



Application by RWE Renewables UK Solar and Storage Limited for Tween Bridge Solar Farm Project

The Examining Authority's written questions and requests for information (ExQ2): Issued on 07 July 2026

Responses are due by deadline 4: 21 July 2026

The following table sets out the Examining Authority's (ExA's) written questions and requests for information – ExQ2. The examination timetable enables the ExA to issue a further round of written questions in due course. The further round of questions will be referred to as ExQ3.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as **annex B** to the Rule 6 Letter dated 16 March 2026. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 2 (indicating that it is from ExQ2) and then has an issue number and a question number. For example, the first question is identified as Q2.1.1. When you are answering a question, please start your answer by quoting the unique reference number. Please note that there was a problem with the numbering format in ExQ1. ExQ2 follows the correct format.

You should respond to the questions by using the **Have your say** function on the project page of the National Infrastructure website and selecting 'Responses to Examining Authority's First Written Questions (ExQ2)' when asked.

If you are responding to a small number of questions, you can submit your answers by choosing 'Make a comment' and entering your answers in the 'Your comments' box. If you are answering a larger number of questions you should download a copy of the Microsoft Word version of the document, enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.

Microsoft Word version: [Link to MS Word Version](#)



The Examination Library

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [Examination Library](#)

It will be updated as the examination progresses.

Citation of questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, for example ExQ2 1.0.1 – refers to question 1 in this table.

Use of artificial intelligence (AI) in casework evidence

If you use AI to create your submission, you should tell us that you have done this. You should specify which systems or tools you have used, the source of the information that the AI system has based its content on, and what information the AI has been used to create or alter. Further information can be found in the Planning Inspectorate's [guidance](#). By following this guidance, you will help the ExA to understand the origin and accuracy of the information submitted, thereby supporting fair and impartial decision-making. **If you do not declare the use of AI in any evidence submission where it has been used or remove evidence such as watermarks, we reserve the right to reject the submission.**



Abbreviations used:

ALC	Agricultural Land Classification	LVMS	Landscape and visual mitigation strategy
BESS	Battery Energy Storage System	LWS	Local Wildlife Site
BMV	Best and Most Versatile	MWh	Megawatt Hours
BOAT	Byway open to all traffic	NDHA	Non-designated heritage assets
CA	Compulsory Acquisition	NE	Natural England
CDC	City of Doncaster Council	NGET	National Grid Electricity Transmission Plc
CFL	Critical Flood Level	NLC	North Lincolnshire Council
CLWS	Candidate Local Wildlife Site	NPA	Neighbourhood Planning Act
CNP	Critical National Priority	NPS	National Policy Statement
dDCO	Draft development consent order	NSIP	Nationally Significant Infrastructure Project
DESNZ	Department for Energy Security and Net Zero	OECMP	Outline ecological construction management plan
DfT	Department for Transport	OLEMP	Outline landscape ecological management plan
DL	Decision letter	PA2008	Planning Act 2008
EA	Environment Agency	PPG	National Planning Practice Guidance
EIA	Environmental Impact Assessment	PRoW	Public right of way
EM	Explanatory Memorandum	PV	Photovoltaic
ES	Environmental Statement	RR	Relevant representation
ExA	Examining Authority	RVAA	Residential Visual Amenity Assessment
FRA	Flood Risk Assessment	SOAEL	Significant observed adverse effect level
km	Kilometre	SPA	Special Protection Area
kV	Kilovolt	SSSI	Site of Special Scientific Interest
LOAEL	Lowest observed adverse effect level	TP	Temporary Possession



