

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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tillbridgesolar.com

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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 <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010142/documents</a>.
- 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.
- 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 ongoing 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> <li>Update on Environmental Impact Assessment (EIA) Scoping Report;</li> <li>Technical queries following receipt of the EIA Scoping Opinion and leading up to statutory consultation; and</li> <li>Communications update following collaboration workshops; subsequent engagement with neighbourhood planning team.</li> </ul>
8 November 2022	Meeting (Teams with Head of Planning)	<ul> <li>Scheme update, including response to EIA Scoping Opinion;</li> <li>Presentation of Applicant's approach to engagement in draft Statement of Community Consultation (SoCC); and</li> <li>Discussion of Cable Route Corridor and potential for co-location with other Schemes.</li> </ul>
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 Highway Authority)	Introduction email setting out the scope of the Scheme and seeking a meeting to agree on:  • Access and routing strategy for the Scheme;

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
		<ul> <li>The scope and methodology for the transport deliverables;</li> <li>The Study Area for the collision review;</li> <li>Framework Construction Traffic Management Plan (CTMP) requirements; and</li> <li>Cumulative schemes to be included as part of the assessment.</li> </ul>
13 December 2022	Meeting (Teams with Head of Planning)	<ul> <li>Scheme update on EIA Scoping Opinion;</li> <li>Wider engagement with LCC on technical disciplines and agreeing ways of working; and</li> <li>Introduction to principles in draft SoCC, including presentation and seeking initial comments from LCC.</li> </ul>
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> <li>Introductory presentation setting out the Scheme;</li> <li>Discussion of trip generation, staff distribution and site access arrangements;</li> <li>Discussion of HGV routing and proposed approach;</li> <li>Discussion of traffic surveys and collision Study Area;</li> <li>Discussion of cumulative effects and potential overlap of construction with other Schemes;</li> <li>Discussion of PRoW management;</li> <li>Discussion of permissive paths and potential inclusion within the Scheme;</li> <li>Discussion of shared Cable Route Corridor and confirmation that the Applicant had start to collaborate with other developers; and</li> <li>Discussion of Cable Route Corridor access.</li> </ul>
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> <li>Discussion on baseline Winter photography and viewpoints of Principal Site to be included within the ES; and</li> <li>Summary of agreed viewpoints and rationale.</li> </ul>

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)	Dialogue on viewpoints to feed into the ES.
14 March 2023	Meeting (Teams with Head of Planning)	<ul> <li>LCC informal feedback on SoCC and Applicant's regard to comments;</li> <li>Ongoing stakeholder engagement, including with parish councils and '7000 acres' community group;</li> <li>LCC engagement with PINS regarding cumulative impacts/joint examination of schemes; and</li> <li>Upcoming statutory consultation and briefings with Host authority members.</li> </ul>
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> <li>Feedback following face-to-face briefing in Lincoln;</li> <li>Discussion of PEI Report and key issues for statutory consultation; and</li> <li>Discussion of wider issues, including status of other solar schemes, status of RAF Scampton.</li> </ul>
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> <li>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.</li> <li>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.</li> <li>All agreed of the need to consider existing mineral sites with respect to the indicative layout of the Scheme.</li> </ul>
13 June 2023	Meeting (Teams with Head of Planning)	<ul> <li>Update on statutory consultation; and</li> <li>Discussion around project specific issues including cumulative impacts and minerals and waste.</li> </ul>
8 August 2023	Meeting (Teams with County Archaeologist)	<ul> <li>Update on programme and trial trenching (TT) activities including identification of areas of high archaeological potential within the Principal Site.</li> <li>Agreement that areas of preservation would be for the duration of the Scheme.</li> <li>Agreement that fencing would be required to protect the archaeological exclusion zones.</li> <li>Agreement to engage stakeholders with a Framework Archaeological Mitigation Strategy (AMS).</li> <li>Agreement that the Cable Route Corridor could be subject to trench evaluation post DCO submission.</li> <li>Agreement to share the TT reports with stakeholders ahead of submission to inform the AMS.</li> <li>Arrangement of site visit with Historic England to discuss potential impacts upon heritage assets.</li> </ul>
8 August 2023	Meeting (Teams with County Archaeologist)	<ul> <li>Presentation of the findings of the PEI Report assessments and trial trenching works completed.</li> <li>Discussion of further work to be completed, buffer zones, mitigation strategies and programme going forward to the ES assessments.</li> </ul>
21 August 2023	Email (LCC landscape consultant)	Adjustments to viewpoints and photomontage locations for the Principal Site.
21 August 2023 and 21 August 2024	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
	landscape architect)	
12 September 2023	Meeting (Teams with Head of Planning)	<ul> <li>Updates on Applicant's programme and discussion with PINS; status of other solar schemes.</li> <li>Discussion of targeted statutory consultation and nature of changes following statutory consultation.</li> <li>Wider stakeholder engagement with LCC technical officers e.g. landscape.</li> </ul>
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> <li>Ongoing stakeholder engagement with wider bodies, such as Historic England and Natural England.</li> <li>Applicant's ongoing regard to consultation responses, including changes to indicative site layout plan.</li> <li>Further detail on targeted statutory consultation.</li> </ul>
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> <li>Explanation and agreement of targeted consultation methodology and nature of changes;</li> <li>Updates on how the Scheme has responded to feedback from statutory consultation; and</li> <li>Programme update.</li> </ul>
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> <li>Meeting to discuss Cable Route Corridor access and construction strategy.</li> <li>Explanation temporary access locations, design parameters, temporary compounds, Abnormal Indivisible Loads (AILs).</li> <li>Discussion of shared corridor with other developers and its design iteration.</li> </ul>

