

**7000Acres**

**7000Acres Responses to the Tillbridge ExA's Second Set of Written Questions**

**February 2025**

ExQ1	Question to:	Question:	
1. General and cross-topic questions			7000Acres Response
General and cross-topic questions			
Q2. 1.1	WLDC	<b>Central Lincolnshire Local Plan (2023) Policies</b> Could West Lindsey District Council (WLDC) please respond to the applicant's response to Q1.1.4 [REP3-062], which relates to the relevance of various development plan and other policies?	
Q2. 1.2	LCC	<b>LCC Policies</b> Could Lincolnshire County Council (LCC) please respond to the applicant's response to Q1.1.8 [REP3062], which relates to the relevance of various development plan and other policies?	
Q2. 1.3	Applicant	<b>Planning Balance</b> What is the applicant's response to LCCs assertion that the 'regional' scale of the alleged harm is 'exceptional' within the terms of NPS EN-1 paragraph 4.1.7?	
Q2. 1.4	Applicant	<b>Planning Balance</b> Please can the Applicant produce a calculation and illustration indicating the extent of land within a 5 mile radius of the site, its land use broken down into urban, rural and solar to enable the degree of local	

		saturation of the landscape to solar development and using where possible Natural England landscape descriptors to help describe the scale of change before and after in area.	
Q2. 1.5	WLDC	<p><b>Planning Balance</b></p> <p>WLDCs response to Q1.1.10 [REP3-067] states in part (referring to paragraph 4.1.7 of NPS EN-1): <i>'It further states that, for projects that qualify as CNP infrastructure, it is likely that the need case will outweigh the residual effects in all but the 'most exceptional' cases. With regard to the cumulative impact of the Tillbridge Solar Project with the other three solar NSIP projects either consented or awaiting decision, WLDC considers these impacts to be 'exceptional'. The magnitude of landscape character change for a period of 60 years is significant and adverse in planning policy terms.'</i> Is WLDC suggesting that the effects identified at table 0-1 of its LIR [REP1A-005] amount to 'exceptional' impacts within the terms of NPS EN-1 paragraph 4.1.7?</p>	<p><b>7000 Acres agrees with WLDC that the imposition of 4 industrial solar NSIPs in a rural small area meets the threshold of being an “exceptional case”.</b></p>

Q2. 1.6	Applicant	<p><b>Shared Management Plans</b></p> <p>The ExA notes the applicant's response to Q1.1.14 [REP3-062]. Taking this into account, what weight can the ExA place on the reference to a joint Construction Traffic Management Plan (CTMP) and to what extent is the ES predicated on joint construction traffic measures which would be controlled by a joint CTMP?</p>	<p><b>Based upon the fact that Gate Burton, Cottam and West Burton have now been approved then the DCO should now contain a Joint Construction Traffic Management Plan (CTMP) and not just a CTMP for the Tillbridge project.</b></p>
Q2. 1.7	Applicant	<p><b>Mitigation Hierarchy</b></p> <p>Could the applicant please provide a table (with ES section and / or paragraph references) which sets out how the mitigation hierarchy – as described in NPS EN-1 – has been applied to the development? If there is an absence of the requisite information in the ES, then could the relevant chapters please be updated to address the mitigation hierarchy?</p>	
Q2. 1.8	Applicant	<p><b>Maintenance</b></p> <p>Table 2-2 of the Framework Operational Environmental Management Plan (FOEMP) [REP4-023] refers to the indicative design life of various scheme components. If the proposed development is anticipated to have an operational lifetime of 60 years and the lower end of the panel design life (as expressed in table 2-2) is 25 years then would there be a</p>	<p><b>The ES appears to state that only one replacement of the solar panels will be necessary during the 60-year life of the scheme. Therefore, the greenhouse gas emission assessment grossly underestimates the true impact of the scheme.</b></p>

		<p>requirement (based on a reasonable worst case scenario) for at least two panel replacements over the lifetime of the project?</p> <p>If so, does the ES account for this, bearing in mind that many of the applicant's responses assume that there will likely only be one panel replacement over the lifetime of the development? If the applicant is asserting that likely technological improvements mean that panel life will increase – reducing the frequency of panel replacement – then can the applicant support this position with evidence?</p>	
Q2. 1.9	Applicant	<p><b>Maintenance</b></p> <p>What is the applicant's response to 7000 Acres' response to Q.1.1.24 [REP3-092], which effectively outlines that the assumed rate of panel and BESS replacement should be controlled by the Development Consent Order (DCO)? In formulating a response, please consider the tests to be applied for DCO requirements.</p>	<p><b>Unless the replacement cycle and frequency is controlled by the DCO, the Applicant could replace components on a more frequent basis resulting in additional harm not considered by the SoS.</b></p>
Q2. 1.10	Applicant	<p><b>Appendix A EXQ1</b></p> <p>Could the applicant please update Appendix A of its response to EXQ1 [REP3-062] to include references to relevant paragraphs of the ExA</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		recommendation report and SoS decision in relation to the recently consented West Burton scheme?	
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ExQ1	Question to:	Question:	
Q2. 1.11	Applicant	<b>West Burton DCO</b> Could the applicant please provide any updates considered necessary to the dDCO and explanatory memorandum to take into account the recently made DCO for the West Burton scheme. The made DCO may generally be in line with those for Cottam and Gate Burton but there may be some issues where matters have moved on, or where requirements (for example) have been refined. Please could the applicant also outline if the made DCO has any implications for the assessment undertaken and presented in the ES. Similarly, could WLDC, LCC, NCC, BDC and 7000 Acres please provide any representations on the relevance or implications of the recently made DCO.	

Q2. 1.12	Applicant	<p><b>Community Liaison Group</b></p> <p>The Applicant is proposing that the terms of reference of any Community Liaison Group (CLG) relating to the Scheme are subject to the approval of West Lindsey District Council (WLDC) and Bassetlaw District Council (BDC), as a requirement set out in Schedule 2 of the draft DCO [EN010142/APP/3.1]. Given the CLG is to be principally formed with the purpose of liaising with the community why would the terms of reference for the CLG not also be undertaken in collaboration with the community as discussed and proposed at ISH2?</p>	<p><b>The Applicant argues in their terms of reference (REP1-046) Appendix E that a precedent has been set as the respective consented DCO's for neighbouring schemes along with the Framework Construction Management Plans all adopt a common approach.</b></p> <p><b>We maintain that the above situation may be the case, however, it still does not mean that it is reasonable or appropriate to do so.</b></p> <p><b>Residents are the ones with the immediate knowledge and experience of the impacts on their lives and environment and as such will be able to provide vital guidance and information for the CLG. The terms of reference for the CLG need to include the Community at this level. To exclude the community representatives is contradictory in terms of the CLG's purpose and reason for being.</b></p>
Q2. 1.13	Applicant	<p><b>Community Benefit</b></p> <p>Can the Applicant further describe the Community Benefit that they are proposing to offer to the community and how negotiations have progressed with Lincolnshire and Nottinghamshire community foundations [REP1-028]?</p>	
<b>BESS, Need, Overplanting and Generating Capacity</b>			

Q2. 1.14	Applicant	<p><b>Amendments to BESS works descriptions and parameters</b></p> <p>The ExA has reviewed the amended works description and parameters contained within the Outline Design Principles Statement [REP4-021] and Schedule of Changes to the draft DCO [REP4-033]. However, the ExA has the following queries:</p> <p>a) There were previously up to 140 'BESS Stations' specified within the Outline Design Principles Statement. However, there now appear to be up to 50 'BESS-Solar Station Compounds'. Furthermore, the maximum footprint of the 'BESS solar station and BESS compound' was previously 48mx30m. The maximum footprint of a 'BESS-solar station compound' is now 240x30m. Has the assessment in the ES taken this into account? Is the applicant asserting that</p>	<p><b>It is difficult for IPs to assess the impact from the BESS as at best the outline design is vague. Now we are seeing major changes proposed, with a number of larger sub-units being installed.</b></p> <p><b>Why has the Applicant not entered Examination with a mature proposal, or is their opacity being used to avoid scrutiny?</b></p>
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ExQ1	Question to:	Question:
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		<p>the most recent indicative layout plan [AS-055] shows a reasonable worst-case scenario based on these revised parameters?</p> <p>b) The applicant does not appear to have amended the Outline Design Principles statement to ensure that the BESS-Solar station compounds could not be located next to one another (i.e. all compounds in one area of the site). It is noted that the applicant has tightened up the descriptions in the DCO and Outline Design Principles Statement to ensure a DC coupled approach. This is welcomed. Is the applicant asserting that this approach makes it unfeasible to locate the BESSsolar station compounds in a single location and that therefore there is no need for a specific parameter to address this issue?</p>	
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Q2. 1.15	Applicant	<p><b>Overplanting</b></p> <p>The ExA recommendation report in respect of the Mallard Pass Solar Farm scheme states in part at paragraph 3.2.99 that <i>'in terms of land take associated with overplanting, the applicant estimated in its post hearing note following ISH1 [REP4-022] that 132ha of the 420ha PV array area.'</i></p> <p>Whilst the ExA notes the detailed analysis provided in the applicant's Written Summary of Oral Submissions at ISH2 [REP4-045], could the applicant please provide an equivalent comparative figure for the proposed development and provide a justification for any difference in ratio?</p>	
Q2. 1.16	Applicant	<p><b>Efficiency</b></p> <p>Other solar arrays in the local area appear to be stating generation efficiencies per acre significantly larger than that proposed at Tillbridge, for example 4.94 acres per MW at Cottam Solar Project. Can the Applicant advise why the Tillbridge Solar Project would seem to be producing energy at the lower range of suggested values as set out at paragraph 2.10.17 of NPS EN-3 in comparison to these sites that</p>	<p><b>The Applicant should be transparent about the planned capacity to be installed, i.e. with overplanting, as this will have a direct bearing on the acres-per-MW calculation.</b></p> <p><b>For instance, overplanting by 1.57, from 500MW, while the aggregate capacity of the panels will be 785MW, the scheme will be capped at 500MW through the grid connection capacity, therefore the effective acres will have been increased (to accommodate 785MW of panels), but the peak output will remain at 500MW. The acres per MW therefore is reduced by overplanting.</b></p>

