

**Tillbridge Solar Project  
EN010142**

**Volume 9  
Draft Statement of Common Ground with West  
Lindsey District Council**

**Document Reference: EN010142/APP/9.8**

**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.
- 1.1.4 This document has been updated at Deadline 4 to reflect ongoing engagement with West Lindsey District Council (WLDC). 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) West Lindsey District 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 West Lindsey District Council (WLDC) is a host local authority. The Principal Site and part of the Cable Route Corridor is located within WLDC's boundary. WLDC is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref. 1) and has been consulted during the preparation of the Application and following its acceptance.

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

## 1.3 The Scheme

- 1.3.1 The Order, if granted, would authorise the construction, operation (including maintenance), and decommissioning of 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**

| <b>Date</b>      | <b>Form of Correspondence and attendees</b>                   | <b>Key topics discussed and key outcomes</b>  |
|------------------|---|---|
| 16 June 2022     | Meeting (Microsoft Teams with Head of Development Management) | Introduction to the Applicant and overview of proposals and current activities including approach to engagement and context of the Scheme.  |
| 28 June 2022     | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Recap following introductory meeting on 16 June 2022.</li> <li>Feedback on approach to non-statutory engagement.</li> <li>Scheme's interaction with other solar schemes.</li> </ul>  |
| 11 July 2022     | Meeting (Microsoft Teams with Head of Development Management) | Following introductory meetings with planning officers' further briefings were held with members to introduce them to the Applicant and the Scheme.   |
| 2 November 2022  | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Applicant's progress following collaboration workshops, including communication with wider stakeholders.</li> <li>Upcoming programme for informal and formal consultation on draft Statement of Community Consultation (SoCC).</li> <li>Discussion of host authority concerns prior to member briefing on wider solar schemes in November 2022.</li> </ul> |
| 20 December 2022 | Email (to Head of Development Management)                     | 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.   |
| 13 February 2023 | Letter (to Head of Development Management)                    | Letter from the Applicant including a copy for the draft SoCC for formal consultation, requesting comments back within 28 days.   |
| 22 March 2023    | Meeting (Microsoft Teams with Head of Development Management) | Discussion on formal consultation of the draft SoCC.  |
| 4 April 2023     | Email (Head of Development Management)                        | Email from the Applicant notifying WLDC that the date for the Section 42 Statutory Consultation period had been amended.  |
| 17 May 2023      | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Updates for local elections, including new members.</li> </ul>   |

| <b>Date</b>                   | <b>Form of Correspondence and attendees</b>  | <b>Key topics discussed and key outcomes</b>   |
|-------------------------------|--|--|
|                               | Development Management)  | <ul style="list-style-type: none"> <li>• Preparation ahead of host authority briefings for statutory consultation.</li> <li>• Scheme updates and on-the ground activities, including trial trenching and wider environmental work.</li> </ul>  |
| 25 May 2023                   | Email (to Head of Development Management)  | Email from the Applicant issuing WLDC 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 regard had to those responses by the Applicant in developing the final SoCC.   |
| 23 June 2023                  | Meeting (Microsoft Teams with Head of Development Management)                          | <ul style="list-style-type: none"> <li>• Update on ongoing Stakeholder engagement.</li> <li>• Update on continuing engagement with developers of other schemes in the area.</li> <li>• Feedback on member briefing.</li> </ul>   |
| 10 July 2023 and 28 July 2023 | Email (Relevant local authority tree officer and Applicant's arboricultural consultant | <ul style="list-style-type: none"> <li>• Discussion and agreement of scope and methodology of Arboricultural Impact Assessment (AIA).</li> </ul>   |
| 22 August 2023                | Email (to Head of Development Management)  | <ul style="list-style-type: none"> <li>• To address comments raised at statutory consultation and to agree on viewpoints and baseline photography.</li> </ul>  |
| 13 September 2023             | Meeting (Microsoft Teams with Head of Development Management)                          | <ul style="list-style-type: none"> <li>• Discussion of targeted statutory consultation and nature of changes following statutory consultation.</li> <li>• Progress of considering statutory consultation and ongoing meetings with statutory bodies.</li> <li>• Summary of the Applicant's role in the Early Adopters Programme.</li> </ul>                                      |
| 13 October 2023               | Meeting (Microsoft Teams with Head of Development Management)                          | <ul style="list-style-type: none"> <li>• Discussion of the Applicant's programme, with a refreshed date for DCO application submission.</li> <li>• Applicant's ongoing regard to consultation responses, including changes to indicative site layout plan.</li> <li>• Ongoing stakeholder engagement with wider bodies, such as Historic England and Natural England.</li> </ul> |
| 10 November 2023              | Email (to Head of Development Management)  | <ul style="list-style-type: none"> <li>• Email from the Applicant to outline a draft version of the targeted consultation methodology, detailing the changes and proposed length of the consultation period.</li> </ul>  |

| <b>Date</b>      | <b>Form of Correspondence and attendees</b>                   | <b>Key topics discussed and key outcomes</b>  |
|------------------|---|---|
|                  |   | <ul style="list-style-type: none"> <li>Email from the Applicant including a copy of the long list to feed into the cumulative assessment for comment from WLDC.</li> </ul>  |
| 22 November 2023 | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Discussion of Targeted Consultation methodology and the extent and nature of changes proposed.</li> <li>Discussion on how statutory consultation responses have been addressed.</li> <li>Update on programme.</li> </ul>     |
| 11 December 2023 | Letter (to Head of Development Management)                    | Covering letter and targeted consultation materials from the Applicant to WLDC ahead of the start of the targeted consultation period.  |
| 13 December 2023 | Email (to Head of Development Management)                     | Electronic copy of covering letter and consultation material from the Applicant to WLDC.  |
| 14 February 2024 | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Discussion of latest proposals for Scheme ahead of DCO application submission.</li> <li>Briefing of Scheme updates ahead of publication of Community Newsletter.</li> <li>Updates related to other solar schemes.</li> </ul> |
| 23 February 2024 | Email (to Head of Development Management)                     | Email from the Applicant following up on the long list to feed into the cumulative assessment.  |
| 28 March 2024    | Email (to Head of Development Management)                     | Email from the Applicant to WLDC advising WLDC of a delay in the submission of the Application.   |
| 7 August 2024    | Email (to Head of Development Management)                     | Email from Applicant enclosing agenda for catch-up meeting and requesting if WLDC would share its relevant representation response.   |
| 9 August 2024    | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>General update on the current stage of the Scheme pre-examination.</li> <li>Introductory conversations surrounding Statement of Common Ground.</li> <li>Introduction to the proposed Change Request.</li> </ul>              |
| 16 August 2024   | Email (to Head of Development Management)                     | Email from the Applicant providing WLDC with Change Request Consultation Brochure ahead of the beginning of consultation on proposed changes to the Scheme following acceptance of the Application.   |
| 3 October 2024   | Meeting (Microsoft Teams with Head of Development Management) | <ul style="list-style-type: none"> <li>Update on the submission of the Change Request.</li> </ul>   |

| <b>Date</b>      | <b>Form of Correspondence and attendees</b>  | <b>Key topics discussed and key outcomes</b>   |
|------------------|--|--|
|                  | Development Management)  | <ul style="list-style-type: none"> <li>• Update on Procedural Deadline A and the Rule 6 Draft Timetable.</li> <li>• Introduction to SoCGs and next steps towards the examination.</li> </ul> |
| 15 October 2024  | In-person meeting with Head of Development Management, WLDC NSIP consultant and Counsel. | <ul style="list-style-type: none"> <li>• Articles and Schedules associated with the draft DCO.</li> </ul>  |
| 28 November 2024 | Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)   | <ul style="list-style-type: none"> <li>• Meeting to discuss WLDC LIR comments and SoCG.</li> </ul>   |
| 5 December 2024  | Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)   | <ul style="list-style-type: none"> <li>• Meeting to discuss WLDC LIR comments, response to EXQ's and SoCG.</li> </ul>  |
| 22 January 2025  | Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)   | <ul style="list-style-type: none"> <li>• Meeting to discuss WLDC D3 responses and responses to ExQ1s and SoCG.</li> </ul>  |