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ExQ2	Question to:	Question:
1. General and cross-topic questions		
Q2.1.1	Applicant	<p>Battery Energy Storage System (BESS) – Associated Development</p> <p>A) Could the applicant explain how the BESS is associated development with reference to relevant Government Guidance. Where is this information in the application documentation?</p> <p>B) Would the BESS have any functions which are not solely related to the solar array (for example, grid balancing services)? if so, how often would the BESS be used for these unrelated functions?</p>
2. Biodiversity and ecology (Including Habitat Regulations Assessment)		
Q2.2.1	Applicant	<p>Culverts</p> <p>Paragraphs 3.10.78 and 3.10.79 of the National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3), outline that the culverting of existing watercourse/drainage ditches should be avoided, and where culverting for access is unavoidable, it should be demonstrated that no reasonable alternatives exist. Page 52 of the applicant's response to Relevant Representations (RR) [REP1-042] suggests that 'it is the Applicant's intention to utilise existing culvert crossings and/or bridge structures where possible within the site and construct new culvert crossings where this has been identified to be necessary through detailed design survey work'. However, the applicant has identified culvert crossing locations in Environmental Statement (ES) Figure 2.5: Indicative Culverts Crossing Plan [APP-138]. On that basis, could the applicant please explain why these culverts are required and how/ whether there are 'no reasonable alternatives'?</p>
Q2.2.2	Applicant	<p>Land within Thorne & Hatfield Moors Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI)</p> <p>In its response to RR [REP1-042] (page 67) the applicant states in part:</p> <p>"The Applicant is also proposing that this land is transferred to Natural England, or another appropriate body, to enable its long-term management in accordance with the conservation objectives of the designated site, although understand that previously this was not considered feasible due to Natural England's lack of resources."</p> <p>Could the applicant please explain whether this is still proposed and if so, what progress has been made?</p>
Q2.2.3	Applicant	<p>Q2.0.20</p> <p>The applicant's response to EXQ1 Q2.0.20 [REP2-087] indicates that paragraph 7.5.138 of the previous version of ES Chapter 7 [AS-012] was deleted. Could the applicant explain why and whether it was replaced with a different paragraph?</p>
Q2.2.4	Applicant	<p>Q2.0.21</p> <p>Further to EXQ1 Q2.0.21 [PD-010], could the applicant please update ES Chapter 7 [REP2-035] paragraphs 7.5.192 to 7.5.197 to describe exactly which habitats are being created or enhanced? It is noted that descriptions are provided in relation to the construction phase (para 7.5.105) but not the operational phase effects (at paragraphs 7.5.192 to 7.5.197).</p>
Q2.2.5	City of Doncaster Council (CDC), North Lincolnshire Council (NLC) and the applicant	<p>Biodiversity Net Gain (BNG) Monitoring</p> <p>CDC's LIR [REP1-062] paragraph 9.35 sets out its suggested requirements for monitoring of BNG. It suggests that a Habitat Management and Monitoring Plan (HMMP) should be produced and implemented with involvement from both CDC and NLC. It suggests that normally a section 106 agreement (s106) would secure this. In response [REP2-089], the applicant has stated:</p> <p>'The Outline Landscape and Ecology Management Plan [Document Reference 7.6 Revision 3] is secured by Requirement 8 of Schedule 2 to the draft DCO [Document Reference 3.1 Revision 4]. The Outline Landscape and Ecology Management Plan includes relevant implementation and monitoring requirements, particularly in Table 4-1 and sections 6 and 7.'</p> <p>Can CDC, NLC and the applicant set out their latest position on this and, where relevant, make reference to any precedent in solar Development Consent Orders (DCO) for approaches to BNG monitoring?</p>
Q2.2.6	Applicant	<p>Reporting of effects in ES</p> <p>There are at least two instances where the applicant asserts in ES Chapter 7 [REP2-035] that operational effects would be no greater than construction effects (ES paragraphs 7.6.124 and 7.6.126). There may be others. The ExA needs to understand exactly what the operational effects would be. As such, it is not sufficient to state that operational effects would not be greater than construction effects. It is not easy to identify the construction, operation and decommissioning effects for each receptor. As such, please could the applicant produce a table to include the following:</p> <p>Column 1- Description of construction effects prior to mitigation.</p>

ExQ2	Question to:	Question:
		<p>Column 2- Description of construction mitigation proposed. Column 3 – Description of residual construction effects. Column 4 – Description of operational effects prior to mitigation. Column 5 – Description of operational mitigation. Column 6 – Description of operational residual effects. Column 7- Description of decommissioning effects prior to mitigation. Column 8 – Description of decommissioning mitigation. Column 9- Description of residual decommissioning effects.</p> <p>Each row should be a different receptor (for example an SPA, or particular species).</p> <p>All descriptions of effects should include the overall significance (for example ‘significant’ ‘not significant’). All descriptions should also signpost to the relevant ES paragraph. Where effects have not been clearly stated in the ES (for example paragraphs 7.6.124 and 7.6.126) the ES should be updated to include a full description of the relevant effects and significance.</p>
Q2.2.7	Natural England (NE)	<p>Additional impact pathways requiring consideration: The ExA notes that the NE relevant representation [RR-023] and subsequent risks and issues log [REP3-075] refers to the following potential additional impact pathways: NE0 - Direct loss / damage of habitat NE3 - Collision risk with turbines due to displacement (from nesting / foraging sites) NE5 - Recreational disturbance from new permissive paths NE8a - Collision risk with solar panels.</p> <p>Can NE confirm: -whether it considers that these are impact pathways which have the potential to result in Likely Significant Effects (LSE) (and / or Adverse Effects on Integrity (AEoI)) -whether these are required to be assessed within the applicants HRA Report [CR1-012]? -which European sites and qualifying features do the impact pathways have the potential to effect?</p>
Q2.2.8	Applicant and NE (and any other interested parties)	<p>Amendments to mitigation area M1(A) as a result of change request 1: The ExA notes that part of change request 1 is to amend the layout of mitigation area M1(A) to be able to construct and fence off the permissive path (by avoiding common land).</p> <p>Can the applicant and NE (and any other interested parties) confirm their position on any HRA implications of the altered layout and size of the mitigation parcel, or the requirement for additional construction works (fence installation)?</p>
Q2.2.9	Applicant	<p>Conservation objectives and site favourable / unfavourable condition Can the applicant please confirm the favourable / unfavourable status of the sites assessed within the HRA Report [CR1-012], and explain how this has been considered in the assessment?</p>
Q2.2.10	Applicant	<p>Assessment of operational impacts: The ExA notes the applicant’s response [REP2-087] to Q2.0.24, which states that the ES chapter has been updated [REP2-035] to include further detail on operational impacts.</p> <p>Can the applicant confirm how these changes have been considered in the HRA Report [CR1-012] (with reference to any further updates as a result of Q2.0.6 above).</p>
Q2.2.11	NE and all interested parties	<p>Revised HRA assessment in the sensitivity test To assess the implications of a revised construction period and connection date, the applicant has provided a sensitivity test report [REP2-091] which includes an assessment of the HRA conclusions. NE and all interested parties are invited to provide comments on the HRA implications of the conclusions of the sensitivity report.</p>