		<p>appear to make more efficient use of the land area?</p>	<p><b>While the aim is to increase the average output of the whole scheme, by “designing in” self-curtailment, the net effect of such overplanting will be to reduce the % yield of each panel, as they will spend more time with their output being limited. Owing to their location, these will already be some of the lowest yielding solar panels installed worldwide, but by overplanting, their yield will be reduced.</b></p> <p><b>The Applicant should be transparent about how much this yield is planned to be reduced by as a result of its overplanting design.</b></p> <p><b>There should also be transparency about the additional output the Applicant seeks through the use of elevated tracking panels.</b></p> <p><b>The applicant on one hand seeks to maximise output by increasing the height of the panels (increasing harms / impacts) but overplanting to maximise financial gain – which reduces the average yield of each panel. None of these actions serve to minimise the use of land in the area – or the general impact of the scheme.</b></p> <p><b>One final point, although the calculation of Acres per MW is referenced, this considers only to the peak capacity of the installation (which only occurs around noon, on sunny days through the summer</b></p>
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			months). What matters more is the amount of energy produced, i.e. the Acres per MWhr, therefore the actual yield in MWhrs (or % of rated capacity) should be explored to understand the true contribution and efficiency of land use vis a vis overplanting.
Q2. 1.17	Applicant	<b>Efficiency</b> The illustrated example day in [REP01-046] would appear to be a typical summer day when irradiance levels are high. Could the Applicant please provide a further example day of typical low irradiance levels, such as might be experienced during mid-winter, and also what the yields for this day over time might look like in comparison with the example day previously shown.	<p>The Applicant in Figure 1 (5.24) in REP01-046 has selected the “perfect day”, in which the solar yield is ideally matched across the day to the aggregate of grid capacity and BESS capacity. Such days are likely to be a statistical unicorn.</p> <p>Far more likely, is that there will be periods of higher solar gain in the summer, which far exceed the capacity of the BESS, leading to wasted energy, or across Autumn, Winter and Spring, there will be insufficient yield to exceed the export capacity, such that the BESS would frequently not be fully charged.</p> <p>7000 Acres further explored the impact of overplanting on efficiency in their Deadline 4 submission REP04-062, pages 6-10, which used the example of 50% overplanting to demonstrate the excessive land use for marginal output gains arising from overplanting. In reality, the Applicant would appear to be seeking even greater overplanting at 57%.</p>

ExQ1

Question  
to:

Question:

Q2. 1.18	Applicant	<p><b>Degradation</b></p> <p>The Applicant provides estimates of solar panel degradation over time. Can the Applicant also provide an indication of battery degradation over time and the potential likelihood and frequency of battery replacement over the life of the project?</p>	
Q2. 1.19	Applicant	<p><b>Benefits</b></p> <p>Please could the applicant provide a response to 7000 Acres post-hearing submissions [REP4-062] and specifically the assertions made with regard to the difference between ‘need’ and ‘benefit’ as well as the reference to NPS EN-1?</p>	<p><b>The bulk of discussion with the Applicant on this topic in the Hearings and in the SoCG meeting related to the explicit difference between “need” and “benefit”. 7000 Acres argue that, while need for green energy is established, the benefit must also be considered when weighing the impacts and benefits in the planning balance, 7000 Acres understands that the Applicant has taken the position that need equates to benefit and that there is no difference between the two. 7000 Acres interprets NPS EN-1 as there being no requirement to consider contribution of a project in establishing need (3.2.6 – 3.2.8), but that in weighing impacts and benefits, the contribution must be considered (4.1.5).</b></p> <p><b>The Applicant’s position that “need-equates-to-benefit” would effectively render any weighing of impacts and benefits unnecessary and therefore become a licence to construct anything without ever understanding its benefits – and therefore making the assessment of any harms meaningless.</b></p>

Q2. 1.20	Applicant	<p><b>Overplanting</b></p> <p>LCCs Post-Hearing Representations [REP4-051] state in part:</p> <p><i>‘The applicant has failed to provide any robust answer as to why the scheme is required to be overplanted at a rate of 157%. The applicant’s answers to the ExA’s First Written Questions noted that “the proposed overplanting ratio is specifically tailored to the Scheme’s DC-coupled configuration” [REP3-062 p.12, Q1.1.18]. However, it transpired during ISH2 that the DC coupled configuration would have no bearing on the overplanting ratio. As such, the applicant appears to have withdrawn their explanation as being incorrect. At the hearing, the applicant then relied upon a comparison with Mallard Pass, however, this project had a lower overplanting ratio’</i> Please could the applicant provide a response?</p>	<p><b>7000 Acres agree that the DC coupling is primarily a design optimisation around the efficiency of charging / discharging the BESS, rather than related to Overplanting.</b></p> <p><b>The Applicant’s logic that a reduction in overplanting would cause the scheme to revert to being DC coupled, because the benefit from overplanting has been removed (REP1-046, 8.2.13) seems to be at odds with the logic of other developers claiming benefits from overplanting and using AC coupled schemes.</b></p>
Q2. 1.21	7000 Acres	<p><b>Overplanting</b></p> <p>In its post-hearing submissions [REP4-062] 7000 Acres state in part:</p> <p><i>‘For an overplanted scheme, additional panels are installed, and the applicant seeks to use the full grid capacity for a greater proportion of the time (as opposed to overcome performance degradation over time). The unfortunate consequence of this is that the electricity that would exceed the grid connection capacity is “clipped” or curtailed and effectively lost. This means that, while the volume of energy produced over a day is increased, because of the increased installation of panels, the</i></p>	<p><b>There are two potential direct uses for BESS that are directly related to curtailment of the solar scheme</b></p> <p><b>Firstly, by over-planting, the developer has “designed in” a constraint, whereby solar output will exceed the grid capacity. On a sunny clear day in summer, the BESS is likely to prevent a degree of clipping (curtailment), depending on its usable capacity. After that, the BESS is charged, and clipping/curtailment will commence.</b></p> <p><b>Secondly, with current peak UK electricity demand of c. 35,000MW in the summer, and the potential for</b></p>

		<p><i>yield of the installed capacity falls, and the effective output per-panel is reduced.'</i></p> <p>However, could 7000 Acres please comment on whether the proposed BESS would reduce the clipped energy?</p>	<p><b>70,000MW of solar power, there is likely to be significant periods of excess power (and this excludes other generation such as wind or nuclear). This will require energy storage or otherwise such excess will be curtailed / wasted. On a summer day, particularly with widespread sunshine across the country, the National Grid will inevitably be required to instruct solar generators to be curtailed – or they may use their BESS to store energy even without the 500MW export capacity being reached. The BESS may well be often full before it can be used for any “designed-in” curtailment.</b></p> <p><b>Notably, where the Applicant is directed to reduce output by National Grid, they will typically still be paid the CfD rate for the unusable power they generate, with the cost ultimately borne by the consumer. There is no incentive therefore for the developer to consider the degree of curtailment that the scheme may face owing to excess generation – yet this will reduce the output of the scheme (MWhrs) and therefore the benefit it can offer.</b></p> <p><b>Also, while the Applicant stated the total capacity, BESS are rarely completely discharged for reliability reasons. Depending on the depth of discharge, the available storage capacity will be less than the claimed capacity.</b></p>
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ExQ2: 04 February 2025

Responses due by Deadline 5: Tuesday 25 February 2025

			<b>7000 Acres reiterates its case that the primary economic purpose of the BESS is energy arbitrage, particularly during periods of high wind.</b>
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ExQ1	Question to:	Question:
2.	<b>Biodiversity and ecology</b>	
Q2. 2.1	Applicant, WLDC, LCC	<b>Ground Nesting Birds</b> What is the potential for change to ground nesting bird populations arising from the construction phase and operational phase of the development? How will these populations change over time and also how will species dependant on these populations such as birds of prey change as a result?