### 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 West Lindsey District Council (WLDC)**

| Ref.                               | Subject                        | Relevant Application Document  | Applicant Position   | WLDC Position  | Status     | Likelihood of Resolution |
|------------------------------------|--------------------------------|--|--|--|------------|--------------------------|
| <b>1. Scheme Description</b>       |                                |  |  |  |            |                          |
| 1.1                                | Scheme Description             | <b>Chapter 3: Scheme Description</b> of the ES [EN010142/APP.6.1(Rev03)]   | The Site and Scheme description set out in <b>Chapter 3: Scheme Description</b> of the ES [[EN010142/APP.6.1(Rev03)] is accurate and agreed.   | WLDC agree the Scheme description set <b>Chapter 3: Scheme Description</b> of the ES [[EN010142/APP.6.1(Rev03)] is accurate  | Agreed     | Resolved                 |
| <b>2. Cumulative Schemes</b>       |                                |  |  |  |            |                          |
| 2.1                                | Cumulative Developments        | <b>Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments</b> of the ES [APP-124] | The Applicant discussed the cumulative developments with WLDC as part of the regular catch-up meetings and sent the list of cumulative developments via email. No issues were raised by WLDC.  | WLDC agrees with the cumulative schemes set out in <b>Figure 18-1: Cumulative Developments</b> and <b>Appendix 18-1: List of Cumulative Developments</b> of the ES [APP-124].  | Agreed     | Resolved                 |
| <b>3. General Planning Matters</b> |                                |  |  |  |            |                          |
| 3.1                                | PA 2008 Section 104 (3) to (8) | <b>Planning Statement [REP3-027]</b>   | <p>The Application is to be determined under Section 104 of the PA 2008 where national policy statement has effect.</p> <p>The Applicant agrees that this means that in this case, the Secretary of State must decide the Application in accordance with any relevant national policy statement (subsection 104 (3)) except to the extent that subsections 104 (4) to (8) apply.</p> <p>Section 7.3 (paragraphs 7.3.1 to 7.3.8) of the Applicant's <b>Planning Statement [REP3-027]</b> sets out why none of the limited exceptions in subsections 104 (4) to 104 (8) are engaged.</p> <p>This also explains, how subsection 104 (7) is not engaged since the adverse impacts of the Scheme would not outweigh its benefits.</p> | <p>WLDC agrees that the Application falls to be determined under Section 104 of the Planning Act 2008.</p> <p>HOLD – WLDC to insert text regarding application of s 104 as per meeting on 22.1.25 at Deadline 5.</p> | Not Agreed | Low                      |

| Ref. | Subject   | Relevant Application Document | Applicant Position  | WLDC Position   | Status     | Likelihood of Resolution |
|------|---|-------------------------------|---|---|------------|--------------------------|
| 3.2  | Primacy of NPS  | Planning Statement [AS-027]   | <p>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. 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 (WLDC), it is agreed that the Central Lincolnshire Local Plan (Ref. 6), Corringham Neighbourhood Plan (Ref. 7), Sturton by Stow and Stow Neighbourhood Plan (Ref. 8), Glentworth Neighbourhood Plan (Ref. 9) and Hemswell and Harpswell Neighbourhood Plan (Ref. 10).</p> <p>With regard to WLDC's comment that they do not agree that the NPSs are of primary importance, the Applicant wishes to highlight paragraph 1.1.2 of NPS EN-1 which states that (NPS EN-1) <i>"has effect for the decisions by the Secretary of State on applications for energy developments that are nationally significant under the Planning Act 2008. For such applications this NPS, combined with any technology specific energy NPS where relevant, provides the primary policy for decisions by the Secretary of State."</i> Therefore it is clear that the NPSs provide the primary policy for such decisions.</p> | <p>It is agreed that, in order to be granted development consent under Section.104, a development proposal must comply with the relevant National Policy Statements (NPS). WLDC agrees that NPS EN-1 and EN-3 are the relevant NPS applicable to the Application.</p> <p>WLDCs position is that the determination of NSIPs under section 104 of the PA 2008 requires consideration of that section as a whole (compliance with all subsections).</p> <p>The determination of NSIPs under the PA 2008 requires the decision maker to have regard to all criteria set out in subsection (2).</p> <p>In determining NSIP applications, the decision maker must decide the application in accordance with all subsections (3) – (9) inclusive. A failure to comply with one or more of the subsections, would indicate non-compliance with section 104.</p> | Not Agreed | Low                      |
| 3.3  | Need  | Planning Statement [REP3-027] | <p>The overarching need case for energy infrastructure and the <b>substantial weight</b> that should be given to this <b>need</b> is the starting point for decision making as set out in paragraphs 3.3.6 to 3.2.6 of NPS EN-1.</p>  | <p>WLDC agree that the references made are reflective of those stated in NPS EN-1 section 3.3 (paras. 3.2.6-3.2.8).</p> <p>Compliance with NPS EN-1 is required to satisfy Section 104 subsection (3).</p>  | Agreed     | Resolved                 |
| 3.4  | Principal of applying the Planning Balance to residual landscape and visual effects in solus and cumulatively | Planning Statement [REP3-027] | <p>[Applicant will respond to any comments made by WLDC on Planning Balance at Deadline 5, due to late receipt of comments by WLDC]</p>   | <p>WLDCs position on the planning balance is set out in detail in submissions to the examination.</p>   | Not Agreed | Low                      |

| Ref. | Subject  | Relevant Application Document  | Applicant Position  | WLDC Position  | Status     | Likelihood of Resolution |
|------|--|--|---|--|------------|--------------------------|
|      |  |  |   | <p>WLDC objects to the Tillbridge Solar Project in solus due to its impact (in part) upon The Cliff AGLV, which is contrary to NPS EN-1 and EN-3 (non-compliance with section 104 subsection (3)), and fails to accord with the statutory development plan (non-compliance with section 104 sub-section (7)).</p> <p>WLDC objects to the Tillbridge Solar Project due to its cumulative impacts with three other NSIP solar generating station projects in the West Lindsey District with regard to its construction and operational impacts on landscape character and visual effects, and its temporary effects in terms of insufficient mechanisms to control construction impacts. The cumulative impacts of the application is addition to the other three consented NSIP projects represents 'exceptional circumstances' for which great weight should be given.</p> |            |                          |
| 3.5  | Presumption of grant of consent for projects of critical national priority               | Planning Statement [REP3-027]  | [Applicant to respond to WLDC position at Deadline 5, due to late receipt of comments by WLDC]  | [Matter set out above]   | Not Agreed | Low                      |
| 3.6  | 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 WLDC.   | WLDC broadly agrees with the planning policy documents listed in Table 1 of Appendix B of the Planning Statement.  | Agreed     | Resolved                 |
| 3.7  | 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. | WLDC agrees that the decisions on the Gate Burton Energy Park and the Cottam Solar Project are important and relevant pursuant to section 104 of the PA 2008 and as set out in its Relevant Representation (RR-328).   | Agreed     | Resolved                 |
| 3.8  | Planning Balance Weight  | Section 7 of the Planning Statement [REP3-027]   | The Applicant considers that the following planning balance should be applied to the Scheme:  | WLDC in response to the ExQ's First Written Questions considered the planning balance weight. These responses are summarised below.  | Not Agreed | Low                      |

| Ref. | Subject | Relevant Application Document | Applicant Position   | WLDC Position  | Status | Likelihood of Resolution |
|------|---------|-------------------------------|--|--|--------|--------------------------|
|      |         |                               | <p><b>Positive Impacts and Benefits</b></p> <p>a. Climate Change – <b>substantial positive weight.</b></p> <p>b. Ecology – <b>significant positive weight.</b></p> <p>c. Minimum 10% BNG – <b>moderate positive weight.</b></p> <p>d. Provision of permissive paths – <b>moderate positive weight.</b></p> <p>e. Employment generation – <b>moderate positive weight.</b></p> <p>f. Socio-economics and land use – <b>moderate positive weight.</b></p> <p>g. Soils and agriculture – <b>moderate positive weight.</b></p> <p><b>Neutral Impacts</b></p> <p>h. Air Quality – <b>limited weight.</b></p> <p>i. Water Environment – <b>limited weight.</b></p> <p>j. Human Health – <b>limited weight.</b></p> <p>k. Noise and Vibration – <b>limited weight.</b></p> <p>l. Transport and access – <b>limited weight.</b></p> <p>m. Other Environmental Topics – <b>limited weight.</b></p> <p><b>Negative Impacts</b></p> <p>n. Significant residual effects with respect to severance/pedestrian delay/non-motorised amenity on the B1241, North Fleets Road – <b>limited negative weight.</b></p> <p>o. Landscape and visual amenity – <b>moderate negative weight.</b></p> | <p><b>Cumulative Impacts</b></p> <p>WLDC consider that the cumulative impacts of the Scheme on ecology, biodiversity, landscape, air quality, noise and traffic should weight negatively in the planning balance.</p> <p><b>Landscape</b></p> <p>WLDC consider that sensitivity attributed to residents (people) should be higher in the planning balance.</p> <p>WLDC consider that the Scheme fails to protect views from Glentworth village, as specified in the Glentworth Neighbourhood Plan.</p> <p><b>Soils and Agriculture</b></p> <p>WLDC noted at ISH2 that they disagree with the weighting in the planning balance relating to the impact of the loss of agricultural land in terms of socio-economics and loss of tenant farmer employment.</p> |        |                          |

| Ref. | Subject | Relevant Application Document | Applicant Position   | WLDC Position | Status | Likelihood of Resolution |
|------|---------|-------------------------------|--|---------------|--------|--------------------------|
|      |         |                               | <p>p. Cultural heritage – <b>moderate negative weight</b>.</p> <p>q. Loss of best and most versatile land – <b>limited negative weight</b>.</p> <p>r. Cumulative Impacts – <b>moderate negative weight</b>.</p> <p>The Applicant has provided detailed responses to WLDC’s comments in relation to the Planning Balance in <b>Appendix A</b> of the <b>Applicants Comments to IP’s Submissions to EXQ1 [EN010142/APP/9.33]</b>, which explain why the Applicants position on the planning balance is justified. However a brief summary response of the key matters outlined above are as follows:</p> <p>The Applicant agrees that negative weight should be attached to the cumulative landscape and visual effects of the Scheme in the planning balance as set out in paragraphs 7.4.34 to 7.4.35 of the <b>Planning Statement [REP3-027]</b>.</p> <p>The Applicant does not agree with WLDC that the Scheme in combination with the other developments will result in negative impacts with respect to ecological and biodiversity. The Scheme in combination with the other projects provides an opportunity for the delivery of significant biodiversity net gain and nature recovery.</p> <p>The Applicant notes that WLDC in its D3 response <b>[REP3-066]</b> does not object to the cumulative assessment in the ES, but due to the worst-case construction period in combination with other projects considers that these cumulative effects should be considered negatively in the planning balance.</p> <p>The Applicant does not agree that the impact upon residents from change in landscape should be given higher weight in the planning balance.</p> |               |        |                          |

