

**Tillbridge Solar Project
EN010142**

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

Document Reference: EN010142/APP/9.8

The Infrastructure Planning (Examination Procedure) Rules 2010

**April 2025
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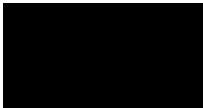
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Statement of Common Ground

This Statement of Common Ground has been prepared and agreed by Tillbridge Solar Limited and West Lindsey District Council.

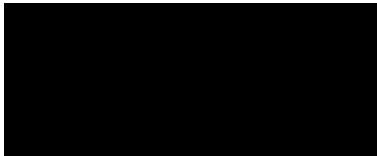
, Director on behalf of Tillbridge Solar Limited

Date:.....25/03/2025.....

Signed:..........

, Development Management Team Manager, on behalf of West Lindsey District Council

Date:.....31/03/25.....

Signed:.....

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.
- 1.1.4 This SoCG has been progressed during the pre-examination and examination period and this version is now the final version, showing the final position between the Parties.
- 1.1.5 This document has been updated at Deadline 6 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(Rev08)]** and Schedule 13 of the **draft DCO [EN010142/APP/3.1(Rev07)]**.

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;
 - b. “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;
 - c. “Not Agreed” indicates a final position where the Parties have agreed to disagree.

2. Record of Engagement

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

Table 1: Record of Engagement

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
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)	- Recap following introductory meeting on 16 June 2022. - Feedback on approach to non-statutory engagement. - Scheme's interaction with other solar schemes.
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)	- Applicant's progress following collaboration workshops, including communication with wider stakeholders. - Upcoming programme for informal and formal consultation on draft Statement of Community Consultation (SoCC). - Discussion of host authority concerns prior to member briefing on wider solar schemes in November 2022.
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)	Updates for local elections, including new members.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	Development Management)	• Preparation ahead of host authority briefings for statutory consultation. • Scheme updates and on-the ground activities, including trial trenching and wider environmental work.
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)	• Update on ongoing Stakeholder engagement. • Update on continuing engagement with developers of other schemes in the area. • Feedback on member briefing.
10 July 2023 and 28 July 2023	Email (Relevant local authority tree officer and Applicant's arboricultural consultant	• Discussion and agreement of scope and methodology of Arboricultural Impact Assessment (AIA).
22 August 2023	Email (to Head of Development Management)	• To address comments raised at statutory consultation and to agree on viewpoints and baseline photography.
13 September 2023	Meeting (Microsoft Teams with Head of Development Management)	• Discussion of targeted statutory consultation and nature of changes following statutory consultation. • Progress of considering statutory consultation and ongoing meetings with statutory bodies. • Summary of the Applicant's role in the Early Adopters Programme.
13 October 2023	Meeting (Microsoft Teams with Head of Development Management)	• Discussion of the Applicant's programme, with a refreshed date for DCO application submission. • Applicant's ongoing regard to consultation responses, including changes to indicative site layout plan. • Ongoing stakeholder engagement with wider bodies, such as Historic England and Natural England.
10 November 2023	Email (to Head of Development Management)	• Email from the Applicant to outline a draft version of the targeted consultation methodology, detailing the changes and proposed length of the consultation period.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
		Email from the Applicant including a copy of the long list to feed into the cumulative assessment for comment from WLDC.
22 November 2023	Meeting (Microsoft Teams with Head of Development Management)	- Discussion of Targeted Consultation methodology and the extent and nature of changes proposed. - Discussion on how statutory consultation responses have been addressed. - Update on programme.
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)	- Discussion of latest proposals for Scheme ahead of DCO application submission. - Briefing of Scheme updates ahead of publication of Community Newsletter. - Updates related to other solar schemes.
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 shared its relevant representation response.
9 August 2024	Meeting (Microsoft Teams with Head of Development Management)	- General update on the current stage of the Scheme pre-examination. - Introductory conversations surrounding Statement of Common Ground. - Introduction to the proposed Change Request.
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	Update on the submission of the Change Request.

Date	Form of Correspondence and attendees	Key topics discussed and key outcomes
	Development Management)	• Update on Procedural Deadline A and the Rule 6 Draft Timetable. • Introduction to SoCGs and next steps towards the examination.
15 October 2024	In-person meeting with Head of Development Management, WLDC NSIP consultant and Counsel.	• Articles and Schedules associated with the draft DCO.
28 November 2024	Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)	• Meeting to discuss WLDC LIR comments and SoCG.
5 December 2024	Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)	• Meeting to discuss WLDC LIR comments, response to EXQ's and SoCG.
22 January 2025	Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)	• Meeting to discuss WLDC D3 responses and responses to ExQ1s and SoCG.
13 February 2025	Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)	• Meeting to discuss WLDC D4 responses to feed into updated SoCG.
12 March 2025	Meeting (Microsoft Teams with Head of Development Management and WLDC NSIP consultant)	• Meeting to discuss WLDC D5 responses to feed into final SoCG.