Q2. 2.2	Applicant, WLDC, LCC, Natural England	<p><b>Species Increase</b></p> <p>Post construction and during the operational phase the enclosed and protected nature of the site might give rise to population growth of a variety of species as has been noted at other significant sites of change from agriculture to a managed biodiversity site. What are the risks presented to the community by this potential growth and how does the Applicant propose to manage it to avoid it becoming a nuisance such as pests, or risk, such as collision with traffic?</p>	<p>There is no mention of the large deer population which is commonly observed throughout the 4 solar sites (Tillbridge, Cottam, West Burton and Gate Burton).</p> <p>Since deer are not taken into consideration within the ecological report there is a distinct lack of knowledge not only of the size and distribution of population but the direct impact that restrictions placed upon the deer will have to the surrounding areas. Fencing off large tracts of land (especially in combination with the other 3 solar sites) will have a consequence of increasing density in nearby areas. This will inevitably lead to more conflict simply by funnelling the deer towards highways. The result will lead to more fatalities of deer (and persons travelling within vehicles). There does not appear to be any mitigation proposed.</p> <p>There is a population of breeding swans on River Till. They use the river and surrounding areas. They are commonly observed in fields during the winter months. There is no mention of swans in any ecological reports.</p> <p>Swans are known to have a distinct lack of visual acuity (they commonly fly into overhead electricity wires). The glint and glare assessments only refer to the potential impacts of sun – there is no reference to moonlight. Swans are at increased risk of harm due to misinterpretation of a swathe of solar panels which appear to be a body of water.</p>
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			<p><b><i>“Several studies have shown that solar PV panels (as opposed to Concentrated Solar Power (CSP)) have similar reflectance characteristics to water” (EN010142-000302-6.2%20Appndx%2017-2%20Glnt%20and%20Glare%20Assessment.pdf)</i></b></p> <p><b>There is potential for swans to mistake vast tracts of solar panels for significant bodies of water. Since swans are not mentioned in any of the documentation there has been no risk identified, or mitigation proposed. This is an oversight which needs urgent remedy.</b></p> <p><b>Swans and deer are not accounted for in any ecological sense by Tillbridge solar although the impact to each is huge along with potential risks to humans due to collisions with traffic.</b></p>
<b>3. Climate change</b>			
Q2. 3.1	Applicant	<p><b>Data</b></p> <p>The applicant’s response to Q1.3.1 [REP3-062] indicated that the latest version of the ICE database is expected to be released in December 2024. Please could the applicant provide a comparative table to indicate how the data has changed (assuming that the database was updated in December 2024)? If that comparison indicates that the embodied carbon of components is worse than that assessed, then</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		please update the assessment contained within the ES.	
Q2. 3.2	Applicant	<b>Replacement</b> The ExA notes the applicant's response to Q1.3.2 [REP3-062]. However, the estimated panel lifespan provided by applicant ranges from 25 to 40 years. As such, taking a worst-case scenario approach, could the panels be replaced more frequently?	<b>Current solar panels have an economic life of less than 20 years, although they will continue to generate for longer.</b>  <b>A reasonable worst-case assessment is that the solar panels will need to be replaced at least twice, and the ES should take account of that frequency.</b>
Q2. 3.3	Applicant	<b>Diesel</b> The ExA note the applicant's response to Q1.3.4 [REP3-062]. However, do the examples given take into account the diesel required for transportation of BESS units, on-site substation infrastructure and components for development at Cottam sub-station?	

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
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Q2. 3.4	Applicant	<p><b>LCC</b></p> <p>Bearing in mind the response received from LCC in relation to Q1.3.10 and Q1.3.11 [REP3-065] could the applicant please provide a response to the assertions made by LCC in relation to climate change within document reference REP2-012?</p>	
Q2. 3.5	Applicant	<p><b>Baseline</b></p> <p>The ExA notes the applicant's responses to Q1.3.6 and 1.3.9 [REP3-065]. The applicant has highlighted that: <i>'EMA guidance states that a comparable baseline must be used as a reference point against which the impact of a new project can be assessed, which may be "GHG emissions arising from an alternative project design for a project of this type" (Ref 1-20)'</i></p> <p>However, are Combined Cycle Gas Turbine (CCGT) schemes the same (or similar) 'type' of project as solar generating stations? Furthermore, is it likely that a new CCGT would be constructed if this proposed development did not go ahead, bearing in mind the emphasis in Government planning policy on supporting renewable technologies, combatting</p>	<p><b>The role solar plays in the future energy system is very different to that of a CCGT, which would provide flexible power to top-up the grid when renewable generation is insufficient. In this way, the use of an unabated CCGT is not an appropriate baseline.</b></p> <p><b>For new construction, any CCGT would need to be fitted with Carbon Capture and Storage – and in the UK would need to be capable of providing “flexible green energy”, e.g. under a Dispatchable Power Agreement. It would effectively provide a “balancing service” to the grid, to complement the intermittent generation from renewables, such as solar.</b></p> <p><b>Therefore, the construction or otherwise of a CCGT is largely unrelated to the construction or otherwise of Tillbridge solar, particularly given there is a queue of over 150,000MW of solar in National Grid's connection register.</b></p>

		climate-change and reducing carbon emissions (NPS EN-1)?	
Q2. 3.6	Applicant	<b>GHG Assessment</b> The applicant's response to written submissions [REP3-063] does not appear to address in detail the written representation submitted by 7000 Acres [REP2-018], specifically in relation to 'climate change assessment'. Could the applicant please provide a response to the assertions at paragraph 4.1.1 in relation to food production and import, biofuels production and woodland?	<b>7000 Acres can find nowhere that the GHG assessment considers the displacement of biofuels and food production or the blocking of land that may also be in demand for direct decarbonisation efforts (planting trees and establishing peatlands).</b>

Q2. 3.7	Applicant	<b>Future Yields</b> The Applicant has commented that the potential yields of the power generated at the site may increase with climate change as a result of sunnier days in the future. Can the Applicant provide some sensitivity analysis to forecast what these yield increases may look like based on the most recent UK Climate Projections and also how a daily yield for an example day of maximum irradiance might change including over production and battery storage requirements.	<b>No credit should be assumed for increased yield due to climate change.</b>  <b>The efficiency of solar panels reduces in higher temperatures. Additionally, warmer weather tends to result in more cloud cover due to thermal uplift.</b>  <b>However, even if future technology results in increased yield in hot sunny weather, this is only likely to result in increased clipping/curtailment as the peak energy production will still be during the middle of the day when demand is lower.</b>
ExQ1	Question to:	Question:	
4.	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
Q2. 4.1	Applicant	<b>Human Rights</b> The Applicant cites the examination process, its hearings and public register of the application as means in which the relevant articles of the human rights of interested parties and affected persons for the examination are being addressed. This is principally the process of Nationally Significant Infrastructure Project	<b>It is clear from the communication material provided by the Applicant during consultation and having attended hearings and SoCG meetings, that the engagement by the Applicant is designed to state and restate their position, in support the business opportunity that is afforded by covering as much land as possible with solar panels, regardless of any of the issues raised. For the Applicant to cite these vehicles as examples of how human rights issues are being</b>

		examination that is being undertaken and the ExA wishes to understand to what lengths and any examples the Applicant has gone to over and above this minimum required process to ensure the human rights of all parties affected by the examination are being protected.	<p><b>addressed is disingenuous. These processes are adhered to in pursuit of financial return.</b></p> <p><b>The Applicant has not directly considered the impact of their scheme with regard to Article 8 of the Human Rights Act, specifically the right to private life, family and home – the effects on which are not being addressed adequately from the perspective of how such unprecedented development will impact on people's health and wellbeing, their lives and how it will feel for them to live in their homes.</b></p>
Q2. 4.2	Applicant	<p><b>Affected Persons</b></p> <p>Can the Applicant provide an update on negotiations with regards to affected persons where heads of terms remain to be agreed?</p>	
<b>5. Cumulative and in-combination effects<sup>1</sup></b>			
Q2. 5.1	WLDC	<p><b>Cumulative Construction Period</b></p> <p>In responding to Q1.1.6 [REP3-067] WLDC provides justification to support its assertion that cumulative construction could last for ten years. However, the response also states: <i>'To confirm, WLDC does not object to the cumulative assessment in the Tillbridge ES'.</i></p> <p>How can this be the case when the assessment of cumulative effects</p>	

<sup>1</sup> Please note that each topic includes separate questions on cumulative effects. Those included here are overarching questions.

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		contained within the ES [REP4015] is based on two scenarios, with the longest comprising a cumulative construction period of 5 years?	
Q2. 5.2	Applicant	<b>Cumulative Construction Period</b> 7000 Acres' response to Q1.1.6 [REP3-092] states in part: <i>'What the applicants have failed to advise the ExA's is that according to the NESO Tec Register dated 26 November 2024, the earliest grid connection date is 01/08/2028 with the last project having a connection date of 31/10/2029. Applying similar durations and timing relationships to the Design, Construction and Commissioning activities, but relating the completion dates to align with the grid connection dates, results in an entirely different sequence for the projects. We have assumed that the</i>	