| Ref.  | Subject                         | Relevant Application Document   | Applicant Position   | WLDC Position  | Status     | Likelihood of Resolution |
|---|---------------------------------|---|--|--|------------|--------------------------|
|   |                                 |   | <p>The Applicant set out on pages 74 and 75 of the <b>Applicant's Responses to Local Impact Reports [REP3-061]</b> how the Scheme has responded to and taken into account key local views set out in the adopted Glentworth Neighbourhood Plan. The Applicant has illustrated how views will be maintained and responded to as a result of changes made to the Scheme through the design process.</p> <p>The Applicant's <b>Written Summary of Oral Submissions at ISH2 [EN010142/APP/9.30]</b> sets out the position regarding socio-economic impacts arising from the loss of agricultural employment with this having a neutral impact.</p> |  |            |                          |
| 3.9   | Exceptional circumstance        | <b>Section 7 of the Planning Statement [REP3-027]</b>   | <p>The Applicant strongly disagrees with WLDC's submissions as to how the NPS should be applied and that the extent and nature of impacts from the Scheme trigger exceptional circumstances.</p> <p><b>The Applicant's Comments on Interested Parties Submissions to First Written Questions at Deadline 3 [EN010142/APP/9.33]</b> submitted at Deadline 4 sets out the Applicant's position on this matter in response to Q.1.1.10 on page 38-39.</p>   | WLDC consider that the significant adverse cumulative effects of four projects on the landscape should amount to exceptional circumstances, and that the Scheme should be refused on that basis.   | Not Agreed | Low                      |
| <b>4. Alternatives and Design Evolution</b> |                                 |   |  |  |            |                          |
| 4.1   | Site Selection                  | <b>Chapter 4: Alternatives and Design Evolution</b> of the ES [APP-035]   | The methodology used in the site selection process as detailed in <b>Chapter 4: Alternatives and Design Evolution</b> of the ES [APP-035] is appropriate for the Scheme.   | WLDC agree the methodology used in the site selection process as detailed in <b>Chapter 4: Alternatives and Design Evolution</b> of the ES [APP-035] is appropriate for the Scheme.  | Agreed     | Resolved                 |
| <b>5. Legislation and Planning Policy</b>   |                                 |   |  |  |            |                          |
| 5.1   | Legislation and Planning Policy | <b>Environmental Statement [APP-037 to APP-048]</b> and <b>[AS-006]</b><br><br><b>Planning Statement [REP3-027]</b> | The ES <b>[APP-037 to APP-048]</b> has identified all relevant application legislation, national and local policy pertaining to the following assessments undertaken as part of the Environmental Impact Assessment (EIA) of the Scheme, and which relate to the functions undertaken by WLDC as the relevant planning authority:  | WLDC agree that the ES <b>[APP-037 to APP-048]</b> and <b>Planning Statement [REP23-027]</b> has identified all relevant applicable legislation and national and local policy pertaining to the assessments undertaken as part of the EIA. | Agreed     | Resolved                 |



| Ref.  | Subject                           | Relevant Application Document                       | Applicant Position   | WLDC Position   | Status | Likelihood of Resolution |
|---|-----------------------------------|---|--|---|--------|--------------------------|
|   |                                   |   | <ul style="list-style-type: none"><li>• Chapter 6: Air Quality [APP-037];</li><li>• Chapter 7: Climate Change [APP-038];</li><li>• Chapter 8: Cultural Heritage [APP-039];</li><li>• Chapter 9: Ecology and Nature Conservation [APP-040];</li><li>• Chapter 11: Human Health [APP-042];</li><li>• Chapter 12: Landscape and Visual Amenity [EN010142/APP/6.1(Rev02)];</li><li>• Chapter 13: Noise and Vibration [AS-006];</li><li>• Chapter 14: Socioeconomics and Land Use [APP-045];</li><li>• Chapter 15: Soils and Agriculture [APP-046];</li><li>• Chapter 17: Other Environmental Topics [APP-048];</li></ul> <p>The <b>Planning Statement [REP3-027]</b> has also has identified all relevant application legislation and national policy.</p> |   |        |                          |
| 5.2   | Assessment Methodology            | N/A   | <p>The Applicant agrees that the decisions on Gate Burton Energy Park and the Cottam Solar Project are ‘important and relevant’ pursuant to section 104 of the PA 2008. It is important to note that both the Gate Burton Energy Park and the Cottam Solar Project considered cumulative impacts in combination with Gate Burton Energy Park, Cottam Solar Project, West Burton Solar Project and the Scheme.</p> <p>It is also important to note that both the Gate Burton Energy Park [EN10131] and the Cottam Solar Project [EN10133] have obtained development consent with the ExA having already examined cumulative effects and the Secretary of State (SoS) having considered the ExA recommendations.</p>                                     | WLDC agree that the decision made on Gate Burton Energy Park and Cottam Solar Project becomes an ‘important and relevant’ matter pursuant to section 104 of the PA 2008, as will the decision on West Burton when it is made. WLDC will seek to make representations on the implications in terms of the acceptability of the Scheme. | Agreed | Resolved                 |
| <b>6. Study Area Definition and Extents</b> |                                   |   |  |   |        |                          |
| 6.1   | Study area definition and extents | <b>Environmental Statement [APP-037 to APP-048]</b> | The study areas adopted by the Applicant within the assessment of the environmental topics mentioned in the technical chapters of the ES <b>[APP-037 to APP-048]</b> reflect current best practice and standards. The Parties agree that the geographical extents of the adopted study areas are appropriate to identify the likely direct   | WLDC agree that the study areas and geographical extents of these mentioned in the technical chapters of the ES <b>[APP-037 to APP-048]</b> are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.   | Agreed | Resolved                 |

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|  |   |  | and indirect effects of the Scheme on sensitive features and receptors.   |  |        |                          |
| <b>7. Application of Expert and Professional Judgement</b> |   |  |   |  |        |                          |
| 7.1  | Application of professional Judgement       | <b>Environmental Statement [APP-037 to APP-048]</b>          | 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.<br>The application of professional judgement by specialists within the environmental topic assessments in outlined in the technical chapters of the ES <b>[APP-037 to APP-048]</b> and are appropriate and robust.  | WLDC agree the application of professional judgement by specialists within the environmental topic assessments outlined in the technical chapters of the ES <b>[APP-037 to APP-048]</b> are appropriate and robust.  | Agreed | Resolved                 |
| <b>8. Assessment Methodology</b>                           |   |  |   |  |        |                          |
| 8.1  | Methodology                                 | <b>Environmental Statement [APP-037 to APP-048]</b>          | The assessment methodology adopted within the environmental topic assessments mentioned in the technical chapters of the ES <b>[APP-037 to APP-048]</b> have been derived from the information obtained through consultation with stakeholders and by reviewing relevant guidance and studies. The adopted methodologies area robust and acceptable.  | WLDC agree with the assessment methodology adopted in within the technical chapters of the ES <b>[APP-037 to APP-048]</b> .  | Agreed | Resolved                 |
| <b>9. Baseline Surveys</b>                                 |   |  |   |  |        |                          |
| 9.1  | Baseline                                    | <b>Environmental Statement [APP-037 to APP-048]</b>          | The baseline conditions have been collated using desk-based and field-based techniques (where relevant), and through consultation with stakeholders including WLDC.<br><br>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 <b>[APP-037 to APP-048]</b> . | WLDC agree the scope, coverage and timing of surveys undertaken in relation to the technical chapters of the ES <b>[APP-037 to APP-048]</b> following clarification provided in the <b>Applicant's Responses to Local Impact Reports [REP3-061]</b> and following oral discussions at ISH2 and ISH3. | Agreed | Resolved                 |
| 9.2  | Assessment of Soils and Agriculture Effects | <b>Chapter 15: Soils and Agriculture of the ES [APP-046]</b> | The Applicant clarified in earlier versions of this SoCG and in discussions with WLDC its plans in respect of soil surveys.<br><br>The parties are now agreed the current information is sufficient as further soil surveys are committed to prior to construction.   | Clarifications provided by the Applicant have resolved WLDCs concerns.   | Agreed | Resolved                 |



