

**Tillbridge Solar Project
EN010142**

**Volume 9
Draft Statement of Common Ground
with Lincolnshire County Council**

Document Reference: EN010142/APP/9.9

The Infrastructure Planning (Examination Procedure) Rules 2010

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1. Introduction

1.1 Purpose of this Document

1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the application ("the Application") for the Tillbridge Solar Project ("the Scheme") made by Tillbridge Solar Limited ("the Applicant"). The Application was submitted to the Secretary of State for Energy Security and Net Zero ("the Secretary of State") for a Development Consent Order (DCO) ("the Order") under section 37 of the Planning Act 2008 ("PA 2008") and was accepted for examination on 8 May 2024.

1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate's website at <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents>.

1.1.3 SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination. This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties and where matters are under discussion or where agreement has not been reached. The SoCG will be progressed during the pre-examination and examination periods to reach a final position between the Parties and to clarify if any issues remain unresolved. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.

~~4.1.3~~ 1.1.4 This document has been updated at Deadline 4 to reflect ongoing engagement with Lincolnshire County Council (LCC). The document references have not been updated from the original submission. For the most up-to-date documents, the reader should access these through the Guide to the Application [EN010142/APP/1.2(Rev06)] and Schedule 13 of the draft DCO [EN010142/APP/3.1(Rev05)].

1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared between (1) the Applicant and (2) Lincolnshire County Council (jointly referred to as the Parties).

1.2.2 The Applicant is a joint venture between Tribus Clean Energy Limited and Recurrent Energy, a subsidiary of Canadian Solar, who are both experienced developers of renewable energy projects.

1.2.3 Lincolnshire County Council (LCC) is a host local authority. The Principal Site and part of the Cable Route Corridor is located within Lincolnshire. LCC is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref. 1) and so has been consulted during the preparation of the Application and following its acceptance.

1.2.4 Collectively, the Applicant and LCC are referred to as ‘the parties’.

1.3 The Scheme

- 1.3.1 The Order, if granted, would authorise the Applicant to construct, operate (including maintenance), and decommission ground-mounted solar photovoltaic (PV) arrays. The Scheme will also include associated development to support the solar PV arrays.
- 1.3.2 The Scheme is made up of the Principal Site, the Cable Route Corridor and works to the existing National Grid Cottam Substation. The Principal Site comprises the solar PV arrays, electrical substations, grid balancing infrastructure, cabling and areas for landscaping and ecological enhancement—.
- 1.3.3 The associated development element of the Scheme includes but is not limited to access provision; a Battery Energy Storage System (BESS), to support the operation of the ground mounted solar PV arrays; the development of on-site substations; underground cabling between the different areas of solar PV arrays; and areas of landscaping and biodiversity enhancement—.
- 1.3.4 The Scheme also includes a 400kV underground Cable Route Corridor of approximately 18.5km in length connecting the Principal Site to the National Electricity Transmission System (NETS) at the existing National Grid Cottam Substation. The Scheme will export and import electricity to the NETS—.

1.4 Terminology

- 1.4.1 Section 3 summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’.
- 1.4.2 These terms are used as follows:
- a. “Agreed” indicates where the issue has been resolved;
 - a. “Under discussion” indicates where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties;
 - b. “Not Agreed” indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

- 2.1.1 A summary of all meetings and correspondence that has taken place between the Parties in relation to the Application is outlined in **Table 1**. This includes email correspondence between the Parties to discuss sharing of information, arrangement of meetings and where appropriate to comment on draft documentation. **Table 1** reflects the key meetings and emails of note.

Table 1: Record of Engagement

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
13 June 2022	Meeting (Teams with Head of Planning)	Introduction to the Applicant and overview of proposals and current activities including approach to engagement and context of the Scheme.
6 July 2022	Meeting (Teams with Head of Planning)	Following introductory meetings with planning officers' further briefings were held with members to introduce them to the Applicant and the Scheme.
20 October 2022	In person site visit (AECOM and LCC's landscape architect)	Visit to discuss and agree viewpoints for the purpose of the LVIA with LCC landscape consultant and the Scheme's landscape architect.
21 October 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on Environmental Impact Assessment (EIA) Scoping Report; • Technical queries following receipt of the EIA Scoping Opinion and leading up to statutory consultation; and • Communications update following collaboration workshops; subsequent engagement with neighbourhood planning team.
8 November 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Scheme update, including response to EIA Scoping Opinion; • Presentation of Applicant's approach to engagement in draft Statement of Community Consultation (SoCC); and • Discussion of Cable Route Corridor and potential for co-location with other Schemes.
22 November 2022	Meeting (Teams) (AAH planning, landscape and environmental consultants appointed by LCC)	Technical Note issued to LCC with respect to viewpoints.
28 November 2022	Meeting (Teams with LCC Historic Environment Officers)	Introduction to the Scheme, discussion of deliverables and timeframes, extent of study areas, fieldwork update on the geophysical survey and expectations for trench evaluation.
9 December 2022	Email (Lincolnshire)	<p>Introduction email setting out the scope of the Scheme and seeking a meeting to agree on:</p> <ul style="list-style-type: none"> • Access and routing strategy for the Scheme;

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	Highway Authority)	<ul style="list-style-type: none"> • The scope and methodology for the transport deliverables; • The Study Area for the collision review; • Framework Construction Traffic Management Plan (CTMP) requirements; and • Cumulative schemes to be included as part of the assessment.
13 December 2022	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Scheme update on EIA Scoping Opinion; • Wider engagement with LCC on technical disciplines and agreeing ways of working; and • Introduction to principles in draft SoCC, including presentation and seeking initial comments from LCC.
20 December 2022	Email to Head of Planning	Email from the Applicant to provide a copy of the draft SoCC ahead of formal s47(2) consultation, inviting officers to informally provide any comments on the content and detail set out therein.
19 January 2023	Meeting (Teams) (Lincolnshire Highway Authority)	<ul style="list-style-type: none"> • Introductory presentation setting out the Scheme; • Discussion of trip generation, staff distribution and site access arrangements; • Discussion of HGV routing and proposed approach; • Discussion of traffic surveys and collision Study Area; • Discussion of cumulative effects and potential overlap of construction with other Schemes; • Discussion of PRow management; • Discussion of permissive paths and potential inclusion within the Scheme; • Discussion of shared Cable Route Corridor and confirmation that the Applicant had start to collaborate with other developers; and • Discussion of Cable Route Corridor access.
13 February 2023	Letter to Head of Planning	Letter from the Applicant including a copy for the draft SoCC for formal consultation, requesting comments back within 28 days.
15 February 2023 to 6 March 2023	Ongoing correspondence / engagement (AAH consultants and Applicant's landscape architects	<ul style="list-style-type: none"> • Discussion on baseline Winter photography and viewpoints of Principal Site to be included within the ES; and • Summary of agreed viewpoints and rationale.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	appointed by LCC)	
6 March 2023	Technical Note (AAH consultants and Applicants landscape architects appointed by LCC)	<ul style="list-style-type: none"> • Dialogue on viewpoints to feed into the ES.
14 March 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • LCC informal feedback on SoCC and Applicant's regard to comments; • Ongoing stakeholder engagement, including with parish councils and '7000 acres' community group; • LCC engagement with PINS regarding cumulative impacts/joint examination of schemes; and • Upcoming statutory consultation and briefings with Host authority members.
21 March 2023	Meeting (Teams with LCC Historic Environment Officers)	Meeting to discuss approach for trial trench evaluation for the Principal Site and geoarchaeology scope. Agreement for Written Scheme of Investigation (WSI) submissions and sign-off agreed. Approach for monitoring site visits agreed and weekly reporting agreed.
4 April 2023	Email to Head of Planning	Email from the Applicant notifying LCC that the date for the Section 42 Statutory Consultation period had been amended.
11 May 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Feedback following face-to-face briefing in Lincoln; • Discussion of PEI Report and key issues for statutory consultation; and • Discussion of wider issues, including status of other solar schemes, status of RAF Scampton.
25 May 2023	Email to Head of Planning	Email from the Applicant issuing LCC a copy of the final SoCC and section 47 notice, along with a table setting out the issues raised by host authorities in response to the draft SoCC consultation, and the regard had to those responses by the Applicant in developing the final SoCC.
12 June 2023	Email to LCC Historic Environment Officers	Email setting out revised approach for fieldwork in relation to the Cable Route Corridor.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
13 June 2023	Meeting (Teams) (LCC - Minerals Authority)	<ul style="list-style-type: none"> • Meeting to agree on scope and approach to minerals safeguarding areas given that Scheme will be time limited and the works to the Cable Route Corridor are underground. • Agreement between parties that a Minerals Safeguarding Report was not required and that a proportionate assessment of the potential impact of the Scheme upon minerals safeguarding areas could be dealt with as part of the planning statement. • All agreed of the need to consider existing mineral sites with respect to the indicative layout of the Scheme.
13 June 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on statutory consultation; and • Discussion around project specific issues including cumulative impacts and minerals and waste.
8 August 2023	Meeting (Teams with County Archaeologist)	<ul style="list-style-type: none"> • Update on programme and trial trenching (TT) activities including identification of areas of high archaeological potential within the Principal Site. • Agreement that areas of preservation would be for the duration of the Scheme. • Agreement that fencing would be required to protect the archaeological exclusion zones. • Agreement to engage stakeholders with a Framework Archaeological Mitigation Strategy (AMS). • Agreement that the Cable Route Corridor could be subject to trench evaluation post DCO submission. • Agreement to share the TT reports with stakeholders ahead of submission to inform the AMS. • Arrangement of site visit with Historic England to discuss potential impacts upon heritage assets.
8 August 2023	Meeting (Teams with County Archaeologist)	<ul style="list-style-type: none"> • Presentation of the findings of the PEI Report assessments and trial trenching works completed. • Discussion of further work to be completed, buffer zones, mitigation strategies and programme going forward to the ES assessments.
21 August 2023	Email (LCC landscape consultant)	Adjustments to viewpoints and photomontage locations for the Principal Site.
21 August 2023 and	Email (AAH consultants and Applicant's	Continued dialogue with respect to viewpoints along the Cable Route Corridor.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
21 August 2024	landscape architect)	
12 September 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Updates on Applicant's programme and discussion with PINS; status of other solar schemes. • Discussion of targeted statutory consultation and nature of changes following statutory consultation. • Wider stakeholder engagement with LCC technical officers e.g. landscape.
21 September 2023	Technical Note (AAH consultants and Applicant's landscape architect)	Agreement on representative views and photomontage locations for Principal Site and Cable Route Corridor and confirmation of methodology.
13 October 2023	Meetings (Teams with Head of Planning)	<ul style="list-style-type: none"> • Ongoing stakeholder engagement with wider bodies, such as Historic England and Natural England. • Applicant's ongoing regard to consultation responses, including changes to indicative site layout plan. • Further detail on targeted statutory consultation.
10 November 2023	Email to Head of Planning	Email from the Applicant to outline a draft version of the targeted consultation methodology, detailing the changes and proposed length of the consultation period.
22 November 2023	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Explanation and agreement of targeted consultation methodology and nature of changes; • Updates on how the Scheme has responded to feedback from statutory consultation; and • Programme update.
11 December 2023	Letter to Head of Planning	Covering letter and targeted consultation materials from the Applicant to LCC ahead of the start of the targeted consultation period.
13 December 2023	Email to Head of Planning	Electronic copy of covering letter and consultation material from the Applicant to LCC.
14 December 2023	Meeting (Teams) (Lincolnshire Highway Authority)	<ul style="list-style-type: none"> • Meeting to discuss Cable Route Corridor access and construction strategy. • Explanation temporary access locations, design parameters, temporary compounds, Abnormal Indivisible Loads (AILs). • Discussion of shared corridor with other developers and its design iteration.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
22 February 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Discussion of latest proposals for Scheme ahead of DCO application submission; • Briefing of Scheme updates ahead of publication of Community Newsletter; and • Updates related to other solar schemes.
28 March 2024	Email to Head of Planning	<ul style="list-style-type: none"> • Email from the Applicant to LCC advising of a delay in the submission of the Application.
7 August 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • General update on the current stage of the Scheme pre-examination; • Discussion on issues raised within Lincolnshire's Relevant Representation; • Introductory conversations surrounding SoCG; and • Introduction to the proposed Change Request.
16 August 2024	Email to Head of Planning	Email from the Applicant providing LCC with Change Request Consultation Brochure ahead of the beginning of consultation on proposed changes to the Scheme following acceptance of the Application.
2 October 2024	Meeting (Teams with Head of Planning)	<ul style="list-style-type: none"> • Update on the submission of the Change Request; • Update on Procedural Deadline A and the Rule 6 Draft Timetable; and • Introduction to SoCGs and next steps towards the examination.
15 October 2024	Meeting (Face-to-face with Head of Planning)	<ul style="list-style-type: none"> • To discuss draft DCO with specific focus on Articles 8 to 16 and Schedule 2 (requirements).
<u>9 January 2025</u>	<u>Email received from the Head of Planning</u>	<ul style="list-style-type: none"> • <u>Attaching tracked change version of draft SoCG submitted at D1 confirming the need to update the SoCG with respect to landscape and heritage matters.</u>
<u>27 January 2025</u>	<u>Email received from the Head of Planning</u>	<ul style="list-style-type: none"> • <u>Attaching tracked change version of draft SoCG submitted at D1 with respect to landscape and visual matters.</u>