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes	
22 February 2024	Meeting (Teams with Head of Planning)	Discussion of latest proposals for Scheme ahead of DCO application submission;	
2024	riaiiiiiig)	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> <li>Email from the Applicant to LCC advising of a delay in the submission of the Application.</li> </ul>	
7 August 2024	Meeting (Teams with Head of	General update on the current stage of the Scheme pre-examination;	
	Planning)	<ul> <li>Discussion on issues raised within Lincolnshire's Relevant Representation;</li> </ul>	
		<ul><li>Introductory conversations surrounding SoCG; and</li><li>Introduction to the proposed Change Request.</li></ul>	
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> <li>Update on the submission of the Change Request;</li> <li>Update on Procedural Deadline A and the Rule 6 Draft Timetable; and</li> </ul>	
		<ul> <li>Introduction to SoCGs and next steps towards the examination.</li> </ul>	
15 October 2024	Meeting (Face-to- face with Head of Planning	To discuss draft DCO with specific focus on Articles 8 to 16 and Schedule 2 (requirements).	
9 January 2025	Email received from the Head of Planning	Attaching tracked change version of draft SoCG submitted at D1 confirming the need to update the SoCG with respect to landscape and heritage matters.	
27 January 2025	Email received from the Head of Planning	Attaching tracked change version of draft SoCG submitted at D1 with respect to landscape and visual matters.	

# 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. Sc	heme 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.		Agreed	Resolved
2. Cu	mulative 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.		Agreed	Resolved
3. Ge	neral Planning Matte	rs				
3.1	PA 2008	Planning Statement [REP3-027]	The Application is to be determined under Section 104 of the PA 2008 where national policy statement has effect.		Agreed	Resolved
			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.			
			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.			
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 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 Secretary of State thinks are both important and relevant to that decision.	Under Discussion	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			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).	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.		
			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.			
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 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.	Agreed	Resolved
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 (RR-165) 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	Resolved
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 considers that on the whole, the Scheme could deliver positive results for ecology and BNG if the proposed measures are delivered.	Under Discussion	Low
			Positive Impacts and Benefits	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		

