

Tween Bridge Solar Farm

9.2 Statement of Common Ground with City of Doncaster Council

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Statement of Common Ground

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1 Introduction

1.1. Purpose of this document

- 1.1.1. This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Tween Bridge Solar Farm (the 'Scheme').
- 1.1.2. The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.
- 1.1.3. The SoCG is a 'live' document that has been prepared by the Applicant and City of Doncaster Council (CDC) Consultee.
- 1.1.4. The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2024 by the Department for Levelling Up, Housing and Communities¹.
- 1.1.5. This Guidance comments that:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority".
- 1.1.6. The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between the Applicant and CDC Consultee on matters relating to the Scheme. Where matters are yet to be agreed, the parties will continue to proactively work to reach agreement.
- 1.1.7. The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and the CDC Consultee. This SoCG is based on the CDC's Relevant Representation and will be progressed on

¹ Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (April 2024)

publication of CDC's Local Impact Report (LIR), which is expected by Deadline 1 of the examination on 5 May 2026.

1.2. Parties to this Statement of Common Ground

- 1.2.1. This SoCG has been prepared by (1) the Applicant and (2) CDC.
- 1.2.2. The Order Limits straddles the administrative boundaries of CDC and North Lincolnshire Council. CDC is therefore a joint host authority for the Scheme.
- 1.2.3. Collectively, the Applicant and CDC are referred to as 'the parties'.

1.3. Terminology

- 1.3.1. Section 3 of this document sets out the relevant matters raised through discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
- 1.3.2. "Agreed" indicates where the issue has been resolved between the parties and is not anticipated to be subject to further discussions;
- 1.3.3. "Under discussion" indicates where a matter remains in active dialogue between the parties and a final position has not been reached;
- 1.3.4. "Not Agreed" indicates where the parties have established a final position that they cannot resolve the matter and will remain a point of difference.

2 Record of Engagement

2.1. Summary of consultation and engagement

2.1.1. The parties have been engaged in consultation and engagement throughout the development of the Scheme. Table 1 shows a summary of the meetings and correspondence that has taken place between the Applicant and City of Doncaster Council in relation to the Scheme. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

2.1.2. Table 2-1: Record of Engagement with Planning Officers

Table 1 – Record of Engagement since November 2022		
Date	Method	Purpose / Description
9 November 2022	M.Teams Meeting	In November 2022, the Applicant engaged in early communications with City of Doncaster Council with regards to the proposed approach to consultation and engagement on the Scheme. At the meeting on 9th November 2022, the Applicant shared a high-level timeline for consultation and discussed the planned two-stage consultation approach.
1 February 2024	M.Teams Meeting	The Applicant met with officers from City of Doncaster Council to discuss the Council's biosphere aspirations and identify some initial opportunities for how the scheme could support City of Doncaster Council plans to boost ecological value in the area.
14 October 2024	Email	On 14th October 2024, the Applicant issued a draft SoCC to City of Doncaster Council. The Applicant requested for any comments to be made by the end of November 2024. City of Doncaster Council provided their response on 4th November 2024, whereby they welcomed the consultation approach set out in the draft document.
4 December 2024	Teams Meeting	Scheme update meeting, requested by the Applicant.

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13 February 2025	Email	The SoCC issued to host local authorities, pursuant to section 47(3) of the PA2008, on 13 February 2025. The City of Doncaster Council responded to SoCC on 20th February 2025.
13 March 2025	Teams Meeting	Meeting to discuss Planning Performance Agreement.
21.03.2025	Email	City of Doncaster Council noted that the statutory consultation had commenced and requested the PPA be progressed.
02.04.2025	Email	City of Doncaster Council followed up on the Applicant's progress on drafting a PPA. City of Doncaster Council expressed two key concerns regarding project management and ensuring sufficient planning officer capacity to handle this work, particularly given existing commitments, being involved in the Examination Stage for another solar proposal; and external landscape advice and securing the involvement of an external landscape consultant, in order to provide input on matters such as standards and viewpoints.
14.04.2025	Email	City of Doncaster Council requested an update from the Applicant on progress of the draft PPA.
25 April 2025	Email	City of Doncaster Council written response asking for the progression of a PPA.
12 May 2025	Teams Meeting	Meeting to discuss the project programme and accelerated timescales for completion and submission of DCO
2 June 2025	Email	City of Doncaster Council publish their Adequacy of Consultation Milestone Response
10 June 2025	Email	City of Doncaster Council confirmed receipt of the Applicant's proposed PPA.
17 June 2025	Email	The Applicant chased the host authorities for an update on their review of the draft PPA.

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11 July 2025	Teams Meeting	Meeting between Applicant and City of Doncaster Council to discuss response to Adequacy of Consultation Milestone Response
17 June 2025	Email	The Applicant chased the host authorities for an update on their review of the draft PPA.
19 June 2025	Email	City of Doncaster Council officers advised they were still reviewing the draft. The delay in responding was due to hearings for another DCO application.
19 June 2025	Email	The Applicant responded advising that their priority was for a response to the Adequacy of Consultation, reiterating the need to submit to PINS in June 2025.
29 July 2025	Email	City of Doncaster Council responded outlining their concerns relating to the Applicant's lack of engagement.
13 August 2025	Email	Applicant's email and attachment setting out Applicant's response to City of Doncaster Council's AoCM response. The letter provided a recap on engagement carried out by the Applicant at the pre-application stage and the driver for acceleration of the DCO application submission. It then went on to outline the Applicant's proposed approach to engaging with the host authorities through the pre-examination stage, together with a proposed approach to cost recovery
8 September 2025	Email	Correspondence from City of Doncaster Council to Applicant accepting the Applicants' approach to a PPA, subject to further considerations of the commuted sums.
5 November 2025	M.Teams Meeting	The Applicant met with City of Doncaster Council planning officers to discuss the proposed PPA/Cost Recovery outlined by the Applicant. The meeting discussed, overview of the draft PPA, review of roles and responsibilities, financial contribution, timescale and programme, and next steps.

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25 November 2025	M.Teams Meeting	The Applicant met with City of Doncaster Council planning officers as a follow up to previous meeting (05.11.2025).
30 March 2026	M.Teams Meeting	The Applicant met with City of Doncaster Council planning officers to provide a project overview, discuss on going strategy of engagement, access to confidential/restricted documents (e.g. badger report), preparing SoCG, the ExA site visit itinerary, the details of the PPA in place, and AOB. It was agreed monthly meetings would be scheduled and if both parties felt not necessary could be cancelled.
21 April 2026	M.Teams Meeting	Regular catch-up call as agreed in previous meeting (30 March 2026). Applicant and Council discussed the approach to SoCG. CDC confirmed that Officer's had not flagged any concerns regarding engagement with the Applicant. CDC confirmed no comments or topics to be raised following Open Floor Hearing 1 and Issue Specific Hearing 1. CDC advised the Local Impact Reports (LIR) are being progressed and are using Relevant Representations as a foundation to the LIR. All acknowledged CDC planning lead had not been to site yet and agreed to arrange at convenient time for CDC and NLC.
19 June 2026	M.Teams Meeting	Regular catch up between Pegasus Group and CDC. We discussed the content of the ISH2, ISH3, and OFH2 agendas. No issues and concerns raised by either party.

2.1.3. Table 2-2: Record of Engagement with Conservation Officers & Archaeological Advisors

Table 1 – Record of Engagement since March 2023		
Date	Method	Purpose / Description
13 March 2023	Email	To agree the scope of the geophysical survey SYAS requested additional information. A draft of the Heritage Baseline Assessment was issued so that SYAS could make an informed decision.
22 March 2023	Email	Following the scoping opinion, a clarified scope and methodology for the setting assessment was submitted to the Design and Conservation Officer at CDC for approval. The proposed scope and methodology were approved on 24 March 2023.
22 June 2023	Email	The WSI for geophysical survey was submitted to the consultee for approval. The methodology was approved on 30 June 2023.
25 October 2023	Email	The project team requested input on the proposed trial trenching strategy but no response was received.
15 November 2023	Email	A geophysical survey summary was issued to SYAS. Input on a trenching strategy was also requested but no response was received.
1 December 2023	Phone Call	SYAS called project team for a detailed discussion about documentary sources which required assessment and review before intrusive works could be considered.
4 December 2023	Email	Follow up email containing a list of non-digital sources requiring review in South Yorkshire HER.
12 March 2024	Email	The project team provided provisional geophysical survey results and the initial geoarchaeological assessment.

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		The team requested a meeting to discuss fieldwalking, test-pitting, next steps for geoarchaeology and trial trenching. A meeting was arranged for 30 April 2024.
30 April 2024	Teams Meeting	The meeting discussed archaeological progress to date and strategy for next steps. Concerns over understanding of warping were raised by SYAS – these were addressed in a revision of the geoarchaeological assessment. Fieldwalking was raised by the Officer as being necessary across the whole of the Order Limits. The Applicant's stance regarding fieldwalking the whole order limits was disproportionate to advise appropriately on archaeological conditions. The Applicant agreed to consider the feasibility of targeted fieldwalking on the basis of areas of potential identified from the baseline and geoarchaeological assessments. Fieldwalking was not presently possible given ground conditions and the very limited extent of ploughing, which was exclusively in areas of limited archaeological potential. This was communicated to SYAS on 12 July 2024. Discussion of trial trenching was declined by SYAS on the basis that the results of other ongoing work, currently unfinished, should first inform the trial trenching strategy.
17 April 2025	Teams Meeting	A meeting was arranged as part of the Statutory Consultation and targeted test-pitting was agreed as a suitable means of assessing areas of prehistoric potential given fieldwalking was not feasible due to ground conditions.
14 May 2025	Email	WSI for targeted test-pitting was issued to SYAS for approval with a provisional start date of 19 May 2025 proposed. Comments were received on 03 June 2025 and work commenced on 09 June 2025.

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25 March 2026	Teams Meeting	A meeting was arranged to discuss survey progress, stakeholder concerns and any outstanding areas of disagreement.
15 July 2026	Teams Meeting	A meeting was arranged to discuss stakeholder concerns and any outstanding areas of disagreement. <u>This meeting took place on 15th July 2026. The view of the CDC Conservation Officer was that the assessment of heritage assets should be undertaken in the wider setting of the area of special distinctive character rather than the artificial setting of the smaller contrived areas of the Applicant's assessment. It was further considered that harm was substantial rather than less than substantial and because harm was likely to be experienced by generations of farmers the interruption of farming use would result in permanent harm rather than being temporary in nature. This opinion is based on the special characteristics of the distinctive location and landscape. Also a proposed Biosphere is the subject of a recent application which if successful will have UNESCO status and the Scheme would have a detrimental impact as it is located on land within the influencing areas around the core areas of the Moors at Hatfield and Thorne and Crowle. CDC considers that the Scheme underplays the importance of the significance and the setting of the heritage assets in the wider landscape in terms of views to and from assets, and that the Scheme results in loss of wide sky views which is an important feature of distinctive landscape. It is impossible because of the nature of the Scheme to mitigate against this and therefore a high level of harm results. These issues are discussed in greater detail why in the opinion of CDC the DCO should not be confirmed.</u>

2.1.4:

2.1.5.2.1.4. Table 2-3: Record of Engagement with Ecology Officers

Table 1 – Record of Engagement since July 2023		
Date	Method	Purpose / Description
13 July 2023	Meeting	Meeting between Doncaster Council and Avian Ecology Ltd. Discussed all ecology matters, including skylark

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		mitigation, nightjar mitigation, invertebrate impacts, water quality, hibernacula, mammal connectivity and winter birds mitigation
14 February 2024	Online meeting	Meeting between Doncaster Council and Tyler Grange. Discussed all general ecology matters, including protected species survey effort and proposed mitigation. Updating Doncaster Council, following similar discussions separately with North Lincolnshire Council. specifically with regards to: Non-breeding birds and using Bird Days Calculations to inform mitigation; Breeding bird surveys and acknowledgement was agreed between all parties that research into the use of solar farms by ground-nesting species such as skylark is contradictory. Discussions were also had regarding the scope and length of commitment of off-site skylark plots in adjacent land. Otter and water vole. Both parties acknowledged the need for proportionality regarding survey effort given the extensive length of ditch network, and limited impacts on such. Mink control was also discussed; Bats. Tyler Grange discussed a proposed targeted survey scope to assess impacts on foraging/commuting bats across the Order Limits. North Lincolnshire highlighted that coverage of the canal corridor was required. GCN. All parties acknowledged that eDNA surveys, as already completed, are an acceptable method of establishing GCN presence/likely absence
05 March 2025	Email	Email correspondence between the CDC and Tyler Grange regarding breeding bird survey effort and specifically following the 2025 surveys following the same methodology as was undertaken in 2022 and 2023.
12 March 2025	Online meeting	An online meeting to provide further detail on proposed updated survey methods and timings.
10 April 2025	Online meeting	Online meeting with both Doncaster City Council and North Lincolnshire Council. This was a more detailed

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		discussion on survey scope, methodology and scheme design
15 July 2025	Online Meeting	Meeting to discuss the timetable of the submission, the updated survey work undertaken in 2025 and the fact that the results from some of these surveys will be submitted as addendum reports, including bats, breeding birds of additional land, the second water vole surveys and bat surveys. Also discussed BNG proposals and potential offsite skylark mitigation options.