ExQ2	Question to:	Question:
Q2.2.12	Applicant	<p>Conclusions omitted from Table 7-2: Table 7-2 of the revised HRA Report [CR1-012], which lists relevant mitigation measures and therefore AEol conclusions, appears to omit the Estuarine habitat feature of the Humber Estuary Ramsar site, and all features assessed for Adverse Effects on Integrity (AEol) for the Humber Estuary SAC.</p> <p>Can the applicant please provide a revised HRA report to include mitigation measures and conclusions on all qualifying features taken forwards to the assessment of AEol.</p>
Q2.2.13	Applicant	<p>Consistency of impact pathways between the Humber Estuary SAC and Ramsar site Table 6-3 of the revised HRA Report [CR1-012] considers that the estuarine habitat of the Humber Estuary Ramsar site is vulnerable to impacts from changes to water quality / quantity only. However, the habitats of the overlapping Humber Estuary SAC are vulnerable to impacts from change to water quality / quantity and air quality. Can the applicant confirm its position on this matter and provide a further justification for the Ramsar habitats only being vulnerable to one impact pathway?</p>
Q2.2.14	NE	<p>Current position on AEol The ExA notes NE's comments in the SOCG [REP2-095] that it is not currently in a position to agree that there would be no AEol. Can NE provide its current position on where AEol cannot be ruled out (ideally in tabular form with reference to sites, project phase, impact pathways (alone and in combination) and qualifying features)?</p> <p>If AEol cannot be ruled out, then please explain in detail why and what the applicant could do within the remaining examination time to resolve this.</p>
Q2.2.15	Applicant	<p>Natural England representations Could the applicant please ensure that it addresses all outstanding issues set out in NEs deadline 3 representation [REP3-075] as soon as possible? This should be reflected in an updated SoCG to be submitted at deadline 4.</p>
3. Climate change		
Q2.3.1	Applicant	<p>Peat Please could the applicant fully address Natural England's response to written question 9.0.17 [REP2-105] and update the ES if necessary?</p>
4. Compulsory acquisition, temporary possession and other land or rights considerations		
Q2.4.1	Applicant	<p>Common Land Q4.0.4 The applicant's response to written question Q4.0.4 is noted, but it is not clear why this land needs to be included within the order limits. Taking into account the change request, why does the land need to be within the order limits if there are no DCO powers applicable to it?</p>
Q2.4.2	Applicant	<p>Requirement 21 and CA The applicant's response to Q4.0.5 [REP2-087] is noted. However, could the applicant please clearly explain why dDCO [REP3-006] articles 22, 24, 32-33 and 47 would prevent the applicant from acquiring land and rights prior to obtaining a grid connection?</p>
Q2.4.3	Applicant	<p>Q4.0.11 – Human Rights The applicant's response to Q4.0.11 [REP2-087] is noted but could the applicant refer specifically to the relevant provisions of the Human Rights Act (1998) in its response?</p>
Q2.4.4	Applicant	<p>Q4.0.14 – Funding The Applicant's response to 4.0.14 [REP2-087] states in part: "Notwithstanding this, the Applicant has made worst case assumptions on potential costs and confirms that such assumed costs would be funded by RWE AG's balance sheet. However, the Applicant considers that this would be a matter for any future application for consent for the remainder of the cable route from the Order Limits to the eventual point of connection." What worst case assumptions has the applicant applied and can the applicant please set these out in the funding statement [REP2-006]?</p>
Q2.4.5	Applicant	<p>4.0.15 and 4.0.16 – Article 39 What is the applicant's view on whether dDCO [REP3-006] article 39 addresses the funding implications alluded to in written questions 4.0.15 and 4.0.16 [REP2-087]?</p>