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			a. Climate Change – substantial positi weight.	ve higher percentage figures set out in the BNG Report [AS-063].		
			b. Ecology – significant positive weigh	LCC does not agree that in terms of soils and agriculture that moderate positive weight should be afforded in the		
			c. Minimum 10% BNG – moderate posi weight.	·		
			<ul> <li>d. Provision of permissive paths – mode positive weight.</li> </ul>	in particular waste that this will have a neutral impact and		
			e. Employment generation – <b>moderate positive weight.</b>	this should be a negative impact in relation to waste.		
			f. Socio-economics and land use – <b>moc positive weight.</b>	derate		
			g. Soils and agriculture – <b>moderate pos weight.</b>	sitive		
			Neutral Impacts			
			h. Air Quality – <b>limited weight.</b>			
			i. Water Environment – limited weight.	•		
			j. Human Health – <b>limited weight</b> .			
			k. Noise and Vibration – limited weight	· <u>·</u>		
			I. Transport and access – limited weig	ht.		
			m. Other Environmental Topics – <b>limited</b> weight.	1		
			Negative Impacts			
			<ul> <li>n. Significant residual effects wirespect to severance/pedestr delay/non-motorised amenity B1241, North Fleets Road – negative weight.</li> <li>o. Landscape and visual amenit moderate negative weight.</li> </ul>	rian v on the limited ty –		
			<ul><li>p. Cultural heritage – moderate negative weight.</li></ul>			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			<ul> <li>q. Loss of best and most versatile land – limited negative weight.</li> <li>r. Cumulative Impacts – moderate negative weight.</li> </ul>			
			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.			
			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. The revisions should increase the positive weight associated with BNG in the planning balance from moderate to significant positive weight.			
			The Applicant does not agree with LCC on those matters listed above.			
3.5	Balancing residual landscape and visual effects	Section 7 of the Planning Statement [REP3-027]	[Application to insert position here]	The Applicant seeks an update from LCC on its position here following its Response to the Examining Authority's First Written Questions [REP3-065].	Under Discussion	Low
3.6	Application of the Critical National Priority (CNP) presumption	Planning Statement [REP3-027]	[Application to insert position here]	The Applicant seeks an update from LCC on its position here following its Response to the Examining Authority's First Written Questions [REP3-065].	Under Discussion	Low

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
4. Alt	ernatives and Desig	ın 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 <b>Chapter 4: Alternatives</b> and <b>Design Evolution</b> of the ES <b>[APP-035]</b> is appropriate for the Scheme.	LCC agree the methodology set out in <b>Chapter 4: Alternatives and Design Evolution</b> of the ES <b>[APP-035]</b> and used in the site selection process is appropriate for the Scheme.	Agreed	High
5. Leg	gislation and Planni	ng Policy				
5.1	Legislation and Planning Policy	Environmental Statement [APP-037 to APP-049] and AS-006  Planning Statement [REP3-027]	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:  • 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];  • 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)]	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 for all topics other than Climate Change	Agreed	High
5.2	Climate Change	Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [EN010142/APP/9.33]	The Planning Statement [REP3-027] has also identified all relevant application legislation, national and local policy that relates to county matters.  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

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
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 <b>section 5</b> . 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. Ap	plication of Expert	and Professional Judgement				
7.1	Application of professional Judgement	Environmental Statement [APP-037 to APP-050].	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.  The application of professional judgement by specialists within the environmental topic assessments outlined <b>section 5</b> and set out in the respective technical chapters of the ES [APP-037 to APP-050] are appropriate and robust.	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. Ass	sessment Methodo	logy				
8.1	Methodology	Environmental Statement [APP-037 to APP-050].	The assessment methodology adopted within the chapters of the Environmental Statement outlined in <b>section 5</b> have been derived from the information obtained through consultation with stakeholders, by reviewing relevant guidance and studies and undertaken in accordance with best practice. The assessment methodology is sound and robust and therefore acceptable.	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
9. Bas	seline	<u> </u>	· ·			<u>.                                    </u>
9.1	Baseline	Environmental Statement [APP-037 to APP-050].	The baseline conditions have been collated using desk-based and field-based techniques, and through consultation with stakeholders including the local authorities.  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 <b>ES</b>	LCC agree the scope, coverage and timing of surveys undertaken are appropriate and in line with best practice.	Agreed	High

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
10. Cı	ultural Heritage – Nor	n-designated farmsteads and Arch	naeology		•	-
10.1	Assessment of Impacts and Effects	Chapter 8: Cultural Heritage of the ES [APP-039]	The assessment of impacts and effects set out in <b>Chapter 8: Cultural Heritage</b> of the ES [ <b>APP-039</b> ] are acceptable confirming no significant effects.	[LCC to insert updated position here]	Under Discussion	High
			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].			
			The Applicant met with LCC's historic environment officers on 6 December 2024 to 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].			
10.2	Mitigation	Archaeological Mitigation Strategy [REP1-025]	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.	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].	Agreed	Resolved
				LCC agrees with the revised AMS [REP1-025].		
11. Sc	ocio-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]	The assessment findings with respect to socio- economics and soil and agriculture specifically in relation to agricultural land confirm that impacts and effects are <b>not significant</b> .	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	Under Discussion	Low

**LCC Position** Likelihood of Ref. Subject **Relevant Application Document Applicant Position Status** Resolution 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 Chapter 14: Socio-economics and Land Use land would normally be considered as significant at a of the ES [APP-045] confirms that the loss of District level, even though the use is 'temporary.' 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. 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 arable production. In addition, during operation, the land can include grazing by livestock.