| Ref.   | Subject  | Relevant Application Document  | Applicant Position  | WLDC Position   | Status     | Likelihood of Resolution |
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| 9.3  | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES [APP-040]                    | <p>The Applicant clarified in earlier versions of this SoCG, in discussions with WLDC and at ISH3 how ecological surveys had been undertaken, along with justification as to the scope and extent of the surveys to inform the assessment of impacts and effects.</p> <p>The parties are now agreed the current information is sufficient with the Scheme having robustly characterised baseline conditions and comprising a comprehensive assessment of ecological and biodiversity impacts and effects.</p> | Clarifications provided by the Applicant have resolved WLDCs concerns.  | Agreed     | Resolved                 |
| 9.4  | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES [APP-040]                    | <p>The Applicant clarified in earlier versions of this SoCG, in discussions with WLDC and at ISH3, the assessment and survey methodologies adopted with respect to bat roosts, along with justification as to the scope and extent of the surveys to confirm baseline conditions.</p> <p>The parties are now agreed the current information is sufficient with the Scheme having robustly characterised the baseline with respect to the suitability of trees and structures for bat roosts.</p>              | Clarifications provided by the Applicant have resolved WLDCs concerns.  | Agreed     | Resolved                 |
| 9.5  | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES [APP-040]                    | <p>The Applicant clarified in earlier versions of this SoCG, in discussions with WLDC and at ISH3, the assessment and survey methodologies adopted with respect to otter and water vole.</p> <p>The parties are now agreed that the characterisation of the baseline position for otter and water vole is robust.</p>   | Clarifications provided by the Applicant have resolved WLDCs concerns.  | Agreed     | Resolved                 |
| <b>10. Assessment of Impacts and Effects</b> |  |  |   |   |            |                          |
| 10.1   | Impacts and Effects  | <b>Environmental Statement [APP-037 to APP-048]</b>                                      | The assessment findings for the environmental topics mentioned in the technical chapters of the ES [APP-037 to APP-048] are considered acceptable   | WLDC agree the assessment findings for the environmental topics within the technical chapters of the ES [APP-037 to APP-048] are acceptable.                                      | Agreed     | Resolved                 |
| 10.2   | Assessment of Socio-economic Impacts and Effects           | <b>Chapter 14: Socio-economics and Land Use of the Environmental Statement [APP-045]</b> | The Applicant's EIA Scoping Report (refer to <b>Appendix 1-1</b> of the ES [APP-051]) submitted to the Planning Inspectorate contained no stand alone assessment of effects on tourism as no specific receptors, such as visitor attractions,   | <p>WLDC considers that there will be a long-term impact on tourism as a result of the Scheme during the construction phase.</p> <p>WLDC maintains its position on this point.</p> | Not Agreed | Low                      |

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|      |  |  | <p>had been identified within the defined Study Areas to justify such an assessment being needed. The Scoping Opinion response received from the Planning Inspectorate (refer to <b>Appendix 1-2</b> of the ES [APP-052]) also did not request that such an assessment was provided. However, <b>Chapter 12: Landscape and Visual Amenity</b> of the ES [EN010142/APP/6.1(Rev02)] did assess the impact on visitor views in the vicinity of the Scheme and the loss of long distance views as relevant. This includes from Public Rights of Way (PRoW) which provide the main opportunity for recreation in this area. Accordingly, <b>Chapter 14: Socioeconomics and Land Use</b> of the ES [APP-045] also assessed impacts on PRoW users which could include visitors to the area, and the potential impact on visitor accommodation. On this basis, potential effects on tourists were assessed in the ES to the extent that effects on views from and use of PRoWs were set out which comprise the main matters of potential impact. The assessment concluded that there would be no significant effects.</p> <p>To support the assessment in the ES, the Applicant has prepared a further assessment of the impacts of the Scheme on tourism within the <b>Tourism Assessment</b> presented in <b>Appendix D</b> of the <b>Applicants Response to LIRs [REP3-061]</b>. The assessment concludes that the impact of the Scheme on visitor expenditure, visitor attractions, recreation facilities and other tourism and recreation receptors, including visitor accommodation, is not significant during the construction, operational and decommissioning phases of the Scheme.</p> |  |            |                          |
| 10.3 | Assessment of Landscape and Visual Impacts and Effects | <b>Chapter 12: Landscape and Visual Amenity</b> of the ES [[EN010142/APP/6.1(Rev02)] | <p>The Applicant has provided a response to WLDC's concerns in full within the <b>Applicants Response to LIR's [REP3-061]</b> on pages 59 to 60, 65 to 68, 70 to 71 and 72 to 82. To summarise:</p> <p>With respect to the proximity of the Scheme to the Lincoln Edge/Cliff Area of Great Landscape Value (AGLV), as set out in paragraphs 6.4.36</p>   | <p>The proposal will have significant adverse impacts upon 'The Cliff' Landscape Character Area, failing to the conserve and enhance its qualities, character and distinctiveness.</p> <p>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> | Not Agreed | Low                      |

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|------|---------|-------------------------------|--|--|--------|--------------------------|
|      |         |                               | <p>and 6.4.37 of the <b>Planning Statement [REP3-028]</b>, the Scheme has sought to minimise landscape and visual amenity impacts through design iteration, including sensitivities associated with the AGLV and the associated Cliff Landscape Character Area (LCA), as described in the West Lindsey Landscape Character Assessment. These are illustrated by the higher risk areas on <b>Figure 12-1</b> and <b>Figure 12-2</b> of the ES <b>[APP-172; APP-173]</b>. Ultimately, the design of the Scheme has sought to balance environmental constraints and opportunities through an iterative and evolving process, whilst seeking to deliver a Scheme that makes an efficient use of land and maximises the generation of secure and low-carbon electricity in view of the critical national priority (CNP) need to deliver renewable energy projects to meet legally binding targets to decarbonise the generation of electricity by 2035. All land within the Principal Site is necessary for the Scheme, either comprising land utilised for solar capable of generating sufficient electricity to fully utilise the export and import agreement with NGET and associated development, or land required and necessary for mitigation to minimise effects in relation to landscape, heritage and ecology.</p> <p>Direct landscape effects will arise for only a small proportion of the Lincoln Cliff AGLV area. North of Lincoln, the AGLV extends for approximately 20 km parallel to the Cliff. No solar infrastructure will be located within this area, although an access road will use an existing track from Middle Street. Only a very small proportion of The Cliff LCA will be occupied by solar infrastructure. The remainder of the AGLV and The Cliff LCA within the Principal Site will comprise a biodiversity zone (with associated landscaping) and two Sensitive Archaeological Sites, as illustrated by <b>Figure 3-1</b> of the ES <b>[AS-055]</b>. As set out within the <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b>, these will comprise more ecologically diverse habitats and green infrastructure that accords with CLLP</p> | <p>The design process has resulted in associated development (substation and BESS infrastructure) being located at prominent locations within the site closest to The Cliff AGLV. This results in these components contributing to a significant impact upon the most sensitive landscape within and adjacent to the Principal Site.</p> <p>WLDC does not understand why the design process has not mitigated this impact by locating such infrastructure in a manner that would minimise adverse impacts from the most sensitive landscape.</p> <p>WLDC maintains its position on this point.</p> |        |                          |

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|      |  |  | <p>Policy S62 and published Landscape Character Assessment guidance.</p> <p>The design principles for the BESS and Solar Stations set out within the <b>Outline Design Principles Statement [EN010142/APP/7.4(Rev03)]</b> have been based on several factors including baseline environmental conditions – for example, the distance of BESS to residential properties. No BESS or Solar Stations will be close to the Lincoln Edge with the eastern extent of the Principal Site comprising landscape and ecological enhancement areas and land retaining potential archaeology in situ (Sensitive Archaeological Sites). These areas will provide a buffer of approximately 600m from Middle Street to the closest land parcels comprising PV panels and associated infrastructure.</p>   |   |            |                          |
| 10.4 | Assessment of Landscape and Visual Impacts and Effects | <b>Chapter 12: Landscape and Visual Amenity</b> of the ES <b>[EN010142/APP/6.1(Rev02)]</b> | <p>The Scheme is DC-coupled, which means that the BESS and Solar Stations are dispersed and distributed across the Principal Site. This technology is described in paragraphs 4.9.10 to 4.9.13 of <b>Chapter 4: Alternatives and Design Evolution</b> of the ES <b>[APP-035]</b>. This is further explained within Section 7.1, paragraphs 7.1.1 to 7.1.7 (page 14-15) <b>Appendix B: Note on generating capacity and associated development</b> of the <b>Written Summary of the Applicant's Oral Submissions at the Issue Specific Hearing 1 (ISH1) [REP1-046]</b>. The Scheme proposes the use of an innovative design solution that will maximise the generation of electricity using the latest technology and providing substantial benefits.</p> <p>The design principles for the BESS and Solar Stations set out within the <b>Outline Design Principles Statement [EN010142/APP/7.4(Rev03)]</b> have been based on several factors including baseline environmental conditions – for example, the distance of BESS to residential properties. No BESS or Solar Stations will be close to the Lincoln Edge with the eastern extent of the Principal Site comprising landscape and ecological enhancement areas and land</p> | <p>The impact of the Associated Development is exacerbated due to the Scheme design resulting in such infrastructure being scattered throughout the development site in prominent locations. WLDC does not understand why such infrastructure could not be located together in a single location within the site away from sensitive receptors. This has been the design approach adopted by other solar NSIP projects to demonstrate that impacts have been minimised to comply with policy.</p> <p>WLDC maintains its position on this point.</p> | Not Agreed | Low                      |