ExQ2	Question to:	Question:
Q2.4.6	Applicant	<p>Operation and decommissioning costs</p> <p>The applicant's response to written question Q4.0.17 [REP2-087] is noted but could the applicant please explain what the operation and decommissioning costs are likely to be in the submitted funding statement [REP2-006]?</p>
Q2.4.7	Applicant	<p>Timing</p> <p>The applicant's response to Q4.0.18 is noted. However, could the applicant please update the funding statement to explain the timing of the funds for the reasons given in written question Q4.0.18 [PD-010]?</p>
5. The draft Development Consent Order (DCO)		
Q2.5 Articles		
Q2.5.1	Applicant	<p>Article 3(2) and Q5.1.1</p> <p>The ExA notes that dDCO [REP3-006] Article 3(2) contains an all-encompassing provision stating that <i>"Any enactment applying to land within or adjacent to the Order limits has effect subject to the provisions of this Order."</i> Concurrently, Article 9 and Schedule 3 seek to disapply specific, named legislative provisions. The Applicant is requested to:</p> <ul style="list-style-type: none"> • (a) Justify redundancy: Explain why the blanket override in Article 3(2) is strictly necessary given the inclusion of a dedicated, targeted disapplication mechanism under Article 9 and Schedule 3. If Article 3(2) is retained, does it not render the precision of Article 9 redundant? • (b) Compliance with guidance: Demonstrate how a broad, unspecified "any enactment" clause complies with the gov.uk guidance, which requires all articles to be justified within the explanatory memorandum. • (c) Define spatial scope ("adjacent"): Provide a precise definition of the term "adjacent" as used in Article 3(2). How can the applicant ensure that this phrasing does not create legal uncertainty or an unjustified extra-territorial extension of powers over land outside the Order limits?
Q2.5.2	Applicant	<p>Article 8</p> <p>The ExA notes that the text of Article 8(3) expands automatic transfer privileges beyond the established thresholds seen in recently made solar DCOs. For instance, Article 36 of the Tillbridge Solar Order 2025 and Article 33 of the Gate Burton Energy Park Order 2024 effectively limit automatic, un-audited transfers to entities holding an electricity generation or transmission license under Section 6 of the <i>Electricity Act 1989</i>. During ISH2 I asked the applicant to address this. In its written summary of oral submissions at ISH2 [REP3-047] the applicant states in part:</p> <p>"The Applicant has considered this issue further, including a review of recently made solar DCOs. The Applicant notes that the approach in article 8(9)(c) of the draft DCO, which provides that any transferee is subject to the same restrictions, liabilities and obligations as would apply to the undertaker in exercising those rights, is consistent with drafting in a number of recent Orders, including, for example, article 36(8)(c) of the Springwell Solar Farm Order 2026, article 36(9)(c) of the Fenwick Solar Farm Order 2026, and article 6(9)(c) of the Helios Renewable Energy Project Order 2025. The Applicant has not identified any specific drafting within these Orders which is germane to the issues raised by the ExA."</p> <p>However, it is my understanding that recently made solar Orders typically include far stricter instances where the benefit can be transferred without SoS approval and none include such flexibility for holding companies and subsidiaries. Why is a different approach being taken to that established in recently made orders? Whilst I acknowledge the applicant's response, this does not deal with the issue of funding, which is a matter which the SoS typically considers in instances where a transfer is sought to anyone who does not hold an electricity license.</p> <p>. The Applicant is requested to:</p> <ul style="list-style-type: none"> • (a) Justify the Departure from approach taken in recently made solar DCOs • (b) Provide Parent Company Guarantees: Given that that it appears that no independent decommissioning bond is provided in the DCO or the Outline DEMP, explain why Article 8(3) should not be amended to require that any transfer to an unlicensed subsidiary is legally invalid unless supported by a legally binding Parent Company Guarantee (PCG). <p>Please note the gov.uk guidance which states: 'Where the principle of the provision is well established, the detailed drafting should follow the relevant Government Department's preferred drafting unless there are particular circumstances arising from the nature of the specific NSIP.'</p>

ExQ2	Question to:	Question:
Q2.5.3	Applicant	<p>Framework Highways Agreement</p> <p>In its written summary of oral submissions at ISH2 [REP3-047] the applicant states in part:</p> <p>“TM confirmed that the Applicant is reviewing the draft highways agreement provided by the Council to identify whether any of its provisions could be incorporated into the Draft DCO (or related control documents), with the aim of avoiding the need for additional consents outside the DCO.”</p> <p>Please could the applicant provide an update at deadline 4? If a framework highway agreement is not addressed in the dDCO then what articles could be amended to provide commensurate controls?</p>
Q2.5.4	CDC	<p>Draft DCO [REP3-006] Articles 11 and 12</p> <p>Could CDC please provide an updated response on the suitability of article 12 (and specifically 12(4)), taking into account ongoing progress and/ or discussions between CDC and the applicant?</p>
Q2.5.5	CDC and NLC	<p>Draft DCO [REP3-006] Article 13</p> <p>CDC’s position on the 28 period is noted. Could NLC please confirm whether a deemed consent period of 28 days is acceptable (please give reasons in your response)?</p>
Q2.5 Schedules		
Q2.5.1	CDC	<p>Schedule 2 – Requirement 12 [REP3-006]</p> <p>Could CDC please explain why it requires the submission of a further iteration of the Outline Archaeological Mitigation Strategy (oAMS)? What is likely to change, if anything?</p>
Q2.5.2	EA	<p>Schedule 2 – Requirement 14 [REP3-006]</p> <p>The applicant has amended dDCO [REP3-006] Requirement 14 (Construction environmental management plan) to clarify that the term “commence” does not include any remedial works in respect of contamination. Could the EA confirm whether this addresses its concerns regarding ensuring provision for ground contamination risk assessment prior to preliminary works?</p>
Q2.5.3	Applicant	<p>Schedule 12</p> <p>The list at draft DCO schedule 12 [REP3-006] is not detailed enough. For example, “Environmental Statement” includes a whole host of documents, some of which are particularly important and many of which have been revised at different dates and with different references. On that basis, the applicant should update schedule 12 to reflect the Fenwick Order Schedule 12 and the way that documents have been split out. For example, the AMS and the Landscape and Visual Mitigation Strategy should be listed (just to give two examples). Please could the applicant amend the dDCO accordingly?</p>
Q2.5.4	Applicant	<p>5.2.10 Phases</p> <p>The applicant’s response to written question Q5.2.10 [REP2-087] is noted but the word ‘phase’ still needs to be defined in the dDCO [REP3-006] (the applicant can cross-refer to Requirement 3 in the definition) to avoid ambiguity. Please could the applicant amend the dDCO accordingly?</p>
Q2.5.5	Applicant	<p>5.2.11 Controlled site</p> <p>The applicant’s response to written question Q5.2.11 [REP2-087] is acknowledged but full evidence - providing certainty or at least suspicion of crash site locations - is required in order to justify restricting the effect of this requirement only to work no. 1A and 1B. What measures are included in the dDCO [REP3-006] to accommodate those crash sites being discovered elsewhere within the order limits?</p>
6. Cultural heritage		
Q2.6.1	Applicant	<p>Affected properties</p> <p>CDC’s LIR paragraph 8.8 [REP1-062] suggests that ‘affected’ properties have not been included in the applicant’s assessment in terms of their contribution to the heritage significance of the local landscape. Is this correct? If so, why has this approach been taken? Have any properties been excluded from the heritage assessment on this basis?</p>