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
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		<p><i>applicants would not want a completed project to sit unused for any length of time, so have delayed the start of design until later for some projects.'</i></p> <p>Could the applicant please provide a response to this specific point and provide evidence of the earliest grid connection dates available? Please also confirm whether these dates have any bearing on the assessment undertaken within the ES?</p>	
Q2. 5.3	Applicant	<p><b>Cumulative Construction Period</b></p> <p>The ExA has received representations with respect to the anticipated construction programme of the proposed project and the concurrent and cumulative construction programme of the other NSIPs in the area including the potential for combined working on the cable route corridor. Could the applicant produce a draft construction programme illustrating the likely construction period alongside that of other projects in the area should consent be obtained? This may be indicative or using best estimate of timelines where the full detail of other construction programmes is not known.</p>	
Q2. 5.4	Applicant	<p><b>Cumulative Construction Period</b></p> <p>Representations have been received from many parties relating to the potential for ongoing disruption to the cable route corridor as each potentially successful scheme opens up the site for cable works and the potential for restoration to be intermittent and unsuccessful due to this continued disturbance. Can the applicant advise</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		how the coordinated cable route works would be programmed and aligned to minimise the length of disturbance to affected persons and residents?	
Q2. 5.5	LCC	<b>Glentworth Oil Well Planning Permission</b> Please could the applicant provide copies of the approved planning application documents and decision notice for LCC Planning Application reference number: PL/0135/22?	
<b>6. Draft Development Consent Order (DCO)</b>			
<b>Articles</b>			
<b>40. Trees subject to tree preservation orders</b>			
Q2. 6.1	Applicant	<b>Tree Preservation Orders</b> There would appear to be a contradiction where during ISH1 it was stated that there are no existing Tree Preservation Orders (TPO) within the order limits and that the relevant requirement in the dDCO is to help prevent trees being designated during the life of the development and then consequential impacts	

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>	
		on working with those trees. However, the Applicant has advised of the potential for TPOs to be in place on two trees within the cable route corridor. Please can the Applicant confirm the extant of TPOs	

		existing on site and the reason why this requirement is needed within the dDCO?	
<b>Schedule 15 – Protective Provisions</b>			
Q2. 6.2	Applicant Statutory Undertakers	<b>Protective Provisions</b> Please can the applicant provide an update with regards to the remaining outstanding protective provisions with statutory undertakers and the likelihood of these draft protective provisions being agreed prior to the closure of the examination?	
<b>7. Heritage</b>			
Q2. 7.1	Applicant	<b>Cumulative Effects</b> In response to written question 1.7.4 [REP3-062] the applicant has focussed on whether significant effects have been identified in the ES. However, could the applicant please provide a response which sets out whether any of the heritage assets listed at table 1 of Appendix C of the Planning Statement [REP3-028] would be subject to cumulative effects from other planned or consented projects? Please also confirm the resultant effect on the level of heritage harm within the terms of table 1 (and the National Planning Policy Framework (NPPF)).	

Q2.7.2	Applicant	<p><b>Historic Landscape Character</b></p> <p>The applicant's response to Q1.7.5 [REP3-062] states in part:</p> <p><i>'The Scheme will not remove or alter any of these elements of the historic landscape preserving evidence for how it has been reorganised through time. The predominant character of the postmedieval enclosure and modern landscape and those, more isolated remnants of the earlier, medieval landscape, will survive with blocks of photovoltaic cells and associated infrastructure located within, and respecting, the regular pattern of medium and large sized rectilinear fields, rather than cutting across them.'</i> The response also refers to the effect of proposed planting on landscape character. However, will the proposed planting within the principal site particularly along roads which bisect it - have any significant effect on landscape character? Whilst it is noted that the proposed planting is primarily focussed on existing field boundaries, some of these boundaries (for example those adjacent to the roads bisecting the site) do not currently accommodate hedgerows or significant planting.</p>	<p>The introduction of the proposed planting along bisecting roads across the principal site will harm the open characteristic of the historic landscape and landscape character. It will change the nature of the landscape. The view and perception of the historic landscape will not be apparent or experienced as the field patterns and undulating landscape will be covered with solar panels and interspersed with associated equipment. Also, the proposed planting along these bisecting roads will compound this negative affect by obscuring views and harming the open landscape characteristics.</p> <p>The Examining Authority's Report and Findings and Conclusions for the West Burton Project (8<sup>th</sup> August 2024) at 3.3.64 states that: 'By virtue of the scale of the project and the open nature of this modest rural landscape, the introduction of the Proposed Development would represent a significant change to local landscape character.'</p> <p>In contrast to the West Burton Solar Project, the Tillbridge Solar Project will potentially cover a singular, concentrated area across the historic landscape and as such the harms created will be increased in comparison.</p> <p>In addition, the ExA for the West Burton Solar Project stated in the above report at 3.3.99 that: 'In landscape terms, given the extent of proposed solar development across West Lindsey District and beyond, should more than one of the NSIP scale solar schemes progress, their combined effect could have a significant impact on the host LCAs of the</p>
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			<p>area. The concern is that solar development on the scale potentially anticipated over coming years would have the effect of marking a distinct shift from the largely modest and open agrarian landscape of the host LCA's to an energy landscape characterised by glimpses of solar infrastructure set within structured landscaping'.</p> <p>This assertion by the ExA for the West Burton Solar Project highlights that landscape character in the area will be significantly and fundamentally harmed. Loss of landscape character in the District will be increased further by the Tillbridge Solar Project.</p> <p>In conclusion at 3.3.108 of this report, the ExA ascribed 'moderate weight against the Order being made in relation to landscape and visual effects.'</p>
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ExQ1	Question to:	Question:	
Q2. 7.3	Applicant	<p><b>Cumulative Effects (Historic Landscape Character)</b></p> <p>The applicant's response to Q1.7.8 [REP3-062] seeks to address the cumulative effects of the Tillbridge Project and other planned and</p>	

		consented developments on historic landscape character. Could the applicant explain why ES Chapter 18 [REP4-015] does not seem to include any reference to such effects (despite an assessment of the effects of the project in isolation being included at ES paragraphs 8.9.434 to 8.9.445)? Please consider NPS EN-1 paragraph 5.9.9.	
<b>Archaeology</b>			
Q2. 7.4	Applicant	<p><b>Mitigation</b></p> <p>The applicant's response to Q1.7.11 [REP3-062] appears to imply that the 'additional mitigation' measures set out at ES section 8.10 [APP-039] are to be adopted in circumstances where there is <i>'discovery of new constraints within the Order limits that were unknown and could not be predicted at the time the ES was prepared.'</i> However, taking table 8-10 as an example, presumably these assets have been identified as requiring additional mitigation on the basis that embedded mitigation measures are not sufficient alone to reduce the effects of the development upon them.</p> <p>As such, could the applicant please provide a detailed explanation - in</p>	

ExQ2: 04 February 2025

Responses due by Deadline 5: Tuesday 25 February 2025

		relation to all assets listed at section 8.10 - as to why embedded mitigation measures cannot be relied upon, or alternatively why there is a possibility that they could not be relied upon? In providing a response, please refer to the mitigation hierarchy as referenced in NPS EN-1 (paragraph 4.1.5).	
Q2. 7.5	Applicant	<p><b>‘Less than substantial harm’</b></p> <p>In response to Q1.7.6 [REP3-062] the applicant states in part:</p> <p><i>‘The level of harm assesses the impact taking into account embedded mitigation but excludes mitigation which does not reduce the harm. No designated assets have been identified as experiencing a significant adverse effect in Chapter 8: Cultural Heritage of the ES [APP-039], therefore, any harm caused by the proposals is considered to be less than substantial.’</i></p> <p>However, ES paragraph 8.9.417 [APP-039] - in addressing the effect on the Winter Camp of the Viking Great Army at Torksey prior to mitigation - concludes as follows:</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		<i>'The asset is considered to be of high value and would experience a permanent low magnitude of impact. This would result in a moderate adverse significance of effect, which is significant.'</i>	
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<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>	
		Whilst it is noted that the applicant asserts that the level of harm does take into account embedded mitigation, in this instance there is additional mitigation proposed as set out at ES Chapter 8, section 8.10. Given that ES paragraph 8.9.415 identifies that the site has the potential to be of national importance, could the applicant please expand on the reasoning provided at Appendix C of the Planning Statement [REP3-028] for concluding 'less than substantial' harm to this asset?	



Q2. 7.6	Applicant and LCC	<p><b>Viking Winter Camp</b></p> <p>The ExA would appreciate a comprehensive response to the following questions in a separate document:</p> <p>The ExA notes that, in its response to the ExAs First Written Question 1,7,13, Lincolnshire County Council stated:</p> <p><i>'LCC is not satisfied that this will cause less than substantial harm. There is no evidence put forward to support such a statement. Torksey Viking Winter Camp is a unique and incredibly important historic and archaeological site and any damage whatsoever to it is substantial harm. The nature of the site is such that there is potential for archaeology of national and even international importance may be found and impacted anywhere across the site.'</i></p> <p>Could the applicant please provide response to the following questions:</p> <p>A) Please provide an explanation as to why the Winter Camp of the Viking Great Army - as referred to in the Planning Statement Appendix C paragraph 5.1.4 [REP3-028] – cannot be avoided by the development? And if it can</p>	
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		<p>please explain how embedded mitigation measures achieve this, noting NPS EN-1 paragraph 5.9.16?</p> <p>B) Please could the applicant provide a plan showing the location and extent of this archaeological site in relation to the order limit boundary?</p> <p>C) Could the applicant please confirm the cumulative effect of the proposed development along with Cottam and Gate Burton, bearing in mind the applicant's response to Q1.1.3 [REP3-062] and the assertion that there is a need <i>'to retain some minor flexibility within the Order limits to ensure that no one project prevents another coming forward should all DCOs be made'</i>?</p> <p>D) Could the applicant please confirm whether it is aware of this issue being addressed in relation to any of the previous NSIPs (such as Gate Burton or Cottam). If it has, could the applicant confirm what relevance this has to the same matter being considered in relation to this current application?</p>	
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**ExQ2: 04 February 2025**  
**Responses due by Deadline 5: Tuesday 25 February 2025**