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
1. Scheme Description						
1.1	Scheme Description	Chapter 3: Scheme Description of the ES [REP4-016]	The Site and Scheme description set out in Chapter 3: Scheme Description of the ES [REP4-016] is accurate and agreed.	WLDC agree the Scheme description set Chapter 3: Scheme Description of the ES [REP4-016] is accurate	Agreed	Resolved
2. Cumulative Schemes						
2.1	Cumulative Developments	Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments 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 Figure 18-1: Cumulative Developments and Appendix 18-1: List of Cumulative Developments of the ES [APP-124].	Agreed	Resolved
3. General Planning Matters						
3.1	PA 2008 Section 104 (3) to (8)	Planning Statement [REP3-027]	The Application is to be determined under Section 104 of the PA 2008 where national policy statement has effect. 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. Section 7.3 (paragraphs 7.3.1 to 7.3.8) of the Applicant's Planning Statement [REP3-027] sets out why none of the limited exceptions in subsections 104 (4) to 104 (8) are engaged. This also explains, how subsection 104 (7) is not engaged since the adverse impacts of the Scheme would not outweigh its benefits. The Applicant agrees that these matters are relevant. It does not consider that the Scheme	WLDC agrees that the Application falls to be determined under Section 104 of the Planning Act 2008 and that Section 104 must be read in its entirety when determining compliance. S104(2) PA2008 sets out the matters to which the SoS must have regard in deciding an application submitted in accordance with PA 2008. In summary, the matters set out in s104(2) include any relevant national policy statements, any local impact report and any other matters the SoS thinks are both important and relevant to the decision. WLDC position is that 104(3) of the Planning Act 2008 (as amended) (PA 2008) requires that the SoS must decide the application in accordance with any relevant national policy statement (NPS), except to the extent that the SoS is satisfied that, in summary: doing so would lead to the United Kingdom being in breach of its international obligations;	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			is inconsistent with legislation or that WLDC has raised any assertion that it would be.	- doing so would lead to the SoS being in breach of any duty imposed on him under any enactment; - doing so would be unlawful under any enactment; - the adverse impact of the proposed development would outweigh its benefits, or - that any prescribed condition for deciding the application otherwise than in accordance with the NPS would be met. S104 PA2008 also sets out the circumstances in which the SoS may decide the application otherwise than in accordance with a national policy statement, s104 needs to be considered in full alongside all other relevant legislation.		
3.2	PA 2008 Section 104 (2)	Planning Statement [REP3-027]	The Applicant states that since the Scheme needs to be considered under Section 104 of the PA 2008 (Ref. 3) that in assessing the merits of the application it must be considered in accordance with the relevant national policy statement (NPS EN-1 (Ref. 2), NPS EN-3 (Ref. 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).	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. 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). The determination of NSIPs under the PA 2008 requires the decision maker to have regard to all criteria set out in subsection (2). S104(2) PA2008 sets out the matters to which the SoS must have regard in deciding an application submitted in accordance with PA 2008. In summary, the matters set out in s104(2) include any relevant national policy statements, any local impact report and any other matters the SoS thinks are both important and relevant to the decision. 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.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
3.3	Primacy of NPS	Planning Statement [REP3-027]	The Applicant wishes to highlight paragraph 1.1.2 of NPS EN-1 which states that (NPS EN-1) “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.” Therefore it is clear that the NPSs provide the primary policy for such decisions. S104(2) and 104(3) of the PA 2008 require the Secretary of State to have regard to, and to decide the application in accordance with the relevant designated NPS, except to the extent that one or more of subsections (4) to (8) apply. In deciding the application, the SoS must also have regard to the other matters listed in s104(2), in addition to the relevant NPS. The Applicant’s position is that the Scheme meets the urgent need as demonstrated in NPS EN-1 and in accordance with EN-1 substantial weight should be given to that contribution. The Applicant also notes the presumption in favour of granting consent and that the Scheme is the type of infrastructure to which the CNP policy applies. The Scheme is compliant with the policies in the relevant NPS. There are no specific or relevant policies set out within NPS EN-1, EN-3 or EN-5 which indicate that consent should be refused. The Applicant has demonstrated throughout Section 6 (Appraisal) and 7 (Decision Making and Planning Balance) of its Planning Statement [REP3-027] that the substantial and significant benefits of the Scheme clearly and decisively outweigh its limited and localised residual adverse impacts with a clear and compelling case for the granting of development consent having been made. The balancing exercise undertaken when deciding the application pursuant to s104(2) and (3) has regard to the Local Impact	WLDC agrees that the NPSs provide the primary policy documents for decision by the Secretary of State, Under Section 104(3) of the PA2008 the Secretary of State is required to determine the scheme in accordance with relevant NPSs. The Scheme is therefore required to comply with the NPSs in order to be granted development consent. In the event that the Secretary of State find the Scheme compliant with section 104(3), compliance with, inter alia, section 104(7) which requires them to be satisfied that the adverse impacts of the Scheme would outweigh its benefits. In determining compliance with section 107(7), the Secretary of State must have regard to matters set out in section 104(2), including any Local Impact Report and any matters that are both important and relevant to the decision. Such matters will include the statutory development plan and other important and relevant policy. The approach to decision making aligns with the recent decision by the Secretary of State’s decision to grant development consent for The A122 (Lower Thames Crossing’ Development Consent Order 2025. The ExA’s recommendation report clearly sets out the correct approach to determinations under sec.104 of the PA2008 as follows: “2.2.6. Section 104(2) of the PA2008 sets out the matters to which the SoST must have regard when making its decision. These include any relevant NPS, any duly submitted Local Impact Report (LIR), any matters prescribed in relation to the development, and any other matters the SoST thinks are both important and relevant to the decision. 2.2.7. Section 104(3) of the PA2008 requires the SoST to decide the Application in accordance with any relevant NPS that has effect in relation to this application, subject to the exceptions in s104(4) to (8) as follows:	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			Reports and other important and relevant matters – which is also consistent with the requirements of NPS EN-1 itself (see paragraph 1.1.3 and following, and paragraph 4.1.5 and following). Section 104(7) of the PA 2008 applies if the SoS is satisfied that the adverse impact of the proposed scheme would outweigh its benefits. The Applicant's position is that the adverse impacts do not outweigh the Scheme's benefits and accordingly, the exception in 104(7) (along with the other exceptions in subsections 104(4) to 104(8)) of PA 2008 are not engaged. To the extent there is a suggestion that consent for the Scheme should be refused as a result of a different balancing exercise pursuant to s104(7), the Applicant strongly disagrees with this. It is important to note that the NPS policies are relevant to the balancing exercise in s104(7), as they provide guidance or a framework within which various factors are to be balanced against each other. The balancing test in s104(7) is not undertaken in a national policy vacuum. NPS EN-1 provides direction in relation to the contribution of the scheme to the established urgent need as well as directions on the weight to be given in the context of other impacts. The exercise required by section 104(7) and the application of the weight to be given to various factors pursuant to the NPS policies, are not two separate exercises. Section 104(7) is not a disapplication of the NPS. It is a section that provides important flexibility to the decision maker. It does not require that the contents of any relevant national policy statement must be put out of mind and assumed not to exist. The balance of benefits and dis-benefits can only properly be measured by taking full account of the Government's national policies relevant to the development in question, including any presumptions in relation to need (as well as other matters covered by s104(2)). To do	• <i>where deciding the application in accordance with any relevant NPS would lead to the UK being in breach of any of its international obligations;</i> • <i>where deciding the application in accordance with any relevant NPS would lead to the SoS being in breach of any duty imposed on her or him by or under any enactment;</i> • <i>where deciding the application in accordance with any relevant NPS would be unlawful by virtue of any enactment;</i> • <i>where the adverse impact of the Proposed Development would outweigh its benefits; and /or</i> • <i>where any condition prescribed for deciding an application otherwise than in accordance with a NPS is met.</i> 2.2.8. This report sets out the ExA's findings, conclusions and recommendations taking these matters into account and applying s104 of the PA2008."		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			otherwise would be to set aside the national policy that is put at the heart of the PA 2008 and to ignore a relevant consideration: section 104(2)(a) of the PA 2008 which requires a decision maker as a matter of law to take relevant NPSs into account.			
3.4	Need	Planning Statement [REP3-027]	The overarching need case for energy infrastructure and the substantial weight that should be given to this need is the starting point for decision making as set out in paragraphs 3.3.6 to 3.2.6 of NPS EN-1.	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). Compliance with NPS EN-1 is required to satisfy Section 104 subsection (3).	Agreed	Resolved
3.5	Principle of applying the Planning Balance to residual landscape and visual effects in solus and cumulatively	Planning Statement [REP3-027]	The Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [REP4-048] on pages 4 to 14 responds to how NPS should be applied and the extent and nature of impacts from the Scheme triggering exceptional circumstances. The Applicant's position is that the Scheme's benefits, in particular its contribution to the urgent need for low carbon generation, outweigh and justify the localised and visual significant residual effects. This is in the context of section 5.10 of EN-1, which requires application of the mitigation hierarchy and despite its application, anticipates that large scale energy infrastructure is very likely to have some significant adverse effects of this nature. The Applicant's views is that the adverse landscape and visual effects are outweighed at this stage, including when considered cumulatively, and there is not necessarily a need to apply the CNP presumption as a result. The Scheme is in accordance with section 104 subsection (3) and (7) of the PA 2008 being in accordance with NPS EN-1 and 3 and not resulting in adverse impacts being outweighed by its benefits. The Applicant does not agree with WLDC that there are insufficient control mechanisms to	WLDCs position on the planning balance is set out in detail in submissions to the examination. 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)). 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.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			manage construction and operational impacts of the Scheme in combination with the three other NSIP solar generating station projects. The establishment of landscape mitigation is secured through the Framework LEMP [EN010142/APP/7.17(Rev5)]. Requirement 7 of the draft DCO [EN010142/APP/3.1(Rev06)] provides that a Landscape and Ecological Management Plan must be submitted to and approved by the relevant planning authority (/authorities) before works can commence on the Scheme. The LEMP is required to be substantially in accordance with the Framework LEMP [EN010142/APP/7.17(Rev05)], meaning that any landscape and ecological mitigation measures included in the Framework LEMP (which was submitted as part of the DCO Application, and the measures contained therein were considered in the assessment of landscape and visual effects presented in Chapter 12: Landscape and Visual Amenity of the ES [REP4-013] must be reflected in the detailed Landscape and Ecological Management Plan(s). In addition, page 28 of the Applicant's Comments on Interested Parties Submissions to First Written Submissions at Deadline 3 [REP4-048] set out how the four solar projects are currently in discussion regarding a further cooperation agreement. Whilst, this is still under discussion, it will likely relate to how the four projects will work together to discharge their respective DCO requirements. This could include the coordination of works, and restoration of landscaping, along the shared Cable Route Corridor. Appendix A to the Applicant's Response to ExA's First Written Questions to ExQ1.1.2 [REP-062] and updated at Deadline 5 as Appendix C to the Applicant's Response to ExA Second Written Questions			