~~2.1.6~~ 2.1.5. Table 2-4: Record of Engagement with Socio Economic Officers

Table 1 – Record of Engagement since January 2025		
Date	Method	Purpose / Description
09/01/2025	Email correspondence	Initiating contact with CDC to outline approach to analysis and seek the latest publicly available STEAM data.
09/01/2025	Telephone call	Call with CDC contact to talk through intended use of STEAM data and the parameters of the data request.
09/01/2025	Email correspondence	Follow up email with CDC contacts to outline intended use of STEAM data and parameters of the data request.
18/02/2026	Email correspondence	Initiating contact with Business Doncaster with intention of organising a meeting to discuss expectations and opportunities for engagement in respect of the OSCESP [REP1-083].
16/03/2026	Meeting (virtual)	Meeting between Business Doncaster and Pegasus Socio Economics team to discuss the scope, expectations and opportunities in respect of the OSCESP [REP1-038].
23/03/2026	Email correspondence	Email from Pegasus Socio Economics team to Business Doncaster providing a summary of what was discussed during the meeting on 16/03/2026 and an example of potential edits to the OSCESP for further consideration and comment.

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07/04/2026	Email correspondence	Email from Business Doncaster to Pegasus Socio Economics team providing further comment and clarification as to the expectations in respect of future iteration of the OSCESP [REP1-038].
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~~2.1.7.~~2.1.6. Table 2-5: Record of Engagement with Landscape Officers

Table 1 – Record of Engagement since [xx]		
Date	Method	Purpose / Description
N/A	N/A	The Council advised from the outset of the projects they did not have the relevant expertise to comment on the landscape assessment or proposals relating to this application. There was no engagement between the Applicant and a landscape officer/consultant acting on behalf of the Council prior to the submission of the DCO application. After the application had been accepted by PINS and the PPA signed, the Council advised that Tetra Tech had been appointed to comment on the proposals.
04.03.2026	Email	The Applicant contacted Tetra Tech, acting on behalf of the Council, to arrange a meeting to discuss the landscape assessment and proposals.
11.03.2026	M.Teams Meeting	The Applicant met with Tetra Tech, acting as landscape consultant on behalf of City of Doncaster Council. Tetra Tech ran through their scheme observations that will be presented within their reporting to City of Doncaster Council.

~~2.1.8.~~2.1.7. Table 2-6: Record of Engagement with Flood Risk Officers

Table 2-6 – Record of Engagement since October 2023		
Date	Method	Purpose / Description
October 2023	Email Consultation	The Applicant requested early engagement with City of Doncaster Council Flood Risk Officers.

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December 2024	Email Consultation	Flood risk and drainage information on the Scheme provided to City of Doncaster Council for comment.
February 2025	Email Consultation	Flood risk and drainage comments received from City of Doncaster Council.
May 2025	Email Consultation	Statutory consultation comments received.
March 2026	Email Consultation	Request for private water supply records held by City of Doncaster Council.

~~2.1.9~~ 2.1.8. Table 2-7: Record of Engagement with Highway and PRoW Officers

Table 1 – Record of Engagement since [March 2023]		
Date	Method	Purpose / Description
9 March 2023	Email	Email from Pegasus Group seeking agreement on the scope of Automatic Traffic Count surveys to be carried out within CDC area.
23 March 2023	Email	Correspondence between Pegasus Group and CDC PRoW officers with regard to whether the Council held any records of PRoW usage.
26 April 2023	Email	Response from CDC acknowledging the email seeking agreement on the scope of the Automatic Traffic Count surveys dated 9 March 2023.
24 November 2023	Email	Email from Pegasus Group requesting a meeting with CDC highway officers to discuss the Scheme and the proposed highways and transportation work to be submitted in support of the application.
12 January 2024	Email	Chasing email from Pegasus Group requesting a response from CDC.
15 January 2024	Email	Response from CDC Head of Planning apologising for lack of responses and providing the names and contacts

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		of highways officers within the Council for future correspondence to be directed.
17 February 2026	Email	Email issued to highway officers Andy Wiltshire and Steve Larkin, as well as PRow officer Andy Carnell (with heads of Planning Emma Keefe and Roy Sykes included) providing the Transport related documents submitted for examination and requesting a meeting to discuss the proposals. The Highways officers were also consulted as part of the statutory consultation, but did not issue a response.
11 March 2026	M.Teams meeting	The Applicant met with representatives of the highway authority on 11.03.26. The following items were discussed: • the proposed access points. • The routing proposed for construction traffic. • The mitigation measures proposed in the OCTMP. • Securing S184/S278 agreements within the DCO. • Public rights of way; and • Clarification on Schedule 4 and the Streets and Access Plans.
15 April 2026	M.Teams meeting	The Applicant met with representatives of the highway authority on 15.04.26. The following items were discussed: • The need for road safety audits at all access points; • Surfacing requirements; • Details of construction compounds; • PRow mitigation; and • Doncaster Streetworks Permit and reference within the draft DCO.

~~2.1.10~~.2.1.9. Table 2-6: Record of Engagement with Environmental Health Officer

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Table 1 – Record of Engagement since [xx]		
Date	Method	Purpose / Description
--	--	Consultation with Council to agree the baseline noise monitoring locations and durations.
09/06/2025	Email	Email sent to the nuisance team at CDC regarding the selection of noise assessment locations. Response received from Fiona Boothroyd requesting a current plan highlighting noise source locations and receptors. Plan provided
10/06/2025	Telephone Call	Telephone discussion with Fiona Boothroyd. CDC confirmed they were happy in principle with the number and location of assessment locations.
	Email	Follow up email sent to CDC to summarise the earlier discussions and confirm distances between noise sources and receptors.

3 Current Position

- 3.1.1. The table below provides a summary of the current position of the Applicant and the City of Doncaster Council in relation to specific matters that have been under discussion to date.
- 3.1.2. Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.
- 3.1.3. As noted above, this is a 'live' document and drafted prior to the publication of DCD Local Impact Report. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement had been reached between the parties.

Table 3-1: Planning Policy Matters agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Need	<i>Para 1.4 of RR:</i> CDC acknowledges that there is a recognised need and support for renewable and low carbon energy technology through national planning policy and that the proposed development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from more renewable sources. Equally, promotion	The Applicant welcomes this response.	Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		of renewable and low carbon sources of energy in suitable locations across the Borough are central to achieving our commitments on both reducing carbon emissions and combating the effects of climate change.		
2	NPS	<i>Paragraphs 4.1 to 4.4 of RR</i> 4.1 The legislative basis for the proposed development is set out within The Planning Act 2008, which defines the process under which consent for Nationally Significant Infrastructure Projects are determined. National Policy Statements: 4.2 In accordance with Section 104(2) of the Planning Act 2008, the Secretary of State is required to have regard to any relevant national policy statements, amongst other matters, when deciding whether or not to grant a Development Consent Order. 4.3 The relevant National Policy Statements (“NPSs”) include the Overarching National Policy Statement for Energy (EN-1) (Department for Energy Security and Net Zero, published January 2024), the National	The Applicant agrees that the designated energy NPSs form the primary basis against which the scheme must be assessed. See Section 6.3 of the Applicant’s Planning Statement [REP2-O12] .	Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		Policy Statement for Renewable Energy and Infrastructure (EN-3) Department for Energy Security and Net Zero, published January 2024) and the National Policy Statement for Electricity Networks Infrastructure (EN-5) Department for Energy Security and Net Zero, published January 2024). 4.4 This represents the primary policy basis for the determination of this application.		
3	NPPF	Paragraphs 2.4 – 4.7 of RR 4.5 In accordance with Section 104(2)(d) of the Planning Act 2008, the NPPF is capable of being “important and relevant”. 4.6 Paragraph 5 of the NPPF states that the Framework does not contain specific policies for nationally significant infrastructure projects and that applications for NSIP are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other	The Applicant agrees that Paragraph 5 of the NPPF (Dec 2024) confirms that it does not contain specific policies for NSIPs, and so does not have direct effect in relation to the Scheme. However, the NPPF may be a relevant matter in the SoS’s decision making. See Paragraph 6.4.1 of the Applicant’s Planning Statement [REP2-012].	Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		matters that are relevant (which may include the NPPF). 4.7 The NPPF does, however, state that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 161).		
4	Local Policy Context	<i>Paragraph 4.8 of RR</i> 4.8 Whilst not determinative under the Planning Act 2008, the ExA can consider other important and relevant matters, including local planning policy. For the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, the	The Applicant acknowledges that local planning policies may contain matters of relevance to the Scheme, see Paragraph 6.5.1 of the Applicant's Planning Statement [REP2-012].	

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		development plan in force for Doncaster comprises: • Doncaster Local Plan (“DLP”) (adopted 2021)³ • Barnsley, Doncaster and Rotherham Joint Waste Plan (“JWP”) (adopted 2012). 4.9 The Council consider the following policies of the DLP to be relevant: • Policy 2: Level of Growth • Policy 3: Employment Allocations • Policy 13: Promoting Sustainable Transport in New Developments • Policy 18: Development Affecting Public Rights of Way • Policy 19: Access, Design and Layout of Public Rights of Way • Policy 20: Public Rights of Way Crossing Roads, Railways, Canals and Rivers		

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		• Policy 25: Development in the Countryside Area • Policy 29: Ecological Networks • Policy 30: Valuing Biodiversity and Geodiversity • Policy 31: Local Wildlife and Geological Sites • Policy 32: Woodlands, Trees and Hedgerows • Policy 33: Landscape • Policy 34: Valuing our Historic Environment • Policy 35: Understanding and Recording the Historic Environment • Policy 36: Listed Buildings • Policy 37: Conservation Areas • Policy 39: Development Affecting Archaeology		

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		• Policy 48: Landscaping of New Developments • Policy 54: Pollution • Policy 58: Low Carbon and Renewable Energy		

Table 3-2: Cultural Heritage and Archaeology Matters agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Landscape Historical Context	Paragraph 8.1 to 8.2 of RR The importance of the landscape comprising the Order limits and beyond in heritage terms has, in the view of CDC, been significantly downplayed by the Applicant in its assessments. Understanding the local distinctiveness of the land within the Order limits is key in this respect and this has not been properly considered. Much of what gives this landscape its distinctiveness is tied to its historic context, in particular the fact that it is	The historic landscape within the ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3REP2-037] has considered the identified elements of the historic landscape (such as Thorne Moor and Hatfield Moor) as non-designated heritage assets. Similar comments from North Lincolnshire were also actioned with regard to the Isle of Axholme. No comments have been received from CDC with regard to concerns over the consideration of the wider “Vermuyden reclaimed landscape” – this is not	Under discussion Not Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		reclaimed land by the drainage scheme implemented by Cornelius Vermuyden (1595–1677), a Dutch engineer commissioned by King Charles I to drain vast areas of wetlands in England, including Hatfield Chase and the Fens of East Anglia. His work in the 17th century involved cutting canals (like the Old and New Bedford Rivers), redirecting rivers (e.g., the River Don became the "Dutch River"), and constructing embankments, transforming wild marshlands into fertile farmland. These engineering works are some of the largest man-made landscape features in England and his influence is still seen across the landscape comprising the Order limits and beyond. The resultant strips of land are usually long slivers separated by drainage channels running at the side of field boundaries. Historically, this attracted a type of farming which involved many small-scale farmers cultivating these small areas /fields of land not always contiguous. The management and drainage of the land has been carefully managed over the	considered to be a heritage asset in its own right and is not identified on any database as such. The comment from CDC to provide a more detailed consideration of the implications of the Scheme upon Thorne Conservation Area were addressed in the ES Technical Appendix 8.1: Heritage Baseline [Document Reference 6.3.8.1 Revision 3 REP2–O41] Vermuyden's drainage work has been altered and developed in the later post-medieval period including through later drainage works, the construction of the Stainforth and Keadby Canal, Inclosure of Common fields and the areas of 19th century warp draining that lie within the Order Limits. Some of the larger dykes within the north-western part of the scheme are as recent as the mid 20th-century. The evolution of the post-medieval landscape is recorded in paragraphs 5.125–5.138 and Plates 8–13 of the ES Technical Appendix 8.1: Heritage Baseline [REP2–O41REP2–O41].	