		E) Please incorporate a response to ExA written question Q2.7.5.	
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ExQ1	Question to:	Question:
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		<p>F) Could the applicant please set out the implications for the planning balance to be applied in determining this application in a scenario where substantial harm, as asserted by LCC, is identified to the heritage asset (taking into account NPS EN-1 paragraph 5.9.6)?</p> <p>G) Please could the applicant confirm exactly what survey work has been undertaken in relation to this archaeological site and explain how it has informed the siting of the proposed cable route with particular regard to the 'mitigation hierarchy' referred to in NPS EN-1?</p> <p>Could LCC please confirm the following:</p> <p>H) What is the rationale for the conclusion that 'substantial harm' would arise and within what terms is such harm alleged (the terms of the NPPF for example)?</p> <p>I) Please confirm why this matter has not been raised by LCC in previous responses?</p> <p>J) Please confirm what effect LCC considers this to have on the planning balance to be applied, with specific reference to NPS EN-1 paragraphs 4.2.17 and 5.9.33.</p> <p>K) Whilst the Council asserts that the heritage asset is potentially of national</p>	
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		<p>or even international importance, please confirm whether the lack of a statutory designation has any bearing on the planning balance judgement to be applied and the weight to be afforded to any alleged harm?</p>	
<b>8. Human health, safety, accidents and major incidents</b>			
Q2. 8.1	Applicant	<p><b>Local climate changes</b></p> <p>Can the applicant advise of the scale of any potential local climate change to the residents adjacent to the proposed development due to the change in surface albedo, reflectance and absorption and how any change might manifest such as increase in local air temperatures due to heat island effects? The applicant makes reference [REP2-007] to these effects being slight and local but please can this be elaborated upon?</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

Q2. 8.2	Applicant	<b>Fire Safety</b> Discussions were held at ISH3 regarding the probability of fire taking place within the battery storage systems at the site over the life of the development and the likely scale and magnitude of such an incident, the potential local impacts and firefighting response. Please could the Applicant develop this response to allow the ExA to clearly understand what is the probability and likelihood of fire taking place, such as an annual probability of a fire at the site and the typical incident response this might trigger?	<b>In REP4-104, an IP identified that even using the Applicant's own data, the probability of a BESS thermal runaway or similar major event, was 11% during the life of the scheme. This probability of a major incident would be unacceptable in any other industry. Serious manufacturing and quality issues have also been identified in the solar supply chain.</b>  <b>It is vital that the Applicant provides a detailed design for the BESS and provides evidence as to its safety. At present the information provided, including the safety assessments are not fit for purpose.</b>
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ExQ1	Question to:	Question:	
Q2. 8.3	Applicant LCC, LRF	<b>Community Warnings</b> At ISH2 the Applicant advised that the Local Resilience Forum (LRF) would be used to help communicate warnings to the local community about any risks from any incident developing at the site. LCC advised that to their knowledge the LRF had not been stood up for any major fires historically in Lincolnshire and the Lincolnshire Fire and Rescue Service would tend to lead and fully coordinate the response calling on other Category 1 and 2 responders under the Civil Contingencies Act as and when required. Given this advice can the Applicant please advise how the community would be kept	

		informed of any risk developing at the site and any preparations to take should an incident arise at the site?	
Q2. 8.4	Applicant, LCC	<b>Firefighting access and turning</b> Lincolnshire Fire and Rescue Service have expressed a view to having alternative routes of access to the site for firefighting to accommodate differing prevailing wind directions during and incidents and associated plumes. Can the Applicant advise how this is being addressed and how adequate turning spaces and access for fire vehicles will be accommodated as per the requests?	
<b>9. Landscape and visual impact</b>			
Q2. 9.1	LCC and 7000 Acres	<b>Sequential views</b> Could LCC and 7000 Acres please confirm whether they agree or disagree with the applicant's assertions on pages 15 to 16 of its Written Summary of Oral Submissions to the ISH3 [REP4-049] and in particular, the summary of professional judgement provided in relation to the likelihood of certain routes being used by higher-sensitivity recreational users (a-d)?	<b>Professional Judgement –</b> <b>Ultimately a professional judgement is a subjective decision. Even though a professional and recognised process of establishing a judgement is utilised, the ultimate judgement is subjective. Therefore, in this instance if a professional is employed by the Applicant, it is arguable that the professional judgement of this said professional will be minded to represent the Applicants stand point and proposals.</b>

		<p>Also, theoretical evidence provided by professional judgements are not as valid as real and evidenced lived experiences. For instance; 'Mr Allin confirmed that professional judgements are based on reasoned understanding of the likely uses of the east to west rural roads, for example, some of which have value for residential receptors as a means of recreational route where there are no PRow. Similarly, Mr Allin stated that reasoned judgements had been made in terms of speed of receptors using the A631, the relationships between settlements, the size and character of rural routes, whether PRow exist and the proposals for all four DCOs combined cumulatively'.</p> <p>7000 Acres disagree with Mr Allin's professional judgement of the recreational use such roads and enjoyment by passengers of the views along these routes in cars and other vehicles due to the lived and real experience of people who live in the area. More weight in terms of planning balance should not be afforded to a paid professional as opposed to a resident. Indeed, greater weight, it can be argued, should be afforded to evidence provided by residents as this is based on real data and material which can be measured and quantified (if appropriate studies and research</p>
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		<p>were carried out prior to a NSIP Solar Projects being examined).</p> <p>Point a – use by higher-sensitivity recreational users – as a passenger in a vehicle the landscape both is observed in the immediate instance and sequentially. Traffic often is lower in speed than the speed limit due to use by tractors, motorbikes, horses, cyclists etc. Village events and fetes in summer months means that traffic and activity on the rural roads off the A631 are used more than the Applicant’s professional judgement has allowed (i.e. ‘limited’).</p> <p>Point b – the recreational routes cited by the Applicant ‘which are not considered to be attractive routes for recreational users’ or ‘provides no on-ward walking’ etc misses the point. These routes although deemed by the Applicant’s representative not to be valuable to them are exceptionally valuable and well used by residents. The Applicants representative sees little value in them as they do not live here. It is irrelevant to a resident that a route provides ‘no on-ward walking’ etc. as it is a route which is local to them and therefore readily useable and valued.</p> <p>Point c – the Applicant’s mitigation of the significant affects on higher-sensitivity</p>
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			<p>recreational users is dependent on tree planting being established at year 15. Woodland planting takes many years to establish. The timeframe stated is not realistic and the mitigation itself will detrimentally change the local landscape character area and wide, open views.</p> <p>Point d – There is a negative connotation projected onto travelling distances along unclassified roads by the Applicant's representative.</p> <p>Residents are well used to driving distances along and using unclassified roads in this area. It is part of rural life. The negative connotation conveyed by the Applicant's representative is not recognised or an issue for residents.</p>
Q2. 9.2	Applicant	<p><b>Masterplan</b></p> <p>The applicant's Written Summary of Oral Submissions at the ISH3 [REP4-049] outlines in part that:</p> <p><i>'The applicant agreed to review the Framework LEMP to clarify that compliance with the Indicative Landscape Masterplan is secured through this document. Whilst the Framework LEMP [REP3-043] referred to the Indicative Landscape Masterplans, the applicant has updated the Framework LEMP</i></p>	

**ExQ2: 04 February 2025**

**Responses due by Deadline 5: Tuesday 25 February 2025**

		<p><i>[EN010142/APP/7.17(Rev04)] at Deadline 4 to clarify the commitment'</i></p> <p>Whilst it is noted that the applicant has updated the FLEMP [REP4-0029], the Framework Masterplan is still not appended, whereas it was included in previous versions of the FLEMP. Please could the applicant re-insert this as an appendix and if not, explain why not?</p>	
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ExQ1	Question to:	Question:	
		<p>Draft DCO Requirement 7 states that <i>'the landscape and ecological management plan must be substantially in accordance with the framework landscape and ecological management plan'</i>. However, there is no equivalent requirement that the masterplan shall be in accordance with the indicative masterplan. Similarly, there is no requirement that a masterplan is even provided prior to commencement of development.</p>	
Q2. 9.3	Applicant	<p><b>AGLV</b></p> <p>Could the applicant please respond to WLDCs assertion [REP4-053] that:</p> <p><i>'WLDC consider that this unacceptable harm could be reduced significantly through a scheme design that recognised the sensitivity and importance of The Cliff, and avoided the imposition of infrastructure in the transitional area and the designated AGLV itself. Removing</i></p>	

		<i>infrastructure from this eastern area of the scheme would serve to significantly minimise landscape character impacts whilst maintaining an NSIP scale energy generating station project and the benefits it would bring in terms of the generation of electricity from a renewable source.’?</i>	
Q2. 9.4		<p><b>Cumulative Landscape Character effects</b></p> <p>WLDC’s Summary of representations made during ISH3 [REP4-053] states in part:</p> <p><i>‘In determining the application, WLDC encourages the impacts of not just the conclusions reached in the ES to be taken into account. The cumulative landscape character impacts must be considered as a kinetic and 4 ITEM sequential basis, with an appreciation of the scale of the change across the district. This requires a careful awareness of how the projects link together to create the significant adverse impacts. Despite the discussion regarding the ‘sequential’ experience, WLDC notes that this matter is not addressed or considered explicitly in the ES (chapter 12 only refers to ‘sequential’ in response to consultation representations).’</i></p> <p>Could the applicant please provide a response?</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

Q2. 9.5	Applicant	<b>Sequential effects</b> WLDC's Summary of representations made during ISH3 [REP4-053] states in part: <i>'To ensure that a thorough understanding of the large scale cumulative visual effects are applied to policy, WLDC consider that an assessment based upon travelling through the landscape must be carried out. To understand the impacts, consideration of how they will be experienced from traveling north at Blyton through the projects to Saxilby in the south, and Marton in the west to The Cliff in the east is required. It must also be acknowledged that the solar generating station projects will be experienced at</i>	
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ExQ1	Question to:	Question:	
		<i>points along all major highways in the district alongside minor roads that pass nearby/through them. There will be limited relief from experiencing the visual impacts of the projects cumulative across the West Lindsey District, which WLDC contends is an exceptional circumstance that is not foreseen as an inherent impact in NPS policy.'</i> Could the applicant please provide a response?	