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			[EN010142/APP/9.35] confirms that the Scheme will include sufficient control mechanisms secured through requirements to ensure the successful implementation of landscape and ecological mitigation measures in conjunction with other Schemes if these are implemented. The approach adopted by the Scheme has been endorsed by the Secretary of State in granting development consent for the Gate Burton Energy Park, the Cottam Solar Project and the West Burton Solar Projects. The Applicant's Response to ExA First Written Questions [REP3-062] Q1.1.14 on pages 10-11 sets potential cooperation in respect of construction traffic. The Applicant has expanded further on this point in response to Q2.1.6 in The Applicant's Responses to ExA Second Written Questions [EN010142/APP/9.35] submitted at Deadline 5 on pages 5 to 7 This concludes that the Applicant has done as much as it can within the legislative framework available to support joint working if/as the projects progress to the construction phase. The CTMP would need to be approved by the Local Highway Authorities in accordance with requirement 14 of the dDCO [EN010142/APP/3.1(Rev06)]. Should construction programmes of the projects overlap, the Local Highway Authority, as the relevant and planning authority would have the ability to encourage further collaboration and control in its assessment of the CTMP and ultimately the discharge of requirement 14. In view of the above, the provisions set out within the FCTMP and additional control afforded by the cooperation agreement are relevant and material to decision making. These measures and controls do have some weight, but cannot be fully relied upon. This approach was accepted by the Examination Authority in its recommendation report into the Gate Burton Energy Park and accepted by the Secretary of State.			