ExQ2	Question to:	Question:
Q2.6.2	Applicant	Historic Landscape CDC's LIR [REP1-062] Paragraph 8.16 suggests that - given the open character of the historic landscape - 'proposed planting to mitigate the impacts of the development would, in and of itself, cause harm in historic landscape terms.' Could the applicant provide a response?
Q2.6.3	CDC and the Applicant	Archaeology CDC's LIR [REP1-062] paragraph 8.30 states in part: 'In order for appropriate weight to be given to the effects of the proposals on the significance of any affected heritage assets, it will be necessary for the Applicant to demonstrate that sufficient flexibility remains within the scheme design and the mitigation options to respond to archaeological discoveries made and to avoid unnecessary harm.' Could CDC please elaborate and explain what this would look like in practice? Could the applicant also provide a response?
Q2.6.4	Applicant, CDC and NLC	Archaeology Could the applicant please provide a response to the assertions made at paragraphs 8.19 to 8.29 of CDC's LIR [REP1-062]? Specifically, could the applicant explain whether it considers that it has sufficiently taken a holistic approach to the consideration of below ground heritage assets and the extent to which they are likely to be present? Please could both Councils and the applicant also provide an update on discussions with regard to the extent of archaeological works to be secured post consent (in the event that consent is granted)? Any disagreement should be clearly explained with reasons given.
Q2.6.5	Applicant	Archaeology Please could the applicant respond to the CDC's suggested DCO wording in respect of archaeological mitigation. The wording is set out at paragraph 16.2 of CDC's LIR [REP1-062].
Q2.6.6	NLC and the applicant	Dirtiness Pumping Station (Grade II) Paragraphs 12.28 to 12.30 of NLC's LIR [REP1-063] address the effect of the proposed development on dirtiness pumping station. Could NLC please confirm whether it is suggesting 'less than substantial harm' would occur? Could the applicant also provide a response on this? Could the applicant and NLC update the ExA on any progress made in amending the proposed layout, as indicated at NLC LIR paragraph 12.30?
Q2.6.7	Applicant	Heritage Balance In response to EXQ1 Q6.0.1 [PD-006] the applicant provided appendix B to the Planning Statement [REP2-012]. However, please update this to include a table identifying all designated and non-designated heritage assets where harm would arise ('no harm' 'less than substantial harm' 'substantial harm').
Q2.6.8	Applicant	Heritage assets The applicant's response to EXQ1 6.0.3 [REP2-087] states in part: "The Applicant has revised Figure 1 in ES Appendix 8.1 Heritage Baseline Assessment Document Reference 6.3.8 Revision 2] to show all of the designated heritage assets within the SZTV or 1km buffer around the Order Limits". However, there appear to be some heritage assets located north of Sandtoft and south of the M180 which are within 1km of the order limits. There also appear to be an even larger number which are located within the ZTV (in Sandtoft for example). These are not shown on the figure and should be. They should also be assessed accordingly.
Q2.6.9	Applicant	Q6.0.10 The applicant has provided a response to EXQ1 Q6.0.10 [REP2-087]. However, could the applicant update the ES to include this explanation?
Q2.6.10	Applicant	Archaeology CDC's response to written question 6.0.7 [REP2-099] states in part: "Magnetometry has been relied on as the main evaluation technique but the influence of the alluvial deposits on the effectiveness of the geophysical survey technique has not been resolved. The applicants contend that the survey was targeted at understanding near surface archaeological remains- "Magnetometry was not intended for consideration of deep deposits" (APP-045 ES Ch 8. Table 8-3: Summary of Consultation)- and the geoarchaeological desk-based assessment is the only site wide consideration of the potential for deeply buried remains. In addition, the effectiveness of the geophysical survey in identifying near surface archaeological remains is uncertain. Cropmark data indicated Romano-British activity in the Sandtoft area. Area 3 of the trial trench evaluation targeted this area identifying a Romano-British settlement dated to the 2nd/ 3rd century recording features consistent with the cropmark evidence. Despite only being covered by, on average, 30cm-50cm of topsoil and subsoil, none of the features associated with this settlement were recorded as anomalies by the