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		past 200 years initially by the Hatfield Chase Company and then by internal drainage boards to optimise the productivity of the land and to maintain the drainage system. This has helped to maintain the local distinctiveness of the landscape.	The Scheme will not result in changes to the drainage or the ability of the internal drainage boards to manage the drainage system. The position regarding flooding and drainage is outlined in Table 3-8 of this SoCG. The local distinctiveness noted is the result of several phases of landscape evolution and has seen significant changes over time. The results of the geophysical survey clearly indicate the impact of 20th century field amalgamation on the historic character of the landscape with large numbers of earlier field drains identified as subsurface remains (Environmental Statement Appendix 8.2 Geophysical Survey Report [APP-086 - APP-092]). The position noted above is supported by Miller (Isle of Axholme HLC, 1997) who records mechanisation from 1918 onwards as a key contributory factor in the loss of hedgerows, field amalgamation and desiccation of peat soils (p. 31).	

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			Miller notes that fields within the Recently Enclosed Landscape (REL) character area within which the Scheme is generally located were historically largely comprised of rectilinear fields bounded by both hedges and ditches (see pages 58, 64, 65).	
2	Historical Landscape Context	Paragraph 8.3 of RR This physical legacy creates a clear local distinctiveness across the landscape of small parcels /fields separated by drainage channels. Whilst there has been a trend in modern times for the amalgamation of fields, it is impossible to erase the local distinctiveness here because of the dykes, ditches and drains which define the small parcels of land. In historic terms, this also has an important wider bearing on the significance of Doncaster as an agricultural centre of major influence.	The Applicant notes that the Scheme will not erase or alter any of the historic dykes and the field pattern will remain legible. Whilst the temporary introduction of solar arrays will alter the arable agricultural character of the Order Limits for the duration of the Scheme, it will be returned following the conclusion of decommissioning. Paragraph 8.3 of the RR notes that 'it is impossible to erase the local distinctiveness because of the dykes, ditches and drains...'. The Applicant agrees with this point. The assessment undertaken has concluded that the temporary introduction of solar panels will not adversely affect the historic landscape as the field pattern and associated ditches will remain unaltered. During Operation the	Under discussion Not Agreed

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			land within the Scheme will be grazed by sheep. The panels will sit on top of and within the landscape as they are situated within the existing field parcels. The panels will not obscure the ground beneath nor will they change the land beneath – this will be visible when moving through the areas and the ability to understand their agricultural use and local distinctiveness will not be completely removed.	
3		Paragraph 8.5 of RR The special interest of the heritage assets in the area must be understood as the way which they interact with the local distinctiveness of the Vermuyden “won land”, as described above, and through proper recognition that the dispersed and isolated nature of the farm houses, as indicated by the long views, is an important contribution to local distinctiveness much more than just the physical attributes of the buildings and fabric which has been the focus of the Applicant’s assessment	The Applicant notes that the study area for built heritage assets was agreed within the Planning Inspectorate’s EIA Scoping Opinion, presented at ES Technical Appendix 1.1 [APP-057] and at paragraph 8.1.3 of the ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3REP2-037]. It is noted that that City of Doncaster Council did not comment on heritage matters as part of their scoping consultee response. This extensive study area allowed for the identification of long	Under discussion Not Agreed

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		(erroneously in the view of CDC). It is, in fact, quite wrong to suggest that heritage interest is mainly limited to the fabric of the building. Proper and thorough consideration of local distinctiveness, making use of earlier land character studies as a fundamental starting point would assist in a wider, more holistic, and altogether more appropriate, approach to the analysis. CDC would welcome the opportunity to discuss these studies with the Applicant to further assist their understanding of the landscape which, unfortunately, is demonstrably lacking at present.	distance views and intervisibility that contribute to significance. The Applicant disagrees with the suggestion that significance has been limited to the fabric of the buildings. Appendix 8.1–Heritage Baseline Assessment [REP2-041Document Reference 6.3.8.1 Revision 3] set out what elements of the asset contribute to the significance within the descriptions and it is clear that the reason for the designation or identification as non-designated assets in question in this assessment is primarily the physical fabric of the asset. There is no suggestion that setting makes no contribution but rather the contribution the setting makes proportionately has been set out. The ES Technical Appendix 8.1: Heritage Baseline [REP2-041Document Reference 6.3.8.1 Revision 3] and ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3REP2-037] have specifically considered the setting and	

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			intervisibility of the built assets within the wider landscape. The temporary introduction of solar arrays will not affect the ability of people within the landscape to understand the openness and expansiveness associated with dispersed farmsteads.	
4	Setting of Sandhill Farmhouse	Paragraph 8.8 of RR The ES suggests that the setting of this listed building is limited particularly in the views to the north of the farmhouse and therefore the impact of the solar farm is not particularly restrictive on the setting associated with the listed building. Whilst it is accepted that tree planting around the site provides some softening of the open landscape, there remains a very clear sense of openness and isolation here. Without doubt, losing this through the proposed development would harm the setting of the listed building.	The Applicant has noted at paragraphs 8.6.67; 8.6.80; and, 8.6.93 of the ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3REP2-037] and in more detail at paragraphs 6.22–6.33 of the ES Volume 3 Technical Appendix 8.1 Heritage Baseline Assessment [REP2-041Document Reference 6.3.8.1 Revision 3] that there will be temporary less than substantial harm to the significance of the farmhouse through changes to its rural setting and views arising from the introduction of solar arrays.	Under discussion <u>Not Agreed</u>

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5		In fact, Sand Hill Farm remains very visible from the track/access road (Jacques Bank), much further to the east, going over Dirtiness Levels to Medge Hall and the canal. Views across the fields in Lincolnshire towards Sand Hill Farm take in the edges of fields in the slightly undulating landscape. Furthermore, long distance views looking north to the wind farm at Tween Bridge from Jacques Bank, Green Bank, Clay Bank Road and Double Bridges Road give an overriding impression of isolated openness as the wind farm in distant views provides a bookend for these views over the distinctive generally flat countryside.	An assessment of Sandhill Farmhouse is presented within paragraph 6.22 to 6.33 of the ES Technical Appendix 8.1 Heritage Baseline Assessment [REP2-041Document Reference 6.3.8.1 Revision 3] . The very distant intervisibility of the eastern elevation of Sandhill Farmhouse is acknowledged but it is surrounded by a substantial buffer of agricultural land and the temporary introduction of solar arrays will not affect the ability of people within the landscape to understand the openness and expansiveness with dispersed farmsteads.	<u>Not Agreed</u>
6		Paragraph 8.10 of RR The flat open countryside with limited hedging along the small field boundaries which are mainly formed with open ditches form part of the local distinctiveness of the Vermuyden won landscape. The tree planting which has taken place around the isolated	From the map regression undertaken as part of the ES Technical Appendix 8.1, Heritage Baseline Assessment [REP2-041Document Reference 6.3.8.1 Revision 3] it is clear that there have been hedges within the landscape for a considerable period. The hedges immediately surrounding Sandhill Farm, for example, were recorded as being more extensive	<u>Under discussion</u> <u>Not Agreed</u>

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		farmhouses such as Sand Hill Farm and Red House Farm emphasise the remoteness and openness of the area particularly with the benefit of long distant views.	on the 1893 OS Map than at the present day which clearly supports the limited reintroduction of some hedges within the landscape. Historic mapping can be found within the ES Technical Appendix 9.1 Phase 1 Ground Conditions Desk Study Reports for Land Parcels A-E part 2 [APP-098 to APP-106] .	
7		Paragraph 8.11 – 8.12 of RR The reference within the ES to the sparseness of hedges on field boundaries disingenuously implies the quality of the landscape is lacking in some form. Moreover, to infer from this that the proposed planting scheme provides some improvement to the landscape over and above the need to screen the proposed development fundamentally fails to recognise that the lack of hedged field boundaries is a key contributory aspect to the local distinctiveness of the area. In fact, hedges would serve to irrevocably change this important character. As such, the proposed planting to mitigate the impacts of the development would,	The Applicant disagrees that the comments around hedgerows makes any value judgment regarding the landscape and its quality, it merely highlights that there are some sparse and gappy hedges within the Order Limits and wider landscape. As noted at paragraph 8.7.4 of the ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3REP2-037] hedge planting forms only part of the proposed scheme of mitigation with offsets to retain suitable margins around/or views from the assets to minimise the adverse effects also embedded within the design.	Under discussion Not Agreed

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		in and of itself, cause harm in historic landscape terms. 8.12 In this respect, CDC would also question how the existing historic watercourses could be properly managed and maintained with such planting in situ.	The Outline Operational Environmental Management Plan [Document Reference 7.2 Revision 3REP2-064] sets out management principles for the ditches and watercourses during the operational lifetime of the development.	
8	Archaeology	Paragraph 8.15 – 8.17 of RR The site is bordered by Thorne Moors to the north and Hatfield Moors to the south and would have been part of this fenland moor landscape prior to the drainage works initiated in the 17th century. This has had a bearing on the character of archaeological potential within the site with the nature of the archaeological resource likely to be represented by lithic scatters of Mesolithic, Neolithic & Bronze Age date (c.10,000–1,000 years ago), features dating to the 17th century or later and paleoenvironmental evidence largely within former river channels or deposits of peat.	The research undertaken with regard to the historic environment has been an iterative process. The results are detailed in the ES Technical Appendix 8.1, Heritage Baseline Assessment [REP2-041Document Reference 6.3.8.1 Revision 3]. Initially desk-based research was undertaken which was informed by: - HER data; - archival sources; - historic cartographic sources; - Site walkover; - Aerial photograph analysis; - LiDAR analysis; and - Review of previous archaeological assessments.	Under discussion Not Agreed

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		8.16 This leads on to the main area of disagreement – the type and timing of archaeological evaluation techniques employed. The disagreement is recognised by the applicants in their Potential Main Issues for Examination report (ENO10148-000240-5.9 Potential Main Issues for Examination) [APPO36]. Items HER-O2 and HER-O3 concern archaeological fieldwork techniques and their timing (field-walking and trial trenching respectively). Archaeological research should be an iterative process with the results of one piece of work feeding into the design of the next. Fieldwalking is a broad brush evaluation technique aimed at identifying areas of archaeological interest across large areas. Trial trenching characterises deposits and archaeological activity at a particular location. Fieldwalking is the more suitable technique for identifying lithic scatters within this site and, as such, SYAS advised it should be undertaken before any trial trenching so that the results could inform the location of the trenches or other technique. The Applicant’s position is that fieldwalking is	Further to this, due to the acknowledged geoarchaeological potential of the Order Limits a specialist assessment was commissioned and its findings used to revise the heritage assessment; ES Technical Appendix 8.3 Geoarchaeological Assessment [REP2-043]. Further evaluation has been undertaken in the form of a geophysical survey of the entire Order Limits. The anomalies identified were also then considered as possible archaeological assets within the assessment. This has been revised on several occasions as a result of the evolving Order Limits to ensure complete survey coverage. The results are detailed in ES Technical Appendix 8.2 Geophysical Survey Report [APP-086 – APP-092]. The presence of prehistoric archaeological potential was identified at an early stage and the feasibility of undertaking fieldwalking was assessed in both 2023 and 2024. Due to the prevailing agricultural regimes within the	

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		unsuitable due to a lack of ploughed fields, so SYAS agreed a targeted programme of test-pitting to assess some areas of archaeological potential. SYAS were unable to discuss the results, or any follow up work as they were never informed that the test-pitting had been undertaken or sent the report. That report has now been submitted by the applicant (EN010148- 000358-6.3.8.5 Test Pitting Report) [APP-095] and the results were largely negative. However, 440 test pits, measuring 0.40m x 0.40m, are not sufficient to characterise the entire archaeological potential of such a large site. 8.17 The applicants recognise this and have submitted an Outline Archaeological Mitigation Strategy (oAMS) [APP-096] that details further work proposed. One of the specific objectives of this report is: “To determine whether any of the potential archaeological remains identified within the site will be	Order Limits most of the land was found to be either direct drill arable or pasture which due to the lack of ground disturbance severely limit the efficacy of fieldwalking as an evaluative technique. Engagement with SYAS regarding this issue resulted in agreement to target areas of identified prehistoric potential with shovel test-pitting to provide additional understanding of these areas. The results are detailed in the ES Technical Appendix 8.5 Test Pitting Report [APP-095]. SYAS were provided the WSI for test-pitting on 14th May 2025 and the proposed start date was delayed following communications from SYAS to allow them sufficient time to review and comment on the proposal. However, SYAS had been advised that the proposed short notice was necessary to allow time for the results to be circulated and discussed pre-submission against the backdrop of application submission date. The increased time afforded ensured that SYAS were content to approve the scheme of works proposed but did not	

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		impacted by the proposed development and, if so, the nature of these;" EN010148-000359-6.3.8.6 Outline Archaeological Strategy: para 4.2 (1)	allow time for the results to be discussed pre-submission. This test pitting is not a replacement for fieldwalking but rather an additional piece of work to provide information until such time as fieldwalking would be possible to undertake with the potential for meaningful results to be achieved. It should be noted that trial trenching has been completed within targeted areas of the Order Limits, in North Lincolnshire, where this evaluation technique would be the most effective and where archaeological potential was such that it needed to be further investigated to inform the scheme design, as set out in the ES Technical Appendix 8.4 Trial Trenching Report [APP-094]. It is the case that a full suite of evaluation has taken place to inform the assessment of the Scheme.	

