9.24	24.95										

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		therefore the applicant will need to demonstrate how increases in runoff volumes will be mitigated, typically through provision of long-term storage, which has not been set out within the report. Firewater volumes Annex 2 states that the storage feature should be able to accommodate the entire firewater stores of 456m³. Section 6.4.5 of the report sets out that the remaining available volume of 1,448m³ is approximately equivalent to the storage volume required for the 2% AEP plus climate change storm event. No evidence has been provided to demonstrate that this is the case. Outline drainage plan The report sets out appropriate best practice design principles (e.g. side slopes, top area of basin and depths); however, these should also be clearly reflected on the drainage plan demonstrating that this design can be provided within the order limits.	LTS volume is calculated using ReFH2, which is the recommended method in the CIRIA SuDS manual. This LTS volume is not in addition to the attenuation volume, but rather a part of the attenuation volume. I.e. the attenuation volume is what is required to restrict both the increase in rate and increase in volume to the greenfield rates. If infiltration in the swale is feasible, the increase in volume will be disposed of via infiltration. If it is not feasible, which is thought to be likely, it will be restricted to 2l/s/ha within the tail of the discharge hydrograph. Firewater Volumes The 'storage capacity above firewater volume' check using the runoff volumes from ReFH are included in Annex 2 (sheet 2) of the oSWMP [as updated alongside this submission]. It shows the runoff volumes for a range of return periods (including climate change). The required storage for the basin is approximately 1,900 m³ (excluding freeboard) and the firewater storage requirement is 456 m³. This leaves over 1,400 m³ of headroom should the basin be filled with the specified firewater volume. When considering climate change impacts, the 1,400 m³ headroom can accommodate the 3.3% AEP plus climate change event (which is approximately 1,300 m³) and almost the 2.0% AEP plus climate change event. Outline Drainage Plan The Outline Drainage Plan at Figure 3 of the oSWMP [as updated alongside this submission] shows dimensions for the detention basin, accounting for the top area of 1,270 m². It also shows the bottom area based on the 1.5m top depth (1.2m maximum water level plus 300mm freeboard), and 1:3 side slopes.

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			It should also be noted that the detailed design of the detention basin must be undertaken not only within the Order limits, but also within the area of Work No 6B as shown on the Works Plan [APP-009] . The size of the BESS/Substation area which the calculations and drainage design are based has been prepared on a worst-case scenario based on maximum parameters. Whilst the Applicant has demonstrated in the oSWMP that the drainage design can be prepared within the above parameters, the reality is that the size of the BESS/Substation area will very likely be smaller than that shown, and the design of the drainage area would therefore also be correspondingly smaller. The local planning authorities (in consultation with the LLFA) will be required to approve the detailed design of the drainage area (with detailed supporting calculations) prior to construction. The Applicant considers this provides the necessary control to the local planning authority in relation to the final detailed design.
Outline Heritage Enhancement Strategy			
CCC-D5-66	6.2.2	We welcome paragraph 6.2.2 and the maintenance proposed pursued to the final Historical Enhancement Strategy.	The Applicant notes this comment.
Biodiversity Net Gain Report			
CCC-D5-67	4.1.5	The Council welcomes clarification regarding how BNG uplift will be implemented on the River Kym and notes it will be delivered through enhancement of land within 10m of the watercourse, rather than in-channel enhancements. The Council's position [REP2-049] remains, that opportunities to maximise biodiversity enhancement of	The Applicant notes this comment.

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		the watercourses, including enhancements to in-channel habitats, should be explored.	
CCC-D5-68	5.2.3 & 5.2.4	The Council welcomes details provided regarding the amount biodiversity units of the scheme that will form great crested newt mitigation (under licence) and farmland bird mitigation. The Council is satisfied these habitats form part of the baseline, and do not include the BNG 10% uplift and are therefore in keeping with the rules / guidelines of delivering biodiversity net gain.	The Applicant notes this comment.
CCC-D5-69	Appendix A, Irreplaceable area habitats on-site, page 14,	There appears to be some text missing / not visible within the 'User comments' column for the individual trees – rural trees. Please can the cell be enlarged to allow all text to be read.	Due to editing restrictions within the Statutory Metric spreadsheet it is not possible to expand this cell or otherwise edit the spreadsheet. The Applicant clarifies that this text is identical to that in Tab A1 Ref 36 and states: <i>'Ancient and veteran trees within the Order Limits, assumed to achieve 'good' condition on a precautionary basis. Includes 18 veteran trees and 5 trees with veteran features. See arboricultural report for details.'</i> All veteran trees to be retained and protected with suitable measures in place.
CCC-D5-70	A-1 On-Site Habitat Baseline	The council assume the rural tree category only includes veteran / ancient trees, given the comments (regarding 18 veteran and 5 trees with veteran features) and that the area of rural trees is identical to the irreplaceable habitat (listed on the previous page). The council are concerned that: 1) The value of irreplaceable habitat (e.g. veteran / ancient trees) should not be included in the on-site habitat baseline, as explained within paragraph 8.4 of Defra (2026) Nationally significant infrastructure projects: biodiversity gain statement for energy: "8.4.	While it is correct that irreplaceable habitats do not generate baseline habitat units, this is automatically accounted for within the Metric. The Applicant directs CCC to the baseline record for individual veteran trees (Tab A1 ref36), and the units generated (excel ref Q46) which is listed as 0.00. Trees are typically associated with field boundary feature (hedgerows). The Metric user guide states that: <i>'Where there is no loss (or change of condition) of individual trees within a hedgerow or 'rural' line, the individual trees within</i>

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		<i>All irreplaceable habitats must be recorded in the irreplaceable habitat sheet of the biodiversity metric tool as detailed in the user guide. However, the biodiversity value of the irreplaceable habitat will not be included in the baseline”.</i> 2) The on-site habitat does not include other individual trees (not classed as veteran / ancient) located on the scheme. We refer the applicant to at least 33 trees shown on the Figure 3 – Habitat Survey of 6.3 ES Vol 3 Chapter 7-3 Ecology and Nature Conservation Figures P03 [REP3-047], and assume at least some of these trees are not classed as irreplaceable habitat. The council seek the applicant clarify how individual trees are categorised on the on-site habitat baseline calculations, and clarify why irreplaceable habitat has been included.	<i>that feature do not need to be recorded separately in the baseline.’</i>
Applicant Response to Deadline 2 Submissions - Host Authorities and Statutory Environmental Bodies			
CCC-D5-71	CCC-D2-02, Table 2, page 113	The Council welcomes additional information supplied by the applicant and considers this issue resolved.	The Applicant notes this comment.
CCC-D5-72	CCC-D2-05 Table 2, page 113	The Council acknowledge that enhancements to tributary of the River Kym may be constrained by the scheduled monument. However, part of the tributary of the River Kym falls outside of the scheduled monument, and, there might be some opportunities to work with the project archaeologist to identify opportunities to enhance the watercourse for benefit of both archaeology and biodiversity.	The Applicant notes this comment.

Our Ref.	Ref.	CCC Comments	Applicant Response
		The Council notes the commitment within Table 13 of the Design Parameters and Principles Statement [REP1-030] to enhance watercourses and seek commitment from the applicant that this will include exploring opportunities to enhance the tributary of the River Kym.	
CCC-D5-73	CCC-D2-06	The Council agrees that delivery of Biodiversity Net Gain could form part of the monitoring of DCO requirements, specifically delivery of the Landscape and Ecological Management Plan – with the final LEMP including a Biodiversity Net Gain Habitat Management and Monitoring Plan. The Council still considers a S106 agreement, rather than a PPA, to be the most appropriate way to ensure adequate resources / officer time can be secured to participate in the Landscape and Ecological Management Plan Steering Group – which will review monitoring documents, including delivery of Biodiversity Net Gain, and ensure scheme is delivering on its commitments,	The Applicant notes this comment. The position with BBC and HDC is that: <i>“The Council and Applicant acknowledge the Government’s recent amendment to the Infrastructure Planning (Fees) Regulations 2024 and that as of the 8th June 2026, Councils acting on NSIPs now have a statutory route to recover all costs incurred for the duration of the Scheme in relation to NSIP applications. This would therefore address and conclude the issue of monitoring and/or s106 fees raised in the Council’s Local Impact Report”</i> The Applicant is of the understanding that this was also the position with CCC.
CCC-D5-74	CCC-D2-48 to CCC-D2-52, pages 130-131	The Council welcomes the response and updated Hydrology and Flood Risk [REP3-026] relating to wildlife sites, ancient woodland and irreplaceable habitats – these issues are considered resolved.	The Applicant notes this comment.
CCC-D5-75	CCC-D2-55 - CCC-D2-55	The Council considers the issue regarding the missing ‘areas of limited access’ resolved.	The Applicant notes this comment.
CCC-D5-76	CCC-D2-56	The Council considers the issue regarding the lack of Great Crested Newt survey work is resolved	The Applicant notes this comment.