ExQ2	Question to:	Question:
		geophysical survey. Given this, it remains unclear whether apparent absences of archaeology reflect genuine patterns or are the result of masking by alluvial deposits. This results in a level of uncertainty that, in SYAS' view, is too great to be addressed solely through post-decision mitigation." This is part of its argument that magnetometry surveys are not sufficient. CDC also refers to other projects, including Fenwick which it asserts include much higher degrees of trial trenching. What is applicant's response?
Q2.6.11	Applicant	Archaeology Please could the applicant address paragraphs 5.4 to 5.7 of CDC's deadline 3 submission [REP3-081]? This questions the examples alluded to by the applicant in justifying the degree of pre-consent archaeological work.
7. Flood Risk, hydrology, and water resources		
Q2.7.1	Applicant	Q7.0.13 The applicant's response to EXQ1 7.0.13 [REP2-087] states: "Paragraph 002 of the Flood Risk and Coastal Change Planning Practice Guidance (PPG) confirms that the standard design basis for flood risk assessment is generally the 1 in 100-year fluvial event (plus climate change allowance) and the 1 in 200-year tidal event (plus climate change allowance). These represent the conventional design events for planning purposes, as supported by Environment Agency guidance. For this Scheme, detailed review of the Environment Agency's 2023 River Trent hydraulic model demonstrated that the fluvially dominated 1 in 1,000-year event produces higher flood levels and more extensive inundation than the 1 in 100 year fluvial and 1 in 200-year tidal design events (including climate change). It was therefore agreed with the Environment Agency that mitigation should be designed to the more precautionary 1 in 1,000-year fluvial event, plus 100 mm freeboard, as a conservative proxy for extreme flood conditions. Refer to Item 7 in Environment Agency SoCG [Document Reference 9.4, Revision 1]." However, isn't the 1 in 1000 event always greater than 1 in 100. Please expand on the rationale provided? Is the applicant effectively agreeing to exceed policy requirements?
Q2.7.2	Applicant	Flood Emergency Plan The applicant's responses to EXQ1 questions 7.0.24 and 7.0.25 are noted [REP2-087]. However, could the applicant please update the relevant management plans (for example, construction and operation) to cross refer directly to the applicant's Flood Emergency Plan and require final details to be submitted for approval for that stage of development?
Q2.7.3	Applicant	Sequential Test Please could the applicant provide a response to the assertions made at pages 23 to 25 of NLC's deadline 3 submission [REP3-079]? These representations suggest that the applicant has not properly undertaken the sequential test.
8. Landscape and visual		
Q2.8.1	Applicant	Viewpoint 1 In response to CDC's LIR the applicant [REP2-089] states in part: "The Applicant acknowledges that there appears to be a difference in assessment of residual effects from Viewpoint 1 within Appendix 6.5 Viewpoint Assessment [APP-069], when compared to the assessment of Public Right of Way FP15 (Thorne) (Ref: DR/Thorne/15) within Chapter 6 Landscape and Visual [Document Reference 6.2.6 Revision 3]. It is considered that the conclusions within Chapter 6 Landscape and Visual are overstated and that the assessment of Viewpoint 1 within Appendix 6.5 Viewpoint Assessment [APP-069] should take precedent as a single static viewpoint representing a gap in the vegetation along this route." Please could the applicant update the ES to reflect this?
Q2.8.2	Applicant	Receptors Paragraph 5.16 of the applicant's Written Summary of Oral Submissions at ISH1 [REP1-046] states in part: "the Applicant has identified the residential receptors in respect of which significant effects are reported in ES Appendix 6.2 and included this as part of the ES Chapter 6: Landscape and Visual [Document Reference 6.2.6 Revision 2] submitted at Deadline 1." Could the applicant also please update these documents (and specifically ES table 6-6) to specify individual receptors for the following categories: 'Users of publicly accessible BOATs, bridleways and footpaths' and 'Users of the transport network'? For example, which specific footpath is being referred to.