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		Paragraph 8.18 of RR This archaeological mitigation strategy is actually an archaeological evaluation and mitigation strategy that the applicants propose should be undertaken post consent. However, determining the impact of a proposed development upon potential archaeological remains is something that needs to be understood prior to determination so that appropriate planning weight can be afforded. To not do so could lead to harm to archaeological remains or inappropriate mitigation post-consent. Perhaps a useful compromise would be to evaluate the areas of high impact construction activities such as below ground cable routes, directional drilling access pits, temporary compounds, BESS and substations at this stage so that any issues could be addressed in a more timely fashion.	The approach to assessing potential impacts to the archaeological resource within ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3] [REP2-037] has been precautionary with a worst-case scenario employed to ensure adverse effects are clearly articulated and due weight given to these. The exact routes and construction details for the higher impact elements of the Scheme would be developed as part of the detailed design of the Scheme and secured by requirement, notably requirement 6 of the Draft Development Consent Order [Document Reference 3.1 Revision 76]. The Applicant is confident that any potential evaluation or mitigation required within these areas can be delivered in a timely fashion post-consent. <u>The Outline AMS [Document Reference 6.3.8.6 Revision 3] has been amended to include a zoning plan following comments received from SYAS on behalf of CDC.</u>	Under discussion Not Agreed

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9		Paragraph 8.19 – 8.20 of RR Where the oAMS specifies mitigation measures rather than evaluation techniques, SYAS is broadly in agreement with the proposals. Micro-siting should be added to the options specified in paragraph 5.10 as another method of avoiding archaeological impacts. As we were not given the opportunity to review the strategy before submission, there are a number of minor revisions that should be added: • Details arrangements for monitoring the fieldwork by local authorities should be included • The oAMS should use the language of the DCO stating in paragraph 5.11 that site specific WSIs “will be substantially in accordance with this strategy” • In paragraph 5.14, archaeological advisors should be notified of the date	The Applicant acknowledges the broad agreement. The Applicant is happy to<u>has</u> considered the comments provided and would be happy<u>will continue</u> to engage on the ES Technical Appendix 8.6 Outline Archaeological Mitigation Strategy [Document Reference 6.3.8.6 Revision 3AREP2-045] to ensure the approaches detailed are acceptable to the City of Doncaster Council. The Applicant <u>has</u> prepared an<u>a revised</u> Outline Archaeological Mitigation Strategy [Document Reference 6.3.8.6 Revision 3AREP2-045] (AMS). Requirement 12 of the Draft Development Consent Order [Document Reference 3.1 Revision 76] secures the Outline AMS by stipulating that the written scheme of investigation for each development phase must be substantially in accordance with the Outline AMS. Requirement 12 also provides approval rights to the relevant local planning authority of a written	Under discussion <u>Agreed</u>

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		of commencement of the archaeological fieldwork at least two weeks in advance • WSIs should also comply with regional and county standards & guidance • Fieldwalking should be undertaken on a 10m transect • Archaeological Monitoring (Watching Brief) –This mitigation measure needs more careful explanation. It cannot be a watching brief if the machine is under the supervision of an archaeologist (paragraph 5.64) • Section 9 should also specify that details of the location and restrictions to works in archaeologically sensitive areas excluded through design or preserved in situ by design should be included in other relevant Outline plans. 8.20 SYAS noted in the statutory consultation response that operational and decommissioning effects should not be scoped out and continue to hold this view. No specific measures are proposed for Cultural Heritage as part of the	scheme of investigation for each phase of development. <u>The comments provided by SYAS on behalf of CDC have been addressed acted upon within the Outline AMS.</u> <u>The Outline AMS [Document Reference 6.3.8.6 Revision 3] has been amended to include a zoning plan following comments received from SYAS on behalf of CDC.</u> <u>Further amendments to the zoning plan within the Outline AMS [Document Reference 6.3.8.6 Revision 3] will be made for Deadline 5 following additional feedback received in a meeting with SYAS on 15 July 2026.</u>	

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		environmental management and monitoring measures in the Outline Operational Environmental Management Plan (oOEMP) [APP-177]. However, there is a minor threat to the archaeological mitigation areas preserved in situ by design or exclusion through a lack of information. A plan showing archaeological mitigation areas should be included in the oOEMP and like for like replacement of foundations and cabling should be stipulated.		
10		8.21 The Outline Decommissioning Environmental Management Plan [APP-178] does include provision for protecting any archaeological remains during decommissioning and SYAS agrees with these. The final document should include a plan showing the archaeological mitigation areas preserved in situ and make provision for decommissioning methods to be assessed by SYAS on behalf of the local planning authority.	At Deadline 1 This change is agreed. t The Applicant <u>has</u> updated the Outline Decommissioning Environmental Management Plan [REP2-066 Document Reference] to include an appropriate plan.	Under discussion <u>Agreed</u>

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11	Outline Landscape Ecological Management Plan	The Outline Landscape Ecological Management Plan (oLEMP) [APP-181] describes operations concerned with the creation of habitats such as harrowing, rolling, tree planting and scrape creation. The impacts of these groundworks will require assessment. The oLEMP should be cross-referenced with the oAMS to ensure that no harmful groundworks undertaken for ecological mitigation occur within areas where archaeological remains are preserved in situ.	This change is agreed. At Deadline 1, the Applicant <u>has</u> updated the Outline Landscape Ecological Management Plan (oLEMP) [Document Reference 7.6 Revision 6 CR1-021] and the ES Technical Appendix 8.6 Outline Archaeological Mitigation Strategy [Document Reference 6.3.8.6 Revision 3] [REP2-045] followed at Deadline 2 to ensure any potential impacts are identified and appropriate mitigation is in place.	Under discussion <u>Agreed</u>
12	Engagement	Based on the content of the SYAS advice above, it is clear to CDC that the Applicant has failed to properly engage with SYAS on substantive matters for a prolonged period, leading to fundamental flaws in the submission. This is another example of the Applicant's disregard for the importance of meaningful, constructive engagement throughout the NSIP process.	The Applicant does not accept CDC's assertion that the submission is 'fundamentally flawed'. There has been ongoing engagement with SYAS during the development of the Application which is evidenced through the Consultation Log, section 8.2, in ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3 REP2-037]. SYAS feedback and guidance has been sought and the results used to inform the	Under discussion <u>Not Agreed</u>

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			present assessment and moving forwards with ensuring the delivery of an appropriate scheme of archaeological mitigation.	

Table 3-3: Best and Most Versatile Agricultural Land agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Survey Methodology	Awaiting full written response from Council.	The ALC has been completed at a detailed level for all the land within the Order Limits, with the exception of a small number of interconnecting cable route corridors and a small area of biodiversity land at the eastern edge of the Site. The results are detailed in the ES Technical Appendix 15.1: Agricultural Land Classification [APP-120] and on ES Figure 15.1: Agricultural Land Classification [APP-173] .	Under discussion
2	Consideration of Peat	11.7 of RR: City of Doncaster Council can find no reference to peat, should peat be encountered, in the outline Soil Management Plan.	CDC have made a suggestion that a separate section of the Outline Soil Management Plan (SMP) [REP2-078] could be provided dealing specifically with the peaty subsoils. The Outline SMP was expanded to include details of where	Under Discussion Agreed

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			these soils are located, and how they should be handled to minimise any impacts. This was provided at Deadline 1, through an updated version of the Outline SMP [REP2-078] .	

Table 3-4: Ecology and Nature Conservation matters agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Skylark	7.1 The matter of significant effects on skylark population has been previously raised by CDC by requesting information on mitigation measures. The issue of the displacement of skylarks by solar farms has been the subject of a number of studies and reports. The article 'Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?' ¹⁴ provides some very specific advice on mitigation targeting for this species. The breeding bird survey has identified 269 skylark breeding territories over the 1830ha of the Order limits and this is a breeding density of 0.15territories /ha. Although	The Applicant agrees that any unmitigated construction works could have a major adverse impact and has therefore developed a mitigation strategy to mitigate construction impacts, including timing of works and pre-commencement checks, as detailed in the submitted documents including the ES Volume 2 Chapter 7: Ecology and Nature Conservation [Document Reference 6.2.7 Revision 4REP2-035] and the Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 4REP2-068] .	Agreed

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		this is a relatively low density compared to some habitats with a higher limit of holding 0.76 territories/ha, the Order limits does still hold a significant number of breeding skylarks. Given the skylark is on the International Union for Conservation of Nature Red List of Threatened Species (the IUCN Red List), as well as being Priority Species throughout the UK, the retention and persistence of the skylark population within the Order Limits is of significant importance. This is reiterated at paragraph 7.5.121 with the comment that the ground nesting bird assemblages including skylark are of National-Regional/County significance and as such any unmitigated construction works would have a major adverse impact.		
2	Skylark	7.2 CDC considers that given the high number of skylark breeding territories some bespoke elements targeting the needs of skylarks should be included in all the 127ha of mitigation land for ground nesting birds. The "Fox Article" provides a mitigation metric based upon recent research into skylark breeding ecology,	The Applicant agrees that bespoke elements targeting the needs of skylarks should be included in all the 127ha of mitigation land for ground nesting birds and this is included in the ES Volume 2 Chapter 7: Ecology and Nature Conservation [Document Reference 6.2.7 Revision 4 REP2-035] and the Outline Operational Landscape Ecological	Under Discussion

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		and this should be seriously considered in the finalisation of mitigation measures for ground nesting birds including skylark.	Management Plan [Document Reference 7.6 Revision 6REP2-064] which includes measures detailed in the 'The Fox Article'. However, as detailed in this article, there are limitations to the approach presented and the purpose of the article is to provide a starting point for discussion and is not an approved methodology for determining skylark mitigation: <i>'The prototype methodology given here is not perfect, makes several assumptions and is as yet without monitoring data. However, it is anticipated to provide a starting point for discussion on GNB mitigation.'</i> (Fox. 2022)². In addition to the above, the Applicant has also had regard to guidance from the RSPB, Natural England, and research by Donald 2004³. As detailed in the 'Fox Article' The steady decline of the skylark population since the 1970s is mainly due to agricultural	

² Fox, H. (2022). *Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?* **In Practice**, Issue 117, CIEEM

³ Donald, P.F. (2004). *The Skylark*. Poyser, London.