Our Ref.	Ref.	CCC Comments	Applicant Response
CCC-D5-77	CCC-D2-59	The council welcome the update to table 5.3 to include land that has been left fallow – issue resolved.	The Applicant notes this comment.
CCC-D5-78	CCC D2-62, page 135 CCC D2-65	The Council welcomes the evidence provided regarding skylark breeding success of different habitat, albeit recognising there is limited data regarding the usage of grassland for these species, with the applicant concluding that skylark productivity increases on set a side of x2.5 that of spring cereal. This calculation is useful; however, it doesn't fully demonstrate how the number of territories / breeding success of the proposed Outline Farmland Bird Mitigation compares with the baseline. Based on grassland / set-a-side delivering x2.5 skylark productivity of spring cereal, we would assume that the outline bird mitigation areas are of insufficient size to off-set the current availability of skylark habitat within the scheme. Since Deadline 2, a new Solar Energy UK (2026) publication about solar farms and skylark publication has been published (see link below). This shows there is no standardised measures for skylark mitigation and solar farms, it does refer to two published mitigation frameworks - Fox (2022) and Arventus (2025) pilot 'skylark metric'. The Arventus 'skylark metric' takes into account increased carry capacity of adjacent fields and creation of high-quality grassland within the solar farm and calculates potential displacement / loss of individuals. It is also stated that RSPB and Natural England have had sight of the pilot Arventus 'skylark metric' and have not raised any significant concerns. In light of this, and given	This representation has been responded to within the accompanying skylark note however key conclusions are summarised below. The Applicant maintains that current skylark metrics are flawed, as at present they do not account for increased breeding attempts by skylark within an area. It is well acknowledged that the decrease in nesting attempts resulting from modern farming methods are a primary cause of recent declines, and so should be a key consideration within any mitigation strategy. It is noted that neither the Fox nor Arventus metrics are endorsed by Natural England or form part of any established survey/ assessment guidance. The Fox metric methodology itself states '<i>The prototype methodology given here is not perfect, makes several assumptions and is as yet without monitoring data. However, it is anticipated to provide a starting point for discussion on [ground nesting bird] mitigation</i>' Nonetheless, at the request of CCC a skylark metric (the Fox Metric) has been utilised, this is submitted as Technical Note on Skylark Metric [EN010141/DR/8.73]. The results of the Skylark metric indicates that approximately 70 territories would theoretically be expected within the identified skylark mitigation areas post-development. A further 17 territories would be expected to be absorbed by adjacent land due to incidental benefits such as increased foraging. As discussed above, current skylark metrics are unable to predict changes to the number of nesting attempts in a breeding season, which drive productivity. Based on the skylark metric, a productivity increase of 1.54% would be

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		that carrying capacity under pins the applicant's skylark mitigation, we seek the applicant to confirm how this scheme compares to these mitigation frameworks and how applicable it is to large solar farms of size of East Park. Confirmation is also sought that Natural England consider this metric approach to be the most effective tool available for measuring impacts to skylarks. If it is demonstrated, through the mitigation frameworks that off-site mitigation is required, we are in agreement that skylark plots are ill-advised. Instead, the applicant should be looking for delivery of set-a-side / grassland habitat to be managed for benefit of nesting skylark for the duration of the operational phase of the scheme. We do appreciate that these impacts to skylarks are 'temporary' in planning terms. The skylark population has continued to decline for the last 50 years, with the UK breeding population declining by 9% between 1995 to 2024 (Heywood <i>et al</i> 2026). Therefore, impacting their population for the next 40 years will have a lasting impact beyond the lifetime of this development – for which will take generations to recover. The Council would like to reiterate that adverse impacts to skylarks continue to be a key issue relating to all types of development across the county, whether it be transport and infrastructure, housing development or solar farms (both small and large scale). Therefore adverse impacts to skylarks are considered unacceptable. The approach to skylark mitigation schemes throughout Cambridgeshire	required to achieve parity with the baseline, which is considered within realistic bounds. The Applicant welcomes that the provision of grassland is preferred over other methods (e.g., plots), however maintains that on-Site provision is sufficient and proportionate. The applicant strongly disagrees that a 1:1 compensation would be required. The Solar Energy UK document referenced states in its conclusion that <i>'National planning policy does not require the elimination of all localised ecological effects, nor does it mandate the direct replacement of individual breeding pairs. Instead, the policy framework emphasises proportionate mitigation. In this context, the displacement of Skylarks from nesting within solar arrays should be considered alongside the wider ecological outcomes associated with well-managed solar farm sites.'</i> <i>'Whilst local level impacts must be fully assessed, mitigation measures must be proportionate and reasonable, so should focus on improving habitat quality and breeding productivity at an appropriate scale, rather than attempting to mitigate for all displaced territories.'</i> Additionally, the Fox 2022 paper states that <i>'Depending on the balance of other likely ecological impacts and benefits, there may be an 'acceptable' number of un-compensated displaced territories. Ultimately, this will be a professional judgement call based on site and development specifics'</i>. As such, 1:1 mitigation does not appear to be required by recent guidance or by the metric methodologies themselves.

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		is to compensate skylark territories on a 1:1 basis - for example, Sunnica solar farm and housing development at Northstowe and Eddington (new towns). The Council's position to seek compensation of 1:1 territory for East Park is therefore considered consistent with other schemes; unless evolving skylark metrics can be demonstrated to apply and deliver a more effective approach to skylark conservation. Citations: Solar Energy UK (2026) Solar Farms & Skylarks publication Heywood, J.J.N., Massimino, D., Baker, L., Balmer, D.E., Brighton, C.H., Kelly, L.A., Noble, D.G., Pearce-Higgins, J.W., White, D.M., Workman, E. & Wotton, S. 2026. The Breeding Bird Survey 2025. BTO Research Report 802 British Trust for Ornithology, Thetford, Norfolk	

2.3 Response to Huntingdonshire District Council

Table 4: Response to Huntingdonshire District Council (REP4-036)

Our Ref.	Ref.	HDC Comments	Applicant Response
Cover Letter			
HDC-D5-01	-	The Applicant has appointed an independent third-party organisation, Community Energy Pathways (CEP), to support the Scheme and aid in the delivery of a Community Benefit Fund (CBF). The Host Authorities have recently engaged with CEP, alongside ward councillors and parish councils, and discussions are ongoing regarding the scope, governance, and operation of the fund. It is noted that a CBF is not a planning consideration, but a voluntary commitment as made by this Applicant against this Scheme. Under correction, it is understood that the Examining Authority at Issue Specific Hearing 3 (ISH3) raised the option that the CBF could be used to support the creation or enhancement of public rights of way (PRoW) should fund beneficiaries choose to prioritise such projects. The Council considers that any necessary PRoW enhancements arising from the impacts of the Scheme should be secured and delivered directly by the Applicant as mitigation and enhancements, rather than being dependent on the discretionary allocation of the CBF. While the Council acknowledges the potential role of the CBF, discussions regarding the fund remain at an early stage, is subject to third parties, and no conclusions have yet been reached as to its feasibility, structure, or specific uses.	The Applicant agrees that any mitigation or enhancement necessary to address the effects of the Scheme, including measures relating to public rights of way, will be secured and delivered directly through the relevant management plans and requirements of the draft DCO [EN010141/DR/3.1]. The delivery of those measures will not be dependent on the Community Benefit Fund. The Community Benefit Fund will be separate from the mitigation and enhancement secured through the draft DCO. Although beneficiaries may choose to support public rights of way or other community projects through the Fund, decisions regarding its allocation would be discretionary. The Applicant's intention is that the administration of the Fund and decisions regarding its use would be undertaken by others, rather than by the Applicant.

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-02	-	In its Response to ExQ1 [REP3-079], the Council stated that a Planning Performance Agreement (PPA) was not considered an appropriate legal or planning mechanism to secure funding for Biodiversity Net Gain (BNG) monitoring or any other monitoring fees in lieu of a Section 106 agreement. The Applicant has subsequently engaged with the Host Authorities on a without prejudice basis to explore the potential for a PPA or alternative obligation/side agreement to cover costs associated with the post-consent stage. However, both the Applicant and the Host Authorities acknowledge the Government's recent amendment to the Infrastructure Planning (Fees) Regulations 2024. As of 8 June 2026, these amendments provide local authorities involved in Nationally Significant Infrastructure Projects (NSIPs) with a statutory mechanism to recover costs incurred for the duration of the scheme. This legislative change is therefore considered to address and resolve the issue of monitoring and/or Section 106 related costs previously raised by the Council in its Local Impact Report [REP1-078] and in its Response to ExQ1 [REP3-079].	The Applicant welcomes agreement on this matter.
Outline Construction Environmental Management Plan			
HDC-D5-03	Appendix B	The Council notes that the updated 'Ecological Reasonable Avoidance Measures Method Statements' have not been provided for review.	The Applicant notes that the outline Reasonable Avoidance Measures for Great Crested Newts are set out in Section 2.3 of the oCEMP [REP3-048] .