Q2. 9.6	Applicant	<p><b>Residential Amenity</b></p> <p>WLDC's Summary of representations made during ISH3 [REP4-053] states in part:</p> <p><i>'WLDC's position is that there is no assessment within the application documents of the impact of the project (individually and cumulative) in terms of impacts upon residential amenity. WLDC would expect to see a separate assessment where, typically, an LVIA professional and a planning professional would carry out a joint assessment to provide an assessment against policy. Other impacts such as noise, vibration, traffic and glint and glare would also be included to provide a rounded judgement of acceptability. During the hearing there was a discussion around the necessity of a Residential Impact Assessment. The applicant contended that one was not required with the ES providing the impacts required to inform a robust decision. WLDC note, however, that the Gate Burton Energy Park NSIP application did carry out a Residential Visual Amenity Survey, which was helpful in providing an assessment on a 'property-by-property' basis and applying impacts to established 'tests' of acceptability. WLDC also noted the discussion regarding the impact upon what is understood to be 'financially involved' properties. Regardless of whether a current property owner is to benefit from the scheme or not, the assessment of impacts upon properties remain the same and</i></p>	<p><b>7000 Acres believe this is a major source of concern for residents. The local villages have precious few "conventional" amenities, e.g. parks, transport, shops, entertainments. The key amenity they have is their tranquil setting in a countryside environment, which is under severe threat of being overwhelmed by multiple developments, the scale of which the country has never seen.</b></p> <p><b>7000 Acres believe the consequence of such erosion of amenity will be an impact on mental health of residents – hence the repeated requests for a health impact assessment and health-related issue-specific hearing to address the potential impact on residents.</b></p> <p><b>7000 Acres agree therefore, that a thorough assessment on the impact of such development on the amenity felt by residents is carried out.</b></p>
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		<p><i>residential amenity should be considered equally in the public interest.'</i></p> <p>Please could the applicant provide a response?</p>	
Q2. 9.7	Applicant	<p><b>RVAA</b></p> <p>The applicant's written summary of oral submissions at ISH3 [REP4-049] states in part:</p> <p><i>'The applicant also confirms that a 'Residential Visual Amenity Survey' was submitted as an appendix to the Environmental Statement for Gate Burton, which considered that the RVAA threshold was not met for that scheme and therefore a full RVAA was not carried out. The Cottam and West Burton landscape and visual assessments similarly did not consider that the RVAA threshold was met for any residential receptors'</i></p>	

ExQ1	Question to:	Question:	
		<p>Please could the applicant explain why a similar survey has not been undertaken in respect of the proposed development? The applicant's makes the general assertion that:</p> <p><i>'While the applicant did identify significant effects for some representative viewpoints for residential properties, this was prior to the establishment of mitigation, and for all other circumstances where residential properties are close to the Scheme, there is screening from existing buildings and/or existing hedgerows or trees'</i></p> <p>However, this does not appear to be a very thorough or comprehensive approach in comparison to the property-by-property assessment contained in Gate Burton ES Appendix 10-G. Please provide a justification.</p>	
Q2. 9.8	Applicant	<p><b>ZTV</b></p> <p>Could the applicant please produce one ZTV which shows all four schemes (Gate Burton, West Burton and Cottam included). This need not show the ZTV for individual schemes but should just show the locations where the ZTVs for other schemes and Tillbridge overlap.</p>	
Q2. 9.9	Applicant	<p><b>Winter</b></p> <p>The applicant, in responding to Q1.9.7 (REP3-062] refers to paragraph 6.28 of GLVIA3 but caveats this by saying that this guidance <i>'does not state any specific requirements.'</i> In assessing the residual effects of the proposed</p>	



**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		development, would it be more representative to consider views in the winter months or shoulder seasons, given that these represent a significant period of the year when planting would not be in leaf (and as such the landscape and visual effects may be different)?	
Q2. 9.10	Applicant	<b>Bridleway</b> The ExA notes the applicant's and WLDC's response to Q1.9.11 [REP3-062]. Could the applicant confirm whether the change in the status of this route would have any bearing on its assessment contained within the ES?	
Q2. 9.11	Applicant	<b>Visual Assessment</b> Does the applicant's response to Q.1.9.17 [REP3-062] have any bearing on the assessment contained within ES Chapter 18 and specifically that set out in tables 18-12 to 18-18? If so, could the applicant update Chapter 18 accordingly?	
Q2. 9.12	Applicant	<b>WLDC</b> Could the applicant please provide a response to WLDC's response to Q1.9.21 [REP3-066]?	

**ExQ1****Question to:****Question:****10.****Noise and vibration**

Q2. 10.1	Applicant	<p><b>Specifications</b></p> <p>In its written summary of oral submissions at ISH3 [REP4-049] the applicant states in part:</p> <p><i>‘The applicant notes that it did look to provide both the specifications included within the application modelling and any further specifications which could be provided in respect of BESS. However, AECOM confirmed that these specifications remain subject to commercial confidentiality, as they have been gathered both directly from suppliers and from modelling gathered in other projects. In addition, further to the comment by Dr Muirhead at the hearing, such specifications can only provide example, and will be subject to the final components utilised at the time of detailed design.’</i></p> <p>Why would specification sheets for products available on the open market be confidential? Similarly, if specifications have been gathered from modelling for other projects then isn't that information already publicly available?</p> <p>The ExA understands that the applicant wants to maintain as much flexibility as possible in terms of scheme components. However, to-date, it does not appear that any evidence has been submitted to support the sound power levels contained within the ES. This general absence of information could be problematic and therefore the applicant is invited to provide this, at least on an</p>
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**ExQ2: 04 February 2025**

**Responses due by Deadline 5: Tuesday 25 February 2025**

		indicative basis, to enable the ExA to confirm the veracity of the data which underpins the noise modelling. Please can the applicant therefore provide this information?	
Q2. 10.2	Applicant, LCC, WLDC and 7000 Acres	<p><b>Requirement 17</b></p> <p>In its written summary of oral submissions at ISH3 [REP4-049] the applicant states in part: <i>'Dr Muirhead, for the applicant responded to questions of clarification from the ExA, WLDC and LCC as to whether ongoing monitoring could be deployed once components were constructed and operational. He noted that this poses difficulties as such real-time monitoring can be inaccurate, due to the interference of background noise levels, particularly when monitoring at receptors some distance from plant (as opposed to monitoring at source). On this basis, the</i></p>	<p><b>The noise emitted by the overall scheme must be limited to an acceptable level and monitored.</b></p> <p><b>Merely monitoring the noise at source from the BESS will not take account of the noise emitted by other system components, such as transformer hum, or the HGV traffic noise associated with the scheme. Therefore, the total impact on receptors must be measured and monitored.</b></p>

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		<p><i>approach of using modelled data from final specifications (or monitored data at source from routine maintenance) is considered to be more accurate.'</i></p> <p>The ExA would like the applicant, LCC, WLDC and 7000 Acres to provide representations on the acceptability of a modification to requirement 17, which required noise monitoring at source? Particularly taking into account that the main problem with noise monitoring cited by the applicant relates to monitoring from receptors.</p>	
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<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>	

Q2. 10.3	Applicant, LCC, WLDC and 7000 Acres	<p><b>Requirement 17</b></p> <p>In its written summary of oral submissions at ISH3 [REP4-049] the applicant states in part: <i>'The applicant has updated table 3-8 of the Framework OEMP [EN010142/APP/7.9(Rev03)] to clarify that results of the sound monitoring of plant during the operational lifetime of the Scheme, carried out during regular maintenance checks, would be submitted to the relevant planning authority for review and further action where required. This would act as evidence that the operational noise from the Scheme would not exceed throughout its lifetime. In other words, that the data that informed the operational noise assessment, completed at the detailed design stage to comply with Requirement 17, remained valid. The applicant understands from initial discussions that this amendment is likely to be acceptable to LCC.'</i></p> <p>The ExA would like the applicant, LCC, WLDC and 7000 Acres to provide a response to confirm the acceptability of incorporating this approach into Requirement 17 such that it is controlled and implemented effectively? At present requirement 17 only ensures that the proposed development is designed to operate at the noise levels set out in the ES, with no requirement for it to operate in</p>	<p>Please see our response to Q2.10.2.</p> <p><b>The total noise impact on receptors must be monitored and not merely component noise within a BESS unit monitored.</b></p>
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		accordance with the same details. The ExA is concerned that the applicant is placing far too much reliance on the modelling and proposed mitigation measures being accurate and effective, respectively?	
Q2. 10.4	Applicant, LCC and WLDC	<p><b>Construction noise</b></p> <p>WLDCs summary of oral submissions at ISH3 [REP3-067] states in part:</p> <p><i>'The requirement to identify a clear and efficient mechanism through DCO 'requirements' to deal with noise complaints is even more important to protect residential amenity due to the provisions of Article 7 of the dDCO, which provides the applicant with defence against claims of statutory nuisance. With this mechanism removed, local residents do not have the ability to resolve matters through the Environment Protection Act 1990, and it therefore falls to</i></p>	<p><b>Due to the high likelihood of all 4 solar NSIPs being constructed at the same time, there must be a means of redress for the local population to protect them against this individual scheme and the cumulative impacts from the other 3 schemes.</b></p>