3. Areas of Discussion between the Parties

3.1.1 Table 2 below details the areas of discussion and matters that are agreed, under discussion and not agreed between the Parties.

Table 2 Areas of Discussion with Lincolnshire County Council (LCC)

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
1. Scheme Description						
1.1	Scheme Description	Chapter 3: Scheme Description of the ES [EN010142/APP/6.1(Rev03)]	The Site and Scheme description set out in Chapter 3: Scheme Description of the ES [EN010142/APP/6.1(Rev03)] is accurate and agreed.	LCC agree the Scheme description set out in Chapter 3: Scheme Description of the ES [AS-053] is accurate.	Agreed	High Resolved
2. Cumulative Schemes						
2.1		Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments of the ES [APP-203]	The Applicant discussed the cumulative developments with LCC as part of the regular catch-up meetings and sent the list of cumulative developments via email. No issues were raised by LCC.	LCC agrees with the cumulative schemes set out in Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments of the ES [APP-124].	Agreed	Resolved High
3. General Planning Matters						
3.1	PA 2008	Planning Statement [REP3-027]	<p>The Application is to be determined under Section 104 of the PA 2008 where national policy statement has effect.</p> <p>This means that in the case of the Scheme, in accordance with NPS EN-1 (Ref. 2), there is an urgent need for the development and that substantial weight should be given to this in decision making.</p> <p>In accordance with paragraph 4.1.3 of NPS EN-1 (Ref. 2) given the urgent need that there is a presumption in favour of granting consent. The Application is a CNP Scheme and the need case will outweigh residual effects in all but the most exceptional cases.</p>	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report.	Under Discussion Agreed	High Resolved
3.2	Planning policy context in decision-making	Planning Statement [REP3-027]	The Applicant states that since the Scheme needs to be considered under Section 104 of the PA 2008 (Ref. 3) that in assessing the merits of the application it must be considered in accordance with the relevant national policy statement (NPS EN-1 (Ref. 2), NPS EN-3 (Ref.	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report. LCC agrees that in order to be granted a DCO pursuant to Section 104 of the 2008 Act regard must be had to any other matters which the	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>4) and NPS EN-5 (Ref. 5)) this being of primary importance, but regard must also be had to any local impact report and any other important and relevant matters. In this case (LCC), it is agreed that the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (adopted June 2016) (Ref. 6), the Lincolnshire Minerals and Waste Local Plan: Site locations (adopted December 2017) (Ref. 7).</p> <p><u>The Applicant agrees that the Written Ministerial Statement (15 May 2024) is an important and relevant consideration. However, it does not introduce any new policy requirements and only emphasises elements of the 2024 NPSs (as confirmed by the Secretary of State in recent decisions, including the granting of development consent for the West Burton Solar Project (24 January 2025). The WMS has extremely limited, if any weight specifically in relation to food production, particularly given the recent changes to the NPPF, which remove the one part of the NPPF which referenced food production and which is referenced in the 2024 WMS.</u></p>	<p><u>Secretary of State thinks are both important and relevant to that decision.</u></p> <p><u>LCC agrees that the Lincolnshire Minerals and Waste Local Plan (2016), Central Lincolnshire Local Plan (2023) the National Planning Policy Framework (December 2024) cited Neighbourhood Plans and the Written Ministerial Statement (2024) constitute important and relevant matters are matters that need to be given consideration pursuant to Section 104 of the 2008 Act.</u></p>		
3.3	Compliance with local planning policy	Planning Statement [REP3-027]	The Applicant has identified the planning policy documents listed in Table 1 of Appendix B of the Planning Statement [REP3-027] as being relevant and important in relation to the area of the Application within LCC.	LCC has not commented on general planning matters and will confirm its position through the publication of its Local Impact Report. <u>LCC agree that the planning policy documents listed in Table 1 of Appendix B of the Planning Statement are relevant and important to the determination of this application.</u>	Under Discussion <u>Agreed</u>	High <u>Resolved</u>
3.4	Development consent granted for the Gate Burton Energy Park and the Cottam Solar Project	Gate Burton Energy Park ExA Recommendation Report and SoS decision [EN010131] and the Cottam Solar Project ExA Recommendation Report and SoS decision [EN010133]	Development consent was granted for the Gate Burton Energy Park on 12 July 2024 and for the Cottam Solar Project on the 5 September. The ExA appointed to examine the Tillbridge Solar Project and the Secretary of State in reaching a decision should have regard to the decision on these Schemes as important and relevant in relation to the decision on the Tillbridge Solar Project.	LCC has referred to the Gate Burton Energy Park having been development consent in its Relevant Representation (RR165) thereby it is assumed that LCC agrees that this and the decision on the Cottam Solar Project is important and relevant pursuant to section 104 of the PA 2008.	Agreed	High <u>Resolved</u>
3.5	Planning Balance	Section 7 of the Planning Statement [REP3-027]	The Applicant considers that the following planning balance should be applied to the Scheme:	LCC has not commented on its judgement on the acceptability of the Tillbridge Solar Project through applying the 'planning balance' in due course.	Under Discussion	Medium <u>High</u> Low
			Positive Impacts and Benefits			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>a. Climate Change – substantial positive weight.</p> <p>b. Ecology – significant positive weight.</p> <p>c. Minimum 10% BNG – moderate positive weight.</p> <p>d. Provision of permissive paths – moderate positive weight.</p> <p>e. Employment generation – moderate positive weight.</p> <p>f. Socio-economics and land use – moderate positive weight.</p> <p>g. Soils and agriculture – moderate positive weight.</p> <p>Neutral Impacts</p> <p>h. Air Quality – limited weight.</p> <p>i. Water Environment – limited weight.</p> <p>j. Human Health – limited weight.</p> <p>k. Noise and Vibration – limited weight.</p> <p>l. Transport and access – limited weight.</p> <p>m. Other Environmental Topics – limited weight.</p> <p>Negative Impacts</p> <p>n. Significant residual effects with respect to severance/pedestrian delay/non-motorised amenity on the B1241, North Fleets Road – limited negative weight.</p> <p>o. Landscape and visual amenity – moderate negative weight.</p> <p>p. Cultural heritage – moderate negative weight.</p>	<p><u>LCC considers that on the whole, the Scheme could deliver positive results for ecology and BNG if the proposed measures are delivered.</u></p> <p><u>LCC states that the 10% BNG figure set out in the Framework LEMP [EN010142/APP/7.17(Rev04)] should be weighed into the planning balance rather than the higher percentage figures set out in the BNG Report [AS-063].</u></p> <p><u>LCC does not agree that in terms of soils and agriculture that moderate positive weight should be afforded in the planning balance, due to impacts on socioeconomics and loss of tenant farmer employment.</u></p> <p><u>LCC does not agree that for other Environmental Topics in particular waste that this will have a neutral impact and this should be a negative impact in relation to waste.</u></p>		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>q. Loss of best and most versatile land – limited negative weight.</p> <p>r. Cumulative Impacts – moderate negative weight.</p> <p>From the above, it is the Applicant's position that it is very clear that the residual impacts do not trigger the exceptional circumstance set out in national planning policy to refuse consent with the presumption firmly engaged in favour of granting development consent, to deliver critical national infrastructure. The benefits of the Scheme are very substantial (in terms of climate change) and significant (in terms of ecology and nature conservations) at both a national, regional and local levels, leading to an overwhelming balance in favour of granting development consent for the Scheme. The benefits of the Scheme are clearly and decisively outweighed by its limited and localised adverse impacts.</p> <p><u>The Applicant has provided its response to comments raised by LCC in relation to BNG in the Applicants Written Summary of Applicants Oral Submissions at ISH3 [EN010142/APP/9.34], in relation to soils and agriculture in the Applicants Written Summary of Applicants Oral Submissions at ISH2 [EN010142/APP/9.30] and in relation to waste in the Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [EN010142/APP/9.33] submitted at Deadline 4.</u></p> <p><u>The detailed design will need to deliver BNG in substantial accordance with the Framework LEMP (which in itself is secured through requirement 7 of the draft DCO [EN010142/APP/3.1](Rev05)], and the current plans for the Scheme, as illustrated by the Indicative Landscape Masterplan [EN010142/APP/7.19(Rev04)]. The Applicant has amended the Framework LEMP submitted at Deadline 4 to clarify the wording and securing mechanisms associated with this commitment.</u></p>			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><u>The revisions should increase the positive weight associated with BNG in the planning balance from moderate to significant positive weight.</u></p> <p><u>The Applicant does not agree with LCC on those matters listed above.</u></p>			
3.5	<u>Balancing residual landscape and visual effects</u>	<u>Section 7 of the Planning Statement [REP3-027]</u>	[Application to insert position here]	<u>The Applicant seeks an update from LCC on its position here following its Response to the Examining Authority's First Written Questions [REP3-065].</u>	<u>Under Discussion</u>	<u>Low</u>
3.6	<u>Application of the Critical National Priority (CNP) presumption</u>	<u>Planning Statement [REP3-027]</u>	[Application to insert position here]	<u>The Applicant seeks an update from LCC on its position here following its Response to the Examining Authority's First Written Questions [REP3-065].</u>	<u>Under Discussion</u>	<u>Low</u>
4. Alternatives and Design Evolution						
4.1	Site Selection	Chapter 4: Alternatives and Design Evolution of the ES [APP-035]	The methodology used in the site selection process as detailed in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] is appropriate for the Scheme.	LCC agree the methodology set out in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] and used in the site selection process is appropriate for the Scheme.	Agreed	High
5. Legislation and Planning Policy						
5.1	Legislation and Planning Policy	Environmental Statement [APP-037 to APP-049] and AS-006 Planning Statement [REP3-027]	<p>The ES [APP-037 to APP-050] has identified all relevant application legislation, national and local policy that relate to county matters pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme:</p> <ul style="list-style-type: none"> • Chapter 7: Climate Change [APP-038]; • Chapter 8: Cultural Heritage [APP-039]; • Chapter 9: Ecology and Nature Conservation [APP-040]; • Chapter 10: Water Environment [APP-041]; • Chapter 11: Human Health [APP-042]; • Chapter 12: Landscape and Visual Amenity [EN010142/APP/6.1(Rev02)]; • Chapter 14: Socioeconomics and Land Use [APP-045]; • Chapter 15: Soils and Agriculture [APP-046]; 	LCC agree that the ES [APP-037 to APP-048] and Planning Statement [REP3-027] has identified all relevant applicable legislation, national and local policy pertaining to the assessments undertaken as part of the EIA and in relation to the appraisal of the Scheme against its accordance with national planning policy and other relevant and important matters <u>for all topics other than Climate Change-</u>	Agreed	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<ul style="list-style-type: none"> • Chapter 16: Transport and Access [APP-047]; • Chapter 17: Other Environmental Topics [APP-048]; • Chapter 18: Cumulative Effects and Interactions [EN010142/APP/6.1(Rev02)] <p>The Planning Statement [REP3-027] has also has identified all relevant application legislation, national and local policy that relates to county matters.</p>			
5.2	Climate Change	Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [EN010142/APP/9.33]	The Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [EN010142/APP/9.33] contains its position on climate change to be submitted at Deadline 4.	The Council's views on climate change and GHG emissions are those set out in its written response WR [REP2-012] rather than what is stated in paragraph 7.17 of the LIR.	Under discussion	Medium
6. Study Area Definition and Extents						
6.1	Study area definition and extents	Environmental Statement [APP-037 to APP-050].	The study areas adopted by the Applicant within the chapters of the Environmental Statement outlined in section 5 . reflect current best practice and standards. The geographical extents of the adopted study areas are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.	LCC agree that the study areas and geographical extents of these set out within the chapters of the Environmental Statement outlined in section 5 are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.	Agreed	High
7. Application of Expert and Professional Judgement						
7.1	Application of professional Judgement	Environmental Statement [APP-037 to APP-050].	<p>The identification of likely significant effects on sensitive features and receptors has been informed by professional judgement and the views of the relevant technical specialists, where necessary.</p> <p>The application of professional judgement by specialists within the environmental topic assessments outlined section 5 and set out in the respective technical chapters of the ES [APP-037 to APP-050] are appropriate and robust.</p>	LCC agree the application of professional judgement by specialists within the chapters of the Environmental Statement outlined in section 5. are appropriate and robust.	Agreed	High
8. Assessment Methodology						
8.1	Methodology	Environmental Statement [APP-037 to APP-050].	The assessment methodology adopted within the chapters of the Environmental Statement outlined in section 5 have been derived from the information obtained through consultation with stakeholders, by reviewing relevant	LCC largely agree the assessment methodology adopted within the chapters of the Environmental Statement outlined in section 5. is acceptable. Those areas remaining under discussion are set out under individual topics.	Agreed	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			guidance and studies and undertaken in accordance with best practice. The assessment methodology is sound and robust and therefore acceptable.			
9. Baseline						
9.1	Baseline	Environmental Statement [APP-037 to APP-050].	<p>The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.</p> <p>The scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the technical chapters of the ES [APP-037 to APP-050].</p>	LCC agree the scope, coverage and timing of surveys undertaken are appropriate and in line with best practice.	Agreed	High
10. Cultural Heritage – Non-designated farmsteads <u>and Archaeology</u>						
10.1	Assessment of Impacts and Effects	Chapter 8: Cultural Heritage of the ES [APP-039]	<p>The assessment of impacts and effects set out in Chapter 8: Cultural Heritage of the ES [APP-039] are acceptable confirming no significant effects.</p> <p>Further explanation of the assessment conclusions on historic farmsteads has been set out on pages 88 to 98 of the Applicant's Response to Relevant Representations [EN010142/APP/9.1] submitted at Deadline 4. The Relevant Representations from LCC [RR-165] noted that LCC welcomed the approach and methodology set out in the DBA (Appendix 8-2 of the ES [APP-059]), stating they "Agree with much of the assessment for built heritage set out in the ES. This includes the decision to scope several farmsteads from the DBA to the ES." The Applicant provided detailed responses to the comments received in LCC's Relevant Representation [RR-165] on non-designated historic farmsteads at pages 89 to 99 of the Applicant's Responses to Relevant Representations [REP1-028].</p> <p><u>The Applicant met with LCC's historic environment officers on 6 December 2024 to</u></p>	<p>LCC is concerned regarding the potential effects of the Scheme upon historic farmsteads.</p> <p>[LCC to insert updated position here]</p>	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<u>further discuss comments on historic farmsteads and explained to LCC that the Applicant has considered the collective contribution of historic farmsteads as part of the historic landscape assessment. Further details on the historic landscape assessment were provided in response to Question 1.7.5 within Applicant's Response to Examining Authority's First Written Questions [REP3-062], and has also been separately shared with the LCC's Built Heritage Officer in an email sent on 8 October 2024.</u>			
<u>10.2</u>		<u>Archaeological Mitigation Strategy [REP1-025]</u>	<u>The Applicant considered the comments provided by LCC and NCC and the revised draft Archaeological Mitigation Strategy (AMS) appropriately prior to its submission at Deadline 1. The AMS [REP1-025] therefore incorporates the comments received from LCC and NCC.</u>	<u>Following consultation by the Applicant in September 2024 LCC provided comments (also with NCC) to the Applicant on the draft AMS which the Council understand have been captured in the latest version of the AMS [REP1-025].</u> <u>LCC agrees with the revised AMS [REP1-025].</u>	<u>Agreed</u>	<u>Resolved</u>
11. Socio-Economics						
11.1	Assessment of Impacts and Effects	Chapter 14: Socio-Economics and Land Use of the ES [APP-045] and Chapter 15: Soils and Agriculture of the ES [APP-046]	<p>The assessment findings with respect to socio-economics and soil and agriculture specifically in relation to agricultural land confirm that impacts and effects are not significant.</p> <p>Chapter 14: Socio-economics and Land Use of the ES [APP-045] confirms that the loss of land in agricultural production as a result of the Scheme equates to 0.25% in Lincolnshire. The Scheme presents reversible impacts on land use for agricultural production and represents a very small proportion of land in Lincolnshire.</p> <p>Chapter 15: Soils and Agriculture of the ES [APP-046] confirms that during construction and operation, there will be a temporary curtailment of arable production within the Principal Site. However, the agricultural land resource will not be lost or degraded. There will be suspension of agricultural land during the operational period, but the impact will not be significant. The soil resource during the operation of the Scheme will improve with the fallow period enhancing the functional capacity of the soil resource for future</p>	LCC -in its Relevant Representation response (RR-165) confirmed that it does not agree with the impact of the Scheme upon agricultural land and impacts on food production. It is stated that for a project of this scale there is an impact given that the land will be tied up for 60 years. LCC states that the loss of such a large area of land would normally be considered as significant at a District level, even though the use is 'temporary'.	Under Discussion	Low