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-04	1.1.5	Amended wording requested: “This oCEMP is a control document that will be certified by the Secretary of State as part of the DCO and implemented via a requirement in Schedule 2 (Part 1, Article 5) of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented, the final CEMP(s) produced for any phase of the Scheme (see paragraph 2.4.6 below for more information) will be in substantial accordance with this oCEMP, and approved by the relevant local planning authority (LPA) before construction commences.”	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] accordingly.
HDC-D5-05	1.2.1	Additional wording requested: “Monitoring and Maintenance – sets out the procedures for monitoring and ensuring compliance with the CEMP, as well as requirements for record keeping, and making information available to registers and the local planning authority as required.”	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] accordingly.
HDC-D5-06	2.4.3 i)c., iii)a. and k, 2.4.6, 2.5.3, 2.5.10, 2.5.11, 4.1.7, 4.1.25, Table 5.1, Table 5.2, Table 5.5, Table 5.6	Remove reference to ‘temporary’ access or similar and replace with reference to the ‘construction phase’ for clarity.	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] accordingly.
HDC-D5-07	3.1.2	Suggested amended wording: “As a minimum the above roles are likely to be required to support implementation of the CEMP. The	The Applicant has updated the outline Construction Environmental Management Plan (oCEMP) [as updated alongside this submission] accordingly.

Our Ref.	Ref.	HDC Comments	Applicant Response
		requirement for additional roles and details of responsibilities will be confirmed in the final CEMP.”	
HDC-D5-08	Table 5.3 – Indirect impacts to off-site habitats, including designated sites for nature conservation Indirect impacts to retained onsite habitats including hedgerows, watercourses and ponds)	Amended wording requested: “Hedgerows to include a minimum 6m buffer, extending beyond this to include the full root protection zone for retained trees where this extends beyond 6m, and excluding any locations where points of widening or crossing points, in which no works (other than landscaping) are to occur.”	The Applicant recognises the intent of HDC’s suggested amendments, and the need to ensure trees are protected from damage or harm that hasn’t been assessed within the ES. However, the Applicant does not consider a blanket exclusion to works within root protection areas to be appropriate, as it is acceptable to undertake such works within the RPA of a tree or hedgerow when undertaken sensitively, and in accordance with an arboricultural method statement, and under the guidance of a qualified arboriculturalist. The Applicant reiterates that trees would be protected during construction in accordance with BS:5837 (as set out in both the oCEMP and the oLEMP).
HDC-D5-09	Table 5.3 – Damage or destruction of bat roosts	As a GLTA has not been undertaken for each of these trees, the Applicant needs to clearly demonstrate the methods that will be put in place in order to provide confidence that bat roosts will not be impacted. That may involve precautionary buffers, sensitive timing or methodology for works and pre-construction surveys. Currently insufficient information to rule out the potential for impacts on trees that may contain roosts.	The Applicant has updated Table 5.3 of the oCEMP [as updated alongside this submission] to include detail on the approach to trees with bat roost potential. The approach set out was discussed with the Council’s ecologists at a meeting in June 2026.

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-10	Table 5.3 – Killing/ injury of amphibians and/ or reptiles	The Council awaits sight of any update to the reasonable avoidance measures (Appendix B). Further clarification is required on the methods to be used to prevent offences in relation to GCN.	The Applicant notes that the outline Reasonable Avoidance Measures for Great Crested Newts are set out in Section 2.3 of the oCEMP [REP3-048] .
Outline Operational Environmental Management Plan			
HDC-D5-11	1.1.5	Alternative wording requested: “This oOEMP is a control document that will be implemented via a requirement in Schedule 2 (Part 1, Article 9) of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented, the final OEMP(s) 1 produced for any phase of the Scheme will be in substantial accordance with this oOEMP, and approved by the relevant local planning authority (LPA) before construction commences.”	The Applicant has updated the outline Operational Environmental Management Plan (oOEMP) [as updated alongside this submission] accordingly.
HDC-D5-12	1.2.1	Additional wording requested: “Monitoring and Maintenance – sets out the procedures for monitoring and ensuring compliance with the OEMP, as well as requirements for record keeping, and making information available to registers and the local planning authority as required.	The Applicant has updated the outline Operational Environmental Management Plan (oOEMP) [as updated alongside this submission] accordingly.
HDC-D5-13	2.4.10	In response to the matter raised by the Council in the Local Impact Report [REP1-078] regarding replacement works, and the request by the Council that these works should be identified within a Replacement Phase, the Applicant has prepared the [REP3-075] ‘Technical Note on Replacement Works’ which sets out an approach to such works. While the Council’s response to the	Section 2.4 of the oOEMP [as updated alongside this submission] has been substantially expanded and now contains a dedicated sub-section addressing replacement activities. It defines Routine Replacement Works, Planned Panel Replacement Campaigns and Major Replacement Campaigns; requires the as-built number of panels and all subsequent replacements to be recorded; establishes the

Our Ref.	Ref.	HDC Comments	Applicant Response
		Applicant's suggestion is addressed in the 'Cover to Technical Note; July 2026' submitted as part of Deadline 4, the various commitments made by the Applicant in the Technical Note should find their way into all management plans, with specific reference to the OEMP. While the Applicant has stated that this review has been undertaken, the Council suggests that the clarity of the major replacement campaign works as set out in the Technical Note does not find itself in the various management plans and could benefit from a sub-section within the oOEMP.	rolling 12-month calculation; and prevents the threshold from being exceeded without prior approval. The Applicant has also updated the relevant other operational phase management plans to include specific reference to replacement works.
HDC-D5-14	3.1.2	Amended wording suggested: "As a minimum the above roles and responsibilities are likely to be required to support implementation of the CEMP. The requirement for additional roles and details of responsibilities will be confirmed in the final OEMP."	The Applicant has updated the outline Operational Environmental Management Plan (oOEMP) [as updated alongside this submission] accordingly.
HDC-D5-15	4.1.11	The OEMP will only cover operation so reference to construction should be removed.	The Applicant has updated the outline Operational Environmental Management Plan (oOEMP) [as updated alongside this submission] accordingly.
HDC-D5-16	4.1.42, 4.1.52, 4.1.57	Within the oOEMP, the Applicant makes reference to the following Appendices which have not been included. As noted across the review of all management plans, the Council would like to see an intent framework/template of the following as committed to by the Applicant, namely: • Unexpected Contamination Protocol template ([REP3-075]; Technical Note para 3.9.1)).	The Applicant has discussed this matter with the Host Authorities and it has been agreed that all committed documents need not be provided, but that an appendix to the oOEMP should be provided that sets out the additional documents that will accompany the final OEMP, along with a summary of the minimum requirements of that document. The Applicant has updated the oOEMP [as updated alongside this submission] to provide this additional appendix.

Our Ref.	Ref.	HDC Comments	Applicant Response
		• Emergency Response Plan template ([REP3-052] oOEMP, para 4.1.42). • Flood Warning and Evacuation Plan template ([REP3-052] oOEMP, para 4.1.52). • Complaints Register template ([REP3-052] oOEMP, para 4.1.57). As it currently stands, the Council has not seen evidence of even the framework of some of these proposed documents - this is viewed as a significant concern as the Council needs to have clarity as to their long-term planning involvement/ commitments as local planning authorities in reviewing/ monitoring the management, maintenance, and enforcement measures of the Scheme.	
HDC-D5-17	Table 5.11, pg 52	The applicant currently states “All members of the supply chain providing a carbon reduction plan where feasible” however this is considered too loose a specification as currently worded and should be reviewed.	The Applicant notes this comment, however there may be members of the supply chain where it would be impractical to provide a carbon reduction plan. As set out in the oOEMP [as updated alongside this submission], the final OEMP will include a Supply Chain Carbon Reduction Plan based on that provided for the CEMP which will include: • Roles and responsibilities of the Principal Contractor and relevant suppliers, including supply-chain carbon-reduction commitments where feasible; • Detail of plant and machinery efficiency measures, including planned maintenance, and compliance with relevant emissions standards;

Our Ref.	Ref.	HDC Comments	Applicant Response
			• Consideration of certified HVO or other sustainable low-carbon fuels where compatible and reasonably practicable; • Application of the carbon-reduction hierarchy by avoiding unnecessary material use, reducing quantities, waste and transport, and substituting lower-carbon alternatives; • Consideration of embodied carbon within procurement and selection of lower-carbon or locally sourced materials where reasonably practicable; • Consideration of efficient foundations and mounting systems, modular or prefabricated components, reduced concrete and steel quantities, lower-carbon concrete or cement substitutes, recycled-content metals, reusable temporary works and efficient material logistics; • Defined measures and benchmarks for embodied carbon and recycled content; and • Monitoring and recording of selected products and materials against those benchmarks.
Outline Decommissioning Environmental Management Plan			
HDC-D5-18	1.1.5	Suggested amended wording: “This oDEMP is a control document that will be certified by the Secretary of State as part of the DCO and implemented via a requirement in Schedule 2 (Part 1, Article 18) of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented this oDEMP will be developed into a final Decommissioning Environmental Management Plan (DEMP).”	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] accordingly.