| Ref. | Subject                                       | Relevant Application Document                                       | Applicant Position   | WLDC Position   | Status           | Likelihood of Resolution |
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|      |   |   | retaining potential archaeology in situ (Sensitive Archaeological Sites). These areas will provide a buffer of approximately 600m from Middle Street to the closest land parcels comprising PV panels and associated infrastructure.   |   |                  |                          |
|      |   |   | The Applicants <b>Response to LIR's [REP3-061]</b> at pages 74, 77 and 78 provides further details responding to WLDC's queries around the location of infrastructure near sensitive receptors.  |   |                  |                          |
| 10.5 | Assessment of Soils and Agriculture Effects   | <b>Chapter 15: Soils and Agriculture</b> of the ES <b>[APP-046]</b> | <p>In earlier versions of this SoCG and discussion between the parties the Applicant provided the requested information on the assessment of these matters.</p> <p>The parties are now agreed that the assessment of effects on farming circumstances is satisfactory.</p>   | WLDC initially raised concerns regarding the assessment of effects on farming circumstances due to insufficient baseline information and methodology, and requested further details to understand the study areas as defined. | Agreed           | Resolved                 |
| 10.6 | Assessment of Air Quality Impacts and Effects | <b>Chapter 6: Air Quality [APP-037]</b> ,                           | <p><b>Chapter 6: Air Quality of the ES [APP-037]</b> confirms that the Scheme will not have an adverse effect on air quality with respect to dust emissions or impacts upon air quality through construction and decommissioning traffic.</p> <p>The Scheme will not lead to a deterioration in air quality close to sensitive receptors and will not lead to a breach of any national air quality limits or statutory air quality objectives. There are no Air Quality Management Areas declared in either West Lindsey District Council or Bassetlaw District Council with concentrations of nitrogen dioxide and particulate matter meeting UK objectives across the districts, which are largely rural with no large conurbations.</p> <p>The implementation of good practice during construction and decommissioning secured by the <b>Framework CEMP [REP3-033]</b> and <b>Framework DEMP [REP3-037]</b> will ensure that the environmental risk of the Scheme on air quality in relation to dust and construction traffic remains low with the ES concluding no significant adverse effect on residential amenity or low air quality. The mitigation proposed in the form of the <b>Framework CEMP [REP3-033]</b> and</p> | <p>WLDC considers that the Scheme will give rise to a risk of air quality degradation during the construction phase.</p> <p>WLDC maintains its position as a negative cumulative impact.</p>                                  | Under discussion | High                     |



| Ref.                            | Subject  | Relevant Application Document   | Applicant Position  | WLDC Position   | Status | Likelihood of Resolution |
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|                                 |  |   | <b>Framework DEMP [REP3-37]</b> will ensure compliance specifically with paragraph 5.2.13 of <b>NPS EN-1</b> (Ref 2). The Scheme is in accordance with <b>NPS EN-1</b> and local planning policies that are of relevance set out in the planning policy context section of this part of the Planning Statement.   |   |        |                          |
| 10.7                            | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES <b>[APP-040]</b>                          | <p>The Applicant acknowledges that the beneficial effect relating to golden plover and skylark may not extend to all non-breeding bird species identified, however, for the non-breeding bird assemblage as a whole, the enhancement measures included within the Scheme will deliver a beneficial effect through provision of new planting of hedgerows and trees, areas of natural regeneration and creation of native grasslands, as set out in <b>Chapter 9: Ecology and Nature Conservation</b> (page 9-193) of the ES <b>[APP-040]</b>.</p> <p>The Applicant clarified in earlier versions of this SOCG, in discussions with WLDC and at ISH3, the impact and effects of the Scheme on golden plover and skylark.</p> <p>The parties are now agreed that the impacts and effects identified with respect to non-breeding birds is robust.</p> | Clarifications provided by the Applicant have resolved WLDCs concerns.  | Agreed | Resolved                 |
| <b>11.Mitigation of Effects</b> |  |   |   |   |        |                          |
| 11.1                            | Mitigation   | <b>Environmental Statement [APP-037 to APP-048]</b><br><br><b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | <p>The mitigation measures mentioned in the environmental topic chapters mentioned in technical chapter of the ES <b>[APP-037 to APP-048]</b> are considered acceptable to mitigate potential impacts and manage potential effects during the construction, operation and decommissioning phases.</p> <p>The provision of mitigation is secured by specific requirements within the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b>. These include the requirement for management plans that must be prepared and approved before commencement of development.</p>   | WLDC agree that the mitigation measures mentioned in the majority of technical chapters of the ES <b>[APP-037 to APP-048]</b> are acceptable to mitigate potential impacts during construction, operation and decommissioning. This agreement is on the basis that the proposed mitigation is understood and is communicated within the ES and committed to in relevant Management Plans. | Agreed | Resolved                 |

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| 11.2   | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES <b>[APP-040]</b>                          | <p>The Applicant clarified in earlier versions of this SOCG and in discussions with WLDC how in the unlikely event that great crested nets are discovered during works how this would be resolved.</p> <p>The parties are now agreed on how this would be dealt with and secured as part of the CEMP (requirement 13 of the <b>dDCO [EN010142/APP/3.1(Rev05)]</b> to be substantially in accordance with the <b>Framework CEMP [REP3-033]</b> This includes Table 3-4, which states that <i>“In the unlikely event that any Great Crested Newt are discovered during these works, then such works must cease immediately and a SQE [Suitability Qualified Ecologist] must be consulted to determine how to proceed.”</i></p>                            | Clarifications provided by the Applicant have resolved WLDCs concerns.   | Agreed     | Resolved                 |
| 11.3   | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 9: Ecology and Nature Conservation</b> of the ES <b>[APP-040]</b>                          | <p>The Applicant clarified in earlier versions of this SoCG, in discussions with WLDC and at ISH3, how impacts upon roosting bats if present would be avoided and that the construction phase would be supported by pre-construction surveys to ensure that mitigation during construction is based on up to date survey information.</p> <p>The parties are now agreed that the embedded precautionary working methods and 15m buffer are robust to avoid impacts.</p>   | Clarifications provided by the applicant have resolved WLDCs concerns.   | Agreed     | Resolved                 |
| <b>12. Cumulative Effects and Interactions</b> |  |   |   |  |            |                          |
| 12.1   | Commitments for joint working during construction          | <b>Joint Report on the Interrelationship with other National Infrastructure projects [[REP3-031].</b> | <p>While it is acknowledged that the <b>Joint Report on Interrelationships between NSIPs [REP3-031]</b> 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 <b>Joint Report on Interrelationships between NSIPs [REP3-031]</b> This will be further updated during examination</p> | WLDC does not consider the Joint Report on Interrelationships to constitute a mitigation document that secures co-ordinated working between projects. It does not contain firm commitments and is not an enforceable document as it is not secured through a DCO ‘requirement’ and is not party to legal agreement between projects. | Not Agreed | Low                      |

| Ref. | Subject  | Relevant Application Document   | Applicant Position  | WLDC Position   | Status     | Likelihood of Resolution |
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|      |  |   | <p>to ensure that any new NSIPs are considered should these emerge or that the stage of applications already included in the report is updated.</p> <p>In addition to the above, the Applicant notes that the <b>Framework LEMP [EN010142/APP/7.17(Rev04), Framework CTMP [EN010142/APP/7.11(Rev04)]</b> and <b>Framework CEMP [REP3-033]</b> 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 WLDC as a host authority will need to approve these management plans in accordance with the relevant requirements in the DCO prior to construction.</p>   |   |            |                          |
| 12.2 | Assessment of Socio-economic Impacts and Effects | <p><b>Chapter 18: Cumulative Effects and Interactions</b> of the ES <b>[EN010142/APP/6.1(Rev02)]</b>.</p> <p><b>Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031]</b>.</p> | <p>An assessment of cumulative effects is presented within <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES <b>[EN010142/APP/6.1(Rev02)]</b>.</p> <p><b>Section 18.15 of Chapter 18: Cumulative Effects and Interactions</b> of the ES <b>[EN010142/APP/6.1(Rev02)]</b> concludes that the Scheme will not have a significant effect on the amenity of residential properties, local businesses, community facilities, and visitor attractions during construction. Similarly, there would not be a significant effect on receptors during operation or decommissioning.</p> <p>Section 14.8 of <b>Chapter 14: Socio-Economics and Land Use of the ES [APP-045]</b>, explicitly considers the impacts on visitor accommodation by the Scheme during construction, and concludes these to be negligible (not significant). Based on analysis of the employment generated by the key cumulative solar DCO projects for which worker numbers by month are available, and the negligible effects of the Scheme, demand from workers</p> | <p>WLDC expect that the potential impact of the four solar projects on the socio-economic and communities of West Lindsey is a matter that is managed rigorously. The influx of construction workers will materially decrease the availability of tourist accommodation, which will be further exacerbated on a cumulative basis with other DCO solar projects within West Lindsey.</p> <p>The significant reduction in the availability of tourist accommodation will, in WLDCs view, result in visitors seeking accommodation in different parts of the region, which will have a direct and indirect effect on tourism in the district.</p> <p>Once the construction period of all projects are complete (which will occur for a number of years), there is no certainty that the tourism sector will recover to former level and, if so, how long it would take to do so.</p> | Not Agreed | Low                      |