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>arable production. In addition, during operation, the land can include grazing by livestock.</p> <p>A Framework Soil Management Plan (FSMP) is submitted alongside the DCO application [REP1-051)]. The aim of this document is to indicate measures for the preservation of the soil resource within the Order limits, avoiding both the loss of soil material and the loss of soil functional capacity. The detailed SMP will be secured by requirement 18 of the draft DCO [EN010142/APP/3.1(Rev05)] and will need to be substantially in accordance with the Framework SMP [REP1-051)]. This provides a control mechanism to ensure the protection of agricultural land quality and soil resource within the Order limits.</p> <p>In terms of the Cable Route Corridor, the works will be temporary with a negligible and not significant effect on agricultural land quality. A soil resource assessment will be carried out, once detailed design has defined the cable route, to inform the detailed Soil Management Plan. The SMP will be secured by requirement 18 of the draft DCO [EN010142/APP/3.1(Rev05)] and will need to be substantially in accordance with the Framework SMP [REP1-051)].</p> <p>In addition to the above, the decision to grant development consent for the Cottam Solar Project [EN010133] is important and relevant. Paragraphs 4.74 and 4.75 of the Secretary of State's decision states:</p> <p><i>"The Secretary of State agrees that the Proposed Development would revert back to agricultural use once the operational time-period has expired and agrees with the ExA that any effects would be temporary and reversible. The Secretary of State acknowledges however, that whilst these losses e.g., in arable food production would be temporary it would be for a prolonged period of time, and the cumulative effects over 60 years would heighten such</i></p>			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>losses. The ExA consider that for these reasons, the Proposed Development would not meet the requirements of the NPPF in this regard, which the Secretary of State agrees with. However, the Secretary of State agrees with the ExA that this should be classed as “little negative weight” rather than “significant negative weight” in recognition of the point that, whilst the use of arable farmland exceeds NPPF guidance, it is in line with the 2024 NPS.</p> <p>The Secretary of State concludes that as the losses to agricultural and BMV land brought about by the Proposed Development would be temporary and reversible, he agrees with the ExA and ascribes little negative weight in the planning balance.”</p>			
12. Landscape and Visual						
12.1	<u>Methodology, assessment outcomes and Residential Visual Amenity Assessment (RVAA)</u>	<u>Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]</u>	<p><u>The assessment of impacts and effects in Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)] conclude that with the exception of the effects on LLCA 3A Till Vale, significant adverse landscape effects predicted at year 1 of operation are anticipated to reduce to a level that is not significant by year 15 of operation, following the establishment of the landscape mitigation and enhancement. In addition, significant visual effects at year 1 on the majority of Viewpoints will also decrease to not significant at year 15, with the exception of viewpoints 7, 9 and 13.</u></p> <p><u>The substantial benefits and need for the Scheme as set out in Section 5 of this Planning Statement, including the delivery of CNP Infrastructure to contribute towards meeting national energy objectives outweigh the residual landscape effects when applying the planning balancing exercise to the Scheme.</u></p> <p><u>The Applicant has not undertaken an RVAA, and has justified this approach within Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)] as well as in the</u></p>	<p><u>LCC confirm they have no issues with the methodology used for the Applicants LVIA in Chapter 12: Landscape and Visual of the ES [REP3-014].</u></p> <p><u>LCC confirm their agreement with the outcomes of the Applicant’s assessment in Chapter 12: Landscape and Visual of the ES [REP3-014] except for in relation to Viewpoints 2b, 4 and 20.</u></p> <p><u>LCC are comfortable with the absence of an RVAA and satisfied that significant effects have been identified as part of the assessment but wish to note that there are still significant residual effects on properties.</u></p>	<u>Agreed</u>	<u>HighResolved</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<u>Applicants Written Summary of Applicants Oral Submission to ISH3 [EN010142/APP/9.34] at item 3b on page 9 and 10.</u>			
<u>12.2</u>	<u>Assessment of Impacts and Effects</u>	<u>Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rcv02)]</u>	<u>[Applicant to insert position here]</u>	<u>By reason of its mass and scale, the Development would lead to significant adverse effects on landscape character and visual amenity. The Development has the potential to transform the local landscape by altering its character on a large scale. This landscape change also has the potential to affect wider landscape character, by replacing large areas of agricultural or rural land with solar development, affecting the current openness, tranquillity and agricultural character that are identified as defining characteristics of the area.</u>	<u>Under Discussion</u>	<u>Medium</u>
<u>12.3</u>	<u>Assessment of Landscape Effects</u>	<u>Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rcv02)]</u>	<u>Applicant to insert position here]</u>	<u>LCC maintain that the Development will bring about significant landscape effects, even when mitigation planting has fully established. This is predominantly through a change of land use, from agriculture to a large scale solar development, across an extensive area. This also has potential indirect effects from a perceptual change to the surrounding area, including from within the adjacent AGLV.</u> <u>The applicants LVIA identifies significant landscape effects, which includes significant adverse landscape effects on areas of the Cliff AGLV within or adjacent to the site (LLCA 2B, Lincoln Cliff – Harpswell and LLCA 2C Lincoln Cliff – Open Farmland) and also directly across the majority of the site extents (LLCA 3A Till Vale – Open Farmland).</u>	<u>Under Discussion</u>	<u>Medium</u>
<u>12.4</u>	<u>Assessment of Visual Effects</u>	<u>Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rcv02)]</u>	<u>The Applicant acknowledges that Viewpoints 2b and 20 are foreshortened by proposed mitigation planting but maintained that the presence of hedgerows is in keeping with the character of the area when travelling west along Common Lane, while loss of view is not a significant effect when accounting for the sensitivity and susceptibility of receptors on that route. Regarding Viewpoint 4, the Applicant recognises that there is a loss of an expansive view, but again this will be mitigated by extensive sections of planting, which is in keeping with the hedgerow planting already in place. Further, as there is no footway, this was</u>	<u>LCC maintain that the Development will bring about significant visual effects.</u> <u>The Applicants LVIA identifies significant visual effects at the construction, operation (year 1), and operation (year 15) phases. The views and visual receptors with significant effects are typically those with close range views of the development, however views from the elevated land of the Lincoln Cliff also have significant adverse effects due to the extent of solar development within the extensive and often panoramic view. These elevated views have been assessed as still having significant residual affects at year 15 with established planting.</u>	<u>Under Discussion</u>	<u>Medium</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<u>an unlikely recreational route and therefore the loss of this view, particularly at year 15 once mitigation planting has been established, will not be significant.</u>	<p><u>LCC disagree with the LVIA findings of the following viewpoints (presented in Figures 12-13 and 12-14); the assessment presented within the LVIA underplays the Magnitude of visual effect, and subsequently Significance of effect:</u></p> <p><u>Viewpoint 2b: The current view is open and across open fields, which is a characteristic of this landscape character area. While we agree the magnitude of visual effect at construction and operation will be high, we disagree that this would drop to low at year 15 with the introduction of screen planting. The planting, while connecting vegetation along the carriageway, will alter the view by completely screening and foreshortening the existing view. We judge this to be a medium magnitude of Visual Effect, and subsequently this would likely increase the level of visual effect and significance.</u></p> <p><u>Viewpoint 4: The current view is an open panorama across an agricultural landscape, which is a characteristic of this landscape character area. The Development will result in large scale change to this view firstly with construction activity and then at operation with views of panels and structures. This will be experienced along several sections of the B1398, at a scale not present in the existing landscape, and we would judge the magnitude of visual effect at construction and operation year 1 will be high. This is identified on page 14 of Appendix 12-6, which states: “<i>the massing of panels, alongside the BESS and Solar Stations, will introduce a more industrial, functional character to the view, with the largely unvarying, grey panel colours contrasting with the baseline browns and greens of winter field patterns</i>”. The development is conspicuous in an extensive part of the view.</u></p> <p><u>Viewpoint 20: The current view is open and across open fields, which is a characteristic of this landscape character area. While we agree the magnitude of visual effect at construction and operation will be high, we disagree that this would drop to low at year 15 with the introduction of screen planting. The planting, while connecting vegetation along the carriageway, will alter the view by completely screening and foreshortening the existing view. We judge this to be a medium magnitude</u></p>		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
				<u>of visual effect, and subsequently this would likely increase the level of visual effect and significance.</u>		
<u>12.5</u>	<u>Assessment of Sequential Visual Effects</u>	<u>Chapter 12: Landscape and Visual of the ES</u> <u>[EN010142/APP/6.1(Rev02)]</u>	<u>[Applicant to insert position here]</u>	<u>LCC maintain that visual receptors travelling through the landscape along roads and public rights of way will experience frequent sequential views of solar development. This will be exacerbated when assessed cumulatively and frequent sequential views of solar development is likely from along sections of these linear routes, heightening the susceptibility of the receptor to changes in view, and therefore likely the overall sensitivity, and also increasing the likely effect.</u>	<u>Under Discussion</u>	<u>Medium</u>
<u>12.6</u>	<u>Landscape and Visual Mitigation</u>	<u>Chapter 12: Landscape and Visual of the ES</u> <u>[EN010142/APP/6.1(Rev02)]</u>	<u>[Applicant to insert position here]</u>	<p><u>LCC accept that planting can be an effective way to screen and integrate development proposals, however this planting needs to be carried out in a way that is sensitive to the existing landscape character, or meet any aims of a published character assessment to improve or introduce new planting to an area. The local area has a relatively open character, and planting to simply screen could have detrimental impacts.</u></p> <p><u>The PROW and local road network in the study area enjoy an open aspect across some of the landscape, for example along the Cliff at the eastern scheme extents where there are extensive long-range views south across the Site (as illustrated on VP4 within the applicants LVIA) or along the A631 (VP1 within the applicants LVIA) along the northern extents. Therefore, care needs to be taken to prevent the loss of this character through an overbearing set of mitigation proposals.</u></p> <p><u>It is noted that appropriate development offsets and careful design will go some way to address the matter raised. However, the establishment of hedges which are proposed to be maintained at a minimum of 2.5m and up to 3.5m in height (as outlined in the applicants Framework Landscape and Ecological Management Plan) is a concern due to introducing large landscape elements and in places screening currently open views. The submitted visualisations VP2b and VP20 within the applicants LVIA are examples of where the development clearly foreshortens the open view. While planting is shown to screen the development, the view is ultimately changed by the mitigation planting which could be perceived within the visualisations as not being as high</u></p>	<u>Under Discussion</u>	<u>Medium</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
				as proposed (2.5 to 3.5m). The introduction of panels into these close-range views will clearly foreshorten views resulting in adverse effects, and we maintain that by establishing planting in front of the development would not automatically reduce the significance of an adverse effect: the baseline view is still changed for the worse.		
42.13. Other Environmental Topics – Waste and Battery Safety						