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-19	1.2.1	Additional wording requested: “Monitoring and Maintenance – sets out the procedures for monitoring and ensuring compliance with the final DEMP, as well as requirements for record keeping, and making information available to registers and the local planning authority as required.”	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] accordingly.
HDC-D5-20	3.1.2	Suggested amended wording: “As a minimum the above roles are likely to be required to support implementation of the DEMP. The requirement for additional roles and details of responsibilities will be confirmed in the final DEMP.”	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] accordingly.
HDC-D5-21	4.1.8	“This document sets out the principles by which PRow will be managed during the construction, operational and decommissioning phases.” – reference to construction and operational phases should be removed as the DEMP will only cover decommissioning.	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] accordingly.
HDC-D5-22	Table 5.1 - Potential loss of vegetation during decommissioning	The Council maintain its position that the long-term management of habitats and mitigation features created by the Scheme should remain secured following decommissioning.	The Applicant notes that it would be at the discretion of landowners to manage their land following decommissioning of the Scheme.
HDC-D5-23	Table 5.3	“Retained habitats, including hedgerows, trees, and wetland areas, will be protected using exclusion zones and buffer strips.” - this should include indicative buffer distances for each of these habitats to ensure the target is specific.	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] to confirm these will be identified in the final DEMP, which the Applicant considers appropriate as they can then be based on best practice at the time.

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-24	Table 5.3 – Damage or destruction of bat roosts	The Council objects to wording that implies tree felling would occur during decommissioning and consider that any such works should only occur by exception and be justified/agreed for specific locations within the DEMP. “Hedgerow removal to be subject to a hand search by the EcoCoW prior to removal.” – this wording should be removed entirely as this should not be the expectation.	The Applicant has updated the outline Decommissioning Environmental Management Plan (oDEMP) [as updated alongside this submission] accordingly.
Outline Landscape and Ecological Management Plan			
HDC-D5-25	Appendix A	Updated appendices and illustrative landscape proposals have not been provided for review and the Council reserves its position pending assessment of the revised material.	The Applicant notes that HDC requested the Microsoft Word versions of the various management plans for review / comment, which the Applicant provided. The Applicant made clear when issuing these that the supporting appendices and figures could be provided on request, but noting that these are available in the versions of the management plans that have been submitted as PDFs into the Examination and are available in the Examination Library. Appendix A has been available for review in the submitted versions of the oLEMP.
HDC-D5-26	1.1.3	Suggested amended wording: “This oLEMP is a control document that will be certified by the Secretary of State as part of the DCo and implemented via a Requirement in Schedule 2 (Part 1, Article 4) of the draft DCO [EN010141/DR/3.1]. Should the Scheme be consented, the final Landscape Environmental Management Plan (LEMP) produced for any phase of the Scheme will be in substantial accordance with this oLEMP and approved by the	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.

Our Ref.	Ref.	HDC Comments	Applicant Response
		relevant local planning authority (LPA) before construction commences."	
HDC-D5-27	2.1.1	Remove following wording from sentence: "which includes land required for permanent and temporary purposes"	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-28	2.5.5	Suggested amended wording: "The Scheme Boundary also encompasses part of LCA 1D Thurleigh Clay Farmland, however as only temporary construction phase works are proposed in this area there is limited opportunity for the provision or management of green infrastructure as part of the Scheme."	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-29	2.6.4 – 2.6.5	This section needs some clarification and linking to other measures that are proposed to ensure that these CWS adjoining the Site will be protected against impacts.	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-30	Section 3.4	The Council requests greater detail and clarity regarding buffer distances to retained vegetation, trees and public rights of way. "A minimum 6m buffer between the fenceline of the solar farm and the surrounding hedgerows or substantial areas of vegetation" - A larger buffer zone is required for the RPA of retained trees. "A minimum 10m buffer between the fenceline of the solar farm and public rights of way" - This needs to be defined	In relation to retained vegetation, the Applicant disagrees as this design buffer is a ' <i>minimum of...</i> ' - regardless of the RPA of retained hedgerows or trees which across almost all of the scheme is less than 6m. As set out at paragraph 5.2.6 and 5.2.7 of the oLEMP [as updated alongside this submission] , vegetation will be protected in accordance with the Arboricultural Assessment unless an arboricultural method statement is provided as part of the final LEMP submitted for approval demonstrating how the work will be undertaken without adversely impacting the tree / hedgerow. An absolute constraint around RPAs is not considered necessary or proportionate when works (e.g. a fencepost)

Our Ref.	Ref.	HDC Comments	Applicant Response
		to edge of PRoW or centre line. “ES Vol 3 Figure 2-1: Illustrative Environmental Masterplan [EN010141/DR/6.3] incorporates the above buffers to illustrate how the Scheme is likely to come forward.” – The stated buffers are very high level and lack appropriate detail for different types of vegetation and hierarchy of PRoW. Wording “is likely to” is light but with more detail on the design parameters, the design would have stronger parameters to work to.	could safely be undertaken within an RPA without harm to the tree. In relation to public rights of way, the Applicant agrees and has updated paragraph 3.4.1 of the oLEMP [as updated alongside this submission] to confirm that the buffer should be taken from the centreline of a PRoW. In relation to the Illustrative Environmental Masterplan, the Illustrative Environmental Masterplan does only show how the scheme is ‘likely’ to come forward. It is not a detailed or final design.
HDC-D5-31	3.5.4	“448 hectares of grazing pasture or neutral grassland” – based on the translation in Table 1, this title for the landscape proposals is misleading, as the habitat to be created is unlikely to meet any of the neutral grassland definitions within UKHab. Additional wording suggested below 3.5.4 to make clear that it is the BNG habitat types that will be basis for future monitoring: “Table 1 shows the Biodiversity Net Gain (BNG) habitat categories to which these illustrative landscape proposals relate and that will be used as the basis for future monitoring.”	The Applicant agrees in terms of UKHab, but more broadly considers it would meet the definition. Even if modified by agricultural inputs the soils would be neutral in PH. Under the old habitat survey guidance (e.g., Phase 1) it would have been classified as semi-improved neutral grassland. The Applicant has an outstanding query on this matter with the LPAs as to whether they consider the change necessary, given it does not affect the outcome of the assessment. The Applicant has updated paragraph 3.5.5 of the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-32	3.6.2	Amended wording suggested to clarify that the minimum BNG commitments identified in paragraph 3.6.1, will be maintained through detailed design: “While maintaining the minimum BNG commitments set out in paragraph 3.6.1, opportunities to increase BNG	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.