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		<p><i>the DCO 'requirements' to ensure impacts can be remedied swiftly.'</i></p> <p>Could the applicant provide a response and indicate how this matter could be addressed through a requirement or other provision contained within the dDCO? Furthermore, could WLDC and LCC provide any suggested solution/wording to be contained within the DCO?</p>	
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ExQ1	Question to:	Question:	
Q2. 10.5	Applicant	<p><b>Vibration</b></p> <p>The ExA notes the applicant's response to Q1.10.12. However, can the applicant incorporate the following more specific wording from the ES into the CEMP and DEMP:</p> <p><i>'For PPV vibration levels anticipated to exceed 1.0mm/s, prior warning will be provided on the timings and duration of vibration generating activities.'</i></p>	
<b>11. Socio-economic effects</b>			

Q2. 11.1	Applicant	<p><b>Amenity</b></p> <p>The applicant's response to Q1.11.1 [REP3-062] outlines that:</p> <p><i>'Comparable amenity assessments, including those undertaken both for other NSIPs such as Thames Tideway Tunnel, and exemplar assessments such as the High Speed 2 Phase 1 Environmental Impact Assessment, have determined that less than five residential properties grouped together do not constitute a sizable proportion of the local community and therefore a significant in-combination amenity effect at smaller groups or individual properties is not possible'</i> It also states: <i>'Were a group of five properties or more deemed to all experience a significant residual effect in relation to two or more of the other topics outlined above, occurring at the same time, a significant residual amenity effect would be reported. There are no such instances of this occurring in relation to the Scheme'</i></p> <p>However, the ExA would like the applicant to provide evidence of this methodology used in other projects (with specific paragraph and document references provided). In addition, the</p>
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		<p>developments cited by the applicant are not the same types of development as that proposed (both are linear developments) and neither are they in a similar location. As such, please confirm whether such an approach is applicable to the proposed development.</p> <p>Furthermore, please confirm why this justification is not included in the ES?</p>	
Q2. 11.2	Applicant	<p><b>Amenity</b></p> <p>It is noted that the applicant seeks to assert that in-combination effects '<i>are not amenity effects, but rather effects on individual receptors arising due to the interaction of multiple other effects</i>' [REP3-062].</p> <p>However, the applicant itself has cited transport, noise, air quality and other effects in Planning Statement paragraph 6.14.30 [REP3-028]. It is the ExAs understanding that in-combination effects are a</p>	

ExQ1	Question to:	Question:	
		combination of such effects. So how can it be true that those effects listed in paragraph 6.14.30 are relevant to amenity but that in-combination effects (the same effects combined) are not?	
Q2. 11.3	Applicant	<p><b>Employment Generated</b></p> <p>In response to Q1.11.4 [REP3-062] the applicant states in part:</p> <p><i>‘In response to a), the applicant has derived these figures from experience of delivering solar PV schemes elsewhere and benchmarking against consented solar NSIPs where information from the planning stage is publicly available. Consideration has been given to employment requirements by task and by phase of work’</i></p> <p>Whilst the applicant asserts that the information is ‘publicly available’, it is the responsibility of the applicant to provide it to the ExA. Can this information be provided please?</p>	

Q2. 11.4	Applicant	<p><b>‘Local land use and amenity’</b></p> <p>The applicant’s response to Q1.11.9 sets out the impact magnitude criteria used in relation to ‘incombination’ amenity effects in ES Chapter 14. These are as follow:</p> <ul style="list-style-type: none"> <li>• <i>High: Either three or more residual significant other effects for the receptor with at least one being of a major nature, or two major residual significant other effects.</i></li> <li>• <i>Medium: Two significant residual other environmental effects with at least one being of a major nature.</i></li> <li>• <i>Low: Two significant residual other environmental effects, both being moderate in nature.</i></li> <li>• <i>No effect: One significant /and or less significant residual other environmental effects.’</i></li> </ul> <p>Firstly, could the applicant please confirm whether its position is that there <b>must</b> be a ‘combination’ of effects in order for there to be any significant effect on amenity? It is noted that the applicant has cited the use of this method in relation to other developments. Please provide evidence of this with appropriate references?</p>	
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**ExQ2: 04 February 2025**

**Responses due by Deadline 5: Tuesday 25 February 2025**

Q2. 11.5	Applicant	<p><b>Existing Employment</b></p> <p>The applicant's response to Q.1.11.11 [REP3-062] asserts that there are 12 landowning farming business across the principal site. Yet ES paragraph 14.8.49 [APP-045] asserts that only 10 FTE jobs will be lost. The applicant's response to Q.1.11.11 also indicates that there would be no direct impact on permanent employee numbers. How can this be the case, given the change in land use and the inability of those farming business to use land within the principal site for agriculture? Is the applicant suggesting</p>	<p><b>The Applicant's assessment takes no account of the farming supply chain. Removing over 3,000 acres from cultivation will result in impacts on other business.</b></p>
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ExQ1	Question to:	Question:	
		that these farming businesses have access to other agricultural land nearby or is there another explanation for these conclusions?	
Q2. 11.6	7000 Acres	<p><b>Study Area</b></p> <p>In its written representation [REP2-021], 7000 Acres asserts that the study area for socio-economic effects has been considered too broadly and should have included a narrower focus. 7000 Acres suggest that '<i>socioeconomic difficulties of the nearest town, Gainsborough</i>' have not been sufficiently considered. Could 7000 Acres please elaborate on how it considers such a focus would have</p>	<p><b>The socio-economic study is an example of the "box ticking" approach by the Applicant, in that there has been a superficial assessment carried out by the Applicant's consultant, which fails to tell the full story.</b></p> <p><b>While considering Gainsborough in more detail may or may not have influenced the outcome of the application, the approach is representative of the Applicant's treatment of this and other subjects, i.e. partial, box-ticking, with the objective</b></p>

		influenced the assessment? For example, taking into account employment and the figures provided in the ES, how would a focus on deprivation in Gainsborough have affected the alleged employment benefits of the proposed development?	<p><b>of getting the project approved – rather than providing balanced information to the ExA upon which a decision can be made.</b></p> <p><b>The region is in need of investment to provide jobs and income (see also GVA below). This project exacerbates an already socially challenging situation – and omits to be transparent about this owing to the gross averaging of impacts arising from having chosen such a broad study area.</b></p>
Q2. 11.7	Applicant	<p><b>GVA</b></p> <p>7000 Acres in its written representation [REP2-021] states in part:</p> <p><i>‘Considering GVA per head, the applicant uses for reference Lincolnshire (£18,816) and Nottinghamshire (18,816), and notes these are lower than the East Midlands (£21,845) and England (£27,949). The applicant states that data is not available at local authority level, but further data is available, with the GVA for West Lindsey, the area most impacted by the development being even lower – at £14,971’</i></p> <p>Could the applicant please provide a response?</p>	

Q2. 11.8	Applicant	<p><b>Existing Employment Losses</b></p> <p>The applicant's response to Q1.11.12 [REP3-062] refers to ES table 14-20 [APP-045]. However, the ExA would like the applicant to expand on which jobs would be lost and why, with reference to the assertions made in 7000 Acres written representation [REP2-021], which states in part:</p> <p><i>'The applicant estimates that 10 jobs would be lost because of ceasing agricultural activities, without offering any further explanation. It is therefore not possible to assess the basis upon which the loss of agricultural jobs has been calculated. It is not clear whether this includes any "indirect or induced employment", which has been included when considering employment created by the proposed scheme. There is no information on the types of role lost, any levels of variable work arising from the seasonal nature of farming, the skills the roles require or the financial contribution they may make.'</i></p>	
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ExQ1

Question to:

Question:

12.