13.1	<u>Communicating with residents</u>	<u>Framework BSMP [EN010142/APP/7.13(Rev01)]</u>	<p>The <u>Framework BSMP [EN010142/APP/7.13(Rev01)]</u> sets out measures to ensure that risks associated with BESS are avoided or mitigated, and it is secured by Requirement 6(1) and (3) of the <u>draft DCO [EN010142/APP/3.1(Rev05)]</u>, which requires that the detail of the Framework BSMP <u>[EN010142/APP/7.13(Rev01)]</u> is approved by the Local Planning Authority in consultation with West Lindsey District Council, Lincolnshire Fire and Rescue Service (“LFRS”), Nottinghamshire Fire and Rescue Service and the Environment Agency.</p> <p>As part of the <u>Framework BSMP [EN010142/APP/7.13(Rev01)]</u> an Emergency Response Plan would be prepared in conjunction with LFRS, which would include a Scheme-specific approach to communicate to neighbouring residents about incidents where necessary.</p>	<p>LFRS at ISH2 confirmed that the <u>Framework BSMP [EN010142/APP/7.13(Rev01)]</u> was in accordance with the NFCC Grid Scale Battery Energy Storage System Planning – Guidance for FRS. LFRS confirmed that they did not have an objection to the Applicant’s approach to battery safety.</p> <p><u>[LCC to insert updated position here]</u></p>	<u>Agreed</u>	<u>Resolved</u>
132.24	Assessment of Impacts and Effects and Mitigation	Chapter 17: Other Environmental Topics of the ES <u>[APP-048]</u> and Chapter 18: Cumulative Effects and Interactions of the ES <u>[APP-049]</u> .	<p>The assessment findings set out in Chapter 17: Other Environmental Topics of the ES <u>[APP-048]</u> in relation to waste confirm that effects from waste will not be significant during construction, operation or decommissioning will not be significant.</p> <p>The Applicant has prepared a Waste Quantitative Cumulative Assessment Topic Paper which forms Appendix A to the Applicant’s Relevant Representation Report [EN010142/APP/9.1] submitted at Deadline 1 into examination. This is based on an approach used for the equivalent assessment completed during the Gate Burton Energy Park [EN010131] examination. This assessment confirms that under an absolute worst case scenario (assuming zero recycling/recovery) that</p>	<p>LCC in its Relevant Representation (RR-165) raise concerns in relation to the securing mechanisms to achieve recycling targets and the cumulative impact of the Scheme in relation to the management of waste.</p> <p>Recycling (particularly PV panels) –</p> <ul style="list-style-type: none">1. Capacity of recycling facilities at decommissioning – LCC remain concerned about the Applicant’s their optimism that (ES Ch17, 17.8.55) “the market (for solar panel recycling) will have expanded to meet demand as solar PV installations increase”. Also ties in with LCC comments regarding the WPA’s role in enabling that capacity, the cumulative impacts of multiple proposed solar farms, and their assumption (e.g. ES Ch17, 17.8.10b re Study Areas) that it would be economically viable to transport panels for recycling anywhere in the UK.	Under Discussion	High <u>Medium</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>cumulative impacts would be significant. However, under the realistic worst case (70% recovery), cumulative impacts would not be significant.</p> <p>The Framework OEMP [EN010142/APP/7.9(Rev01)] was also updated and submitted at Deadline 1 to include a commitment to 70% waste recovery (diversion from landfill) <u>for “non-hazardous construction and demolition waste”</u>. <u>Solar panels are considered to be included in this target. 70% has been selected as this aligns with the national target (outlined in The Waste (England and Wales) Regulations 2011).</u></p> <p><u>The Applicant notes that the scenario of no waste management facilities being available across the whole of England and East Midlands for recycling waste streams from the Scheme is unrealistic and considers the 70% recovery from landfill being the realistic worst-case scenario. However, the Applicant agrees that waste management will be kept under review throughout operation and decommissioning. This will be documented as part of periodic reviews of the OEMP throughout operation, as set out within Section 2.7 and Table 3-16 of the Framework OEMP [REP3-035], and before decommissioning commences in the Decommissioning Resource Management Plan (DRMP), as set out within Section 2.10 and Table 3-15 of the Framework DEMP [REP3-037].</u></p> <p>A detailed OEMP, which will be required to be substantially in accordance with the Framework OEMP [EN010142/APP/7.9(Rev01)], will need to be approved by the relevant Local Planning Authority (/Authorities) prior to operation and the Scheme implemented in accordance with the approved OEMP. This is secured by requirement 43 of Schedule 2 of the Draft DCO [EN010142/APP/3.1(Rev03)]. <u>LCC as waste local planning authority has a duty to plan for waste management to meet the future needs of the County. The statutory waste</u></p>	<ul style="list-style-type: none">• <u>2. Operational waste – The revised Framework OEMP commits to the OWMP containing the details we’ve LCC asked for (see item 3 below) in terms of waste quantities, type and fate at each stage of the project, including during the operational phase. We It will be necessary to will need to check this when the OWMP is produced. The above (item a) still applies regarding recycling capacity during the operational phase, particularly cumulatively with other projects.</u> <p>Landfill</p> <ul style="list-style-type: none">• <u>1. Landfill diversion rate – Whilst their Framework OEMP commits to 70%, it specifies “non-hazardous construction and demolition waste”. In light of our LCC concerns over PV panels, please could they clarify the following be clarified whether they intend PV panels to be included in this 70% minimum diversion from landfill. Also, why is their target 70% when their own ES (Ch17, 17.8.12b) refers to “good practice landfill diversion rate of 90%”?</u>• <u>2. Landfill capacity – We’ll LCC will need to monitor their OWMP (as per item 3 below), and any ongoing revisions of it, to assess any impact on available capacity.</u> <p>Waste Management Strategy/Plan</p> <p><u>Whilst not committing to this in name, in their revised Framework OEMP they’ve the Applicant has copied LCC our list of required info into what they say will be included in their OWMP. However, please could they clarify that:</u></p> <ul style="list-style-type: none">• <u>1. The OWMP will be updated as necessary during the lifetime of the project – e.g. in response to whether suitable recycling facilities appear or not.</u>• <u>2. They will provide up front, and keep updated, similar information regarding the decommissioning phase.</u>		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<u>management local plan will provide the strategic planning context to identify how the County will meet its future needs and how this might be delivered through the identification of new sites for recycling and disposal. The Applicant, through the Framework OEMP and DEMP sets out how waste will be monitored, managed, and mitigated during operation and decommissioning of the Scheme and secured through requirements forming part of the DCO. These controls set out a suitable waste management strategy which applies the waste hierarchy including measures for recycling during the lifetime of the Scheme, including decommissioning.</u>			
143. Cumulative Effects and Interactions						
143.1	<u>Commitments for joint working during construction</u>	<u>Joint Report on the Interrelationship with other National Infrastructure Projects [REP3-031]</u>	<p><u>While it is acknowledged that the Joint Report on Interrelationships between NSIPs [REP3-031] is not secured by a DCO requirement, it is considered this is not appropriate given it relates to a range of matters which fall outside of the ambit of the DCO, including in respect of the other Schemes over which no one DCO has control. The Applicant still considers it reflects a best practice engagement by the Applicant and the neighbouring schemes to work collaboratively to minimise effects on local communities. It should be noted that the Application submission includes an updated version of the Joint Report on Interrelationships between NSIPs [REP3-031]. This will be further updated during examination to ensure that any new NSIPs are considered should these emerge or that the stage of applications already included in the report is updated.</u></p> <p><u>In addition to the above, the Applicant notes that the Framework LEMP [EN010142/APP/7.17(Rev04)], Framework CTMP [EN010142/APP/7.11(Rev04)] and Framework CEMP [REP3-033] contain commitments that the Scheme will regularly liaise with the other solar developers to ensure</u></p>	<p><u>LCC does not consider that the Joint Report on interrelationships to constitute a mitigation document that secures co-ordinated working practices between the four projects in this geographical area—. It does not include firm commitments it is not part of the proposed DCO documents and therefore it is not an enforceable document that is secured through a DCO requirement or certified document and is not subject to a legal agreement between the three developers promoting schemes in the area covered by the report.</u></p>	<u>Under Discussion</u>	<u>Medium</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><u>plans are co-ordinated during the construction period as it relates to the Cable Route Corridor. These documents are secured by the requirements 7, 12 and 14 within the draft DCO. The Applicant also notes that LCC as either relevant planning authority - or a consultee will need to approve these management plans in accordance with the relevant requirements in the DCO prior to construction. -</u></p>			
143.2	<u>Assessment of Landscape and Visual Impacts and Effects</u>	<u>Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rcv02)].</u>	<p><u>Cumulative effects and interactions between the Scheme and other solar DCOs are assessed in Section 18.13 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rcv02)] The Scheme and other solar DCOs have worked collaboratively during design development and environmental assessments, including identification of a shared Cable Route Corridor to minimise the extent of impacts, sharing baseline environment information and identification of shared mitigation measures. Consideration has also been given as to how habitat creations link with other proposed developments and more widely across the landscape to ensure any benefits are aligned. Further information on cumulative effects, mitigation and the approach taken to coordinate with the other solar DCOs is provided in the Joint Report on the Interrelationship with other NSIPs [REP3-031].</u></p> <p><u>The assessment for Cumulative Effects related to landscape and visual amenity set out in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rcv02)] concludes that significant adverse landscape and visual cumulative effects will arise with the Cottam Solar Project, predominantly from the presence of solar infrastructure to areas both north and south of the Scheme, and in elevated representative viewpoints along the Middle Street. However, these effects should be considered in the context of long-term green infrastructure benefits. Significant cumulative effects have also been determined for the representative viewpoint along Kexby Road due</u></p>	<p><u>The cumulative landscape and visual effects of the Development will bring about significant cumulative landscape and visual effects, particularly when assessed alongside the consented Cottam, West Burton and Gate Burton schemes. The mass and scale of these projects combined would lead to adverse effects on landscape character and visual amenity over an extensive area. The landscape character of the local, and potentially regional area, may be completely altered over the operational period, particularly when experienced sequentially for visual receptors travelling through the landscape and experiencing these schemes across potentially several kilometres.</u></p>	<u>Under Discussion</u>	<u>LowMedium</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><u>to combined views with Glentworth oil well development and along the Cable Route Corridor, during the construction of the four solar DCOs. However, these effects are considered to be temporary.</u></p> <p><u>It should be noted that development consent was recently granted for the Gate Burton Energy Park (12 July 2024), the Cottam Solar Project on (5 September 2024) and the West Burton Solar Project (24 January 2025). All projects are located within the Zone of Theoretical Visibility of the Scheme. The Secretary of State concluded that the cumulative effects of these projects , in combination with each other and Tillbridge , lead to moderate adverse landscape and visual effects-. The Secretary of State, in deciding to grant development consent for all projects, concluded that the landscape harms, including cumulatively with other solar projects in the area, were clearly outweighed by the substantial weight to be attached to the critical and urgent need to deliver low-carbon and renewable energy. These recent decisions are important and relevant in assessing the merits of the Scheme.</u></p>			
13. Cumulative Effects and Interactions – Soils and Agriculture and Socio-Economic Effects						
143.31	Assessment of <u>Soils and Agriculture and Socio-Economic Impacts and Effects</u>	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)] [APP-049] .	Section 18.13 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)] sets out the Applicant's assessment of cumulative effects. Further information on cumulative effects, mitigation and the approach taken to coordinate with the other -solar DCOs is provided in the Joint Report on the Interrelationship with other Nationally Significant Infrastructure Projects [EN010142/APP/6.1(Rev02)] .	<p><u>LCC does not consider that the Joint Report on interrelationships to constitute a mitigation document that secures co-ordinated working practices between the four projects in this geographical area. It does not include firm commitments it is not part of the proposed DCO documentsand therefore it is not an enforceable documentthat is secured through a DCO requirement or certified document and is not subject to a legal agreement between the thre developers promoting schemes in the area covered by the report.</u></p> <p>LCC raises concerns regarding the cumulative impact of the Scheme upon the loss of agricultural land for food production.</p> <p>LCC raise concerns that the Scheme will tie up the land for up to 60 years. LCC state the loss of such a large area of land would normally be considered as significant</p>	Under Discussion	Low