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|      |  |   | will be able to be met by hotel, bed and breakfast accommodation and private rented accommodation when there is an overlap, given that there will be adequate availability within these sectors combined throughout the construction period. It is also noted that alternative accommodations (such as Airbnb, serviced apartments, etc.) exist that could be considered to cater for the demand and therefore mitigate further any impact of accommodation demand. Therefore, this is concluded to be a neutral (not significant) cumulative effect, as set out in Section 18.15.10 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)].  |  |            |                          |
| 12.3 | Assessment of Landscape and Visual Impacts and Effects | <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)].<br><br><b>Joint Report on the Interrelationship with other National Infrastructure projects</b> [REP3-031]. | <p>Cumulative effects and interactions between the Scheme and other solar DCOs are also assessed in <b>Section 18.13 of Chapter 18: Cumulative Effects and Interactions</b> 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 been given as to how habitat creations link with other proposed developments and more widely across the landscape to ensure any benefits are aligned.</p> <p>Further information on cumulative effects, mitigation and the approach taken to coordinate with the other solar DCOs is provided in the <b>Joint Report on the Interrelationship with other National Infrastructure projects</b> [REP3-031].</p> <p>The assessment for Cumulative Effects related to landscape and visual amenity set out in <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] concludes that</p> | <p>WLDC raise objections to the Application due to the cumulative impacts with other consented solar projects and those currently in the planning process.</p> <p>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.</p> <p>The proposal will have significant adverse impacts upon 'The Cliff' Landscape Character Area, failing to the conserve and enhance its qualities, character and distinctiveness.</p> <p>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. WLDC consider the impacts to be contrary to national and local statutory planning policies, and the proposal should be refused development consent for such reasons.</p> | Not Agreed | Low                      |

| Ref. | Subject                                     | Relevant Application Document  | Applicant Position  | WLDC Position   | Status     | Likelihood of Resolution |
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|      |   |  | <p>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.</p> <p>It should be noted that development consent was recently granted for the Gate Burton Energy Park (12 July 2024) and the Cottam Solar Project on (5 September 2024). Both projects are located within the Zone of Theoretical Visibility of the Scheme. The Secretary of State concluded that the cumulative effects of the Gate Burton and Cottam projects, in combination with each other and the West Burton and Tillbridge projects, lead to moderate adverse landscape effects and material harm to landscape character but that there are no significant adverse cumulative effects on visual receptors. The Secretary of State, in deciding to grant development consent for both 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.</p> | <p>WLDC 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.</p> |            |                          |
| 12.4 | Assessment of Soils and Agriculture Effects | <b>Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev0 2)].</b> | <p>In terms of impacts on land used for food production, the site selection process carried out to identify the Principal Site, as described in <b>Chapter 4: Alternatives and Design Evolution</b> of the ES [APP-035], excluded, where possible, best and most versatile (BMV) agricultural land</p>  | <p>WLDC have objections to the Application due to the combined cumulative impact associated with the construction, operation and decommissioning of the schemes on agricultural land and soils and the farming circumstances.</p>   | Not Agreed | Low                      |

| Ref. | Subject | Relevant Application Document   | Applicant Position   | WLDC Position   | Status | Likelihood of Resolution |
|------|---------|---|--|---|--------|--------------------------|
|      |         | <b>Chapter 4: Alternatives and Design Evolution</b> of the ES [APP-035] | <p>based on Natural England’s published agricultural land classification maps.</p> <p><b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] assesses the loss of agricultural land in combination with all cumulative solar schemes as set out in <b>Table 18-22 in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)]</b>. This confirms that cumulative effects during construction, operation and decommissioning are not significant.</p> <p>The above confirms that there is not a significant cumulative effect on agricultural production as a result of the Schemes. The area of agricultural land that would be temporarily taken out of agricultural use across all four schemes would be 2.2% of agricultural land in Lincolnshire.</p> <p>The ExA in its recommendation report on Gate Burton Energy Park [EN010131], which the Secretary of State agreed with in his decision letter, 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 a limited extent of 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>WLDC considers the cumulative assessment in relation to soils to be very high level, and lacking detailed assessment of likely impacts. Clarification on the weight given to the assumption made that other projects will operate to a similar level of good practice would be welcome in determining residual impacts.</p> <p>WLDC queried in ISH2 why there was an absence of a commitment or obligation for the Applicant to be securing grazing within the Principal Site during operation.</p> <p>WLDC welcomed clarification from the Applicant at ISH 2 that there is no commitment given to the use of land for the purpose of food production. WLDCs position is that, for policy compliance and decision making purposes, the land subject of the Application must be treated as being the loss of land for food production. Regardless of the land use classification of the affected land, its loss must be given significant negative weight in the planning balance for the project in solus and particularly cumulatively with other NSIP projects.</p> |        |                          |

| Ref. | Subject   | Relevant Application Document   | Applicant Position   | WLDC Position  | Status     | Likelihood of Resolution |
|------|---|---|--|--|------------|--------------------------|
|      |   |   | <p>The Applicant’s cumulative assessment presented within Section 18.16 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] is consistent with WLDC’s conclusion that the cumulative effects on soils are negligible. In accordance with Table 18-6 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)], the term ‘neutral’ has been used to describe effects: “<i>Where the combined impacts of the Scheme or cumulative impacts of the Scheme in association with other development upon an individual or collection of environmental receptors would be negligible and not significant (positive or negative)</i>”.</p> <p>Further assessment of cumulative impacts on solar projects on BMV land has been presented within Appendix B of the Applicant’s Responses to Relevant Representations.</p> <p>The assessment presented within Section 18.16 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] has been based upon a review of the applications for the cumulative schemes, to confirm that these incorporate equivalent good practice measures. References to the reviewed applications have been provided within Section 18.16 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)].</p> <p>In response to WLDC’s query at ISH2, the Applicant does not rely upon grazing the Principal Site in order to justify the inclusion of the BMV as part of the Scheme in policy terms. Rather, it is an aspiration and something the Applicant is looking to implement – the Applicant are not seeking to have any positive weight attributed to it given that it cannot be committed to at this stage.</p> |  |            |                          |
| 12.5 | Assessment of Noise and Vibration Impacts and Effects | <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(REV02) ] | Section 18.14 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [6EN010142/APP/6.1(Rev02)] addresses the likely in combination effects and cumulative effects of the Scheme on noise and vibration.  | WLDC object to the Application due to the combined cumulative impact associated with the construction and decommissioning of the schemes on noise and vibration. | Not Agreed | Low                      |

| Ref. | Subject                                       | Relevant Application Document  | Applicant Position   | WLDC Position  | Status     | Likelihood of Resolution |
|------|---|--|--|--|------------|--------------------------|
|      |   |  | <p>During construction, operation and decommissioning, the Scheme is assessed to have no significant effects in terms of noise and vibration.</p> <p>The Applicant agrees that cumulative noise impacts during construction require a firm and enforceable commitment to joint working between developers to minimise impacts and this is committed to by the Applicant in the <b>Framework CEMP [REP3-033] on pages 54 to 55</b> as stated in paragraph 18.14.4 of the ES [REP3-016].</p>   | <p>WLDC consider that cumulative noise impacts during construction require a firm and enforceable commitment to joint working between developers to minimise impacts.</p> <p>The current Joint Report on Interrelationships does not deliver this commitment and leaves the potential impacts unmitigated and un-minimised.</p> <p>The failure of the respective projects to commit to delivering a joint and co-ordinated approach to construction, that can be enforced through a DCO 'requirement' or joint legal agreement results in each project being able to construct solely on their own terms, without regard to minimising cumulative impacts on the environment or communities.</p> |            |                          |
| 12.6 | Assessment of Air Quality Impacts and Effects | <b>Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev02)]</b> | <p>Section 18.7 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] addresses the likely in combination effects and cumulative effects of the Scheme on air quality. This confirms that the predicted change in concentration of fugitive emissions from construction activities, and from the movement of construction vehicles on the road network is negligible with no significant effect on air quality, from the Scheme on its own and cumulatively with other developments. Similarly, there are not anticipated to be any cumulative effects on air quality during the operation or decommissioning of the Scheme.</p> <p>The assessment findings related to Cumulative Effects for Air Quality is acceptable.</p> <p>The Applicant agrees that cumulative air quality impacts during construction require a firm and enforceable commitment to joint working between developers to minimise impacts and this is committed to by the Applicant in the <b>Framework Construction Traffic Management Plan (FCTMP) [EN010142/APP/7.11 (Rev04)]</b> on page 2 and 3 (paragraph 1.3.4).</p> | <p>WLDC have concerns regarding the combined cumulative impact associated with the construction, and decommissioning of the schemes on air quality.</p> <p>WLDC considers that air quality impacts will be further increased should projects be constructed on a cumulative basis (either in sequence or all at the same time).</p> <p>The lack of an enforceable co-ordinated approach between developers results in no further mitigation being applied to minimise effects between projects.</p>  | Not Agreed | Low                      |