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			intensification and habitat loss. In addition to this, intensive farmland, which is the predominant habitat within the Order Limits, often provides a suitable nesting window only briefly, making only one or two skylark broods possible, and sometimes none. Therefore, the bespoke measures for skylark mitigation will include specific measures to ensure optimal habitat is provided for skylark that will assist with increasing the carrying capacity of the habitats available. As detailed by Donald 2004 (referenced above), in optimal habitat, skylarks can have up to four broods per year. Therefore, although the overall habitat extent in area may decrease post-construction, the carrying capacity and habitat conditions will increase, potentially enabling an increase in successful breeding and broods. The bespoke mitigation measures include: sward height managed optimally for nesting skylark, at 20-50cm; the provision of skylark foraging plots to increase foraging opportunities; the provision of beetle banks to increase foraging opportunities; the use of species-rich neutral grassland to increase	

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			foraging opportunities within mitigation areas and around solar arrays; wide uncultivated margins to increase foraging, retention of winter stubbles to provide a longer nesting season and better winter foraging too. The Applicant also highlights that not all potential territories recorded during surveys are necessarily successful nesting skylarks, therefore, there are likely less nesting skylark within the Order Limits than territories recorded. As detailed in the 'Fox Article'⁴, <i>'singing is not a conclusive indicator of a viable nest.'</i> The 'Fox Article'⁵ also states that skylark forage within solar farms and that It is possible that development sites with suitable grassland could provide 'nursery' habitat where nesting takes place on adjacent farmland and that if the carrying capacity of	

⁴ Fox, H. (2022). *Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?* **In Practice**, Issue 117, CIEEM

⁵ Fox, H. (2022). *Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?* **In Practice**, Issue 117, CIEEM

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			neighbouring habitat allows, some degree of 'absorption' of skylark territories into the surroundings is theoretically possible. Further to this, the article continues by stating that <i>'Where sites are in proximity to heaths, moorland or coastal grassland this may be more likely'</i>. Heaths and moorland are located in proximity to the Order Limits and therefore provide further likelihood of absorption of territories in the wider area. The Applicant therefore considers that the proposed mitigation measures—comprising extensive areas of grassland within the mitigation areas managed specifically for skylarks, alongside areas of arable habitat—will substantially enhance nesting and foraging opportunities. These measures are expected to increase the carrying capacity of the available habitat and enable skylarks to raise three to four broods per year, compared with the one or two broods typically achieved under the current intensive arable land use. In addition, the habitats surrounding the solar arrays will provide further enhanced foraging opportunities compared to the existing	

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			situation, allowing some territories to be absorbed within the surrounding landscape. In line with CDCs comments further detail regarding skylark mitigation provision and the suitability of the mitigation is provided in the updated Outline Landscape Ecological Management Plan [Document Reference 7.6 Revision 5CR1-021]. Following correspondence with CDC ecologist and a review of their SoCG response, the Applicant understands that a Joint South Yorkshire LPA approach to skylark mitigation is to be produced and published imminently. This document will be fully reviewed by the Applicant once issued by the four South Yorkshire LPAs and an appropriate response then provided, along with a skylark mitigation and monitoring plan.	
3	Skylark	7.3 CDC also considers that as the GNB (ground nesting birds) mitigation areas should be subject monitoring over 30 years. As this will run concurrently with the monitoring of BNG on site habitat	The Applicant included <u>an</u> interpretation of any relationship between GNB and habitat condition as part of the 30 year monitoring and has provided further text in this regard within the updated Outline Landscape	Under Discussion

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		condition there could be some interpretation of any relationship between GNB and habitat condition.	Ecological Management Plan [Document Reference 7.6 Revision 5CRI-021]. The Applicant also confirms that a separate skylark monitoring strategy will be produced following the publishing of the South Yorkshire LPA approach to skylark mitigation, so that this document can be reviewed and addressed as part of the strategy.	
4	Skylark	7.4 Moreover, CDC cannot emphasise strongly enough that the features that contribute so strongly to the landscape qualities of this area, including across the entire Order limits within the CDC administrative boundary, directly contributes to the ecological importance in respect of skylarks too. These birds prefer stubble land, across large areas with few field boundaries. As such, the Order limits provide an important habitat for skylarks. The large expanses of solar panels would, in the view of CDC, create artificial field boundaries, with a wholly detrimental impact on this species.	The Applicant agrees that the features that contribute strongly to the landscape qualities of this area, including across the entire Order limits and within the CDC administrative boundary, directly contributes to the ecological importance in respect of skylarks. The Applicant has designed the mitigation proposals with regards to the importance of the surrounding landscape and proposes measures that will increase foraging within the Order Limits. The mitigation measures proposed—comprising extensive areas of grassland within the mitigation areas managed specifically for skylarks, alongside areas of arable habitat—will substantially enhance nesting and foraging opportunities. These measures are expected to increase the	Under Discussion

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			carrying capacity of the available habitat and enable skylarks to raise three to four broods per year, compared with the one or two broods typically achieved under the current intensive arable land use. In addition, the habitats surrounding the solar arrays will provide further enhanced foraging opportunities compared to the existing situation, allowing some territories to be absorbed within the surrounding landscape.	
5	Skylark	7.5 It is not sufficient to state that compensatory habitat will be provided in terms of quantitative area to be given over for this purpose, that is an altogether too simplistic an approach and would ultimately result in a sub-optimal habitat. Instead, it is equally about the resultant quality of that replacement habitat. CDC remains to be satisfied that the functionality of any such replacement habitat is fit for purpose.	The Applicant agrees that that compensatory habitat for skylark is not only influenced by quantitative area, but also the quality of that replacement habitat. The Applicant considers that the Scheme delivers on both of these criteria. In quantitative terms, the proposals include the provision of 127ha of mitigation land for ground nesting birds, ensuring that sufficient habitat extent is maintained to support skylark territories. In terms of habitat quality, the mitigation areas will be specifically designed and managed to optimise conditions for skylark through the provision of suitable sward heights, skylark foraging plots,	Under Discussion

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			species-rich neutral grassland, wide uncultivated margins and the retention of winter stubbles. These measures are intended to increase the availability of nesting and foraging habitat and improve the carrying capacity of the landscape for skylark compared to the existing intensive arable land use, as set out above in response to paragraph 7.2.	
6	Skylark	7.6 Ultimately, the ecological value in this habitat is derived through lack of disturbance and activity, which results in this tranquil, isolated place, the value of which in so many respects is being underestimated by the Applicants.	The Applicant agrees that the ecological value of habitat for skylark is derived through lack of disturbance and activity, and mitigation areas have been provided without public access to ensure that this remains. In addition, measures are proposed throughout construction to prevent impacts from disturbance during that phase, as detailed in the Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 4REP2-068]. These measures include, for example, the timing of construction activities to avoid the breeding bird season where practicable, the implementation of pre-commencement checks for nesting birds, and the	Under Discussion

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			establishment of protective buffers where active nests are identified. The mitigation areas themselves will be managed to maintain suitable nesting and foraging conditions for skylark whilst limiting disturbance through the exclusion of public access and minimising unnecessary operational activity.	
7	Nightjar	7.7 Information on the management of lighting in respect of this priority/qualifying species has previously been requested. The Applicant response to this is that details of the assessment of recent data gathering through literature reviews will provide a full coverage of the potential impact pathway of lighting. CDC considers that this is a satisfactory response.	The Applicant agrees with CDC in respect of the management of lighting. The Applicant provided further detail on construction periods in relation to Nightjar presence and the identification of 'less sensitive' areas in the updated Report to Inform Habitat Regulations Assessment [Document Reference 5.3 Revision 6 REP2-010].	Under Discussion
8	Invertebrates	7.8 An assessment of likely significant effects is provided at Section 7.5 of the ES, and this provides sufficient information.	The Applicant agrees with CDC.	Agreed

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9	Water Quality	7.9 This is fully considered in the ES in various sections throughout the document. It is considered that the cessation of agricultural inputs and physical disturbance from ploughing and harrowing will have a beneficial impact on water quality and this is accepted.	The Applicant agrees with CDC.	Agreed
10	Reptiles	7.10 Further reptile surveys are still required. CDC's experience of developments in the area show that it is important to take reptiles into account and surveys are necessary. The Order Limits are very extensive, and we do not consider that it is possible to safely scope out reptile surveys from every potential area of supporting habitat. Records of reptiles from the Doncaster LRC are supplied in many cases with notes of location specifics and many basking reptiles are found on artificial substrates and man-made surfaces and dead vegetation	The majority of the Order Limits comprises arable farmland that is unsuitable to support reptile species. The ES addresses the potential for impacts on reptiles based on habitat survey and suitability appraisal and an understanding of the lifecycle requirements of reptile species. Based on these findings, the Applicant does not consider reptile surveys are required. As habitats of higher value to reptile species will be protected and retained as part of The Scheme, the Applicant does not consider that further specific surveys are required and that it is reasonable to scope out the potential for significant adverse effects on local reptile	Under Discussion

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		7.11 Thorne Moors is noted for its reptile population (Local Record Centre 'LRC' records) and it is at least necessary to have some strategy based upon the proximity of sensitive and habitat rich locations rather than scope out the whole of the Order Limit area. We consider that some further survey effort should have been located in areas adjacent to the two SAC/SPA areas.	populations and address the safeguarding of individuals potentially present, within the Outline Ecological Construction Management Plan [Document Reference 7.6 Revision45REP2-068] Further to this, area M1(A) provides a large buffer to the adjacent SPA/SAC in this area and the Order Limits is also separated by a road from this location. In addition a road is present and separates the Order Limits from the SPA/SAC and parcels A3, A5 and A7. These land parcels also comprise arable and are not suitable reptile habitat. Therefore no impacts to reptiles using the SPA/SAC are likely in these locations. Parcel A19 is adjacent to the SPA/SAC, although is to be buffered by approximately 10m, reducing any likely impacts to reptiles. It is also important to note the legal protection afforded to most common reptiles (apart from smooth snake and sand lizard which are not present in this part of the U.K). Native reptiles are protected under the Wildlife and Countryside Act 1981 and it is an	

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			offence to intentionally kill or injure them, possess or transport them (or any part, alive or dead), sell, offer, or publish an advert to sell. Therefore, although the animals are protected, their habitat is not, and a suitable mitigation strategy to ensure no harm takes place during construction, will ensure that relevant legislation is complied with.	
11	Amphibians	7.12 The potential for amphibians and specifically eDNA surveys are considered at 7.4.72 –7.4.77 of ES Chapter 7. All water bodies sampled for GCN through eDNA sampling gave negative results. The overall assessment is that the proposed eCMP will provide sufficient protection through the construction phase and this is accepted.	The Applicant agrees that the Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 4REP2-068] provides sufficient protection through the construction phase for amphibians.	Agreed
12	Mammal Connectivity	7.13 It is accepted that the mammal gates to be adopted will be appropriate and suitable to ensure the uninterrupted passage of terrestrial mammals. There should also be a monitoring protocol produced to ensure that such mammal	The Applicant agrees that the mammal gates to be adopted will be appropriate and suitable to ensure the uninterrupted passage of terrestrial mammals and that a monitoring protocol has been added to ensure that such mammal gates are functioning and are in the	Agreed

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		gates are functioning and are in the correct location coinciding with established terrestrial mammal movements. This will also cover deer. There is a significant roe deer population in the area, identified as a Local Biodiversity Action Plan15 species.	correct location coinciding with established terrestrial mammal movements in the updated Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 4REP2-068].	
	Hibernacula	7.14 The proposals as identified in the LEMP are acceptable and there is no monitoring requirement.	The Applicant agrees that the proposals as identified in the Outline Landscape Ecological Management Plan [Document Reference 7.6 Revision 5-CR1-021] are acceptable and there is no monitoring requirement for hibernacula.	Agreed
13	Peat and Carbon Sequestration	7.15 It is understood that a Phase 2 Geotechnical & Geoenvironmental Investigation (secured via the CEMP) will include drilling/auguring within each land parcel to accurately calculate the extent of peat across the scheme. From this geological data, assessments of carbon sequestering should be undertaken.	The Applicant has completed a Phase 1 Ground Conditions Desk Study [APP-097 through to APP-107]. The Applicant does not consider it proportionate for geotechnical surveys to be undertaken prior to the determination of the DCO application. This is common practice for solar farms through the Town & Country Planning process and DCO applications.	Under Discussion

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			The Applicant confirms that a program of ground investigations will take place across the site to inform a wide range of design and planning requirements. Specific consideration will be given during the scoping, delivery and technical interpretation of these investigative works to potential impacts of the scheme on carbon sequestering within peat soils. The works will be presented as part of a submission of a Final CEMP, secured by Requirement 14 of the Draft DCO [Document Reference 3.1 Revision 67] .	
14		7.16 CDC will comment on the results of these investigations but would also draw attention to the comments made in the "Agricultural Land" section of this Relevant Representation. Furthermore, CDC would take the opportunity to reiterate that the very foundation of the environmental and ecological importance of this site is that it is peat land. This importance cannot be underestimated, and CDC considers at present the Applicant is persistently doing so.	If peats are contained within the Order Limits, they were not identified on the 100m grid survey of Appendix 15.1 – Agricultural Land Classification [APP-120] . If peats are within the Order Limits, they are only likely to be disturbed during trenching operations to install cables. The Outline Soil Management Plan [REP2-078] therefore covers action to be taken in the event that peats are found, in the section on internal cabling. The Soil Management Plan is secured through	Under Discussion

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			Requirement 10 of the dDraft DCO [Document Reference 3.1 Revision 67]. The Applicant is aware of and committed to completing ecological and soil assessments that will consider and advise mitigation measures to ensure any impact on peat lands during and following on from completion of the development are minimised to as low as reasonable and practicable.	
15	Importance of open areas for wintering birds	7.17 This is being addressed following the updating of non-breeding bird surveys and the interpretation of these results as areas included in the mitigation proposals. This will be contained within an updated version of the Non-Breeding Bird Mitigation Strategy. CDC would welcome the opportunity to engage on this at the earliest point given that it has not had the benefit of meaningful engagement with the Applicant in this respect to date.	The Applicant agrees that further engagement with CDC regarding wintering birds would be beneficial and has made contact to arrange this.	Agree
16	Habitat enhancement	7.18 These will be part of the BNG post development proposals and also be a part of the LEMP where functional ecological enhancements can be detailed	The Applicant agrees with this position.	Agree