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>cumulative solar schemes (Gate Burton Energy Park, West Burton Solar Project and the Cottam Solar Project and others set out in Table 18-22 in Chapter 18 of the ES [EN010142/APP/6.1(Rev02)]. This confirms that in combination with all cumulative solar developments that there is still not a significant effect on agricultural production as a result of the schemes. The area of agricultural land that would be temporarily taken out agricultural use across all four schemes would be 2.2% of agricultural land in Lincolnshire.</p> <p>The Applicant has also prepared a report setting out the cumulative effects of solar projects on BMV land within Lincolnshire. This is- located at Appendix B of the Applicant's Response to Relevant Representations [REP1-001] which is submitted at Deadline 1-1. This report further concludes that the potential permanent loss of BMV land in Lincolnshire as a result of solar DCO projects would be 0.8%, and would be 0.27% as a result of ground mounted solar TCPA projects. This amounts to only 0.9% of all BMV land within Lincolnshire permanently lost to solar projects within Lincolnshire.</p> <p>The Secretary of State in his recent decisions for Gate Burton Energy Park [EN010131] and Cottam Solar Project [EN010133] recognised the local concerns on the loss of productive agricultural land but concluded that, on a cumulative basis alongside the other solar projects (including the Tillbridge Solar Project), that the cumulative assessments forming part of each application have suitably considered cumulative effects. The Secretary of State at paragraph 4.178 of the Gate Burton Energy Park decision states that the "<i>cumulative loss of BMV land in Lincolnshire due to NSIP solar projects amounts to 0.83% of the total BMV land with a further 0.21% loss to TCPA solar projects. The Secretary of State considers that this is only around 1% of the total BMV land in Lincolnshire, further noting that the land will be lost for a temporary, albeit long-term period and that the land can be returned upon decommissioning of</i></p>	<p>at District level, even though the use is <u>assessed to be 'temporary' by the Applicant</u>.</p> <p>LCC – raise objections to the Application due to the cumulative impacts with other consented solar projects and those currently in the planning process. As the fourth NSIP scale solar project being promoted in the District, WLDC considers the magnitude of change in landscape character to be unacceptable and contrary to national and local planning policies. The proposal will have significant adverse impacts upon 'The Cliff' Landscape Character Area, failing to the conserve and enhance its qualities, character and distinctiveness. The proposal fails to minimise adverse visual impacts through high quality landscape design, and does not adequately demonstrate how the scheme has responded positively to the landscape character.</p> <p>The cumulative impacts of the proposal with other solar electricity generating station projects upon landscape character, visual effects and amenity will be significant and adverse. LCC consider the impacts to be contrary to national and local statutory planning policies, and the proposal should be refused development consent for such reasons. LCC consider that unacceptable cumulative impacts are realised with Tillbridge Solar Project being added to the impacts caused by the consented Gate Burton Energy Park and Cottam Solar Project. Such impacts would be further exacerbated should the West Burton Solar Project receive consent. have concerns regarding the combined cumulative impact associated with the construction, operation and decommissioning of the schemes on landscape character and visual effects.</p>		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><i>development to its original state. The Secretary of State places great importance on BMV land but is satisfied that the siting of the Proposed Development on BMV land has been justified."</i></p> <p>The ExA in its recommendation report on Gate Burton, which the Secretary of State agreed with, also confirmed at paragraph 3.11.114 that:</p> <p><i>"Whilst I appreciate the concerns of many IPs and the concerns expressed there is no meaningful assessment of the extent of lost production."</i></p> <p>The Tillbridge Solar Project, through its site selection process sought to minimise impacts upon BMV land and through design iteration of the Scheme, has further minimised impacts. The siting of the Scheme on BMV land is justified and the loss of agricultural land and therefore potential food production would be temporary and reversible allowing the Principal Site to be brought back into agricultural use following decommissioning.</p> <p>The 58% self-sufficient figure is based on economic value at the farm gate. Further detail is given in the most recent UK Food Security Report from Defra (2021) (Ref. 8) that notes that UK grain production is approximately equivalent to UK grain consumption (p96). The same is also true of UK production and consumption of meat, milk and eggs (p99). This therefore demonstrates that the UK is self-sufficient producing as much food as is consumed.</p> <p><u>The Applicant does not agree with LCC on this matter.</u></p>			
14.	154.	Biodiversity Net Gain				
154.1		Biodiversity Net Gain Report [AS-062]	<u>The detailed design will need to deliver BNG in substantial accordance with the Framework LEMP (which in itself is secured through requirement 7 of the draft DCO [EN010142/APP/3.1](Rev05)]</u> , and the current plans for the Scheme, as illustrated by the	Given the scale and nature of the proposed development LCC will expect the project to deliver significantly more than 10% Biodiversity Net Gain (BNG). LCC acknowledge that the Applicant has set out their broad approach to within the Biodiversity Net Gain	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
		<p>Draft DCO [EN010142/APP/3.1(Rev05)]</p> <p>Framework LEMP [EN010142/APP/7.17(Rev04)]</p> <p>Framework CEMP [EN010142/APP/7.8(Rev01)]</p>	<p><u>Indicative Landscape Masterplan [EN010142/APP/7.19(Rev04)]</u>. The Applicant has amended the Framework LEMP submitted at Deadline 4 to clarify the wording and securing mechanisms associated with this commitment.</p> <p>The Scheme will deliver a minimum 10% gain for biodiversity secured by both requirements 7 (landscape and ecological management plan) and 8 (biodiversity net gain) of Schedule 2 of the <u>draft DCO [EN010142/APP/3.1(Rev03)]</u>.</p> <p>The requirement to provide a minimum 10% gain is not mandatory until November 2025. The Applicant has demonstrated through the submitted <u>Biodiversity Net Gain Report [AS-062]</u> that the Scheme will achieve at least the 10% despite this not being a mandatory requirement and that it will be secured by requirement 8 of the <u>draft DCO [EN010142/APP/3.1(Rev03)]</u> to submit and agree a BNG strategy with the relevant authority and for this to be substantially in accordance with the <u>Framework LEMP [EN010142/APP/7.17(Rev02)]</u>. The <u>Framework LEMP [EN010142/APP/7.17(Rev02)]</u> and <u>Framework CEMP [EN010142/APP/7.8(Rev01)]</u> include measures for the management, maintenance and monitoring of landscape and biodiversity and implementation of green infrastructure. Requirements 7 (landscape and ecological management plan) and 12 (construction environmental management plan) of Schedule 2 of the <u>draft DCO [EN010142/APP/3.1(Rev03)]</u> prevent the commencement of development until the LEMP and CEMP are submitted to and approved by the relevant planning authority.</p> <p>As set out in the <u>Biodiversity Net Gain Report [AS-062]</u> the trading rules within the Metric are not satisfied for the 'Medium' distinctiveness habitats of 'Cropland – Arable field margins cultivated annually' and 'Individual trees – Rural tree'. Despite the trading rules not being strictly passed, qualitatively, it is deemed that the increased provision of proposed 'Grassland –</p>	<p><u>Report [AS-062]</u>. This document identifies the opportunities of the Scheme to deliver BNG and states that the final design has not yet been finalised. However, based on current plans, the Scheme is predicted to result in a net gain of 64.55% for area-based habitat units, 17.33% for hedgerow units, and 22.94% for watercourse units. LCC notes however that the trading rules set out in the Statutory BNG metric user guide are not currently being met. This is specifically in relation to medium distinctiveness habitats due to the loss of arable field margins and rural trees.</p> <p>LCC accepts that at present the delivery of BNG is not a mandatory requirement for NSIPs. However, this is expected to become mandatory from November 2025 and emerging best practice amongst most NSIP developments is to seek to deliver BNG in advance of the statutory requirement to do so. In addition to this, Section 4.6 of Overarching National Policy Statement for Energy (EN-1) (17 January 2024) states: "Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible.</p> <p>The Environment Act 2021 introduced a strengthened 'biodiversity duty' which requires all public authorities in England to consider what they can do to conserve and enhance biodiversity. LCC is of the opinion that including a Requirement for the delivery of BNG by this development is consistent with this duty.</p> <p>LCC considers that, if successfully established and properly managed, increased provision of other neutral grassland and broadleaved woodland habitat are suitable replacements for the loss of arable field margins and individual rural trees. LCC therefore considers that it is acceptable to deviate from the Biodiversity Metric Trading rules in relation to the loss of arable field margins and individual rural trees in this case.</p> <p><u>[LCC to insert updated position here]</u></p>		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>Other neutral grassland' and 'Woodland and forest – Other woodland; broadleaved' provide similar functional benefits to 'Cropland – Arable field margins cultivated annually' and 'Individual trees – Rural tree'. Therefore, the failure in 'Medium' distinctiveness habitats is acceptable in this case. It is not deemed suitable to retain/create the 'Cropland – Arable field margins cultivated annually' when the Principal Site will be converted to a grassland / solar array mix and a margin habitat of 'Grassland – Other neutral grassland' is more suitable to this habitat composition. This would also not meet the objectives of the Scheme to deliver a solar energy project, if having to retain arable land to achieve the trading rules, which would miss an opportunity to provide renewable energy and offset greenhouse gas emissions from alternative energy sources.</p> <p><u>The Applicant noted LCC's request for the creation of an Ecological Steering Group in its Local Impact Report [REP1A-001]. The Framework Landscape and Ecological Management Plan [EN010142/APP/7.17(Rev04)] has been updated to include this and submitted at Deadline 4.</u></p>			