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.

will be temporary with a negligible and not 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

In terms of the Cable Route Corridor, the works significant effect on agricultural land quality. A 18 of the draft DCO

Likelihood of Ref. Subject **Relevant Application Document Applicant Position** LCC Position **Status** Resolution [EN010142/APP/3.1(Rev05)] and will need to be substantially in accordance with the Framework SMP [REP1-051)]. 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: "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 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. 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." 12. Landscape and Visual Chapter 12: Landscape and The assessment of impacts and effects in 12.1 Methodology, LCC confirm they have no issues with the methodology Agreed Resolved Visual of the ES Chapter 12: Landscape and Visual of the ES used for the Applicants LVIA in Chapter 12: Landscape assessment [EN010142/APP/6.1(Rev02)] conclude that with [EN010142/APP/6.1(Rev02)] and Visual of the ES [REP3-014]. outcomes and the exception of the effects on LLCA 3A Till Vale, Residential Visual

significant adverse landscape effects predicted

at year 1 of operation are anticipated to reduce

Amenity

LCC confirm their agreement with the outcomes of the

Applicant's assessment in Chapter 12: Landscape and

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
	Assessment (RVAA)		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.  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.  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 Applicants Written Summary of Applicants Oral Submission to ISH3 [EN010142/APP/9.34] at item 3b on page 9 and	Visual of the ES [REP3-014] except for in relation to Viewpoints 2b, 4 and 20,  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.		
12.2	Assessment of Impacts and Effects	Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]	[Applicant to insert position here]	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.	Under Discussion	Medium
12.3	Assessment of Landscape Effects	Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]	Applicant to insert position here	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.	Under Discussion	Medium

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
				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).		
12.4	Assessment of Visual Effects	Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]	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 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.	LCC maintain that the Development will bring about significant visual effects.  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.  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:  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.  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	Under Discussion	Medium

Ref.	Subject	Relevant Application Documen	t Applicant Position	LCC Position	Status	Likelihood of Resolution
				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 <b>high</b> . This is identified on page 14 of Appendix 12-6, which states: "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". The development is conspicuous in an extensive part of the view.		
				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 of visual effect, and subsequently this would likely increase the level of visual effect and significance.		
12.5	Assessment of Sequential Visual Effects	Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]	[Applicant to insert position here]	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.	Under Discussion	Medium
12.6	Landscape and Visual Mitigation	Chapter 12: Landscape and Visual of the ES [EN010142/APP/6.1(Rev02)]	[Applicant to insert position here]	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.	Discussion	Medium
				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		

**Relevant Application Document Applicant Position** 

Subject

Ref.

Resolution 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. 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 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. 13. Other Environmental Topics – Waste and Battery Safety Framework BSMP The Framework BSMP LFRS at ISH2 confirmed that the **Framework BSMP** 13.1 Communicating Agreed Resolved [EN010142/APP/7.13(Rev01)] [EN010142/APP/7.13(Rev01)] sets out [EN010142/APP/7.13(Rev01)] was in accordance with with residents measures to ensure that risks associated with the NFCC Grid Scale Battery Energy Storage System BESS are avoided or mitigated, and it is secured Planning – Guidance for FRS. LFRS confirmed that they by Requirement 6(1)and (3) of the draft DCO did not have an objection to the Applicant's approach to [EN010142/APP/3.1(Rev05)], which requires battery safety. that the detail of the Framework BSMP [EN010142/APP/7.13(Rev01)] is approved by [LCC to insert updated position here] 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. As part of the Framework BSMP [EN010142/APP/7.13(Rev01)] an Emergency Response Plan would be prepared in conjunction with LFRS, which would include a Scheme-specific approach to communicate to