| Ref. | Subject  | Relevant Application Document  | Applicant Position   | WLDC Position  | Status     | Likelihood of Resolution |
|------|--|--|--|--|------------|--------------------------|
| 12.7 | Assessment of Transport and Access Impacts and Effects | <p><b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [6EN010142/APP/6.1(Rev02)]</p> <p><b>Framework Construction Traffic Management Plan</b> [EN010142/APP/7.11 (Rev04)]</p> <p><b>Joint Report on the Interrelationship with other National Infrastructure projects</b> [REP3-031]</p> | <p>Section 18.17 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] addresses the likely in combination effects and cumulative effects of the Scheme on transport and access as a worst case scenario with all four Schemes being constructed at once.</p> <p>It is proposed that a Joint Construction Traffic Management Plan (CTMP) is prepared between the Scheme and the other solar DCOs (West Burton Solar Project, Cottam Solar Project and Gate Burton Energy Park) post-consent to manage and mitigate cumulative effects, once further details are known on project timeframes and the approach for the shared Cable Route Corridor. This is set out as a commitment within the <b>Framework Construction Traffic Management Plan (FCTMP)</b> [EN010142/APP/7.11 (Rev04)], an updated version of which was submitted at Deadline 1. Requirement 14 of the <b>draft DCO</b> [EN010142/APP/3.1(Rev05)] requires that a CTMP is submitted and approved prior to the commencement of development and that traffic management during construction accords with the approved CTMP. The CTMP also has to be in accordance with the FCTMP submitted as part of the Application. Further information is provided within the <b>Joint Report on the Interrelationship with other National Infrastructure projects</b> [REP3-031] submitted with the DCO application.</p> <p>With the implementation of the FCTMP, the assessment concludes that the cumulative increase in traffic flows on School Lane, Cow Lane, Fillingham Lane, the B1241, Headstead Bank and Cottam Road is slight adverse (not significant), the effect on all other road links is neutral (not significant). Any significant cumulative effects on PRoW would be avoided by the implementation of the FCTMP.</p> | <p>WLDC object to the Application due to the combined cumulative impact of traffic and transport associated with the construction, operation and decommissioning of the schemes.</p> <p>The objection relates to the potential period of exposure to impacts that local communities may experience and the uncoordinated approach between the projects with regard to construction activity.</p> <p>All consented projects are able to construct at any stage and for as long a period as they wish under the scope of the respective Development Consent Orders.</p> <p>With regards to the Outline Construction Traffic Management Plan), WLDC wishes the Applicant to provide the measures to be adopted in event two or more projects are being constructed simultaneously. The approach should then be replicated in the control document for each cumulative project to enable communities to understand the traffic related activities in the area and how developers have sought to minimise impacts during the construction phase.</p> <p>The potential cumulative construction traffic could give rise to significant disruption to local communities, requiring significant traffic management causing delays to journeys over a number of years.</p> | Not Agreed | Low                      |

| Ref. | Subject  | Relevant Application Document  | Applicant Position  | WLDC Position   | Status     | Likelihood of Resolution |
|------|--|--|---|---|------------|--------------------------|
|      |  |  | The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.   |   |            |                          |
| 12.8 | Assessment of Ecology and Biodiversity Impacts and Effects | <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES<br><b>[EN010142/APP/6.1(REV02)]</b><br><br><b>Framework LEMP</b><br><b>[EN010142/APP/7.17(Rev04)]</b><br><b>Draft DCO</b><br><b>[EN010142/APP/3.1(Rev05)]</b> | Section 18.10 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES <b>[EN010142/APP/6.1(Rev02)]</b> addresses the likely in combination effects and cumulative effects of the Scheme on ecology and nature conservation. The Application is supported by a <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b> which sets out the mitigation and management measures proposed for the Scheme to ensure that impacts on biodiversity are minimised and provides ecological enhancement measures. All four solar DCO's have similar LEMPs which will ensure that biodiversity is protected as far as practicable. The Applicant will prepare a detailed LEMP which will be substantially in accordance with the <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b> and will need to be approved by the Local Planning Authority prior to construction, as secured by requirement 14 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> . The assessment concludes that with the mitigation measures proposed by the Scheme and other cumulative developments, including the other solar DCOs, there is no potential for the elevation of non-significant effects to cumulatively generate significant effects on important ecological features during construction. In addition, all four solar DCOs have embedded areas of undeveloped land within their Order limits, which will be managed to promote ground-nesting bird species and winter food resource for overwintering birds. Section 18-10, <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [REP3-016 <b>REP3-016</b> ] concludes that it is unlikely that this will generate an adverse effect beyond the local level, and is therefore not significant. In addition, given the absence of overlapping features of the projects (other than in the Cable Route Corridor, where they are to be managed cooperatively), the isolated populations of reptiles and amphibians across | WLDC have concerns regarding the combined cumulative impact associated with the construction, operation and decommissioning of the schemes on ecology and biodiversity.<br><br>WLDC have significant concerns regarding the lack of a co-ordinated approach to construction and restoration activity within the Cable Route corridor. As each DCO is being made on its own terms to serve the project to which they relate, and due to the lack of commitment from developers to co-ordinate construction activity (either through a document secured as a 'requirement' or legal agreement), all projects will be able to implement their project without having any regard to restoration that may have taken place in connection with a project that constructed before them.<br><br>Aside from the unnecessary impact on restoration programmes, the enforcement process to determine what requires further restoration/maintenance and which party is responsible will be very difficult to establish. | Not Agreed | Low                      |

| Ref.  | Subject   | Relevant Application Document   | Applicant Position   | WLDC Position   | Status     | Likelihood of Resolution |
|-------|---|---|--|---|------------|--------------------------|
|       |   |   | <p>all four DCOs will benefit from the habitat creation generated by the projects, which may in time improve connectivity across the projects. No significant cumulative effects arise during operation or decommissioning.</p> <p>The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.</p>   |   |            |                          |
| 12.9  | Assessment of Cultural Heritage Impacts and Effects | <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/61(Rev02)].  | <p>Section 18.9 of <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] addresses the likely in combination effects and cumulative effects of the Scheme on cultural heritage.</p> <p>As detailed in <b>Chapter 8: Cultural Heritage</b> of the ES [APP-039] and <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] of the ES, the cumulative impacts arising from the construction, operation, and decommissioning of the schemes are considered to be not significant in relation to cultural heritage.</p> <p>The assessment findings related to Cumulative Effects for Cultural Heritage are considered acceptable.</p>    | WLDC agrees that the assessment methodology and impact assessment conclusions are sound.  | Agreed     | Resolved                 |
| 12.10 | Mitigation of Effects                               | <p><b>Chapter 18: Cumulative Effects and Interactions</b> of the ES ]</p> <p><b>Draft DCO</b> [EN010142/APP/3.1(Rev05)]</p> <p><b>Framework CEMP</b> [REP3-033]</p> <p><b>Framework OEMP</b> [EN010142/APP/7.9 (Rev03)]</p> | <p>The mitigation measures mentioned in <b>Chapter 18: Cumulative Effects and Interactions</b> of the ES [EN010142/APP/6.1(Rev02)] are acceptable to mitigate potential impacts and manage potential effects during the construction, operation and decommissioning phases. Residual effects are minimised as far as practicable through embedded mitigation and additional mitigation and enhancement measures incorporated within the Scheme.</p> <p>The Applicant notes concerns raised regarding the need to deliver a joint co-ordinated approach to the construction of all four solar projects if each is consented. Each project will need to comply with the statutory provisions of its Order.</p> | <p>WLDC are concerned with how the construction, maintenance and decommissioning of the solar schemes in West Lindsey can be mitigated in a co-ordinated and consistent manner including during construction, operation and decommissioning.</p> <p>The cumulative impacts will be adverse and far reaching, with no formal requirement to oblige developers to work collaboratively during the project phases. This results in a situation where impacts on the environment and communities will not be minimised.</p> | Not Agreed | Low                      |



| Ref.                                       | Subject    | Relevant Application Document  | Applicant Position   | WLDC Position  | Status | Likelihood of Resolution |
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|  |            | <b>Framework DEMP [REP3-037]</b><br><br><b>Framework Soil Management Plan [REP1-051]</b><br><br><b>Framework Public Rights of Way Management Plan [REP3-041]</b> | <p>This includes controls and management during all phases of the project through details to be approved by the relevant authority through the discharge of requirements.</p> <p>In terms of the co-ordination of construction with the other projects, <b>Appendix C</b> of the <b>Joint Report on Interrelationships between Nationally Significant Projects [REP3-031, APP-216 and APP-217]</b> includes a copy of a Co-operation Agreement signed by each solar developer. This Co-operation agreement requires the developments to cooperate with each other during examination and until the determination of each DCO application and to then agree and enter into a Further Cooperation Agreement as soon as reasonably practicable and before the date on which the first DCO application is determined by the Secretary of State. The Further Cooperation Agreement will be an agreement between the Parties in order to manage the interaction of the projects during the discharge of requirements, and the respective construction and operational phases of each project.</p> <p>The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.</p> |  |        |                          |
| <b>13. Draft Development Consent Order</b> |            |  |  |  |        |                          |
| 13.1                                       | Article 39 | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b>   | <p>In previous versions of this SoCG and in discussions between the parties the Applicant proposed amends to Article 39 to constrain it to TPOs made after 10 April 2024, and to ensure the Article only applied to trees within the Order limits (and not those near to the order limits). In addition, the Applicant amended the <b>Framework LEMP [EN010142/APP/7.17(Rev02)] [REP1-023]</b> at Deadline 1 to clarify that the undertaker will replace any TPO tree in a suitable location elsewhere within the Order limits if a tree has to be removed.</p>  | <p>WLDC previously raised concerns about the application of Article 39 on a precautionary basis. Following amendments proposed by the Applicant to constrain this article, WLDC no longer raises these concerns.</p> | Agreed | Resolved                 |