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
3.6	Presumption of grant of consent for projects of critical national priority	Planning Statement [REP3-027]	The Applicant's Comments on Interested Parties' Submissions to First Written Questions at Deadline 3 [REP4-048] on pages 12 to 14, without prejudice to the position set out above, addresses the CNP presumption. The types of impact on locally designated landscapes and views from the Scheme including cumulatively, are clearly not of a scale or in any way comparable with the residual effects contemplated within paragraph 4.2.17 of NPS EN-1. The CNP presumption applies <i>"in all but the most exceptional circumstances"</i>, and the Applicant's position is that the residual ham associated with the Scheme is far from the types of effects that may be in the realm of exceptional circumstances, let alone <i>"the most"</i> exceptional circumstances. The Applicant considers the fact that positive decisions have been made by the Secretary of State on the Cottam Solar Project Order 2024, the Gate Burton Energy Park Order 2024, and the West Burton Solar Project Order 2025, all of which considered the exact same cumulative impacts as Tillbridge Solar evidences that these residual effects have not been considered by the Secretary of State to meet the exceptional circumstances test.	WLDC acknowledge that the Scheme falls within the definition of 'Critical National Priority' development in NPS EN-1 paragraph 4.2.5. NPS EN-1 (para. 4.1.7) states that, for projects which qualify as CNP infrastructure, it is likely that the need case will outweigh the residual effects in all but the most <i>"exceptional circumstances"</i>. WLDC notes that NPS EN-1 (para. 4.2.14) requires the SoS to continue to consider the impacts and benefits of all CNP infrastructure on a case-by-case basis. WLDCs position is that the cumulative impacts form the key consideration on the determination of the acceptability of the Tillbridge Solar Project. The scale of the cumulative impacts are unique and falls within the definition of 'exceptional'. The situation in West Lindsey, with four NSIP scale projects being located adjacent to each other, is unprecedented. To WLDCs knowledge, there is no other DCO decision that has had to consider such cumulative impacts (during construction, operation, maintenance and decommissioning) that will be experienced for at least 60 years. The area affected by the four projects will cause significant adverse harm to the landscape character of the district. Residents and people visiting or travelling through the District using its principal highways will experience a solar farm landscape. The eradication of the existing landscape character over such a large area of the District is 'exceptional' and WLDCs view is that it must be considered so when assessing the scheme against policy. WLDCs position therefore is that the Tillbridge Solar Project falls within the definition of 'exceptional' in the context of NPS EN-1 para. 4.1.7 due to its cumulative impacts with three other NSIP solar projects. The key cumulative impacts being those upon landscape character, visual effects, and construction and maintenance activities.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
3.7	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
3.8	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
3.9	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: Positive Impacts and Benefits a. Climate Change – substantial positive weight. b. Ecology – significant positive weight. c. Minimum 10% BNG – moderate positive weight. d. Provision of permissive paths – moderate positive weight. e. Employment generation – moderate positive weight. f. Socio-economics and land use – moderate positive weight. g. Soils and agriculture – moderate positive weight. Neutral Impacts	WLDC has set out its position on the positive and negative impacts of the scheme in its LIR, Written Representation and responses to ExQ1s. WLDC considers that weight to the following matters should be applied to the Scheme: Positive weight and benefits: - WLDC agrees with the applicant's calibration of weight Neutral weight: - WLDC agrees with the applicant's calibration of weight Adverse weight: - Loss of agricultural land for food production - Cultural heritage - Construction traffic impacts (B1241) - Impacts on tourism and the tourism economy	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			h. Air Quality – limited weight. i. Water Environment – limited weight. j. Human Health – limited weight. k. Noise and Vibration – limited weight. l. Transport and access – limited weight. m. Other Environmental Topics – limited weight. Negative Impacts n. Significant residual effects with respect to severance/pedestrian delay/non-motorised amenity on the B1241, North Fleets Road – limited negative weight. o. Landscape and visual amenity – moderate negative weight. p. Cultural heritage – moderate negative weight. q. Loss of best and most versatile land – limited negative weight. r. Cumulative Impacts – moderate negative weight. The Applicant has provided detailed responses to WLDC’s comments in relation to the Planning Balance in Appendix A of the Applicants Comments to IP’s Submissions to EXQ1 [REP4-048], 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: 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 Planning Statement [REP3-027].	significant adverse weight should be given to: - Landscape character and visual effects Impact upon The Cliff AGLV - Cumulative landscape character impacts - Cumulative visual impacts - Cumulative Construction traffic, noise and Air Quality impacts (including the approach to mitigation)		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			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. The Applicant notes that WLDC in its D3 response [REP3-066] 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. The Applicant does not agree that the impact upon residents from change in landscape should be given higher weight in the planning balance. The Applicant set out on pages 74 and 75 of the Applicant's Responses to Local Impact Reports [REP3-061] 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. The Applicant's Written Summary of Oral Submissions at ISH2 [REP4-045] sets out the position regarding socio-economic impacts arising from the loss of agricultural employment with this having a neutral impact.			
3.10	Exceptional circumstance	Section 7 of the Planning Statement [REP3-027]	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. The Applicant's Comments on Interested Parties Submissions to First Written Questions at Deadline 3 [REP4-048] submitted at Deadline 4 sets out the Applicant's	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	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			position on this matter in response to Q.1.1.10 on page 38-39.			
4. Alternatives and Design Evolution						
4.1	Site Selection	Chapter 4: Alternatives and Design Evolution of the ES [APP-035]	The methodology used in the site selection process as detailed in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] is appropriate for the Scheme.	WLDC agree the methodology used in the site selection process as detailed in Chapter 4: Alternatives and Design Evolution of the ES [APP-035] is appropriate for the Scheme.	Agreed	Resolved
5. Legislation and Planning Policy						
5.1	Legislation and Planning Policy	Environmental Statement [APP-037 to APP-048] and [AS-006] Planning Statement [REP3-027]	The ES [APP-037 to APP-048] 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: • Chapter 6: Air Quality [APP-037]; • Chapter 7: Climate Change [APP-038]; • Chapter 8: Cultural Heritage [APP-039]; • Chapter 9: Ecology and Nature Conservation [APP-040]; • Chapter 11: Human Health [APP-042]; • Chapter 12: Landscape and Visual Amenity [EN010142/APP/6.1(Rev02)]; • Chapter 13: Noise and Vibration [AS-006]; • Chapter 14: Socioeconomics and Land Use [APP-045]; • Chapter 15: Soils and Agriculture [APP-046]; • Chapter 17: Other Environmental Topics [APP-048]; The Planning Statement [REP3-027] has also has identified all relevant application legislation and national policy.	WLDC agree that the ES [APP-037 to APP-048] and Planning Statement [REP3-027] has identified all relevant applicable legislation and national and local policy pertaining to the assessments undertaken as part of the EIA.	Agreed	Resolved
5.2	Assessment Methodology	N/A	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	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