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17	Biodiversity Net Gain	7.19 ES Appendix 7.12: Biodiversity Net Gain [APP-082] sets out as follows: As described within The Statutory Biodiversity Metric 16413_M01a and summarised below in Figure 4.1, based on the habitats present that will be lost and those to be created, the development would result in a gain of 3727.44 habitat units. The DEFRA Statutory Biodiversity Metric has demonstrated that the Scheme will achieve a net gain in biodiversity units exceeding 10% across the Order Limits, even when applying a precautionary baseline approach. This demonstrates the deliverability of measurable biodiversity improvements in line with the Applicant's commitments under the NERC Act and relevant national policy, despite the Scheme not being subject to mandatory BNG requirements. 7.20 However, it is noted that Requirement 8 as set out in the Draft	The Applicant considers that the BNG assessment detailed in Appendix 7.12: Biodiversity Net Gain Assessment [REP3-028] Document Reference 6.3.7.12 Revision 3 clearly demonstrates that measurable gains in biodiversity are being created within the Order limits, despite BNG not being mandatory for NSIPs. This is confirmed by Natural England within their Relevant Representation, in which they state: '<i>Natural England welcome the commitment to delivering Biodiversity Net Gain (BNG) on this project. We recommend that the target increase in BNG of at least 10% across all biodiversity unit types is secured via the Landscape and Ecological Management Plan (LEMP). Please note that BNG is not yet mandatory for NSIPs and Defra's guidance on provision of BNG for NSIPs has not yet been published; therefore, our advice may be subject to change once this is available.</i>' To be clear, as set out in para 6.6.18 of the Planning Statement [REP2-012], whilst the provisions relating to BNG for NSIPs are not currently in force, it is expected that the biodiversity gain statement to be introduced to the Planning Act 2008 (via Schedule 15 to	Under Discussion

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		Development Consent Order [APP- 016] states: (3) The landscape and ecological management plan for the relevant phase must include details of: (a) the extent to which the relevant phase contributes to ensuring that the authorised development overall achieves a minimum of 10% biodiversity net gain during its operational lifetime using the statutory biodiversity metric published by the Department of Environment, Food and Rural Affairs on 12 February 2024 to calculate those percentages. a gain of 345.56 hedgerow units, and a gain of 100.43 watercourse units. This is a percentage gain of 79.82% in habitat units, 178.57% in hedgerow units and 10.84% in watercourse units. 7.21 This position is unacceptable in the Council's view, and it is understood that Examining Authorities are pressing Applicants for further commitment to enshrine both bold and actual percentage gains across various habitat	the Environment Act 2021) will specify a requirement for new NSIPs to provide a minimum 10% BNG. The drafting of Requirement 8 of the draft DCO [Document Reference 3.1 Revision 67] is reflective of this. Accordingly, the Applicant does not consider that it is necessary to go further by providing actual percentage gains across habitat types.	

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		types (i.e. water courses, hedgerows, grassland etc.) within the DCO Requirements. Given that this is a benefit the applicant seeks to rely upon in the overall balance, CDC considers this should be the case here		
18		7.22 In terms of the detailed methodology and gains cited, CDC reserves its position to provide more detailed commentary in the Local Impact Report but at this stage can provide the following observations and comments: 7.23 It is not difficult to provide demonstrable BNG gains in circumstances such as this, where arable land is upgraded to neutral grassland over >1,000 ha. The benefits in this respect should be bold and maximised, as set out above. 7.24 At 1.6 it states that the DEFRA Statutory Metric Calculator has been utilised, but this cannot be found. There is a screenshot of the Final Results page	The Applicant has provided the BNG metric to CDC.	Agreed

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		showing a 79.82% increase in biodiversity, but the Statutory Metric should be available in full for proper scrutiny.		
19		7.25 In respect of Figure 1: 16413_P13_Habitat Features_JS_RR of the Biodiversity Net Gain Assessment [APP-082], it is assumed that this is the BNG habitat baseline and if so, it should be labelled as such. Recent evidence from site visits by CDC officers have identified that areas indicated as 'other neutral grassland' have now been cultivated but it is assumed that the habitat baseline will have a survey date baseline. The BNG assessment should include information on habitat parcel identification so that proposed retention, loss or enhancement can be related to size, location and relative value of a particular parcel.	The Applicant can confirm that land-use has changed over time within the Order Limits, and that this was taken into consideration during the completion of the BNG calculations.	Under Discussion
20		7.26 There are also some discrepancies between certain plots in the Habitat Map provided in Appendix 7.1 Baseline Habitats Report [APP-072]. One field adjacent to High Bridge Road (Grid ref centre SE 71457 12179) is shown in August	The Applicant can confirm that land-use has changed over time at the Order Limits, and that this was taken into consideration during the completion of the BNG calculations.	Under Discussion

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		2023 as cereal crop, in August 2025 it is 'other neutral grassland' and in December 2025 it is cultivated unvegetated land/bare ground unsealed surface.		
21		7.27 At 3.10 it is stated that the vegetation to be established below the solar panels would be neutral grassland as opposed to the recommended classification from UKHabs of using Solar Panel with Vegetation ulb6 (other developed land) and "on a precautionary basis the target condition would be poor." We would strongly contend that this be amended to reflect the recommended ulb6. This will be an important factor as if certain heavily shaded areas fail to establish as targeted in the BNG proposals this would amount to a failing in BNG target habitat and condition. It can be seen from the screenshot taken from the BRE/NFU joint publication Good Practice Guidance for Solar Farms¹⁶ below, that unvegetated areas do occur under solar panels. This may not be a large area for each panel >0.25m² and may not compromise grazing efficiency but where there is the	The Applicant confirms that within the Biodiversity Metric, the vegetation beneath the panels has been classified as neutral grassland in poor condition. This approach was adopted on a precautionary basis to reflect the potential influence of shading, maintenance access and panel infrastructure on vegetation composition and structure. The Applicant acknowledges the forthcoming Clarkson-Woods publication referenced by LWT in their Relevant Representation and the potential development of a specialist UKHab secondary code for vegetation beneath solar panels. As this clarification is not yet formally adopted within the UKHab classification or the Statutory Biodiversity Metric guidance, the current assessment has applied the most appropriate existing habitat classification within the metric framework. The approach taken is considered precautionary, as areas of grassland beneath	Under Discussion

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		quantitative measurement of post development habitats these unvegetated areas under a large number of panels can add up to a significant area. Alternatively, such 'unvegetated' areas could remain as grassland. 7.28 The proposals for the 'below the panel' habitat type does not consider the use of concrete support slabs referred to as 'ballast'. These are shown in Plan 2.9, Figure 2.9: Indicative Layout and Cross Section Plan Showing ref: Typical 3P Fixed Table (Ballasted) [APP-015]. These concrete slabs are 2.4m² and are set at 1 per 'pile or 10 for every 54 panels. A screenshot of this arrangement is shown below. 7.29 If this is to be the case that concrete slabs are used throughout the solar panel areas, then this should be included in the Biodiversity Net Gain report.	solar panels will be established using a species-rich neutral grassland seed mix and managed through grazing or mowing. While some areas may achieve a higher condition over time, the Biodiversity Metric assessment conservatively assumes poor condition to avoid overestimating biodiversity gains. The Applicant confirms that the proposed solar panels will have a minimum clearance of 0.8m above ground level, with panel heights increasing to a maximum of approximately 2.3m for fixed panels (or up to 2.5m for tracker panels where required for flood clearance). As such, only a limited proportion of each panel array will be at the lowest clearance. On this basis, shading is not considered to preclude the establishment or management of grassland habitat within the fenced area. The Applicant further notes that the Biodiversity Metric condition assessment criteria for neutral grassland allows for up to 5% bare ground within this grassland habitat and it is not expected that there will be 5% bare ground across the grassland areas, thereby providing further certainty that the	

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			BNG calculations provided enable an accurate assessment of the BNG conditions to be achieved. The Applicant also notes that CDC confirm within their section 7.27 that the areas underneath panels can remain as grassland within the metric, by stating that: "such 'unvegetated' areas could remain as grassland.' Therefore, it is considered that the approach undertaken by the Applicant with the BNG habitat classifications confirms with this requirement. The Applicant will continue to monitor developments in national guidance relating to the classification of vegetation beneath solar panels. Should formal guidance or updated UKHab classifications be published prior to determination of the Scheme, the Applicant will review the assessment and update the Biodiversity Metric where appropriate.	

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Table 3-5: Transport Matters agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Construction & Operational traffic	Paragraph 10.1 of RR: CDC considers that the most significant transport and access impacts will be associated with the construction and eventual decommissioning phases of the proposed development. Once operational, it is understood that the proposed development is likely to generate a minimal number of vehicular trips associated with ongoing maintenance and management of the site overall.	The Applicant notes that the management of construction traffic will be controlled through a Construction Traffic Management Plan secured by DCO requirement, which will be substantially in accordance with the Outline Construction Traffic Management Plan Rev 1 [Document Reference 7.7. Revision 3 REP3-041]. As regards operational traffic, the ES Volume Chapter: 12 Transport and Access [Document Reference 6.2.12 Revision 32] confirms that during the operational phase of the development, the effects would be negligible and not significant.	Agreed
2	Construction Traffic	Paragraph 10.2 of RR: During the construction phase of the development a significant number of HGV and LGV traffic will be generated through the delivery of solar panels, mounting equipment and associated infrastructure.	The ES Volume 2 Chapter 12: Transport and Access [Document Reference 6.2.12 Revision 32] confirms that the impact of construction traffic is generally considered to be of negligible to moderate significance. Mitigation has been provided in the form of an Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7. Revision 3] to reduce the impacts of the construction phase. The document includes a range of management and mitigation measures to reduce the impacts of the	Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			construction phase. The proposed mitigation is forecast to reduce the significance of effect of Moderate to Minor and Not Significant.	
3	Construction Traffic Routing	Paragraph 10.3 of RR: It should be noted that the local highway network surrounding the site is predominately comprised of narrow country lanes that are typical of the rural location. As such, the road network is not designed to be accessed by large HGVs and there are limited safe and convenient routes for construction traffic and maintenance vehicles to access the site without causing disruption to the network, and other users of the network including local businesses.	The Applicant has engaged with highway officers at CDC to discuss the access proposals. Stage One Road Safety Audits have been undertaken in all locations, and a highway condition survey requirement is set out within the Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7. Revision 3] and is agreed. This is secured through Requirement 16 of the draft DCO [Document Reference 3.1 Revision 37].	Agreed
4	Access Arrangements	Paragraph 10.4 pf RR City of Doncaster Council will constructively review the Framework Plans and would welcome the opportunity to engage with the Applicant to discuss their suitability in close liaison with the relevant teams across the Council as Highways	The Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7 Revision 3] includes details on all access points within CDC. This includes Road Safety Audits in all locations, as requested by highways officers.	Agreed

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		Authority as this has not happened to date.		
5	S278	<i>Paragraph 10.5 of RR</i> In the meantime, and in more general terms, the Applicant should be aware that it is Council policy to utilise Section 278 of the Highways Act 1980 agreements to licence a developer to carry out improvement works on public highway which are generally necessary where planning permission has been granted for a development. It is therefore CDC's firm expectation that those requirements contained within the Council's template agreement will be replicated through the agreements to be entered into under Article 18 (Agreements with Street Authorities) of the Draft DCO [APP-016]. The Applicant should be aware that the Council will not accept anything other than this approach. There has been no change to this position, regarding the use of a s278 agreement and Doncaster Council's standard template	The Applicant is considering this request. As a minimum, the Applicant requests sight of CDC's standard template agreement to licence a developer to carry out improvement works on a public highway, in order to understand the implications of the same on delivery of the Scheme. The Applicant would welcome further discussions with the CDC in relation to this matter. The Applicant has received a copy of the framework highways agreement contemplated by CDC and is currently reviewing it. The Applicant's review is focused on identifying whether that agreement addresses matters which are not already regulated by the Draft DCO [Document Reference 3.1 Revision 67]. The Applicant remains willing to engage constructively with CDC and, where appropriate, to incorporate specific provisions into the Draft DCO or the Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7 Revision 3], or make amendments to the Draft DCO provided that such changes do not duplicate	Under Discussion