Our Ref.	Ref.	HDC Comments	Applicant Response
		beyond the committed position will be considered through detailed design, including opportunities to increase watercourse units where practicable.”	
HDC-D5-33	Table 1	Proposed Native Species Woodland or Woodland Belt - Targeted woodland condition criteria should still be identified, even where poor condition is targeted, to provide a clear and measurable basis for future monitoring. “N/A – poor condition targeted” is not sufficiently specific. Arable Field Margins, Tussocky - This is not by definition within UK Hab a species diverse grassland community. It should be clear what the split is between this habitat type and the more valuable neutral grassland elements (e.g. 48ha arable field margins + 400ha other neutral grassland. Native hedgerow (species rich) should be updated to “Species-rich native hedgerow” to match the SBM habitat type. Individual trees – poor targeted condition should be justified i.e. why has it been targeted and has a higher condition been considered.	a) The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly. b) This was added to satisfy the trading rules but there's no different planting required. Footnote added to the oLEMP [as updated alongside this submission] to clarify. c) The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly. d) The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] to add condition criteria, and that is has been assessed following a precautionary approach.
HDC-D5-34	4.2.1	The Council suggests that the Landscape and Ecological Management Plan Steering Group should be established within six months of the commencement of the operational phase.	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-35	5.3.9	There are pros and cons to using biodegradable guards. There tends to be a high % of failures due to collapsing and failing	The Applicant notes this comment, however it is considered by the Applicant that the pros outweigh the cons. The oLEMP sets a commitment to establish and maintain the planting, and the condition of tree/shrub guards will be a

Our Ref.	Ref.	HDC Comments	Applicant Response
		of the guards as they biodegrade, prior to establishment of the trees/ shrubs.	matter that is monitored through the establishment period to ensure success.
HDC-D5-36	5.3.40	Yellow Rattle will require cold stratification to ensure seed will germinate.	The Applicant has provided a footnote to the oLEMP [as updated alongside this submission] . Although, the Applicant notes that when sown in autumn the winter months provide the necessary cold period.
HDC-D5-37	6.3.7	There is no quantifiable measure of how much water per plant/ m2 or what events would trigger the need for watering and frequency.	The Applicant notes this comment however watering will be at the discretion of the landscape manager under the overarching requirement of the LEMP to ensure the successful establishment of the proposed planting. There is no firm commitment provided at paragraphs 6.3.4-7 of the oLEMP [as updated alongside this submission] to undertake any specific quantum of watering to achieve successful establishment, but if it is undertaken, paragraphs 6.3.4-7 set out the approach that will be taken. Any watering undertaken will not draw water from the mains supply, as set out in paragraph 6.3.6 of the oLEMP [as updated alongside this submission] .
HDC-D5-38	6.4.1–6.4.2	The surveying of existing trees should be annually for trees in proximity to PRow and the permissive routes.	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-39	6.5.20	A maximum size should be defined to prevent the pilling up and leaving of cuttings on site in an unchecked pile.	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-40	7.1.3	Request text is added to advise that the ongoing height management of hedgerow would be lower than the 3 metre as set out in this oLEMP and would be in	The Applicant notes that it would be at the discretion of landowners to manage their land following decommissioning of the Scheme.

Our Ref.	Ref.	HDC Comments	Applicant Response
		accordance with the prevailing height of hedgerows in the surrounding area.	
HDC-D5-41	8.2.3	Request clarification whether monitoring reports are to be submitted to the relevant LPA, or LPAs where monitoring relates to land within both administrative areas, at the stated monitoring intervals. This should be confirmed for consistency and to support long-term oversight of the LEMP and BNG commitments.	The Applicant has updated paragraph 8.1.5 of the oLEMP [as updated alongside this submission] to address this comment.
HDC-D5-42	Various	Council considers that a number of commitments throughout the oLEMP require stronger drafting to provide certainty regarding implementation, monitoring and long-term management. In particular, discretionary wording (for example, the use of "may") should be reviewed where actions are intended to be secured mitigation, management or monitoring measures, and replaced with enforceable wording where appropriate.	The Applicant has updated the outline Landscape and Ecological Management Plan (oLEMP) [as updated alongside this submission] accordingly.
HDC-D5-43	Appendix C: Outline Farmland Bird Mitigation Strategy	The Council comments that the document would benefit from a statement confirming that the oLEMP is a committed document secured through the DCO (Paragraph 1.1.2). 'Grazing pasture' is a definition based on the land use rather than the actual botanical composition. Based on Table 1 of the oLEMP this does not include any habitat that would be considered neutral grassland under UK Hab and therefore suggest this landscape group is renamed for clarity (Paragraph 2.2.1). It is suggested that "set out in Table 1 of the oLEMP [EN010141/DR/7.7]" is added to the end of paragraph 2.2.2 for clarity.	a) The Applicant has updated Appendix C of the oLEMP [as updated alongside this submission] to make this amendment. b) The Applicant agrees in terms of UKHab, but more broadly considers it would meet the definition. Even if modified by agricultural inputs the soils would be neutral in PH. Under the old habitat survey guidance (e.g., Phase 1) it would have been classified as semi-improved neutral grassland. The Applicant has an outstanding query on this matter with the LPAs as to whether they consider the change necessary, given it does not affect the outcome of the assessment.

Our Ref.	Ref.	HDC Comments	Applicant Response
		Additional wording requested at paragraph 4.2.3: “Provide 205 ha species-diverse grassland to be managed under an annual cut and collect management regime attracting invertebrate and small mammal prey to enhance foraging resource”. The Council seeks further detail to confirm the linkage between construction phasing and the provision of mitigation habitats (paragraph 5.2.1), considers the proposed approach to landscaping implementation to be too open-ended (paragraph 5.2.3) and therefore requests a clear timetable for initial habitat creation and completion of landscaping within each phase. The Council further considers that additional detail is required regarding the size and timing of habitat creation areas. A table clearly showing expected habitat losses and gains and when these will occur is required and requested (Section 5.2.4). It is suggested that an additional aim relating to the early establishment of mitigation habitats should be included to limit impacts on birds during the construction phase (Table 5.1). Additional wording suggested at paragraph 6.1.2: “Habitats will be assessed following the UKHabitat survey methodology, with habitat type (i.e. distinctiveness) determined through the guidance provided in UKHab Version 2.0, and condition assessed in line with the relevant condition sheets for the Statutory Biodiversity Metric (SBM) (as of June 2026) for each habitat type. Monitoring surveys will be undertaken within the optimum botanical survey period, which is generally between April and September.”	c) The Applicant has updated Appendix C of the oLEMP [as updated alongside this submission] to make this amendment. d) The Applicant has updated Appendix C of the oLEMP [as updated alongside this submission] to make this amendment. e) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. f) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. g) The Applicant has updated Table 5.1 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. h) The Applicant has updated paragraph 6.1.2 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment. i) The Applicant has updated paragraph 5.2.3 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment.

Our Ref.	Ref.	HDC Comments	Applicant Response
		Finally, the Council notes that, without the data on when habitat creation will occur relative to construction, it is not possible to verify whether the expected changes in conservation status are realistic (Table 7.1).	
Comments on the Applicant's Technical Note on Replacement Works			
HDC-D5-44	Paragraph 1.1.5	While the Council is in broad agreement with the statement made by the Applicant that the impact, and consequently the assessment/mitigation of the operational (replacement) phase is less than that of the construction phase, such works/commitments as required should still be reflected and set out within the [REP3-052] outline Operational Environmental Management Plan (oOEMP) as works to be undertaken in their own right. For example, the management and maintenance works as provisionally identified in [APP-038] The Scheme paragraph 2.6.5-9 should be transposed into the oOEMP and other relevant Management Plans. Currently this is not evident.	The Applicant is pleased that the Council is in broad agreement that the works set out by the Applicant in Technical Note on Replacement Works [REP3-075] would result in less impact than the construction phase. The Applicant does not consider that paragraphs 2.6.5-9 of [APP-038] should be transposed into the oOEMP. However, Section 2.4 of the oOEMP [as updated alongside this submission] has been substantially updated to make clear the parameters of any routine replacement works and the approach that shall be taken to replacement campaigns of less than 20% of the panels in any one year. The section has also been updated to specify the information that would need to be provided to the relevant LPA in the event that a Major Replacement Campaign was proposed.
HDC-D5-45	Paragraph 1.1.6	The Applicant's statement, as set out at paragraph 1.1.6: "to ensure that such works do not give rise to any materially new or materially different environmental effects compared to those identified in the environmental statement" needs to be reflected in the oOEMP with the Applicant setting out a strategy as to how this is monitored, maintained/managed, and what remedial/recourse actions are enacted by the Operator should the effect/ harm be identified as being greater or if new effects are identified.	The oOEMP [as updated alongside this submission] has been updated to reflect the commitment set out at paragraph 1.1.6 of the Technical Note [REP3-075] . It requires any notification relating to the replacement of more than 20% of the solar panels to be accompanied by a Major Replacement Campaign Method Statement and Environmental Review demonstrating that the proposed works would not give rise to any materially new or materially different environmental effects from those identified in the Environmental Statement.