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			Energy Park, Cottam Solar Project, West Burton Solar Project and the Scheme. 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.			
6. Study Area Definition and Extents						
6.1	Study area definition and extents	Environmental Statement [APP-037 to APP-048]	The study areas adopted by the Applicant within the assessment of the environmental topics mentioned in the technical chapters of the ES [APP-037 to APP-048] 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 and indirect effects of the Scheme on sensitive features and receptors.	WLDC agree that the study areas and geographical extents of these mentioned in the technical chapters of the ES [APP-037 to APP-048] are appropriate to identify the likely direct and indirect effects of the Scheme on sensitive features and receptors.	Agreed	Resolved
7. Application of Expert and Professional Judgement						
7.1	Application of professional Judgement	Environmental Statement [APP-037 to APP-048]	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. The application of professional judgement by specialists within the environmental topic assessments in outlined in the technical chapters of the ES [APP-037 to APP-048] 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 [APP-037 to APP-048] are appropriate and robust.	Agreed	Resolved
8. Assessment Methodology						
8.1	Methodology	Environmental Statement [APP-037 to APP-048]	The assessment methodology adopted within the environmental topic assessments mentioned in the technical chapters of the ES [APP-037 to APP-048] 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 [APP-037 to APP-048].	Agreed	Resolved
9. Baseline Surveys						
9.1	Baseline	Environmental Statement [APP-037 to APP-048]	The baseline conditions have been collated using desk-based and field-based techniques	WLDC agree the scope, coverage and timing of surveys undertaken in relation to the technical chapters of the	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		Applicant's Responses to Local Impact Reports [REP3-061]	(where relevant), and through consultation with stakeholders including WLDC. The scope, coverage and timing of surveys undertaken to establish the baseline conditions and sensitive features and receptors are in line with best practice and appropriate to inform the assessment of direct and indirect effects reported in the technical chapters of the ES [APP-037 to APP-048].	ES [APP-037 to APP-048] following clarification provided in the Applicant's Responses to Local Impact Reports [REP3-061] and following oral discussions at ISH2 and ISH3.		
9.2	Assessment of Soils and Agriculture Effects	Chapter 15: Soils and Agriculture of the ES [APP-046]	The Applicant clarified in earlier versions of this SoCG and in discussions with WLDC its plans in respect of soil surveys. 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
9.3	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 9: Ecology and Nature Conservation of the ES [APP-040]	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. 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.	Clarifications provided by the Applicant have resolved WLDCs concerns.	Agreed	Resolved
9.4	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 9: Ecology and Nature Conservation of the ES [APP-040]	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. 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.	Clarifications provided by the Applicant have resolved WLDCs concerns.	Agreed	Resolved
9.5	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 9: Ecology and Nature Conservation of the ES [APP-040]	The Applicant clarified in earlier versions of this SoCG, in discussions with WLDC and at ISH3,	Clarifications provided by the Applicant have resolved WLDCs concerns.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			the assessment and survey methodologies adopted with respect to otter and water vole. The parties are now agreed that the characterisation of the baseline position for otter and water vole is robust.			
10. Assessment of Impacts and Effects						
10.1	Impacts and Effects	Environmental Statement [APP-037 to APP-048]	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	Chapter 14: Socio-economics and Land Use of the Environmental Statement [APP-045] Chapter 12: Landscape and Visual of the Environmental Statement [REP4-013]	The Applicant's EIA Scoping Report (refer to Appendix 1-1 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, 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 Appendix 1-2 of the ES [APP-052]) also did not request that such an assessment was provided. However, Chapter 12: Landscape and Visual Amenity of the ES [REP4-013] 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, Chapter 14: Socioeconomics and Land Use 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. To support the assessment in the ES, the Applicant has prepared a further assessment of the impacts of the Scheme on tourism within the Tourism Assessment presented in Appendix	WLDC considers that there will be a long-term impact on tourism as a result of the Scheme during the construction phase. WLDC maintains its position on this matter.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			D of the Applicants Response to LIRs [REP3-061] . 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.			
10.3	Assessment of Landscape and Visual Impacts and Effects	Chapter 12: Landscape and Visual Amenity of the ES [REP4-013] Planning Statement [REP3-028] Framework LEMP [EN010142/APP/7.17(Rev 05)]	The Applicant has provided a response to WLDC's concerns in full within the Applicants Response to LIR's [REP3-061] on pages 59 to 60, 65 to 68, 70 to 71 and 72 to 82. To summarise: 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 and 6.4.37 of the Planning Statement [REP3-028], 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 Figure 12-1 and Figure 12-2 of the ES [APP-172; APP-173]. 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.	The proposal will have significant adverse impacts upon 'The Cliff' Landscape Character Area, failing to the conserve and enhance its qualities, character and distinctiveness. The proposal fails to minimise adverse visual impacts through high quality landscape design, and does not adequately demonstrate how the scheme has responded positively to the landscape character. 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. 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. WLDC maintains its position on this matter.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			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 Figure 3-1 of the ES [AS-055]. As set out within the Framework LEMP [EN010142/APP/7.17(Rev05)], these will comprise more ecologically diverse habitats and green infrastructure that accords with CLLP Policy S62 and published Landscape Character Assessment guidance. The design principles for the BESS and Solar Stations set out within the Outline Design Principles Statement [EN010142/APP/7.4(Rev04)] 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.			
10.4	Assessment of Landscape and Visual Impacts and Effects	Chapter 12: Landscape and Visual Amenity of the ES [REP4-013] Chapter 4: Alternatives and Design Evolution of the ES [APP-035] Outline Design Principles Statement	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 Chapter 4: Alternatives and Design Evolution of the ES [APP-035]. This is further explained within Section 7.1, paragraphs 7.1.1 to 7.1.7 (page 14-15) Appendix B: Note on generating capacity and associated development of the Written Summary of the	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.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		[EN010142/APP/7.4(Rev04)]	Applicant's Oral Submissions at the Issue Specific Hearing 1 (ISH1) [REP1-046]. 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. The design principles for the BESS and Solar Stations set out within the Outline Design Principles Statement [EN010142/APP/7.4(Rev04)] 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. The Applicants Response to LIR's [REP3-061] at pages 74, 77 and 78 provides further details responding to WLDC's queries around the location of infrastructure near sensitive receptors.	WLDC maintains its position on this matter.		
10.5	Assessment of Soils and Agriculture Effects	Chapter 15: Soils and Agriculture of the ES [APP-046]	In earlier versions of this SoCG and discussion between the parties the Applicant provided the requested information on the assessment of these matters. The parties are now agreed that the assessment of effects on farming circumstances is satisfactory.	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	Chapter 6: Air Quality [APP-037] Framework CEMP [EN010142/APP/7.8(Rev03)]	Chapter 6: Air Quality of the ES [APP-037] 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. 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	WLDC considers that the Scheme will not give rise to a risk of air quality degradation during the construction phase in solus.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		Framework DEMP [EN010142/APP/7.10(Rev03)]	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. The implementation of good practice during construction and decommissioning secured by the Framework CEMP [EN010142/APP/7.8(Rev03)] and Framework DEMP [EN010142/APP/7.10(Rev03)] 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 Framework CEMP [EN010142/APP/7.8(Rev03)] and Framework DEMP [EN010142/APP/7.10(Rev03)] will ensure compliance specifically with paragraph 5.2.13 of NPS EN-1 (Ref 2). The Scheme is in accordance with NPS EN-1 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	Chapter 9: Ecology and Nature Conservation of the ES [APP-040]	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 Chapter 9: Ecology and Nature Conservation (page 9-193) of the ES [APP-040]. The Applicant clarified in earlier versions of this SOCG, in discussions with WLDC and at ISH3,	Clarifications provided by the Applicant have resolved WLDCs concerns.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			the impact and effects of the Scheme on golden plover and skylark. The parties are now agreed that the impacts and effects identified with respect to non-breeding birds is robust.			
11. Mitigation of Effects						
11.1	Mitigation	Environmental Statement [APP-037 to APP-048] Draft DCO [EN010142/APP/3.1(Rev06)]	The mitigation measures mentioned in the environmental topic chapters mentioned in technical chapter of the ES [APP-037 to APP-048] are considered acceptable to mitigate potential impacts and manage potential effects during the construction, operation and decommissioning phases. The provision of mitigation is secured by specific requirements within the draft DCO [EN010142/APP/3.1(Rev06)] . These include the requirement for management plans that must be prepared and approved before commencement of development.	WLDC agree that the mitigation measures mentioned in the majority of technical chapters of the ES [APP-037 to APP-048] 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
11.2	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 9: Ecology and Nature Conservation of the ES [APP-040] dDCO [EN010142/APP/3.1(Rev06)]	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. The parties are now agreed on how this would be dealt with and secured as part of the CEMP (requirement 13 of the dDCO [EN010142/APP/3.1(Rev06)] to be substantially in accordance with the Framework CEMP [EN010142/APP/7.8(Rev03)] 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>	Clarifications provided by the Applicant have resolved WLDCs concerns.	Agreed	Resolved
11.3	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 9: Ecology and Nature Conservation of the ES [APP-040]	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	Clarifications provided by the applicant have resolved WLDCs concerns.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			construction is based on up to date survey information. The parties are now agreed that the embedded precautionary working methods and 15m buffer are robust to avoid impacts.			
12. Cumulative Effects and Interactions						
12.1	Commitments for joint working during construction	Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031]. Framework LEMP [EN010142/APP/7.17(Rev 05)] Framework CTMP [EN010142/APP/7.11(Rev 05)] Framework CEMP [EN010142/APP/7.10(Rev 03)]	While it is acknowledged that the Joint Report on Interrelationships between NSIPs [REP3-031] is not secured by a DCO requirement, it is considered this is not appropriate given it relates to a range of matters which fall outside of the ambit of the DCO, including in respect of the other Schemes over which no one DCO has control. The Applicant still considers it reflects a best practice engagement by the Applicant and the neighbouring schemes to work collaboratively to minimise effects on local communities. It should be noted that the Application submission includes an updated version of the Joint Report on Interrelationships between NSIPs [REP3-031] This will be further updated during examination to ensure that any new NSIPs are considered should these emerge or that the stage of applications already included in the report is updated. In addition to the above, the Applicant notes that the Framework LEMP [EN010142/APP/7.17(Rev05)], Framework CTMP [EN010142/APP/7.11(Rev05)] and Framework CEMP [EN010142/APP/7.10(Rev-3)] 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.	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	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
12.2	Assessment of Socio-economic Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031]. Chapter 14: Socio-Economics and Land Use of the ES [APP-045]	An assessment of cumulative effects is presented within Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. Section 18.15 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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. Section 14.8 of Chapter 14: Socio-Economics and Land Use of the ES [APP-045], 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 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 Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)].	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. 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. 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.	Not Agreed	Unresolved
12.3	Assessment of Landscape and Visual Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES	Cumulative effects and interactions between the Scheme and other solar DCOs are also assessed in Section 18.13 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. The Scheme	WLDC raise objections to the Application due to the cumulative impacts with other consented solar projects and those currently in the planning process.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		[EN010142/APP/6.1(Rev03)]. Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031].	and other solar DCOs have worked collaboratively during design development and environmental assessments, including identification of a shared Cable Route Corridor to minimise the extent of impacts, sharing baseline environment information and identification of shared mitigation measures. Consideration has also been given as to how habitat creations link with other proposed developments and more widely across the landscape to ensure any benefits are aligned. Further information on cumulative effects, mitigation and the approach taken to coordinate with the other solar DCOs is provided in the Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031]. The assessment for Cumulative Effects related to landscape and visual amenity set out in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] concludes that significant adverse landscape and visual cumulative effects will arise with the Cottam Solar Project, predominantly from the presence of solar infrastructure to areas both north and south of the Scheme, and in elevated representative viewpoints along the Middle Street. However, these effects should be considered in the context of long-term green infrastructure benefits. Significant cumulative effects have also been determined for the representative viewpoint along Kexby Road due to combined views with Glentworth oil well development and along the Cable Route Corridor, during the construction of the four solar DCOs. However, these effects are considered to be temporary. It should be noted that development consent was recently granted for the Gate Burton Energy Park (12 July 2024) and the Cottam Solar Project on (5 September 2024). Both	As the fourth NSIP scale solar project being promoted in the District, WLDC considers the magnitude of change in landscape character to be unacceptable and contrary to national and local planning policies. The proposal will have significant adverse impacts upon ‘The Cliff’ Landscape Character Area, failing to the conserve and enhance its qualities, character and distinctiveness. The proposal fails to minimise adverse visual impacts through high quality landscape design, and does not adequately demonstrate how the scheme has responded positively to the landscape character. 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. 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.		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			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.			
12.4	Assessment of Soils and Agriculture Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. Chapter 4: Alternatives and Design Evolution of the ES [APP-035].	In terms of impacts on land used for food production, the site selection process carried out to identify the Principal Site, as described in Chapter 4: Alternatives and Design Evolution of the ES [APP-035], excluded, where possible, best and most versatile (BMV) agricultural land based on Natural England's published agricultural land classification maps. Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] assesses the loss of agricultural land in combination with all cumulative solar schemes as set out in Table 18-22 in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. This confirms that cumulative effects during construction, operation and decommissioning are not significant. 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	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. 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. 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. 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	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			all four schemes would be 2.2% of agricultural land in Lincolnshire. 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: <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> 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. The Applicant’s cumulative assessment presented within Section 18.16 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] is consistent with WLDC’s conclusion that the cumulative effects on soils are negligible. In accordance with Table 18-6 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)], 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>. 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. The assessment presented within Section 18.16 of Chapter 18: Cumulative Effects and	in the planning balance for the project in solus and particularly cumulatively with other NSIP projects.		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			Interactions of the ES [EN010142/APP/6.1(Rev03)] 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 Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]. 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.			
12.5	Assessment of Noise and Vibration Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] Framework CEMP [EN010142/APP/7.18(Rev03)]	Section 18.14 of Chapter 18: Cumulative Effects and Interactions of the ES [6EN010142/APP/6.1(Rev03)] addresses the likely in combination effects and cumulative effects of the Scheme on noise and vibration. During construction, operation and decommissioning, the Scheme is assessed to have no significant effects in terms of noise and vibration. 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 Framework CEMP [EN010142/APP/7.10(Rev03)] on pages 54 to 55 as stated in paragraph 18.14.4 of the ES [EN010142/APP/6.1(Rev03)]. The Applicant's response to the points in respect of cumulative noise levels as managed by Requirement 17 and the Framework OEMP [REP4-022] is provided below at Row 13.4. This includes discussion of the complaints process for properties (receptors) to pursue remedies where they consider noise levels are being breached.	WLDC object to the Application due to the combined cumulative impact associated with the construction and decommissioning of the schemes on noise and vibration. WLDC consider that cumulative noise impacts during construction require a firm and enforceable commitment to joint working between developers to minimise impacts. The current Joint Report on Interrelationships does not deliver this commitment and leaves the potential impacts unmitigated and un-minimised. 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. The approach of controlling noise levels regulated by Require 17, through the OEMP is currently imprecise, providing no methodology for dealing with noise compliant (both individually and cumulatively).	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
				Properties (receptors) that will experience cumulative noise impacts (that is noise from two solar generating stations) have no means of seeking remedy aside from the operator ensuring their noise levels at source is as assumed. There are no mechanisms to ensure the reduction of levels at receptors and now is there a mechanism to enforce collaborative working between operators to establish the noise source that requires mitigation.		
12.6	Assessment of Air Quality Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] Framework Construction Traffic Management Plan (FCTMP) [EN010142/APP/7.11(Rev05)]	Section 18.7 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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. The assessment findings related to Cumulative Effects for Air Quality is acceptable. 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 Framework Construction Traffic Management Plan (FCTMP) [EN010142/APP/7.11(Rev05)] on page 2 and 3 (paragraph 1.3.4).	WLDC have concerns regarding the combined cumulative impact associated with the construction, and decommissioning of the schemes on air quality. 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). The lack of an enforceable co-ordinated approach between developers results in no further mitigation being applied to minimise effects between projects.	Not Agreed	Unresolved
12.7	Assessment of Transport and Access Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [6EN010142/APP/6.1(Rev03)] Framework Construction Traffic Management Plan	Section 18.17 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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.	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. The objection relates to the potential period of exposure to impacts that local communities may experience and	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		[EN010142/APP/7.11 (Rev05)] Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031] draft DCO [EN010142/APP/3.1(Rev06)]	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 Framework Construction Traffic Management Plan (FCTMP) [EN010142/APP/7.11 (Rev05)]. Requirement 14 of the draft DCO [EN010142/APP/3.1(Rev06)] 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 Joint Report on the Interrelationship with other National Infrastructure projects [REP3-031] submitted with the DCO application. 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. The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.	the uncoordinated approach between the projects with regard to construction activity. 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. 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. 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.		
12.8	Assessment of Ecology and Biodiversity Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(REV03)]	Section 18.10 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] addresses the likely in combination effects and cumulative effects of the Scheme on ecology and nature conservation. The Application is supported by a Framework LEMP [EN010142/APP/7.17(Rev05)] which sets out	WLDC have concerns regarding the combined cumulative impact associated with the construction, operation and decommissioning of the schemes on ecology and biodiversity. 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	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		Framework LEMP [EN010142/APP/7.17(Rev05)]	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 Framework LEMP [EN010142/APP/7.17(Rev05)] and will need to be approved by the Local Planning Authority prior to construction, as secured by requirement 14 of the draft DCO [EN010142/APP/3.1(Rev06)]. 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, Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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 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. The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.	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.		
		Draft DCO [EN010142/APP/3.1(Rev06)]				
		Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)]		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.		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
12.9	Assessment of Cultural Heritage Impacts and Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/61(Rev03)]. Chapter 8: Cultural Heritage of the ES [APP-039]	Section 18.9 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] addresses the likely in combination effects and cumulative effects of the Scheme on cultural heritage. As detailed in Chapter 8: Cultural Heritage of the ES [APP-039] and Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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. The assessment findings related to Cumulative Effects for Cultural Heritage are considered acceptable.	WLDC agrees that the appropriate assessment methodologies have been applied and understand the reasoning behind the conclusions reached.	Agreed	Resolved
12.10	Mitigation of Effects	Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] Draft DCO [EN010142/APP/3.1(Rev06)] Framework CEMP [EN010142/APP/7.8(Rev03)] Framework OEMP [REP4-022] Framework DEMP [EN010142/APP/7.10(Rev-3)] Framework Soil Management Plan	The mitigation measures mentioned in Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)] 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. 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. 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. In terms of the co-ordination of construction with the other projects, Appendix C of the Joint Report on Interrelationships between Nationally Significant Projects [REP3-031, APP-216 and APP-217] includes a copy of a	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. 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.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		[EN010142/APP/7.12(Rev 02)] Framework Public Rights of Way Management Plan [REP3-041]	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. The Applicant has responded to concerns around commitments to joint working in row 12.1 of this SoCG.			
13. Draft Development Consent Order						
13.1	Article 39	Draft DCO [EN010142/APP/3.1(Rev0 6)] Framework LEMP [EN010142/APP/7.17(Rev 05)]	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 Framework LEMP [EN010142/APP/7.17(Rev02)] [REP1-023] 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. The parties are now agreed as to the drafting of this article.	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.	Agreed	Resolved
13.2	Requirement 4 (community liaison group)	Draft DCO [EN010142/APP/3.1(Rev0 6)] Written Summary of Applicant's Oral Submissions at the Issue	In previous versions of the SoCG, discussions between the parties and Appendix E: Community Liaison Group to the Written Summary of Applicant's Oral Submissions at the Issue Specific Hearing 1 [REP1-046], the Applicant provided further information on the details of the community liaison group.	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.	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		Specific Hearing 1 [REP1-046]	The parties are now agreed as to the drafting of requirement 4.	Following review of the Applicant's submission Appendix E: Community Liaison Group to the Written Summary of Applicant's Oral Submissions at the Issue Specific Hearing 1 [REP1-046] (submitted at Deadline 1), WLDC no longer has concerns with the drafting of Requirement 4.		
13.3	Requirement 8 (biodiversity net gain)	Draft DCO [EN010142/APP/3.1(Rev06)] Biodiversity Net Gain Report [AS-062] Framework LEMP [EN010142/APP/7.17(Rev05)]	The Applicant has demonstrated through the submitted Biodiversity Net Gain Report [AS-062] 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 draft DCO [EN010142/APP/3.1(Rev06)], which requires to submit and agree a BNG strategy with the relevant authority and for this to be substantially in accordance with the Framework LEMP [EN010142/APP/7.17(Rev05)]. The Applicant therefore considers the 10% BNG is secured and can be considered as part of the planning balance. The Applicant does note that higher versions of BNG for some habitat types are currently met by the BNG Report [AS-062]. The Applicant has updated the Framework LEMP [EN010142/APP/7.17(Rev05)] 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 accordance with the Framework LEMP as drafted. The approach to secure biodiversity net gain is in accordance with the made Order for the Gate Burton Energy Park [EN010131].	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 Framework LEMP [EN010142/APP/7.17(Rev05)] as part of its planning balance. WLDC agreed that the identified BNG is to be delivered through the fLEMP and there is no requirement for the specific percentage to be specified in Requirement 8.	Agreed	Resolved
13.4	Requirement 17 (Noise)	Draft DCO [EN010142/APP/3.1(Rev06)]	Requirement 17 of the draft DCO [EN010142/APP/3.1(Rev06)] ensures that Work No. 1, 2 and 3 will not commence until an operational noise assessment to ensure noise	WLDC raised questions at Issue Specific Hearing 3 regarding the enforcement and application of Requirement 17, including how it will be enforced if	Agreed	Resolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
		Chapter 13: Noise and Vibration of the ES [AS-006] Framework OEMP [EN010142/APP/7.9(Rev04)]	rating levels are complied with has been submitted and approved by the local authority. The Applicant explained at ISH3 how Requirement 17 would be enforced confirming that while measured baseline sound data, collected at several locations over a week at various times during the day and night, contextualises the significance of the operational noise levels reported in Chapter 13: Noise and Vibration of the ES [AS-006] and set out at Table 13-17, compliance with Requirement 17 would have to be achieved through noise modelling. This is because, as outlined in the Applicant's Response to Examining Authority's First Written Questions [REP3-062], ExQ 1.10.11, compliance with Requirement 17 would need to be agreed with the relevant planning authority prior to construction work commencing. Once detailed design of the Scheme had been finalised a further operational noise assessment would be undertaken again to confirm that the levels in the ES chapter are not exceeded by the detailed design. The Applicant updated the Framework OEMP [REP4-0022] 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 will be routine, but is also able to be triggered by complaints from neighbouring receptors. This ensures that plant noise at sensitive receptors throughout the operational lifetime of the Scheme is not materially worse than the levels presented in the ES. The results of such monitoring will be submitted to the relevant planning authority for review. Where this review indicates plant noise levels generated by the Scheme have materially increased, the undertaker and relevant planning authority will liaise in respect of any further maintenance or mitigation required to reduce levels at receptors back to those presented in the ES.	noise levels change for plant over the lifetime of the Scheme. WLDC understand that any exceedance of noise levels set through Requirement 17, will be enforced through the OEMP secured through Requirement 13. The updated fOEMP has been amended to include an obligation for the operator to liaise with the relevant LPA to agree the approach to monitoring and mitigation as required. WLDC supports the inclusion of this commitment and, subject to suggested drafting amendments, agrees with the approach now proposed by the Applicant.		