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		agreement regarding this matter has been provided to the applicant.	or conflict with controls already secured and are otherwise reasonable and proportionate in scope. <u>A further update relating to this matter is set out in Table 3-11 of this SoCG, ref #2.</u>	
6	Permit Scheme	<i>Paragraph 10.6 of RR</i> ..the Council operates the "Doncaster Permit Scheme" which sets out that anyone intending to carry out work on all streets must apply for a permit which sets out how the work must be undertaken to minimise disruption to the network. Again, the Council expects the requirements of the Permit Scheme Document be enshrined within the DCO itself to ensure the effective ongoing management of the highway network during the construction phase of the development. No change to the position and requirements. The permit scheme allows the Local Authority to carry out its statutory	The Applicant is considering this request and would welcome further discussion with CDC on this matter in due course. The permit scheme remains a matter which is the subject of ongoing discussion with CDC. The Applicant understands that the CDC permit scheme requires road spaces to be booked where works or other operations affecting the highway are proposed. The Applicant considers that this in, in general, a reasonable mechanism to enable CDC to manage its network efficiently and consistently. The Applicant is currently considering how the permit scheme would interact with the existing controls secured by the Order with a view of seeking to ensure that any provision relating to the permit scheme does not duplicate or conflict with	Under Discussion

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		duty, to coordinate works on the highway. Submission of Appendix E is also required.	the established controls. The Applicant will continue engaging with CDC and any consequential amendments to the Draft DCO [Document Reference 3.1 Revision 67] , where appropriate, will be submitted at Deadline 4. A further update relating to this matter is set out in Table 3-11 of this SoCG, ref #1.	
7	Permit Scheme	<i>Paragraph 10.7 of RR</i> In support of this approach, CDC would direct the Applicant's attention to the final DCO agreed between the parties in respect of the Fenwick Solar Farm which sets these provisions out. The firm expectation of the Council is that these provisions will be replicated in the Draft DCO in this case. No change to the position and requirements. The permit scheme allows the Local Authority to carry out its statutory duty, to coordinate works on the highway. Submission of Appendix E is also required.	The Applicant notes this request and would simply note, at this stage, that any approach agreed needs to be reflective of the specific circumstances of the case. Accordingly, matters agreed in the context of the Fenwick Solar Farm Order do not necessarily mandate the approach to be adopted in this case. A further update relating to this matter is set out in Table 3-11 of this SoCG, ref #1.	Under Discussion

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		<u>Doncaster Permit Scheme which is a statutory requirement in its entirety and therefore can-not be 'cherry picked' as to which section the DCO does or does not refer to.</u>		
8	Access Arrangements	Following meeting on 11th March 2026: CDC advised that any access points which are currently used for agricultural purposes would need to be upgraded to accommodate HGVs including surfacing. The s278 would incorporate this condition for upgrading the highway at the access points. The applicant has identified access points that are already bound, however the suitability of this needs to be determined and shown to be suitable. Recent photos of each access point should be provided to allow the current condition to be assessed, only text of the location has been provided so far.	The Applicant agrees to provide a bound surface at those accesses which are to be used permanently for operational purposes where the existing access isn't surfaced to an acceptable standard (and therefore excluding (i) construction access only and (ii) those already at suitable standard). Recent photographs – taken on 24th June 2026 – are included on the access arrangement drawings for Access A (Figure 3.2), N (Figure 3.15), O (Figure 3.16) and Z (Figure 3.27) which show the existing bound surfaces in these locations. What3Word references for each access point have been added to the access arrangement drawings at Figure 3.1 – 3.37 of the oCTMP [Document Reference 7.7 Revision 3].	Under Discussion

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		Exact entry points should also be provided in the form of a what3words link.		
9	Access Arrangements	Following meeting on 11 th March 2026: CDC advised that Stage One Road Safety Audits should be carried out for each access which requires work	The Applicant has undertaken Stage One Road Safety Audits for all access points, and this is included in the Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7 Revision 3] alongside a Designer's Response.	Agreed
10	Access Arrangements	Following meeting on 11 th March 2026: CDC advised that visibility splays at access points should reflect the Design Manual for Roads and Bridges and that swept path assessment and appropriate management and mitigation at each access point will be required to ensure that there are no obstructions on any CDC roads, particularly where HGVs use the whole of the access.	The Applicant has reviewed this request and additional information on access points within CDC are set out in the Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7 Revision 3] .	Agreed
11	Construction Traffic Routing	Following meeting on 11 th March 2026:	The Applicant has reviewed the weight limit restriction and has adjusted the construction traffic route to Access J and K to use High	Agreed

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		CDC advised of the 7.5 tonne except for access weight limit restriction on Low Levels Bank between the junction with the A18 Tudworth Road and Crow Tree Bank. Therefore, vehicles routing to accesses served from this stretch of Low Levels Bank will not be permitted to pass through this weight restriction but could access and egress to/from the east or west only.	Levels Bank and Crow Tree Bank to access Low Levels Bank east of the weight restriction, as set out in the Outline Construction Traffic Management Plan [REP3-041 Document Reference 7.7 Revision 3]	
12	Construction Phase mitigation	Following meeting on 11 th March 2026: CDC advised that any wheel washing facilities will need to be provided to CDC's specification (diesel pressure washer) and that road sweepers are not permitted on the adopted highway without the express permission of CDC.	Noted and agreed.	Agreed

Table 3-6 Socio Economic Impacts Matters agreed, under discussion and not agreed between the parties

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1.	Engagement with Business Doncaster	City of Doncaster Council requested in its Statutory Consultation response that the Applicant should seek to engage positively with Business Doncaster, this	The Applicant has engaged with Business Doncaster as requested in the Statutory Consultation response. The Applicant has presented a commitment to supply chain,	Under Discussion <u>Agreed</u>

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		was also highlighted within the Relevant Representations received from [RR-008].	employment, training, and educational opportunities associated with the construction, operation and decommissioning of the Scheme within the Outline Supply Chain, Employment and Skills Plan [REP1-039] as has been discussed. <u>The Outline Supply Chain, Employment and Skills Plan [REP1-039] was updated in May 2026 to align with engagement with Business Doncaster.</u>	
2.	Employment	Paragraph 9.1 of RR 9.1 The adopted Local Plan sets out that Doncaster has a relatively low proportion of people employed in highly skilled occupations and wage rates are significantly lower than the national average. Doncaster's economy is relatively reliant on lower skilled sectors that are more sensitive to changes in local demand. Compared to Yorkshire and Humber, our economy is relatively inward facing and more reliant on jobs in health, retail, transport, construction, and public administration. However, it does have significant jobs in several tradeable sectors, for example, manufacturing,	The Applicant notes the comments relating to the existing socio-economic conditions within Doncaster and confirms that many points made are aligned with analysis provided within the ES Volume 1 Chapter 11 Socio Economics [APP-O48] .	Under Discussion <u>Agreed</u>

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Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		engineering, and financial and professional services.		

Table 3-7: Landscape & Visual Impacts Matters agreed, under discussion and not agreed between the parties

Ref	Topic	CDC Position	Applicant Position	Status
1	Screen Zone of Theoretical Visibility	City of Doncaster Council made clear in its response to the Statutory Consultation, it's expectation that the impacts of the proposed development on Thorne and Hatfield Peat Moorlands must be fully assessed. It is therefore disappointing that only very scant regard continues to be given to this important landscape. Figure 6.3 – Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [APP-147] indicates that there is limited visibility from Humberhead Peatlands National Nature Reserve due to extensive woodland vegetation and therefore, the Applicant considered that no detailed consideration was deemed necessary for this assessment. CDC would strongly question the Applicant's logic behind not	Figure 6.3: Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [Document Reference 6.4.6.3 Revision 2APP-147] shows very limited visibility within both NNRs and any related public rights of way, (noting that both contain Access land which also shows very limited visibility) and therefore, effects upon these areas have largely been focussed upon any potential ecological impacts, rather than considered as a visual receptor. However, the NNRs have been considered in terms indirect effects upon their landscape character as part of the assessment of landscape character areas and types as defined in the Doncaster Landscape Character and Capacity Assessment of Doncaster Borough (March 2007).	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
		including viewpoints taken from the Nature Reserve to evidence this position. In terms of wider impacts, the special qualities of the landscape character of the area, including that within the proposed Order limits has been significantly downplayed, and CDC is concerned that this altogether cynical approach has infected the conclusions contained within the ES in terms of overall impacts.	Table 6.4 of Environmental Statement Chapter 6 Landscape and Visual [Document Reference 6.2.6 Revision 4REP2-033] sets out the Viewpoint and Photomontage Locations, which in paragraph 6.4.62 are 'considered to provide representative views towards and in some cases from within the Order Limits from the surrounding landscape as illustrated on ES Figure 6.3 – Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [Document Reference 6.4.6.3 Revision 2APP-147] and presented in Viewpoint Photographs in ES Appendix 6.3 – Viewpoint Photographs [APP-063 – APP-066].' The Applicant notes CDC's comment regarding special qualities of the landscape character. However, Special Landscape Qualities do not apply to landscape which have not been designated as a national landscape. The Order Limits and the wider study area do not feature any national landscape designations. Humberhead Peatlands National Nature Reserve has the same boundary as the following statutory designated sites: Thorne	

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Ref	Topic	CDC Position	Applicant Position	Status
			Moor Special Area of Conservation (SAC), Thorne & Hatfield Moors Special Protection Area (SPA), Thorne, Crowle and Goole Moors Site of Special Scientific Interest (SSSI) and Hatfield Moors SSSI. Therefore, the protection measures detailed in section 7.5 of the submitted ES Chapter – Volume 2 Chapter 7: Ecology and Nature Conservation [Document Reference 6.2.7 Revision 4 REP2-035] and all the measures included within the Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 4 REP2-068] and Outline Landscape Ecological Management Plan [Document Reference 7.6 Revision 5 CR1-022] were updated for Deadline 1, to ensure that these protection measures apply to this NNR.	
2		City of Doncaster Council would emphasise in the strongest of terms that this is a highly distinctive landscape which includes intact farmland with few ‘man-made’ intrusions as well as the large lowland raised bog areas of Thorne and Hatfield Moors. Overall, and unsurprisingly, this is rated as a high quality landscape. Thorne and Hatfield Moors are internationally designated nature sites. The	The Order Limits are influenced by many man-made intrusions including wind farms, powerlines, motorways, railway lines and busy A-roads. However, when considering these factors, on balance the sensitivity of the Order Limits is considered to be medium, as defined in the ES Chapter 6: Landscape and Visual [Document Reference 6.2.6 Revision 4 REP2-033]. Figure 6.4 Landscape and Visual Mitigation Strategy [Document Reference	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
		landscape strategy is to conserve these special qualities.	6.4.6.4 Revision 54] conveys that much of the existing landscape features have been retained and respected, including the network of trees, hedgerows, woodlands and ditches and also enhances the Order Limits with new landscape features throughout. As the landscape is not designated from a landscape perspective, there are no specific landscape qualities to preserve, other than those characteristics set out in published landscape character studies. The Isle of Axholme and Hadfield Chase Landscape Character Assessment is an additional landscape character document (in addition to the district level assessments produced by the two councils and considered in the LVIA). This additional document was not flagged during landscape consultations with North Lincolnshire. The majority of the site is located in the Thorne and Crowle Moors and the Hatfield Chase Levels Character Areas identified in this document. Paragraph 6.3.10 of the Chapter 6 of Environmental Statement [Document Reference 6.2.6 Revision 4REP2-033] confirms that the landscape assessment has been undertaken in accordance with the	

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Ref	Topic	CDC Position	Applicant Position	Status
			<i>principles of best practice, as outlined in published guidance documents, notably the third edition of the Guidelines for Landscape and Visual Assessment (GLVIA3), (Landscape Institute and the Institute for Environmental Management and Assessment, 2013)'. The LVIA Assessment Criteria is set out in ES Appendix 6.1 [APP-061] which follows this guidance.</i> Chapter 6 of the Environmental Statement [Document Reference 6.2.6 Revision 4REP2-033] considers National, Local and Order Limits level of landscape character, including reference to National Character Area 39: Humberhead Levels, along with relevant landscape character areas within the Landscape Character & Capacity Assessment of Doncaster Borough (March 2007) and the landscape character types within North Lincolnshire Landscape Character Assessment (September 1999). The Chapter uses these as the basis of its landscape assessment.	
3	Landscape assessment	CDC feel that the applicant has not used the most up to date landscape character assessment (LCA) available to inform their	ES Chapter 6 Landscape and Visual [Document Reference 6.2.6 Revision 4REP2-033] has been updated at will be updated at	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
		assessment. Adopted character assessment guidance has been used but it has not been acknowledged that this is now nearly 20 and 27 years old respectively (CDC LCA and NL LCA) and there are more recent (although not adopted) character guidance studies available for reference.	Deadline 4 to include summaries and assessments of the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment (2014) and the North Lincolnshire Landscape Character Assessment 20121.	
4	Landscape assessment	The character assessment in the LVIA does not look at a sufficiently fine grain of landscape character to inform the assessment. GLVIA3 states in para 5.16 that even when a LCA is available 'it is still likely that it will be necessary to carry out specific and more detailed surveys of the Order Limits and perhaps its immediate setting or surrounding'. This is to 'pick up other characterises that may be important in considering the effects of the proposal'	ES Chapter 6 Landscape and Visual [Document Reference 6.2.6 Revision 4 REP2-033] has been will be reviewed and updated in terms of the description of the Landscape Character of the Order Limits in line with the documents set out above at Deadline 4 to include further description of any identified landscape character sub areas within the Order Limits.	Under discussion
5	Landscape assessment	The applicant has not addressed landscape value in accordance with TGN 02-21: Assessing landscape value outside national designations. This landscape has been designated previously and areas within the Order Limits or study area lie within areas recommended for consideration as an 'Area	A response on Landscape Value was provided at item 10.18 in the Comments on Local Impact Reports (City of Doncaster Council) [REP2-089] . In terms of TGN02/21 and the identification of Landscape Value it is considered on balance	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
		of High Landscape Value' (ref example JBA LCA 2021: Trent Levels – Flat Drained Treed Farmland). Consideration as to whether this is a valued landscape should be fully explored in accordance with the TGN.	that whilst the landscape contains elements of value it does not constitute a Valued Landscape (NPPF para 187). With reference to Box 5.1 in GLVIA3 the following summary is provided. In terms of quality and condition; the landscape of the study area is generally representative of the local character areas, though there is a distinction between the moors areas and the open Hatfield Chase levels. The land within which the Order Limits sits is generally intensively farmed and contains denuded hedgerows. In terms of scenic qualities; whilst the level ground provides wide open skies the landscape is strongly influenced by powerlines, motorways and existing turbines. In terms of rarity; this landscape is not notably rare in this portion of the country and extends beyond the study area. In terms of representativeness; the landscape contains important examples of restoring peat bogs, the remainder of the landscape is broadly representative of the wider agricultural landscape. In terms of Conservation Interests, Thorne and Hatfield Moors are important wildlife sites and the Isle of Axholme Area of Historic Landscape Interest is located to the south east around Epworth. In terms of Recreational Value; the	