165. Other matters						
165.1	<u>Land drains</u>	<u>Framework SMP [REP1-051]</u>	<p><u>The Applicant wishes to highlight that Table 3-5 of the Framework CEMP [REP3-033] already references mitigation measures in relation to land drains and states that "A temporary drainage system will be developed to prevent runoff contaminated with fine particulates from entering surface water drains without treatment. This will include identifying all land drains and water features in the Order limits and ensuring that they are adequately protected using drain covers, sand or pea gravel bags (the latter being more appropriate in or near watercourses), earth bunds, temporary lagoons, tanks, geotextile silt fences, straw bales, silt screens, and silt mats etc., or proprietary treatment (e.g. lamella clarifiers or flocculation if absolutely necessary and with the appropriate approvals from the</u></p>	<p><u>At ISH2, LCC raised the issue of potential damage to pre-existing drains on the land of the Principal Site as a result of piling into the ground during construction and deconstruction. LCC would like to see reference to impacts on drainage apparatus included in the Framework SMP [REP1-051].</u></p>	<u>Under Discussion</u>	<u>High</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><u>Environment Agency) and road sweepers or wheel washes on entry and exit to the Site”.</u></p> <p><u>Further, Table 3-5 also sets out that “The Principal Contractor will coordinate drainage surveys to establish the existing drainage position including any related field drainage that may be affected by the Scheme and these will be marked where encountered. The Principal Contractor shall record the location, condition and characteristics (e.g. depth of installation, pipe type and diameter) of drains cut or disturbed by construction of the Scheme. Any field drainage affected by the Scheme shall be either reinstated or diverted to secondary channels if reasonably practicable. Landowners and occupiers shall be informed, through the Environment Manager of the design and timing of drainage works required during construction and following completion of the Works, including, where relevant, in relation to pipe layout, falls, dimensions and outfalls.”</u></p> <p><u>The Framework CEMP [REP3-033] is secured by requirement 12 of the draft DCO [EN010142/APP/3.1(Rev05)] and an update is therefore not required for the Framework SMP [REP1-051].</u></p>			
165.2	<u>Glentworth K oil site buffer</u>	<u>Outline Design Principles Statement [REP3-029]</u>	<u>The Outline Design Principles Statement [EN01-142/APP/7.4(Rev03)] was updated at Deadline 3 to include a 30-metre buffer zone from BESS to the Glentworth K Oil Site, as well as the extant planning permission for an extension to the oil site, in order to manage any safety risks.</u>	<u>LCC are supportive of the application of the buffer to both areas as discussed at ISH3.</u>	<u>Agreed</u>	<u>HighResolved</u>
15.	176. draft Development Consent Order					
1576.1	Articles 8 to 16	Draft DCO [EN010142/APP/3.1(Rev05)]	It is agreed that the Draft DCO [EN010142/APP/3.1(Rev05)] largely aligns with the DCO as made for the Gate Burton Energy Park—. It is confirmed that as per Article 8(3) of the Draft DCO [EN010142/APP/3.1(Rev053)] given Tillbridge Solar Limited is not the street authority within the Order limits, the provisions of sections 54 – 106 of the New Roads and Street Works Act 1991 (0) in respect of the	LCC states in its Relevant Representation Report (RR-165) that the Draft DCO seems to be very similar to the DCO which was approved for Gate Burton in July 2024 by the Secretary of State. It is considered the wording in Articles 8 to 16 is intended to give the developer similar rights as a standard Statutory Undertaker (e.g. Anglian water or British Gas) and therefore they would still be	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p>various approvals required from LCC as the street authority for works within the highway will be required.</p> <p>Following the meeting held prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 with LCC, the Applicant proposes to amend the Framework Construction Traffic Management Plan [EN010142/APP.7.11(Rev02)] (FCTMP) at Deadline 1. The FCTMP now includes provisions providing that prior to the carrying out of any works to the public highway pursuant to Articles 8, 9, 10 and 11 of the draft DCO [EN010142/APP/3.1(Rev05)], the detailed design of such works must be submitted to the highway authority for approval (either as part of the CTMP or separately). This aligns with the Council's permitting scheme in respect of confirming the detailed design, while still enabling certainty for the Scheme that these works will proceed— The FCTMP also agrees to pay LCC for the technical approval process.</p> <p>The Final CTMP is secured by requirement 14 attached to the Draft DCO [EN010142/APP/3.1(Rev05)] to be updated at Deadline 1 and which must be substantially in accordance with the FCTMP.</p>	<p>required to follow the Council's Permitting Scheme to obtain consents prior to working in the highway.</p> <p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 sought clarification on the technical approval process for alterations to the highway and how this is to be secured.</p> <p><u>LCC to insert updated position here</u></p>		
1765.2	Schedule 2 (Requirements 7 (LEMP), 8 (BNG), <u>11 (Archaeology)</u> , 12 (CEMP) and 13 (OEMP). <u>Requirement 11 Archaeology</u>	Draft DCO [EN010142/APP/3.1(Rev05)]	<p>The Applicant wishes to work positively with LCC on this matter but seeks to discuss the nature of the additional inputs LCC would be providing in respect of these management plans, in light of jurisdiction and function of LCC as compared to West Lindsey District Council (being the local planning authority in this case).</p> <p><u>The Applicant confirms that the wording set out in LCC's comment in relation to Requirement 11 – Archaeology, is what is already written into the draft DCO [EN010142/APP/3.1(Rev05)] amended and submitted at Deadline 1.</u></p>	<p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev03)] on the 15 October 2024 sought clarification with respect to consultation with LCC in relation to details to be approved with respect to requirement 7 (landscape and ecological management plan), 8 (biodiversity net gain, 12 (construction environmental management plan) and 13 (operational environmental management plan).</p> <p><u>LCC recognises the jurisdiction of West Lindsey District Council as the relevant local planning authority and wishes to be included as a consultee on requirements 7, 8, 12 and 13 given LCC's strategic, county-wide overview in relation to ecology and biodiversity.</u></p>	Under Discussion	<u>Medium</u> <u>High</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
				<p><u>The Tillbridge proposed DCO wording is exactly the same as Gate Burton DCO archaeology requirement wording and that is welcome as that is what the Council wishes to achieve. The Applicant has removed the proposed exclusions including habitat creation they had in an earlier version of proposed wording.</u></p> <p><u>The Gate Burton wording is the model for those NSIPs where they've done enough evaluation, and the Mallard Pass one (also used for Cottam) is the one where they haven't undertaken enough with a section requiring a trenching WSI and that the results be used to inform the (final) WSI.</u></p> <p><u>The Applicant has undertaken -a lot of trenching -and there are just a few areas where there's a bit outstanding to be done. The developer is good and updates the Council, as necessary—. The Council is content that the outstanding trenching can be included in the WSI so the Gate Burton wording is what the Council would like to see as set out below</u></p> <p><u>Archaeology 11.—(1) The authorised development must be implemented in accordance with the archaeological mitigation strategy. (2) No part of the authorised development may commence until a written scheme of archaeological investigation (which must accord with the archaeological mitigation strategy) for that part has been submitted to and approved by the relevant planning authority. (3) For the purposes of sub-paragraph (1), “commence” includes any permitted preliminary works. (4) Any archaeological works or watching brief must be carried out in accordance with the approved scheme.</u></p>		
17.3	<u>Requirement 17 (Noise)</u>	<u>Draft DCO [EN010142/APP/3.1(Rev05)]</u>	<p><u>Requirement 17 of the draft DCO [EN010142/APP/3.1(Rev05)] ensures that Work No. 1, 2 and 3 will not commence until an operational noise assessment to ensure noise rating levels are complied with has been submitted and approved by the local authority.</u></p> <p><u>The Applicant explained at ISH3 how Requirement 17 would be enforced confirming that while measured baseline sound data,</u></p>	<u>[LCC to insert updated position here]</u>	<u>Under Discussion</u>	<u>High</u>