Soils and Agriculture

Q2. 12.1	Applicant	<p><b>Agricultural Land Classification</b></p> <p>The Governments Written Ministerial Statement “Solar and protecting our Food Security and Best and Most Versatile (BMV) Land” made on 15 May 2024 highlights concerns with land classification surveys. In particular <i>“The Government has heard concerns about the perceived inaccuracy and unfairness of soil surveys undertaken as part of the planning process for solar development. The Government will address this by supporting independent certification by an appropriate certifying body, subject to relevant business case approval, to ensure Agricultural Land Classification Soil Surveys are of a high standard, requiring surveyors to demonstrate meeting an agreed minimum requirement of training/experience. We will also seek to ensure consistency in how data is recorded and presented, so that reports on agricultural land classification are consistent, authoritative and objective.”</i></p> <p>Given this concern can the applicant advise how its soil surveys and assessments would meet the standards the Government sets out above?</p>	<p>The applicant has failed to respond to numerous submissions and direct questions at Issue Specific Hearings on correcting the 23% errors and inaccuracies within its ALC data that it has submitted. 7000 acres therefore recommend that the ALC data is assigned Significant Negative Weighting to not only the data but also to all of the statistics that the applicant has drawn from the erroneous data.</p>
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### 13. Transport and access

Q2. 13.1	Applicant	<p><b>Cumulative Effects</b></p> <p>The applicant's response to Q1.13.2 [REP3-062] is noted. However, the updated Figure 18-5 [REP3026] appears to show many ATC locations on the Cumulative Traffic Route which are not included in ES table 18-27 [REP4-015]. Could the applicant please explain why certain ATC locations appear to have been omitted (and update table 18-27 and the associated assessment if required)?</p>	Updated table 18-27 required
Q2. 13.2	Applicant	<p><b>Cumulative Effects</b></p> <p>Further to the applicant's response to Q1.13.6 [REP3-062], could the applicant please explain why and how there appears to be no assessment or analysis of the effect of cumulative construction on ATC23. Particularly given that significant effects have been identified in ES paragraph 16.8.48 [APP-047] for the Tillbridge project in isolation. Again, ATC23 is not included in table 18-27 [REP4-015], but appears on the 'Cumulative Traffic Route' in Figure 18-5 [REP3-026]. Can the applicant confirm whether this part of the Cumulative Traffic Route relates to the cable route only, or whether it would be utilised by vehicles delivering panel and other components to the various sites? If the latter, then should it be included in the</p>	Updated ES Chapter 18 and table 18-27 required



**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		assessment at ES Chapter 18 and specifically table 18-27?	
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<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>	
Q2. 13.3	Applicant	<b>Construction Traffic</b> The applicant's response to Q1.13.10 [REP3-62] is noted. However, could the applicant please explain why ES table 18-27 [REP4-015] does not appear to include any cumulative assessment for the ATC locations on the B1421, specifically ATC23 and ATC25?	<b>Updated table 18-27 required</b>
Q2. 13.4	Applicant`	<b>FCTMP</b> Please could the applicant provide a response to WLDCs response to Q1.13.12 [REP3-066]?	

Q2. 13.5	WLDC	<p><b>FCTMP</b></p> <p>The applicant's response to Q1.13.12 [REP3-062] is noted. However, many of these comments appear to relate to other projects. It is understood that the Council has concerns with regard to the need for a co-ordinated approach to construction. WLDCs response refers to the need for 'designation of a single co-ordinator to manage construction traffic for each project.' However, in practice does the Council consider that this can be achieved and enforced bearing in mind the content of the CTMPs and DCOs for other consented projects (Gate Burton, Cottam and West Burton)?</p>	<p><b>As raised by WLDC there is no traffic co-ordination required between any of the four projects. Therefore 7000 acres request that the Joint Construction Traffic Management Plan should be added into the DCO.</b></p> <p><b>It is also suggested that the SoS amends the other three projects approval to include this into their DCO's.</b></p>
Q2. 13.6	Applicant and LCC	<p><b>NPS EN-3</b></p> <p>Could the applicant and LCC please confirm whether the potential mitigation measures set out under NPS EN-3 paragraphs 2.10.139 to 2.10.144 have been explored? Please also confirm whether such measures are necessary in this instance?</p>	
Q2. 13.7	Applicant	<p><b>NCC LIR</b></p> <p>Could the applicant please provide a response to the recommendations outlined in paragraphs 5.41 and 6.1</p>	

**ExQ2: 04 February 2025****Responses due by Deadline 5: Tuesday 25 February 2025**

		(table 2) of Nottinghamshire County Council's LIR [REP1A-002]?	
Q2. 13.8	WLDC	<b>Potentially Sensitive Receptors</b> Paragraph 9.11 of WLDCs LIR [REP1A-005] asserts that no data is provided regarding the potentially sensitive receptors within the Study Area. Could the Council please expand on this point and explain whether it is alluding to anything in particular when it refers to 'sensitive receptors'?	
Q2. 13.9	WLDC	<b>WLDC LIR</b> Please could the Council provide a response to the applicant's responses to the WLDC LIR [REP3-061] in relation to Transport and Access?	

ExQ1	Question to:	Question:	
Q2. 13.10	Applicant	<b>Aviation</b> Chapter 17: Other Environmental Topics of the ES [APP-048] has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, PRoW, bridleways and aviation activity. <i>"It concludes that there would be no</i>	<b>IN REP2-030 7000 Acres identifies a number of omissions and errors in the Applicant's Volume 6 Environmental Statement Appendix 17-2 Glint and Glare Assessment Document Reference: EN010142/APP/6.2.</b>  <b>In particular the Applicant has only regarded a viewing point at 2m above ground. This does not consider a receptor above 2m, such as in their</b>

		<p><i>impacts on residential receptors or road receptors, and low (not significant) impacts on aviation receptors on Runway 27 at Sturgate Airfield, which is acceptable.”</i> Given the representation received [RR-002] from A Pilot can the applicant please describe the risks that might be presented to aviators from glint and glare when approaching Runway 27 at Sturgate Airfield?</p>	<p>home or viewing the scheme from higher ground. Furthermore, they only assess receptors within 1km of the scheme, conveniently dismissing residences just metres outside their self-imposed 1km boundary.</p>
Q2. 13.11	Applicant	<p><b>ATC 23</b></p> <p>The applicant’s response to WLDCs LIR [REP3-0061 pages 98-99] states in part:</p> <p><i>‘Whilst the level of HGVs increases on ATC23, there are multiple factors which contribute to perception of fear and intimidation. These include the total volume of traffic, vehicle speed and width of pavements, as set out in paragraphs 3.33 of the IEMA Guidelines (Ref 1-22) and in the associated comments within the Local Impact Report. Overall, it was assessed that there would be a negligible change in fear and intimidation levels at ATC23, based on the IEMA Guidelines, and therefore the effect is not significant. However, it is important to recognise that Chapter 16: Transport and Access of the ES</i></p>	<p><b>This particular location should be accorded the highest level of significant effect. The impact of the additional 544 HGV’s per day in this location will have a significant impact on the fear and intimidation of the children attending the primary school.</b></p>

		<p><i>[APP047] has highlighted that there will be a significant adverse effect on NMUs at this location.'</i></p> <p>Despite significant adverse effects being identified at ATC 23 (near a primary school), it appears that the applicant only intends to rely on the broad and all-encompassing mitigation which would be provided through implementation of the FCTMP.</p> <p>However, the ExA is not satisfied with this approach, regardless of whether the effects will only last for 'several weeks'. As such, could the applicant please update the FCTMP to include specific and targeted mitigation and management measures in respect of this location?</p>	
<b>14. Water environment including flood risk</b>			
Q2. 14.1	Applicant EA	<p><b>Reservoir Flood Risk</b></p> <p>The Applicants previous replies indicate that the reservoir used adjacent to the proposed development is for the storage of digestate for an agricultural business. Can the Applicant advise if the potential for breach of this reservoir has been considered within their flood risk assessment and the likely consequence should this to occur?</p>	

ExQ1	Question to:	Question:	
Q2. 14.2	LCC LLFA	<b>Pluvial Flood Risk</b> Please can LCC, as LLFA and as the organisation responsible for taking the lead on surface water and groundwater risk, advise as to the potential behavioural change in surface water risk over the development and cumulatively based on the similar behaviour of adjacent NSIPs. In addition, what does the LLFA consider the impact of this change in infiltration rates to be upon the local groundwater table?	
<b>15. Other planning matters</b>			
<b>Air quality</b>			
Q2. 15.1	Applicant	<b>Unplanned Emissions</b> In response to Q1.15.4 [REP3-062] the applicant states in part: <i>'The occurrence of a fire is theoretically foreseeable but is not likely to occur during the operational lifetime of the Scheme and therefore it is not meaningful to assess the impacts or a fire against air quality criteria intended to assess exposure to planned emissions'</i> However, during ISH2 there was discussion with regard to the number of likely fire events occurring as a result of the BESS. Please could the applicant therefore update this response based on that discussion and the number of fires which are likely to occur over the operational lifetime of the development?	
<b>Minerals and waste</b>			

ExQ1	Question to:	Question:	
Q2. 15.2	Applicant	<b>Waste Topic Paper</b> Could the applicant please provide a response to LCC's response to Q1.15.5 [REP3-065]?	
Q2. 15.3	Applicant	<b>Minerals and Waste</b> Could the applicant please provide a response to WLDC's response to Q1.15.6 [REP3-066]?	
<b>Other</b>			
Q2. 15.4	Applicant	<b>PoC</b> Could the applicant please provide a response to WLDC's response to Q1.15.9 [REP3-066]?	
Q2. 15.5	Applicant	<b>Planning Applications/Permissions</b>  Please could the applicant provide a response to the implications of the alleged permissions cited in REP4-109.	<b>Mr Hill and Mrs Hill have received notices from WLDC on 14/02/2025 that prior approval to erect agricultural machinery maintenance and repair building is not required. Please see notice WL/2025/00064. In addition, that prior approval to erect agricultural storage building is also not required (same date). Please see WL/2025/00063. Both notifications have been submitted to the ExA under separate cover.</b>