Our Ref.	Ref.	HDC Comments	Applicant Response
			Paragraph 3.3.1 of the oOEMP identifies the responsibilities of the operational site team, including responsibility for overseeing and monitoring operational activities such as replacement works. Section 7.0 sets out the monitoring and record-keeping arrangements that will be implemented to demonstrate compliance with the OEMP. In addition, where topic-specific monitoring requirements have been identified, these are set out in the relevant tables within Section 5.0. These monitoring and record-keeping arrangements would apply to replacement campaigns in the same way as to all other operational activities. Where the notification and approval process for a major replacement campaign identifies the need for additional management measures, the measures set out in the Major Replacement Campaign Method Statement and Environmental Review would form part of the approved operational management framework and would be implemented and monitored through the OEMP. The oOEMP [as updated alongside this submission] has also been updated to require the preparation and maintenance of a replacement register so that the LPA can inspect the number and location of panels which have been replaced within any 12 month period.
HDC-D5-46	Paragraph 1.1.6	There is concern that the trigger of 'where more than 20%' could be viewed as arbitrary and open to challenge in that the Operator could undertake 19.99% replacement and not engage this trigger point and that the LPA has no discernible way of enforcing such trigger (unless evidenced solely by the Applicant). Further, potential harm as identified by the Applicant (i.e. no less than that of the Construction Phase) and a	The Applicant does not consider the 20% threshold to be arbitrary. It represents a conservative and objective threshold linked to the replacement scenario assessed in the Technical Note and the nature of effects identified in the Environmental Statement. Importantly, it is not the point below which replacement works would be uncontrolled. All replacement activities would remain subject to the mitigation, monitoring

Our Ref.	Ref.	HDC Comments	Applicant Response
		suggested 20% trigger to notify the Council does not of itself identify and address harm that does actually arise due to the replacement works (noise, disruption, temporary stopping up of PRow, etc). Therefore, the 20% trigger should not be seen as the trigger, rather, the duration and intensity of disruption to the local community and public highways should be viewed as the trigger (as this would have been assessed in the ES). The 20% replacement campaign can be anywhere between c.6 to 19months (subject to crew size used), yet the scale of disruption in terms of duration and perception is quite different in each case to the local community (extending this to 100% replacement over the life of the Scheme, this could be between c. 2.7 to 8-years). There is concern that where the trigger of 'where more than 20%' is engaged, should the Operator in all cases undertake 19.99% replacement, then there is the potential that the Council is not consulted for the 40-year duration of the Scheme. This should be seen as unreasonable. While the Council recognises that the Operator will want flexibility in both % scale of replacement works and number of work crews instructed, and while the Council is supportive of a trigger, the Council needs to ensure that there is some mechanism to enable their engagement that is measurable in terms of affect as identified. Further, for planning purposes, the trigger of the replacement campaign needs to relate to the effect(s)	and management measures secured through the OEMP and associated plans. The 20% threshold identifies the scale at which additional engagement with, and approval by, the relevant LPA is considered appropriate. This recognises that a major replacement campaign may take place many years after construction, when the environmental baseline, regulatory requirements and surrounding development context may have changed. Any campaign exceeding the threshold would therefore require further details and assessment to demonstrate that it would not give rise to materially new or materially different environmental effects. The Applicant does not consider that an alternative trigger is necessary. The 20% threshold is clear, capable of being applied in advance and directly related to the replacement scenario assessed. The oOEMP requires the final OEMP and associated management plans to be reviewed and updated periodically to maintain compliance with regulatory requirements and good practice. Monitoring and record-keeping requirements apply to all replacement activities, and relevant records must be made available to the LPA on request. The Applicant therefore considers that campaigns below the threshold would remain appropriately controlled and capable of enforcement. To provide a clear and verifiable basis for applying the threshold, the oOEMP has been amended to require that the number of panels installed at the final commissioning of each phase be recorded, together with auditable records of the number and location of panels subsequently replaced within each rolling 12-month period. This information would be recorded in a Replacement Register, which would be

Our Ref.	Ref.	HDC Comments	Applicant Response
		assessed in the ES, rather than a maintenance operational figure. It is suggested that: a) The trigger for the replacement campaign should relate to: • A period/ duration (three-months or more within a 12-month period) where and/or when potential harm may arise; and/or, • When more than five BESS units are to be replaced within the duration suggested above; and/or, • When staff levels are increased by five (one team) or more for the duration suggested above. • Or as to be resolved between Parties during examination. b) The Operator must submit as a minimum the following documentation for the replacement campaign to the Council for written approval, namely: - Through an agreed suite of document/evidence (paragraph 2.5.6) - Operational Construction Traffic Management Plan - Operational Environmental Management Plan - Waste Management Plan - Battery Safety Management Plan - Public Rights of Way Management Plan - Soil Management Plan	available for inspection by the relevant LPA in accordance with the requirements set out in Section 7 of the oOEMP [as updated alongside this submission]. The oOEMP [as updated alongside this submission] has also been updated to incorporate a number of the Council's suggested changes at paragraph 1.2.20, including greater clarity regarding the information, programme, phasing and management measures to be submitted for approval where a major replacement campaign is proposed. The information that is required to be provided within the Major Replacement Campaign Method Statement and Environmental Review is now specified within the amended oOEMP.

Our Ref.	Ref.	HDC Comments	Applicant Response
		c) The Operator must notify the Council a minimum of six months prior to commencement of the replacement campaign as to a start date of such works. Such works cannot be undertaken without written approval being secured. d) In this way, the Council can be notified and be continually engaged. Further, the works and mitigation measures are approved by the Council and are consequently enforceable. It is suggested that the above triggers, notifications, and due processes are reflected in the oOEMP and DCO Agreement. e) Wording to address unreasonable delays outside the original notification can be incorporated to the satisfaction of Parties during examination. f) It is suggested that this approach also apply to the [REP3-054] outline Decommissioning Environmental Management Plan (oDEMP).	
HDC-D5-47	Table 2	At 20% replacement, the single and two-crew options in terms of site activity could have a lengthy duration with related local disruption. While recognising that work-resourcing may not be a planning matter, the Council expresses concern regarding the overall duration of activity and asks the Applicant to review their working approach to reduce the duration of the replacement activity (by example stating that in the 20% replacement campaigns they will only use a minimum of three crews, and in the eventuality of more than say 50% replacement, they will only use say a minimum of six crews to in all cases keep the work duration to under 12-months).	As set out above, the Technical Note [REP3-075] assesses a range of crew sizes to provide a robust range of potential effects that could arise. Table 4 identifies the duration of activity associated with each site access, none of which is considered excessive or likely to give rise to unacceptable effects. The relevant mitigation and controls to ensure there are no significant effects on any receptor are secured through the oOEMP [as updated alongside this submission]. It is also important to distinguish the overall duration of a replacement campaign from the period of activity experienced at any individual location. Replacement works would progress sequentially through defined areas, with

Our Ref.	Ref.	HDC Comments	Applicant Response
			crews moving on once the panels within each area had been replaced. Activity at any individual access, work area or receptor would therefore occur for a materially shorter period than the overall campaign. Given the assumption that each panel would ordinarily be replaced only once during the 40-year operational period, there would be no need to return to that area for a further planned replacement campaign, other than for routine maintenance or isolated repairs. Nevertheless, the Applicant has agreed to provide greater certainty regarding the duration of planned replacement campaigns. The oOEMP [as updated alongside this submission] been amended to require a minimum of two crews for any planned replacement campaign, as distinct from ad hoc replacement arising from individual faults or damage. For a major replacement campaign involving more than 20% and up to 50% of the panels within any rolling 12-month period, a minimum of three crews would be required. Where more than 50% of the panels are proposed to be replaced within that period, a minimum of five crews would be required. The Applicant reiterates that wholesale replacement of all panels as a single campaign is exceptionally unlikely. However, using five crews, such a campaign could be completed within approximately 285 working days. On this basis, the duration and magnitude of impact of replacement activity would remain within the envelope assessed in the Environmental Statement and Technical Note. The Applicant does not consider it appropriate to commit to a minimum of six crews, as that scenario has not been assessed and could increase the daily magnitude of impact of activity. However, where a major replacement campaign is proposed, the approval process would allow the number of

Our Ref.	Ref.	HDC Comments	Applicant Response
			crews to be considered alongside the programme, phasing and other management measures. If a greater number of crews were considered appropriate at that time, this could be secured through the approval of the Major Replacement Campaign Method Statement and Environmental Review.
HDC-D5-48	Paragraph 2.3.13	The Council suggest that the assumption that a crew can replace 420 panels per day needs to be evidenced as this is a critical assumption in assessing effect, harm, and mitigation.	As set out in the Technical Note [REP3-075], a panel replacement crew would typically comprise up to five operatives: • three trained panel technicians; • one telehandler or logistics operative; and • one quality or electrical engineer. Working as a coordinated production-line operation, it is the Applicant's experience that an experienced crew could replace up to approximately 420 modules during a full working day. The following process would be undertaken by the team. The telehandler operative would position pallets of replacement modules and empty panel transport racks close to the active working area. This operative would continue to replenish the working area and remove replaced modules while the installation technicians progressed along the row, thereby avoiding significant manual carrying distances or interruptions to the replacement activity. The three installation technicians would operate as a coordinated working unit. Typically, one technician would prepare the next module by releasing its electrical connectors, cable clips and mounting clamps, while the other technicians complete the removal and installation of the preceding module. The existing module would be lifted from