ExQ2	Question to:	Question:
Q2.8.3	Applicant	<p>Residential Visual Amenity Assessment (RVAA)</p> <p>Paragraph 5.31 of the applicant's Written Summary of Oral Submissions at ISH1 [REP1-046] states in part:</p> <p>"The Applicant has entered into agreements with the owners of these properties for the acquisition of land interests and rights in respect of the Scheme, which indicate that those parties (and by extension any other occupiers of the land who would, by virtue of the nature of their interest in the land, ultimately be bound by any agreement entered into by the owner) have accepted the principle of development and the inevitable impact on views from their properties that the Scheme will have. The Applicant notes that the Landscape Institute Technical Guidance Note (TGN) 2/19 (Ref 1-15) RVAA provides examples of factors which might contribute to the threshold being reached, including 'unavoidable', 'overwhelming', 'oppressive' and 'overly intrusive'. Based on the informed professional judgement that TGN 2/19 states is required to determine such conclusions, the Applicant does not consider that such impacts would arise in those circumstances."</p> <p>Could the applicant please update the RVAA [APP-062] to include an assessment of 'involved' properties? TGN 2/19 does not appear to endorse the applicant's approach of excluding 'involved' properties. Please update the RVAA accordingly.</p>
Q2.8.4	Applicant	<p>Q8.0.9, 8.0.10 and 8.0.17</p> <p>The applicant's responses to these written questions [REP2-087] are noted but could the applicant please update the ES to include this information?</p>
Q2.8.5	Applicant	<p>Applicant response to NLC LIR</p> <p>In the applicant's response [REP2-090] to paragraph 9.10 of NLC's LIR, the applicant refers to the draft SoCG [REP1-051]. However, it is not clear how or where paragraph 9.10 is addressed in the SoCG. Please could the applicant explain?</p>
Q2.8.6	NLC	<p>Receptor sensitivity</p> <p>Please could NLC address the applicant's response to paragraph 9.21 of the NLC LIR [REP2-090]?</p>
9. Land use, soil and ground conditions		
Q2.9.1	Applicant	<p>BESS</p> <p>The applicant's response to EXQ1 [Q9.0.4] is noted but isn't the BESS in question located in Flood Zone 3a and 3b anyway? As such, how is this an adequate justification?</p>
Q2.9.2	Applicant	<p>Q9.0.16 site selection</p> <p>The applicant's response to written question Q9.0.16 [Q9.0.4] is noted. However, assertions made regarding the site selection process should be evidenced. The applicant should either append a statement to the Planning Statement or produce a separate document which provides evidence to support the assertions made in response to Q9.0.16. In other words, the applicant should update the application documents to confirm that it has met the selection requirements at NPS EN-3 paragraph 2.10.30.</p>
Q2.9.3	Applicant, CDC and NLC	<p>Unexploded Ordnance (UXO) risk assessment</p> <p>The applicant has submitted a Detailed Unexploded Ordnance Risk Assessment (Rev 1) [REP3-030]. Could the applicant confirm how the recommendations of this assessment would be implemented? It is noted that some measures are set out at paragraphs 5.15.1 to 5.15.10 of the CEMP [REP3-033]. However, paragraph 20.1 of the risk assessment [REP3-030] states in part:</p> <p>"It is recommended that a site-specific plan for the management of UXO risk be written for this site. This plan should be kept on site and be referred to in the event that a suspect item of UXO is encountered at any stage of the project. It should detail the steps to be taken in the event of such a discovery, considering elements such as communication, raising the alarm, nominated responsible persons etc.(ExA emphasis added)</p> <p>Please append this management plan to the CEMP, OEMP and DEMP. Details of UXO risk management should be set out in the OEMP and DEMP bearing in mind the risks associated with 'maintenance' and decommissioning works respectively. Could CDC and NLC provide any representations on the applicant's risk assessment [REP3-030]?</p>
10. Network connection		
Q2.10.1	NLC	<p>Definition</p> <p>Paragraph 4.17 of NLCs LIR [REP1-063] states in part:</p> <p>"Overall NLC is not convinced that the Applicant's definition of the project is legally sound. It is accepted that an assessment of NGET substation and grid connections may not be possible to the same level as the parts of the project that are (more) certain. However, NLC considers that those elements should have been included in the definition of the project and an assessment should be carried out"</p>

ExQ2	Question to:	Question:
		Could the Council please expand on when it says that the 'definition' is not legally sound? The preceding text and the points raised are acknowledged but it is not clear how this makes the actual definition unsound? Please also consider other solar DCO cases where the point of connection (POC) and cable route did not form part of the application.
Q2.10.2	NLC	Ashchurch Paragraph 4.6 of NLC's LIR [REP1-063] concludes that on the basis of the judgement in R (Ashchurch Rural Parish Council) v Tewkesbury Borough Council [2023] EWCA 101] the applicant 'may be guilty of salami slicing'. However, what does this mean in practice? Is it a legal point? Does it go to the principle of development or benefits? Please expand on this.
Q2.10.3	Applicant	Point of connection Paragraph 8.19.2 of annex 1 to the applicant's Written Summary of Oral Submissions at ISH1 [REP1-046] states in part: "While a Gate 2 offer confirms the identity of the PoC (for example, the relevant substation or node), it does not necessarily provide certainty as to the precise geographical location of that PoC where new substations or extensions are required, as opposed to connection into an existing substation" Please could the applicant provide evidence of how the Gate 2 offer defines or identifies the 'relevant substation or node'?
Q2.10.4	Applicant	Existing substation Paragraph 8.22 of annex 1 to the applicant's Written Summary of Oral Submissions at ISH1 [REP1-046] states in full: "The Applicant was aware of the realistic possibility that, following the issue of formal Gate 2 offers, the Scheme's PoC could ultimately be accommodated within an existing substation as projects fall away or were re-sequenced within the queue. However, the PoC remains unconfirmed and uncertain at the current time" Could the applicant please provide details of the existing substations which the development could connect to, including their location.
Q2.10.5	Applicant	Grid connection offer Paragraph 8.27 of annex 1 to the applicant's Written Summary of Oral Submissions at ISH1 [REP1-046] states in full: "As noted, in December 2025, the Scheme received notification from NESO that it is included in Gate 2 Phase 2 and a subsequent formal Gate 2 offer is due to be issued no later than mid-January 2027. Once issued and accepted, that offer will replace the existing Grid Connection Agreement as a legally binding bilateral agreement with NESO, giving rise to obligations on NESO, and through it, NGET, to plan for and deliver a PoC in accordance with their statutory, licence and code obligations. The fact that the Scheme is now guaranteed to receive a Gate 2 Phase 2 offer, therefore, places the Scheme in a materially stronger position than projects that will not receive a Gate 2 offer (i.e. will receive a Gate 1 offer)." Please could the applicant explain (with evidence) whether there is a prospect of a lower total MW connection being offered in phase 2 when compared to the original offer? If so, what are the implications for the proposed development? Is NESO obligated to match it's existing offer in terms of MW?
11. Noise and vibration		
Q2.11.1	NLC and the applicant	Rating level Paragraphs 13.21 to 13.22 of NLC's LIR [REP1-063] state: 'Table 13-7 of the ES appears to consider 'No Adverse Effect Level' at a Rating level less than or equal to noise limit +5dB. However, according to BS4142:2014 a difference of around +5dB is likely to be an indication of an 'Adverse Impact', depending on the context. On this basis, NLC therefore recommends that the rating level should be either less than or equal to the measured background noise level at the NSR's to ensure a low impact.' How would NLC propose that this is controlled? What is the applicant's response?
Q2.11.2	NLC and the applicant	Decommissioning NLC LIR [REP1-063] paragraph 13.28 states in part that 'there is no robust assessment of the effects and the Decommissioning Environmental Management Plan does not present any specific mitigation measures to address any effects which may arise.' What measures would NLC propose in this regard and can the applicant please provide a response (updating documents where necessary)?
Q2.11.3	Applicant	Nighttime working In response to written question 11.0.6 [REP2-087] the applicant states in part: "Works outside the core working hours would need to be approved with the relevant planning authority, as set out in section 4.1 of the Outline Construction Environmental Management Plan (CEMP) [Document Reference 7.1 Revision 3]. This includes night-time working. The Outline CEMP is secured by