**LCC Position** 

Likelihood of

**Status** 

Likelihood of Ref. Subject **Relevant Application Document Applicant Position** LCC Position **Status** Resolution neighbouring residents about incidents where necessary. **Chapter 17: Other** The assessment findings set out in **Chapter 17**: . Assessment of 13.2 Under Medium **Environmental Topics** of the ES Other Environmental Topics of the ES [APP-Impacts and Effects Recycling (particularly PV panels) – Discussion [APP-048] and **Chapter 18**: 048] in relation to waste confirm that effects and Mitigation • 1. Capacity of recycling facilities at decommissioning -**Cumulative Effects and** from waste during construction, operation or LCC remain concerned about the Applicant's optimism Interactions of the ES [APP-049]. decommissioning will not be significant. . that (ES Ch17, 17.8.55) "the market (for solar panel recycling) will have expanded to meet demand as solar The Applicant has prepared a Waste PV installations increase". Also ties in with LCC Quantitative Cumulative Assessment Topic comments regarding the WPA's role in enabling that Paper which forms Appendix A to the capacity, the cumulative impacts of multiple proposed Applicant's Relevant Representation Report solar farms, and their assumption (e.g. ES Ch17, [EN010142/APP/9.1] submitted at Deadline 1 17.8.10b re Study Areas) that it would be economically into examination. This is based on an approach viable to transport panels for recycling anywhere in the used for the equivalent assessment completed UK. during the Gate Burton Energy Park [EN010131] . 2. Operational waste – The revised Framework OEMP examination. This assessment confirms that commits to the OWMP containing the details LCC under an absolute worst case scenario asked for (see item 3 below) in terms of waste (assuming zero recycling/recovery) that quantities, type and fate at each stage of the project, cumulative impacts would be significant. including during the operational phase. It will be However, under the realistic worst case (70% necessary to check this when the OWMP is produced. recovery), cumulative impacts would not be The above (item a) still applies regarding recycling significant. capacity during the operational phase, particularly cumulatively with other projects. The Framework OEMP [EN010142/APP/7.9(Rev01)] was also updated Landfill and submitted at Deadline 1 to include a • 1. Landfill diversion rate – Whilst their Framework commitment to 70% waste recovery (diversion OEMP commits to 70%, it specifies "non-hazardous from landfill) for "non-hazardous construction construction and demolition waste". In light of LCC and demolition waste". Solar panels are concerns over PV panels, please could the following considered to be included in this target. 70% be clarified whether they intend PV panels to be has been selected as this aligns with the included in this 70% minimum diversion from landfill. national target (outlined in The Waste (England Also, why is their target 70% when their own ES and Wales) Regulations 2011). (Ch17, 17.8.12b) refers to "good practice landfill diversion rate of 90%"? The Applicant notes that the scenario of no • 2. Landfill capacity –LCC will need to monitor their waste management facilities being available across the whole of England and East Midlands OWMP (as per item 3 below), and any ongoing for recycling waste streams from the Scheme is revisions of it, to assess any impact on available unrealistic and considers the 70% recovery from capacity. landfill being the realistic worst-case scenario. However, the Applicant agrees that waste Waste Management Strategy/Plan management will be kept under review Whilst not committing to this in name, in their revised throughout operation and decommissioning. Framework OEMP the Applicant has copied LCC list of This will be documented as part of periodic

reviews of the OEMP throughout operation, as

#### Ref. **Subject Relevant Application Document Applicant Position**

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].

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 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.

## **LCC Position**

required info into what they say will be included in their OWMP. However, please could they clarify that:

- 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.
- 2. They will provide up front, and keep updated, similar information regarding the decommissioning phase.

#### 14. Cumulative Effects and Interactions

Commitments for 14.1 joint working during construction

Joint Report on the Interrelationship with other [REP3-031]

While it is acknowledged that the **Joint Report** on Interrelationships between NSIPs [REP3-National Infrastructure Projects 0311 is not secured by a DCO requirement, it is 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

LCC does not consider that the Joint Report on interrelationships to constitute a mitigation document that secures co-ordinated working practices between the four considered this is not appropriate given it relates 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.

Under Medium Discussion

Likelihood of

Resolution

**Status** 

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			considered should these emerge or that the stage of applications already included in the report is updated.			
			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 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.			
14.2	Assessment of Landscape and Visual Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)].	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(Rev02)] 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	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.	Under Discussion	Medium
			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(Rev02)] concludes that			

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			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 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.  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.			
14.3	Assessment of Soils and Agriculture and Socio-Economic Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)].	Applicant's assessment of cumulative effects. Further information on cumulative effects,	LCC raises concerns regarding the cumulative impact of the Scheme upon the loss of agricultural land for food production.  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 at District level, even though the use is assessed to be 'temporary' by the Applicant.	Under Discussion	Low

Ref. Subject Relevant Application Document Applicant Position

**LCC Position** 

Status

Likelihood of Resolution

The assessment findings set out in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)] is acceptable.