Our Ref.	Ref.	HDC Comments	Applicant Response
			the mounting structure and placed directly into an adjacent empty panel transport racks. A replacement module would then be taken from the pre-positioned pallet, placed onto the existing rails or support structure and correctly aligned. The module clamps or fixings would be secured using calibrated torque-controlled tools set in accordance with the mounting-system and module manufacturer's requirements to allow quick installation. The module connectors would then be fully engaged and the cables secured so that they were not under tension and could not contact the ground or become trapped or damaged. The authorised electrical technician or quality supervisor would work alongside the installation team, checking the condition and engagement of connectors. Once a string or defined working block had been completed, the relevant electrical checks would be undertaken, with the completed string or block returned to service in accordance with the approved energisation procedure. The output of approximately 420 modules per day is achievable because the work would be undertaken sequentially along accessible rows using the existing mounting structure and cabling. New automated replacement rigs, which lift and position panels in place are also becoming increasingly common which can further enhance the speed of panel replacement.
HDC-D5-49	Paragraph 2.3.19	This approach assumes bulk replacement per sector/ area but does not address the impact and approach if the 20% replacement is fragmented across the entire Site. This would generate more dispersed work activity, and may increase vehicle activity across the entire Site and surrounding area to manage the associated	Illustrating a range of crew numbers provides flexibility in the assessment to account for supply/logistical issues and bad weather, as the number of crews could be adjusted to account for periods where there are issues which may affect the programme.

Our Ref.	Ref.	HDC Comments	Applicant Response
		logistics. It is suggested that the Applicant assesses accordingly.	Isolated or scattered failures, which would ordinarily constitute routine maintenance involving vans and small numbers of panels, would by their nature result in dispersed activities. However, the oOEMP [as updated alongside this submission] commits to undertaking planned replacement campaigns on a phased and sequential basis as follows: • all active panel-replacement crews will operate within the area served by a single operational Site access on any working day; • each crew will operate within a defined work area and will progress systematically through that area; • completed areas will be cleared and reinstated before crews progress to subsequent areas, so far as reasonably practicable; • unnecessary dispersed or uncoordinated working across the Scheme will be avoided; • the number of accesses and local highway routes affected simultaneously will be minimised; and • the programme will minimise the duration of activity at individual receptors and settlements. Where a major replacement campaign involving more than 20% of the panels within any rolling 12-month period is proposed, the Applicant would be required to submit details of the measures to be implemented to manage that campaign. Those details would include the proposed programme, phasing, work areas, access arrangements and vehicle-routing strategy. The oOEMP [as updated alongside this submission] has been amended to make

Our Ref.	Ref.	HDC Comments	Applicant Response
			these matters an express requirement of the notification and approval process.
HDC-D5-50	Paragraph 2.3.39	In light of the fact that the Operational Phase will be 40-years, and during this period circumstances could arise, say force majeure or changing technologies that make the Scheme's infrastructure systems less viable/operational or similar, that requires total replacement, the Applicant should assess the impact of 100% replacement to evidence a strategy for the very worst-case scenario and related potential impact/ harm that this may create to ensure and evidence their statement that in all cases harm identified will be less than the Construction Phase. It is noted that the Applicant states this it is extremely unlikely all battery storage units within the BESS would need to be replaced at the same time, or within the same year, however it would be prudent to have measures in place should such an event occur.	The Applicant considers wholesale replacement of all panels in a single campaign to be extremely unlikely. The Technical Note [REP3-075] therefore assesses the more likely and reasonably foreseeable scenario of replacing up to 20% of the panels within a rolling 12-month period. Nevertheless, the Applicant recognises that a larger campaign could be required. In those circumstances, as set out above prior approval would be required. As set out in response to paragraph 1.2.5, deployment of five crews could enable a 100% replacement campaign to be completed within approximately 285 working days. However, any campaign exceeding 20% could only proceed where it was demonstrated that the proposed works would not give rise to materially new or materially different environmental effects from those identified in the Environmental Statement. Any necessary campaign-specific management measures would be secured through that approval process. For the BESS, the Technical Note considers the unlikely scenario in which all 96 units are replaced within a single year. This would generate only approximately two two-way HGV movements per day per on the B645 between the A1 and Site D. BESS replacement would remain subject to the controls secured through the BSMP and OEMP. The Applicant therefore considers that an appropriate strategy is already provided through the existing management-plan framework. Notwithstanding, the oOEMP [as updated alongside this submission] has been updated to specify that only a single BESS unit shall be delivered per day during a BESS replacement campaign.

Our Ref.	Ref.	HDC Comments	Applicant Response
HDC-D5-51	Paragraph 2.4.1	The replacement activity will generate the need for staff welfare facilities - it is assumed that these would already be on site having been delivered in the Construction Phase (Site D). It is assumed that no satellite facilities, access routes, and parking will be created for staff during any replacement activity.	As set out in paragraph 2.4.1 of Technical Note [REP3-075] the Operations and Maintenance Area in Site D would be used as the primary hub during the operational phase, including for the storage of components, staff welfare, and parking. Paragraph 2.4.6 sets out that there would be no requirement for new access tracks, or for any vegetation clearance to facilitate access within and around the Site. However, 4.1.34 of the oOEMP [REP4-097] sets out that where maintenance, repair, or other such work is taking place at a distance from the storage, operations and maintenance building it may be necessary to provide temporary facilities for welfare. If so, these will be fit for purpose, and will include toilet facilities and welfare facilities that store foul/wastewater. These will then be collected/emptied by specialist licenced contractors.

3.0 RESPONSE TO DEADLINE 5 SUBMISSIONS

3.1 Response to Bedford Borough Council

Table 5: Response to Bedford Borough Council (REP5-027)

Our Ref.	Ref.	BBC Comments	Applicant Response
Cover Statement			
BBC-D6-01	2.1-2.3	The Council notes that various discussions have been had between the Host Authorities and the Applicant in respect to comments raised and reverted between Parties with regards to the [REP3-009] Draft DCO Agreement (and related [REP3-011] Explanatory Memorandum) and versions thereof. Engagement has continued since that submission, including a number of meetings with the Applicant and the exchange of comments and suggested amendments. This work remains ongoing as reflected in the second draft Statement of Common Ground (SoCG) as prepared by the Applicant and submitted by the Applicant at Deadline 5.	The Applicant agrees that areas of disagreement have been narrowed. A schedule setting out the remaining points of discussion on the draft DCO has been provided alongside this submission as Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [EN010141/DR/8.71].
BBC-D6-02	3.4	The Council notes that there remain the following points of disagreement; namely: a) (LIR) Matters 45 and 96 and LIR para 19.4 (Underground cabling): the Council is NOT SUPPORTIVE of the Applicant's approach to leave remaining in-situ the underground cables' plastic sleeving post-decommissioning of the Scheme. This generates long-term environmental harm, say by way of the degrading of	The Applicant notes this comment. The Applicant's position on these matters are set out in the most recent Statement of Common Ground with Bedford Borough Council [REP5-019] with reference to: a) Item 54a in Table 2; b) Item 33 in Table 2; and

Our Ref.	Ref.	BBC Comments	Applicant Response
		micro-plastics, which may leach and translocate into the soil and eventually the surrounding water courses causing contamination. From an environmental point of view, this is not acceptable. b) (LIR) Matter 13 (All Saints Church) (ES Chp. 6 Cultural Heritage): the Council maintains a matter of disagreement with the Applicant in relationship to the likely effect on Asset 38, the Grade I listed 'All Saints Church' in Little Staughton which is viewed as differing professional opinion; this is deferred to the ExA for assessment and determination. c) (LIR) Matters 57, 59 and 60 and RR112 (PRoW Vehicle access): the Council continues to note that it is NOT SUPPORTIVE of the Applicant's proposal to use the PRoW for Scheme vehicle activity within any phase.	c) Item 50a in Table 2.
BBC-D6-03	5.1-5.3	[REP1-071] Local Impact Report Matter 56: in response to the matter of land and property rights and powers as requested by the Applicant, the Council has review the Land and Crown Land Plan [APP-008]; the Street Works, Rights of Way and Access Plan [APP-010]; the Draft DCO Agreement [APP-016]; the Book of Reference [APP-021]; the Land and Rights Negotiation Tracker [APP-022]; and, the outline Public Right of Way Management Plan [APP-159]); the Council has attended the CAH1, and remains in discussion with the Applicant regarding this matter. In terms of the rights requested, the Council notes that it has as Local Highway Authority a statutory duty of care regarding the management and maintenance of the Public Highways and consequently the Applicant's proposal for	The Applicant is actively pursuing the side agreement mentioned and hopes to have this concluded prior to the conclusion of the Examination.