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<p><u>collected at several locations over a week at various times during the day and night, contextualises the significance of the operational noise levels reported in Chapter 13: Noise and Vibration of the ES [AS-006] and set out at Table 13-17, compliance with Requirement 17 would have to be achieved through noise modelling. This is because, as outlined in the Applicant's Response to Examining Authority's First Written Questions [REP3-062], -ExQ 1.10.11, compliance with Requirement 17 would need to be agreed with the relevant planning authority prior to construction work commencing.</u></p> <p><u>Once detailed design of the Scheme had been finalised a further operational noise assessment would be undertaken again to confirm that the levels in the ES chapter are not exceeded by the detailed design.</u></p> <p><u>The Applicant has updated the Framework OEMP [EN010142/APP/7.9(Rev03)] at Deadline 4 to confirm that monitoring will be undertaken during the operation of the Scheme to identify any changes in sound pitches or volume early. This ensures that plant noise at sensitive receptors throughout the operational lifetime of the Scheme is not materially worse than the levels presented in the ES. The results of such monitoring will be submitted to the relevant planning authority for review. Where this review indicates plant noise levels generated by the Scheme have materially increased, the undertaker and relevant planning authority will liaise in respect of any further maintenance or mitigation required to reduce levels at receptors back to those presented in the ES.</u></p> <p><u>Following ISH3, the Applicant has also updated Requirement 17 included in an updated version of the dDCO [EN010142/APP/3.1(Rev05)] submitted at Deadline 4 to more clearly reference the Operational Noise Assessment figures set out in Table 13-17 of Chapter 13 [AS-006].</u></p>			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
1765.4 3	Articles	Draft DCO [EN010142/APP/3.1(Rev05)]	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 did not raise any issues with Articles other than those under Part 3 (Streets) – Articles 8 to 16. On this basis, it is assumed that all other Articles are agreed.	LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 did not raise any issues with other Articles other than those under Part 3 (Streets) – Articles 8 to 16.	Agreed	High Resolved
1576.5 4	Schedules	Draft DCO [EN010142/APP/3.1(Rev05)] —	<p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 176 of the Draft DCO [EN010142/APP/3.1(Rev05)], other than in respect of the requirements outlined in row 165.2 and 16.3 2-above. It is therefore assumed that these are agreed.</p> <p><u>The Applicant does not agree that Requirement 11 (Archaeology) should sit within the first list of requirements in terms of fees. This would not be proportionate and would be inconsistent with the made Orders for both the Cottam and West Burton Solar Projects where the archaeology fee falls under ‘any other requirement’ not listed as a first application under (a).</u></p>	<p>LCC in a meeting prior to the ISH1 on the Draft DCO [EN010142/APP/3.1(Rev05)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 16 of the Draft DCO [EN010142/APP/3.1(Rev05)], other than in respect of the requirements outlined in row 15.2 above.</p> <p><u>LCC note that in relation to Schedule 176 article 476 - procedures for Discharge of Requirements, the updated fee schedule should include in the first list of requirements subject to the highest fee category for Requirement 11 Archaeology.</u></p>	Agreed <u>Under Discussion</u>	High <u>Medium</u>