| Ref. | Subject                                 | Relevant Application Document              | Applicant Position  | WLDC Position   | Status           | Likelihood of Resolution |
|------|---|--|---|---|------------------|--------------------------|
|      |   |  | The parties are now agreed as to the drafting of this article.  |   |                  |                          |
| 13.2 | Requirement 4 (community liaison group) | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | <p>In previous versions of the SoCG, discussions between the parties and Appendix E: Community Liaison Group to the <b>Written Summary of Applicant's Oral Submissions at the Issue Specific Hearing 1 [REP1-046]</b>, the Applicant provided further information on the details of the community liaison group.</p> <p>The parties are now agreed as to the drafting of requirement 4.</p>   | <p>WLDC sought clarification on the terms of reference of the community liaison group, the need for it to be established prior to the commencement of development, delivery mechanisms and frequency. WLDC also seek assurance that the requirement is enforceable.</p> <p>Following review of the Applicant's submission Appendix E: Community Liaison Group to the <b>Written Summary of Applicant's Oral Submissions at the Issue Specific Hearing 1 [REP1-046]</b> (submitted at Deadline 1), WLDC no longer has concerns with the drafting of Requirement 4.</p> | Agreed           | Resolved                 |
| 13.3 | Requirement 8 (biodiversity net gain)   | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | <p>The Applicant has demonstrated through the submitted <b>Biodiversity Net Gain Report [AS-062]</b> that the Scheme will achieve at least the 10% biodiversity net gain (BNG) prior to this becoming a mandatory requirement. The delivery of BNG will be secured by requirement 8 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b>, which requires to submit and agree a BNG strategy with the relevant authority and for this to be substantially in accordance with the <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b>. The Applicant therefore considers the 10% BNG is secured and can be considered as part of the planning balance.</p> <p>The Applicant does note that higher versions of BNG for some habitat types are currently met by the <b>BNG Report [AS-062]</b>. The Applicant has updated the <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b> at Deadline 4 to more clearly set these out, and to emphasise that the final LEMP must be in general accordance with these figures. The Applicant therefore agrees that while these final percentages cannot be directly applied as part of the planning balance, as they may be subject to final changes in detailed design, the decision can take them generally into account, given the final LEMP will need to be in general</p> | WLDC consider that requirement 8 should include a specific percentage of biodiversity net gain that the Scheme should deliver, or otherwise the Applicant cannot claim the full percentages of BNG proposed in the <b>Framework LEMP [EN010142/APP/7.17(Rev04)]</b> as part of its planning balance.  | Under discussion | High                     |

| Ref. | Subject                | Relevant Application Document              | Applicant Position   | WLDC Position  | Status           | Likelihood of Resolution |
|------|------------------------|--|--|--|------------------|--------------------------|
|      |                        |  | accordance with the Framework LEMP as drafted.<br>The approach to secure biodiversity net gain is in accordance with the made Order for the Gate Burton Energy Park [EN010131].  |  |                  |                          |
| 13.4 | Requirement 17 (Noise) | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | <p>Requirement 17 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> 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.</p> <p>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 <b>Chapter 13:Noise and Vibration</b> of the ES <b>[AS-006]</b> and set out at <b>Table 13-17</b>, compliance with Requirement 17 would have to be achieved through noise modelling. This is because, as outlined in the <b>Applicant's Response to Examining Authority's First Written Questions [REP3-062]</b>, ExQ 1.10.11, compliance with Requirement 17 would need to be agreed with the relevant planning authority prior to construction work commencing.</p> <p>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.</p> <p>The Applicant has updated the <b>Framework OEMP [EN010142/APP/7.9(Rev03)]</b> 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</p> | WLDC raised questions at Issue Specific Hearing 3 regarding the enforcement and application of Requirement 17, including how it will be enforced if noise levels change for plant over the lifetime of the Scheme. | Under Discussion | High                     |

| Ref. | Subject   | Relevant Application Document              | Applicant Position   | WLDC Position   | Status     | Likelihood of Resolution |
|------|---|--|--|---|------------|--------------------------|
|      |   |  | <p>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.</p> <p>Following ISH3, the Applicant has also updated Requirement 17 included in an updated version of the <b>dDCO [EN010142/APP/3.1(Rev05)]</b> to be submitted at Deadline 4 to more clearly reference the Operational Noise Assessment figures set out in Table 13-17 of <b>Chapter 13 [AS-006]</b>.</p>  |   |            |                          |
| 13.5 | Requirement 20 (decommissioning and restoration)                    | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | The Applicant included a further definition for the date of decommissioning within the draft DCO at Deadline 1 to ensure both the existing 60 year limit within Requirement 20 and a trigger for decommissioning to commence from the period when electricity generation ceases permanently. This aligns with similar wording included within requirement for decommissioning within the Cottam Solar Project Order 2024.  | <b>Update at Deadline 4:</b> With the inclusion of the new drafting WLDC's concerns have been addressed.  | Agreed     | Resolved                 |
| 13.6 | Schedule 17 - Article 45 – Procedure for discharge of requirements. | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | <p>Schedule 17, Section 2, paragraph 1 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> states that when an application is made to the relevant planning authority for approval of details relating to requirements that it will need to be determined within eight weeks.</p> <p>Section 3, paragraph (2) states “<i>should the local planning authority require further information to consider an application that this must be requested within 10 working days from receipt of the application.</i>”</p> <p>Section 3, paragraph (3) goes on to state that “<i>should the submission require consultation with a consultee, that the local planning authority must issue the consultation to the required consultee within five working days from receipt of the application. Should a consultee request further information, the local planning authority</i></p> | WLDC seek a determination period of 13-weeks. With respect to the submission of further information, WLDC request that it has up to 20 working days from receipt of the application to request further information and that WLDC must issue consultations within 10 working days of receipt of the request by the consultee and within 20 working days of receipt of the application. | Not Agreed | Low                      |

| Ref. | Subject   | Relevant Application Document              | Applicant Position  | WLDC Position   | Status | Likelihood of Resolution |
|------|---|--|---|---|--------|--------------------------|
|      |   |  | <p><i>shall request this information within five working days of receipt of the request and within 15 working days of receipt of the application."</i></p> <p>The Applicant continues to consider these periods of time are appropriate as:</p> <ul style="list-style-type: none"><li>• Section 2, paragraph (1) (c) states that a longer period of determination can be agreed in writing by the undertaker and the relevant planning authority. The Applicant considers this provides sufficient optionality for longer periods for determination where necessary and agreed between the parties, while not providing for longer periods as a matter of course.</li><li>• Should development consent be granted for the Scheme, the Applicant has a short pre-construction phase to appoint a contractor/s to build the Scheme, to secure approval of the detailed design and the discharge of requirements than the other solar NSIPs within Lincolnshire. The Scheme has the earliest point of connection date out of all four solar schemes (August 2028).</li><li>• While the Applicant understands the resource implications of multiple NSIPs in the region, it does not consider it appropriate for the Council to seek increasingly greater determination periods per project.</li></ul> <p>For those reasons set out above, the Applicant proposes to retain the wording as drafted.</p> |   |        |                          |
| 13.7 | Schedule 16 - Article 45 – Procedure for discharge of requirements. | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | The Applicant has amended Schedule 16 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> which was updated and submitted at Deadline 1 to include a fee schedule for the discharge of requirements. The fees are in accordance with the Cottam Solar Project, being the most recently approved development consent Order in the area.  | WLDC supports and welcomes this amendment to the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> .   | Agreed | Resolved                 |
| 13.8 | Articles  | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | WLDC 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  | WLDC 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                 |

| Ref. | Subject   | Relevant Application Document              | Applicant Position   | WLDC Position   | Status | Likelihood of Resolution |
|------|-----------|--|--|---|--------|--------------------------|
|      |           |  | Articles (other than Article 39 listed above). On this basis, it is assumed that all other Articles are agreed.  |   |        |                          |
| 13.9 | Schedules | <b>Draft DCO [EN010142/APP/3.1(Rev05)]</b> | WLDC 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 concerns with respect to the Schedules 1 to 15 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> , other than the matters relating to requirements with Schedule 2 as noted above. It is therefore assumed that these are agreed. | WLDC 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 concerns with respect to the Schedules 1 to 15 of the <b>draft DCO [EN010142/APP/3.1(Rev05)]</b> , other than the matters relating to requirements with Schedule 2 as noted above. | Agreed | Resolved                 |



## 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 The Stationary Office (2008). Planning Act 2008. Accessed on 18/10/2024 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 16/10/2024 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 16/10/2024 at <https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5>
- Ref. 6 Central Lincolnshire Joint Strategic Planning Committee (2023). Central Lincolnshire Local Plan. Accessed on 16/10/2024 at <https://www.n-kesteven.gov.uk/centrallincolnshire>
- Ref. 7 West Lindsey District Council (2022). Corringham Neighbourhood Plan. Accessed on 18/10/2024 at <https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/corryingham-neighbourhood-plan>
- Ref. 8 West Lindsey District Council (2024). Sturton by Stow and Stow Neighbourhood Plan. Accessed on 18/10/2024 at <https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/sturton-stow-stow-neighbourhood-plan>
- Ref. 9 West Lindsey District Council (2019). Glentworth Neighbourhood Plan. Accessed on 18/10/2024 at <https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/glentworth-neighbourhood-plan>
- Ref. 10 West Lindsey District Council (2023). Hemswell and Harpswell Neighbourhood Plan. Accessed on 18/10/2024 at <https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/hemswell-harpswell-neighbourhood-plan>
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Accessed on 18/10/2024 at  
<https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-fifteen-drafting-development-consent-orders/nationally-significant-infrastructure-projects-advice-note-fifteen-drafting-development-consent-orders>

Ref. 12 Ministry of Housing, Communities and Local Government (2023). National Planning Policy Framework. Accessed on 18/10/2024 at  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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<https://www.gov.uk/government/collections/planning-practice-guidance>

Ref. 14 HMSO (1997). Planning Policy Guidance Note 7: The Countryside- Environmental Quality and Economic and Social Development. Accessed on 09/12/2024 at:

[REDACTED]