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			Following ISH3, the Applicant also updated Requirement 17 included in an updated version of the dDCO [EN010142/APP/3.1(Rev06)] submitted at Deadline 4 to more clearly reference the Operational Noise Assessment figures set out in Table 13-17 of Chapter 13 [AS-006]. Since the updates at, and immediately following ISH3, the Applicant has engaged further with WLDC and LCC on this matter, and presents further information within the Applicant's Responses to Examining Authority's Second Written Questions [EN010142/APP/9.35] at ExQ2.10.2 and ExQ2.10.3 and the Applicant's Response to Written Submissions at Deadline 4 [EN010142/APP/9.36]. In the second response in particular addresses WLDC's comments regarding cumulative noise, providing that paragraphs 18.14.13 and 18.14.14 of Chapter 18: Cumulative Effects and Interactions of the ES [EN010142/APP/6.1(Rev03)], confirm there is no noticeable operational cumulative noise effect due to the significant distances between each of the four operational solar areas. The primary area of overlap between the projects, being the combined cable route, will be underground and therefore would not generate noise. The cumulative effects assessment found there would be only one receptor with a possibility of cumulative noise with another of the solar schemes, being R14 (Glentworth Grange / Kexby Road). However, the assessment found that any increase would be less than 3dB and therefore be imperceptible to human receptors. Despite this, the Applicant has proposed mitigation measures so as to ensure any operational noise is appropriately managed. The provisions contained within Table 3-8 of the Framework OEMP [REP4-022], such as the reporting of monitored plant noise to the relevant planning authority, will then help identify whether there is an issue to be addressed in terms of the Scheme			