4. References

- Ref. 1 Stationary Office (2009). The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. Accessed on 16/10/2024 at <https://www.legislation.gov.uk/ukxi/2009/2264/contents/made>
- Ref. 2 Department for Energy Security & Net Zero. (2023). Overarching National Policy Statement for Energy (EN-1). Accessed on 16/10/2024 at <https://assets.publishing.service.gov.uk/media/65bbfdbc709fe1000f637052/overarching-nps-for-energy-en1.pdf>
- Ref. 3 Stationary Office (2008). Planning Act 2008. Accessed on 16/10/2024 at <https://www.legislation.gov.uk/ukpga/2008/29/contents>
- Ref. 4 Department for Energy Security & Net Zero. (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Accessed on 04/10/2024 at <https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf>
- Ref. 5 Department for Energy Security and Net Zero. (2023). National Policy Statement for Electricity Networks Infrastructure (EN-5). Accessed on 04/10/2024 at <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5>
- Ref. 6 Lincolnshire County Council (2016). Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies. Accessed on 08/10/2024 at <https://www.lincolnshire.gov.uk/downloads/file/2361/core-strategy-and-development-management-policies>
- Ref. 7 Lincolnshire County Council (2017). Lincolnshire Minerals and Waste Local Plan Site Locations. Accessed on 08/10/2024 at <https://www.lincolnshire.gov.uk/downloads/file/2274/adopted-site-locations-pdf>
- Ref. 8 DEFRA (2021). United Kingdom Food Security Report 2021. Accessed on 08/10/2024 at <https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021>
- Ref.9 Stationary Office (1991). New Roads and Street Works Act 1991. Accessed on 08/10/2024 at <https://www.legislation.gov.uk/ukpga/1991/22/contents>