Chapter 18: Cumulative Effects and Interactions of the ES

[EN010142/APP/6.1(Rev02)] assesses the loss of agricultural land in combination with all 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.

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. 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.

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 "cumulative loss of

Tillbridge Solar Project Statement of Common Ground with Lincolnshire County Council **LCC Position** Likelihood of Ref. Subject **Relevant Application Document Applicant Position Status** Resolution 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 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." The ExA in its recommendation report on Gate Burton, which the Secretary of State agreed with, also confirmed at paragraph 3.11.114 that: "Whilst I appreciate the concerns of many IPs and the concerns expressed there is no meaningful assessment of the extent of lost production." 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.

> 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.

The Applicant does not agree with LCC on this matter.

Likelihood of Ref. Subject **Relevant Application Document Applicant Position LCC** Position **Status** Resolution 15. Biodiversity Net Gain The detailed design will need to deliver BNG in High 15.1 **BNG** Given the scale and nature of the proposed development Under **Biodiversity Net Gain Report** substantial accordance with the Framework LCC will expect the project to deliver significantly more Discussion [AS-062] LEMP (which in itself is secured through than 10% Biodiversity Net Gain (BNG). requirement 7 of the draft DCO LCC accepts that at present the delivery of BNG is not a [EN010142/APP/3.1](Rev05)] and the current **Draft DCO** mandatory requirement for NSIPs. However, this is plans for the Scheme, as illustrated by the [EN010142/APP/3.1(Rev05)] expected to become mandatory from November 2025 **Indicative Landscape Masterplan** and emerging best practice amongst most NSIP [EN010142/APP/7.19(Rev04)]. The Applicant developments is to seek to deliver BNG in advance of the has amended the Framework LEMP submitted Framework LEMP statutory requirement to do so. In addition to this, Section at Deadline 4 to clarify the wording and securing [EN010142/APP/7.17(Rev04)] 4.6 of Overarching National Policy Statement for Energy mechanisms associated with this commitment. (EN-1) (17 January 2024) states: "Energy NSIP proposals, whether onshore or offshore, should seek Framework CEMP As set out in the **Biodiversity Net Gain Report** opportunities to contribute to and enhance the natural [EN010142/APP/7.8(Rev01)] [AS-062] the trading rules within the Metric are environment by providing net gains for biodiversity, and not satisfied for the 'Medium' distinctiveness the wider environment where possible. habitats of 'Cropland – Arable field margins The Environment Act 2021 introduced a strengthened cultivated annually' and 'Individual trees - Rural 'biodiversity duty' which requires all public authorities in tree'. Despite the trading rules not being strictly England to consider what they can do to conserve and passed, qualitatively, it is deemed that the enhance biodiversity. LCC is of the opinion that including increased provision of proposed 'Grassland a Requirement for the delivery of BNG by this Other neutral grassland' and 'Woodland and development is consistent with this duty. forest - Other woodland; broadleaved' provide similar functional benefits to 'Cropland – Arable LCC considers that, if successfully established and field margins cultivated annually' and 'Individual properly managed, increased provision of other neutral trees - Rural tree.' Therefore, the failure in grassland and broadleaved woodland habitat are suitable 'Medium' distinctiveness habitats is acceptable replacements for the loss of arable field margins and in this case. It is not deemed suitable to individual rural trees. LCC therefore considers that it is retain/create the 'Cropland – Arable field acceptable to deviate from the Biodiversity Metric Trading margins cultivated annually' when the Principal rules in relation to the loss of arable field margins and Site will be converted to a grassland / solar individual rural trees in this case. array mix and a margin habitat of 'Grassland -Other neutral grassland' is more suitable to this habitat composition. This would also not meet [LCC to insert updated position here] 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. 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

Likelihood of Ref. Subject **Relevant Application Document Applicant Position** LCC Position **Status** Resolution [EN010142/APP/7.17(Rev04)] has been updated to include this and submitted at Deadline 4. 16. Other matters The Applicant wishes to highlight that Table 3-5 At ISH2, LCC raised the issue of potential damage to pre- Under 16.1 Land drains High Framework SMP [REP1-051] of the Framework CEMP [REP3-033] already existing drains on the land of the Principal Site as a result Discussion references mitigation measures in relation to of piling into the ground during construction and deconstruction. LCC would like to see reference to land drains and states that "A temporary impacts on drainage apparatus included in the drainage system will be developed to prevent Framework SMP [REP1-051]. 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 Environment Agency) and road sweepers or wheel washes on entry and exit to the Site". 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."