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			infrastructure. Where this review indicates plant noise levels generated by the Scheme have materially increased, the undertaker and relevant planning authority will liaise in respect of any further maintenance or mitigation required to reduce levels at receptors back to those presented in the ES. The Applicant explained these matters directly to WLDC in meetings held on this topic. The Applicant does not consider that there is a feasible cumulative effect for WLDC to base this position on. The Applicant does not accept the comments that the measures within the Framework OEMP [REP4-022] cannot be relied upon, given the accepted position for both this DCO and all other made DCOs that management plans are an appropriate and secure mechanism to include mitigation controls for the effects such as noise. The Applicant met with WLDC on the 12 March 2025 to further explain this matter confirming that the requirement for controlling noise monitoring at source is embedded within Table 3-8 of the Framework OEMP [EN010142/APP/7.9(Rev04)], which is secured through Requirement 13 of the draft DCO [EN010142/APP/3.1(Rev07)]. This includes the requirement 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 taken, where required. Further, the Framework OEMP [EN010142/APP/7.9(Rev04)] has been updated and submitted at Deadline 6 to provide a more precise and definitive solution to be secured in an event where noise levels exceed those set out in Chapter 13: Noise and Vibration of the ES [AS-006] (including a more precise definition of 'regular monitoring'). This has been shared with WLDC ahead of Deadline 6 for comment.			