ExQ2	Question to:	Question:
		Requirement 14 of the draft DCO [Document Reference 3.1 Revision 4]. A CEMP submitted to the relevant planning authority for approval under Requirement 14 must be substantially in accordance with the Outline CEMP.” Whilst it is acknowledged that there is some control over nighttime working and associated noise effects, these effects do not appear to have been assessed on a worst-case scenario basis in the ES. Please could the applicant update the assessment accordingly or justify the omission of such information?
Q2.11.4	Applicant	<p>Cumulative Effects</p> <p>The applicant’s response to Q11.0.12 [REP2-087] states in part: “Heritage receptor Her05 is approximately 225m from the boundary of ID23 and has a greater potential for cumulative noise effects. The predicted construction noise level from the Scheme at this receptor is LAeq 49dB. For the cumulative noise level to exceed the LOAEL limit, noise from construction activities at ID23 would have to be approximately LAeq 65dB. In this instance, no level of mitigation from the Scheme would ameliorate these impacts and it would be necessary for Cumulative site ID23 to address their noise emissions. The Applicant confirms that the assessment has been carried out on a reasonable worst-case basis.”</p> <p>This statement is also repeated in the updated ES chapter 18 [REP2-030] at paragraph 17.4.90. Despite this, ES paragraph 17.4.91 concludes as follows: “Given the above, the cumulative noise and vibration effects from construction are shown to be, at worst, minor (not significant), with the operational effects remaining negligible (not significant). The cumulative effects are unlikely to be significant.”</p> <p>Could the applicant please confirm whether it is suggesting that significant effects could arise upon receptor HER05? If so, then ES paragraph 17.4.91 needs to be updated to reflect this. The assertion that Cumulative Site ID23 would need to address the effects does not mean that they would not arise in a reasonable worst-case scenario.</p> <p>Please also ensure that any significant effects are taken into account in the heritage assessment, insofar as they relate to HER05.</p>
12. Socio-economic		
N/A	N/A	No further questions at this time.
13. Transport and access		
Q2.13.1	CDC and NLC	<p>Abnormal Indivisible Loads (AIL)</p> <p>Are the Councils satisfied with the applicant’s approach to AILs set out in its response to written question 13.0.5 [REP2-087].</p>
Q2.13.2	Applicant	<p>Q13.0.8</p> <p>The Applicant has not fully answered written question Q13.0.9 [REP2-087]. This states in part: “ES paragraph 12.5.25 concludes that there would not be any likely significant effects on ‘road safety’ during the construction phase. So it is not clear why there would be such effects during the decommissioning phase. Please provide a full explanation.”</p> <p>Please could the applicant respond and amend the ES if necessary?</p>
Q2.13.3	Applicant	<p>Diversion of CROW21</p> <p>In response to written question Q13.0.13 [REP2-087] the applicant states in part: “The IEMA Guidelines state at paragraph 1.15 that non-motorised impacts should typically be assessed in a Transport Assessment or other such document and as such this is not included in the ES”</p> <p>However, this is not a justification for excluding consideration of this diversion from the ES. IEMA Guideline paragraph 1.15 does not exempt the applicant from assessing major physical diversions, community severance, or non-motorised user (NMU) delay, such as a PRow diversion in this case. Please update the ES accordingly.</p> <p>In addition, how will the diverted route remain ‘equally commodious’ as suggested by the applicant?</p>
14. Other matters		
Q2.14.1	EA and Applicant	<p>Piling Method Statement</p> <p>Could the EA please provide a response to the applicant’s statement in respect of the EA request for a requirement pursuant to a piling risk assessment? The applicant’s response is provided at page 51 of its response to RR [REP1-043]. Could the applicant please explain whether the existing commitments referred to include provision (and suitable implementation and control) for a piling method statement?</p>

ExQ2	Question to:	Question:
Q2.14.2	CDC	<p>Air Quality</p> <p>CDCs LIR [REP1-062] states at paragraph 14.7:</p> <p>“CDC is still considering the air quality impacts of the development and whether there would be more prescriptive requirements in relation to PM10s than the nuisance regime and what measures are likely to be required to mitigate any likelihood of nuisance arising.”</p> <p>Could CDC please confirm its position on the air quality effects of the proposed development? In responding, please take into account the construction management measures proposed by the applicant.</p>