The Framework CEMP [REP3-033] is secured

by requirement 12 of the draft DCO

Ref.	Subject	Relevant Application Document	Applicant Position	LCC Position	Status	Likelihood of Resolution
			[EN010142/APP/3.1(Rev05)] and an update is therefore not required for the Framework SMP [REP1-051].			
16.2	Glentwork K oil site buffer	Outline Design Principles Statement [REP3-029]	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.	LCC are supportive of the application of the buffer to both areas as discussed at ISH3.	Agreed	Resolved
17. dr	aft Development Con	sent Order				
17.1	Articles 8 to 16	Draft DCO [EN010142/APP/3.1(Rev05)]	It is agreed that the <b>Draft DCO</b> [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 <b>Draft DCO</b> [EN010142/APP/3.1(Rev05)] 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 various approvals required from LCC as the street authority for works within the highway will be required.  Following the meeting held prior to the ISH1 on the <b>Draft DCO</b> [EN010142/APP/3.1(Rev05)] on the 15 October 2024 with LCC, the Applicant proposes to amend the <b>Framework</b> 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.	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 required to follow the Council's Permitting Scheme to obtain consents prior to working in the highway.  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.  LCC to insert updated position here	Under Discussion	High

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			The Final CTMP is secured by requirement 14 attached to the <b>Draft DCO</b> [EN010142/APP/3.1(Rev05)] and which must be substantially in accordance with the FCTMP.			
17.2	Schedule 2 (Requirements 7 (LEMP), 8 (BNG), 11 (Archaeology), 12 (CEMP) and 13 (OEMP).	Draft DCO [EN010142/APP/3.1(Rev05)]	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).  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.	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.  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.  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.  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  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	Under Discussion	High

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				brief must be carried out in accordance with the approved scheme.		
17.3	Requirement 17 (Noise)	Draft DCO [EN010142/APP/3.1(Rev05)]	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.  The Applicant explained at ISH3 how Requirement 17 would be enforced confirming that while measured baseline sound data, 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.	[LCC to insert updated position here]	Under Discussion	High
			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.			
			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			

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			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.			
			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].			
17.4	Articles	Draft DCO [EN010142/APP/3.1(Rev05)]	LCC in a meeting prior to the ISH1 on the <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> 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 <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> 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	Resolved
17.5	Schedules	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 concerns with respect to the Schedules 1 to 17 of the Draft DCO [EN010142/APP/3.1(Rev05)], other than in respect of the requirements outlined in row 16.2 and 16.3 above. It is therefore assumed that these are agreed.  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).	requirements subject to the highest fee category for Requirement 11 Archaeology.	Under Discussion	Medium

## 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/uksi/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 <a href="https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf">https://assets.publishing.service.gov.uk/media/65bbfbdc709fe1000f637052/overarching-nps-for-energy-en1.pdf</a>
- Ref. 3 Stationary Office (2008). Planning Act 2008. Accessed on 16/10/2024 at <a href="https://www.legislation.gov.uk/ukpga/2008/29/contents">https://www.legislation.gov.uk/ukpga/2008/29/contents</a>
- Ref. 4 Department for Energy Security & Net Zero. (2023). National Policy Statement for Renewable Energy Infrastructure (EN-3). Accessed on 04/10/2024 at <a href="https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf">https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf</a>
- 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 <a href="https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5">https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5</a>
- Ref. 6 Lincolnshire County Council (2016). Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies. Accessed on 08/10/2024 at <a href="https://www.lincolnshire.gov.uk/downloads/file/2361/core-strategy-and-development-management-policies">https://www.lincolnshire.gov.uk/downloads/file/2361/core-strategy-and-development-management-policies</a>
- Ref. 7 Lincolnshire County Council (2017). Lincolnshire Minerals and Waste Local Plan Site Locations. Accessed on 08/10/2024 at <a href="https://www.lincolnshire.gov.uk/downloads/file/2274/adopted-site-locations-pdfa">https://www.lincolnshire.gov.uk/downloads/file/2274/adopted-site-locations-pdfa</a>
- Ref. 8 DEFRA (2021). United Kingdom Food Security Report 2021. Accessed on 08/10/2024 at <a href="https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021">https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021</a>
- 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