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
13.5	Requirement 20 (decommissioning and restoration)	Draft DCO [EN010142/APP/3.1(Rev06)]	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.	With the inclusion of the new drafting at Deadline 4 WLDC's concerns have been addressed.	Agreed	Resolved
13.6	Schedule 17 - Article 45 – Procedure for discharge of requirements.	Draft DCO [EN010142/APP/3.1(Rev06)]	In reflection of discussions with WLDC and LCC and the recent decision by the Secretary of State in West Burton Solar Project Order 2025, Schedule 17, Section 2, paragraph 1 of the draft DCO [EN010142/APP/3.1(Rev06)] has been updated to state 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 ten weeks. It is noted that this time period is agreed with LCC, and aligns with the decisions in both the West Burton Solar Project Order 2025 and Gate Burton Energy Park Order 2024. Section 3, paragraph (2) continues to state “<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>” 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 shall request this information within five working days of receipt of the request and within 15 working days of receipt of the application.</i>” The Applicant continues to consider these periods of time are appropriate as:	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. Whilst WLDC maintain their preference for the dates indicated above, it welcomes the applicant's proposal to impose a 10 week approval period.	Not Agreed	Unresolved

Ref.	Subject	Relevant Application Document	Applicant Position	WLDC Position	Status	Likelihood of Resolution
			- 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. - 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). - 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. For those reasons set out above, the Applicant proposes to retain the wording as drafted.			
13.7	Schedule 16 - Article 45 – Procedure for discharge of requirements.	Draft DCO [EN010142/APP/3.1(Rev06)]	The Applicant has amended Schedule 16 of the draft DCO [EN010142/APP/3.1(Rev06)] 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 draft DCO [EN010142/APP/3.1(Rev06)] .	Agreed	Resolved
13.8	Articles	Draft DCO [EN010142/APP/3.1(Rev06)]	WLDC in a meeting prior to the ISH1 on the draft DCO [EN010142/APP/3.1(Rev06)] on the 15 October 2024 did not raise any issues with Articles (other than Article 39 listed above). On this basis, it is assumed that all other Articles are agreed.	WLDC in a meeting prior to the ISH1 on the draft DCO [EN010142/APP/3.1(Rev06)] 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
13.9	Schedules	Draft DCO [EN010142/APP/3.1(Rev06)]	WLDC in a meeting prior to the ISH1 on the draft DCO [EN010142/APP/3.1(Rev06)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 15 of the draft DCO [EN010142/APP/3.1(Rev06)] , 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 draft DCO [EN010142/APP/3.1(Rev06)] on the 15 October 2024 did not raise any concerns with respect to the Schedules 1 to 15 of the draft DCO [EN010142/APP/3.1(Rev06)] , other than the matters relating to requirements with Schedule 2 as noted above.	Agreed	Resolved

4. References

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