Our Ref.	Ref.	BBC Comments	Applicant Response
		the 'acquisition of rights' and/or 'temporary possession and use' is NOT SUPPORTED. It is suggested by the Council as Local Highway Authorities that a Side Agreement, with reference to the requirements of the Highways Act 1980 (as amended), the Road Traffic Regulation Act 1984, and related legislation, is drafted and agreed in-principle between Parties prior to the conclusion of the Examination. A draft Agreement with heads of terms has been shared between Parties. This Matter remains on-going - any outstanding areas of disagreement or unresolved drafting points will be captured in the final SoCG.	
Appendix C Outline Farmland Bird Mitigation Strategy			
BBC-D6-04	2	Chp. 5: the Council request that a table is included in the oFBMS to summarise the losses and gains.	The baseline habitats of each of the ground nesting bird mitigation areas and the number of ground nesting birds they support is provided at Table 4.2 of the outline Farmland Bird Mitigation Strategy at Appendix C of the oLEMP [as updated alongside this submission] . Following a precautionary approach, it is assumed that ground nesting birds of open ground would not continue to nest in land outside of these areas (i.e., solar array areas and margins). These areas would however be expected to continue supporting other nesting birds, including ground nesting birds favouring marginal vegetation and the wider (non-ground nesting) farmland bird assemblage.
BBC-D6-05	3	Paragraph 5.2.4: the Council welcomes the commitment to the creation of grassland habitats north of Site C in advance of works commencing on Site A. However, the Council request further detail on when the other areas of mitigation are expected to be provided relative to the overall construction programme. In addition, the Council	The Applicant has updated paragraphs 5.2.3-4 of Appendix C of the oLEMP [as updated alongside this submission] to make the requested amendment.

Our Ref.	Ref.	BBC Comments	Applicant Response
		requests that the oFBMS reflects the need for the habitats to be created and established sufficiently to fulfil their intended bird mitigation purposes in advance of the first season their use is assumed within the mitigation strategy; i.e. the Council requests a programme for the delivery of these works within the Construction Phase.	
BBC-D6-06	4	The Council requests clarification on how activity on the Public Rights of Ways (PRoW), Permissive Paths, Access tracks, Heavy duty access tracks, and the potential access and disruption this gives/creates in relation to ground nesting birds and Skylark plots has been considered in the development of the oFBMS; i.e. the Applicant has indicated that c.125ha area has been set aside to form mitigation for ground nesting birds (as illustrated in the oLEMP Appendix C Figs 1a-d), however, these c. 16No. 'Open Grassland suitable for Ground Nesting Birds' areas create numerous 'edges' that may need address/ securing to ensure the adequate protection of ground nesting birds. (It is suggested that both the Permissive Paths and these areas illustrated in pink makes for difficult reading and clarity).	The presence of PRoW and proposed permissive paths are addressed in Table 5.1 of the outline Farmland Bird Mitigation Strategy at Appendix C of the oLEMP [as updated alongside this submission]. For clarity, this states: <i>'Public rights of way and permissive footpaths are generally restricted to field boundaries, which are less favoured by nesting skylark. While periodic use of footpaths would not be expected to reduce skylark nesting attempts, signage would be installed to make users aware of the presence of nesting birds and encourage dogs to be placed on a lead during the bird nesting season to minimise disturbance.'</i>
BBC-D6-07	5	The oFBMS sets out the areas of habitat creation proposed, however it is not currently clear within the strategy what suitability (if any) these habitats have for the species of interest. It is not currently clear if the figures for habitat creation provided amount to areas of additional habitat creation, or if some represent enhancement of areas that are already utilised by these species. The Council requests: (i) A clear summary of the losses and gains in suitable habitat (in ha); (ii) Further information to	The baseline habitats of each of the ground nesting bird mitigation areas and the number of ground nesting birds they support is provided at Table 4.2 of the outline Farmland Bird Mitigation Strategy at Appendix C of the oLEMP [as updated alongside this submission]. Following a precautionary approach, it is assumed that ground nesting birds of open ground would not continue to nest in land outside of these areas (i.e., solar array areas and margins). These areas would however be expected to continue supporting other nesting birds,

Our Ref.	Ref.	BBC Comments	Applicant Response
		confirm the existing value of the areas identified for habitat creation for the target species.	including ground nesting birds favouring marginal vegetation and the wider (non-ground nesting) farmland bird assemblage.
BBC-D6-08	6	Section 6: Current monitoring proposals in relation to habitats and bat boxes outlined in Section 6 are welcomed. However, for a scheme with impacts of this scale bird monitoring surveys (replicating those undertaken during the baseline) are considered appropriate. These surveys will be necessary to demonstrate that the mitigation measures set out in the oFBMS are proving effective and objectives set out are being met. The Council requests that these are included within the oFBMS and cross referenced alongside wider species monitoring requirements in the oLEMP. This should also set out measures should the targets not be attained.	The oLEMP [as updated alongside this submission] includes breeding bird surveys within the Ecological monitoring proposals given at Table 4.
BBC-D6-09	7	The Council note that [REP3-056] ... habitat (as shown on Figure 1) suitable for breeding skylark': it is requested that the Applicant confirm that this would address the more detailed requirements as set out in the RSPB weblink ... and/or Natural England's AHW4 Skylark Plots requirement '	The proposed open grassland areas would not directly conform to requirements set out within the RSPB or Natural England guidance referenced on the basis that both these refer to skylark plots and not open grassland areas. It is however acknowledged that skylark is unlikely to use enclosed fields, and for this reason marginal grassland areas are excluded from ground nesting bird mitigation areas. As outlined in Table 5.1 of the outline Farmland Bird Mitigation Strategy at Appendix C of the oLEMP [as updated alongside this submission] , mitigation areas are defined as ' <i>fields where any part is located at least 50m from a proposed or retained boundary feature.</i> '

3.2 Response to Huntingdonshire District Council

Table 5: Response to Huntingdonshire District Council (REP5-028)

Our Ref.	Ref.	BBC Comments	Applicant Response
Comments on the Applicant's Technical Note on Warren House			
HDC-D6-01	General comment	Within ES Vol 2 Appendix 6-4 Settings Impact Assessment [REP1-022], the assessment notes still identify Warren House as being built as a 'vista building' based on the list description. Historic England Guidance is clear that "List descriptions are not a comprehensive record of the special interest of the building"¹. Study of the building fabric during renovation works in 2012 and further research indicates that it was initially built as a warrener's lodge with a location affording an elevated outlook for views over the wider landscape of the estate within the Kym valley. This matter was previously raised by the Council in its Local Impact Report [REP1-078] at paragraph 6.170 to which the Applicant has acknowledged the discrepancy but maintains the setting assessment conclusions as reported in the Applicant Response to Local Impact Reports Paragraph ref 6.169-6.173 [REP2-043]. This therefore remains a minor point of disagreement between the Council and the Applicant regarding the description of Warren House; however, the Council does not consider that this point materially affects the overall assessment conclusions.	The Applicant notes this comment.
HDC-D6-02	1.2.1 and Appendix A: Photomontage	The submitted Technical Note on Warren House to address the Council's concerns is welcomed and satisfies the requirement to assess the impact of the	The Applicant welcomes agreement on this matter.

Our Ref.	Ref.	BBC Comments	Applicant Response
	from Warren House	proposed development on this Grade II* listed building. It is agreed that the photomontage contained in Appendix A of the Technical Note “provides a robust and reasonable representation of the likely visual relationship between the heritage asset and the Scheme”. The photomontage indicates that there will be an impact on long distance views by the introduction of solar panels into the landscape. The Council does not agree that visibility of the scheme from Warren House would be “barely perceptible” in the landscape as stated by the Applicant. It is clear from the photomontage that large swathes of Site B would be visible as a modern industrial feature in the countryside. However, the Council does agree that the intervening landform more closely associated with Kimbolton Castle Estate mitigates this impact both in its screening of closer solar park elements and in its relative dominance within views from Warren House. Based on the Technical Note and photomontage provided, the Council is satisfied the impact to the setting of Warren House would be less than substantial which is consistent with the Applicant’s conclusion at paragraph 3.2.3 of ES Vol 2 Appendix 6-4 Settings Impact Assessment [REP1-022]. This ‘less than substantial harm’ would therefore need to be ‘weighed against the public benefits of the proposal’ as per the policy test outlined in paragraph 5.9.33 of National Policy Statement EN-1.	