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Ref	Topic	CDC Position	Applicant Position	Status
			canal provides an important green corridor but access for recreation is generally limited and disconnected. In terms of Associations; the landscape is the product of centuries of artificial drainage and agricultural improvement including the works of the Dutch engineer Cornelius Vermuyden in the 1620's	
6	Landscape assessment	CDC disagree with the applicant in relation to the influence on the landscape character of major road corridors over the Order Limits. The major road corridors do influence the landscape character within their immediate environs, but not over the whole character of the Order Limits. The landscape character assessment should readdress this point.	The Applicant has set out at point 2 above, that in addition to the major road corridors, the Order Limits are influenced by many man-made intrusions including, large agricultural sheds, wind farms, motorways, railways and busy A roads. As noted above at point 2, ES Chapter 6: Landscape and Visual [REP2-O33] considers National, Local and Order Limits level of landscape character along with relevant landscape character areas within the Landscape Character & Capacity Assessment of Doncaster Borough (March 2007) and the landscape character types within North Lincolnshire Landscape Character Assessment (September 1999). The Applicant considers that the landscape character assessment is robust and appropriate and in compliance with best practice guidelines, and therefore refutes the assertion that the	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
			landscape character assessment should readdress this point.	
7	Landscape and visual assessment	CDC considers that the applicant has not sufficiently described value and susceptibility in relation to landscape or visual receptors so it is difficult to say if the conclusions they have reached are accurate and considered	Appendix 6.1 Landscape and Visual Impact Assessment Criteria[APP-061] sets out the sensitivity of receptors, (underpinned by an understanding of the value and susceptibility of receptors).	Under discussion
8	Landscape and visual assessment	CDC considers that the applicant has not provided enough detail in addressing magnitude and effect, particularly in relation to the visual assessment and RVAA. It is therefore difficult to say if the conclusions are accurate and considered.	These documents have been produced in line with the respective methodologies and are considered to be proportionate to the assessment.	Not agreed
9	Landscape and visual assessment	CDC do not consider that all the ancillary infrastructure has been adequately considered in the assessment of landscape and visual effects. For example the 400kv substation was originally omitted from the landscape design proposal plans and the	The ancillary infrastructure has been adequately considered in the assessment of landscape and visual effects. Whilst the 400kV substation was omitted from the Landscape mitigation plans (now	Not agreed

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Ref	Topic	CDC Position	Applicant Position	Status
		visualisations. It has subsequently been added to both, but the assessment text has not been updated to reflect its addition.	rectified) it was not omitted from the visualisations. All elements of the Scheme have been considered in the assessment and therefore the text does not require an update.	
10		CDC consider that more detail is required in relation to the landscape design proposals in order to fully appreciate the landscape strategy. Details are provided in the LEMP in relation to the mitigation parcels but there is little detail on how the landscape strategy for each parcel has evolved e.g., hedgerow strategy specific to the parcels, vegetation connectivity with surrounding landscape, how the characteristics of each parcel has been addressed.	It is considered that a single locally appropriate hedgerow mix will be appropriate to the proposals and suit the local conditions and characteristics. It is noted that there may be instances where the proportion of holly will be increased to increase local screening during winter conditions. The landscape pattern has been reflected in the proposals; planting is located along field boundaries and therefore will be connective to the surrounding landscape.	Under discussion
11	Landscape design	CDC consider that the ability for the landscape to host the proposed habitat is an important element of the design proposals and therefore soil sampling to determine suitability for the proposed habitat should not be left to a later stage.	A response has been provided in 9.3 Statement of Common Ground with North Lincolnshire Council [Document Reference 9.3 Revision 2] , Table 3–7, item 7. The response states: 'Prior to habitat creation, soil testing will be completed to confirm the PH and nutrient levels and determining the appropriate seed mix to ensure the maximum	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
			beneficial mix for the soils and nutrients status.'	
12	Landscape design	CDC consider that all vegetation within the Order Limits should be surveyed in accordance with BS 5837. This is to ensure all vegetation has been taken into account in the design, any removal adequately acknowledged and any protection measures for retained vegetation implemented appropriately.	The query over Arboricultural Survey Data has been responded to within Statement of Common Ground with North Lincolnshire [Document Reference 9.3 Revision 32] within Table 3-7, item 7. The response states: 'The Applicant notes this comment. In a few discrete areas within Development Parcel C9 (see ES Figure 1.3: Development Parcel Plan [APP-131] for location detail) arboricultural survey data has not been obtained. This related to the area shown on Sheet 25 of the Tree Survey and Constraints Plan in Appendix 6.6 Arboricultural Impact Assessment [APP-070] only. The Applicant confirms that through a desktop review of existing vegetation present in those unsurveyed locations there is no interaction with the development of the Scheme and this vegetation will remain as existing throughout the lifetime of the Scheme. The existing vegetation lies either outside of site perimeter fencing which will be erected ahead of any site activity commencing within these parcels or isolated from Scheme infrastructure	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
			components by drainage features, acting as natural root barriers. Therefore, an update to Appendix 6.6 Arboricultural Impact Assessment [APP-070] is not considered necessary or proportionate as the overall conclusions of the assessment remain the same and no impacts are anticipated in relation to this vegetation.	
13	Landscape and visual assessment	CDC comment that it should be made clear in the LVIA that proposed ecological habitat created as part of the project may not be retained following decommissioning	As stated at item 10.40 of the Comments on Local Impact Reports (City of Doncaster Council) [REP2-089] . It is not intended nor required that the biodiversity measures for the Scheme would continue in perpetuity. The land used for the Scheme will be returned to the landowner. It would be for the landowner at that time to decide on the use of the land.	Under discussion
14	Landscape design	CDC agree that hedgerow planting and enhancement are appropriate mitigation proposals however, we feel that the mitigation proposals themselves have not been considered sufficient in terms of their effect on the landscape and visual receptors, particularly with regards to the changes in	The Applicant welcomes the acknowledgement that hedgerow planting and enhancement are appropriate mitigation proposals. There is an inherent balance to be struck between providing screening and maintaining openness within the landscape, the proposed	Under discussion

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Ref	Topic	CDC Position	Applicant Position	Status
		open views and open landscape characteristics that will be experienced. This should be explained in the LVIA in further detail and further detail added to the design proposal description to demonstrate how the hedgerow mitigation has also considered the open landscape characteristics and views in its design.	hedgerow planting represents the most appropriate form of mitigation within that balance. The Applicant will <u>has</u> submitted an updated ES Appendix 6.2: RVAA [APP-062 Document Reference 6.3.6.2 Revision 2] at Deadline 4 to provide more detail on the changes arising from the mitigation.	
15	Landscape and visual assessment	CDC have reviewed the methodology on photography received from the applicant and are satisfied that this is in accordance with current guidance.	This is noted.	Agreed

Table 3–8: Flood Risk & Drainage Matters agreed, under discussion and not agreed between the parties

Ref	Topic	DCD Position	Applicant Position	Status
1.	Ordinary Watercourse Easements	City of Doncaster Council request a 10m easement for Ordinary Watercourses, noting that this distance may be reduced if sufficient information can be provided to show how open watercourses or culverted watercourses will be maintained for the lifetime of the development. The LLFA has no objection in principle to the proposed 5m easement	A 5m easement has been left entirely clear alongside both sides of all Ordinary Watercourses. This easement will ensure maintenance access to the watercourses is not impacted by the Scheme. The Applicant anticipates that the majority of required maintenance will be carried out using a tractor with flail attachments for vegetation clearance.	Agreed

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Ref	Topic	DCD Position	Applicant Position	Status
		subject to the applicant robustly demonstrating that 5m easements are sufficient to maintain the watercourses.	The use of an excavator may be required under certain circumstances where more significant maintenance is required. The Applicant considers the 5m easement sufficient for the maintenance requirements.	
2.	Surface Water Flood Risk	City of Doncaster Council, in response to the proposed solar and infrastructure raising note that "this is acceptable, we would require information on the expected flood depths and the proposed solar panel levels."	The lowest edge of proposed solar panels and infrastructure in areas predicted by the Risk of Flooding from Surface Water dataset to be at risk of surface water flooding during a 1 in 1,000-year rainfall event, will be raised above the predicted 1 in 1,000 year surface water flood depths. Predicted surface water flood depths and proposed solar panel levels are included in Appendix A and I of the submitted ES Technical Appendix 10.1 Flood Risk Assessment Parts 1 & 2 [REP2-O47, REP2-O49, and REP2-O51]	Agreed
3.	Land Drainage Consent	Land Drainage Consent will be required where cables routes or fences will cross Ordinary Watercourses. Land Drainage Consent is a separate process to planning and each consent activity carried a fee of £50. The LLFA are content for the consents to be obtained post DCO.	Land Drainage Consent for cable crossings, fence crossings and any surface water outfalls into Ordinary Watercourses will be reviewed at detailed design post-consent of the DCO application, please refer to paragraph 2.1.6 of the Other Consents and Licences (Rev 1) [App-034]	Agreed

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Ref	Topic	DCD Position	Applicant Position	Status
4.	Surface Water Drainage Strategy	City of Doncaster Council have provided the LLFA advice on drainage strategies for solar farms. It should be noted that this is not a CDC policy so no further consideration is required for this element.	As confirmed in the ES Volume 2 Chapter 10: Water Resource [REP2-021] , the proposed Outline Surface Water Drainage Strategy as presented in the Flood Risk Assessment [REP2-047, REP2-049, and REP2-051] has been prepared with consideration of the council's local guidance.	Agreed

Table 3-9: Noise and Vibration Matters agreed, under discussion and not agreed between the parties

Ref	Topic	CDC Position	Applicant Position	Status
1	Assessment approach, scope and methodology		The scope and methodology of the assessment was detailed in the Applicant's Scoping Report [APP-058]	Agreed
2	Baseline noise survey methodology	CDC were happy with the location and duration of the noise monitoring locations.	The Applicant has undertaken the baseline noise survey in the manner agreed with CDC and presented at ES Technical Appendix 13.1 Baseline Noise Survey Report [APP-114] .	Agreed

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Ref	Topic	CDC Position	Applicant Position	Status
3	Noise sensitive assessment locations	CDC confirmed they were happy with the identified assessment locations including residential, heritage and ecological receptors.	The Applicant has assessed the noise impact at the agreed assessment locations., as presented in the ES Volume 1, Chapter 13: Noise and Vibration [Document Reference 6.2.13 Revision 3 REP2-023]	Agreed
4	Character of the area	Within CDC's RR to Cultural Heritage, the authority states: <i>'there is also potential for the proposed development to give rise to noise impacts that could adversely affect the distinctiveness of the area. An important characteristic associated with the isolation and remoteness of this location is the limited noise intrusion experienced here. Changes to this will undoubtedly affect the enjoyment of the distinctive area for both residents and others seeking to enjoy its special qualities such as users of the public rights of way.'</i>	ES Volume 1, Chapter 13: Noise and Vibration [Document Reference 6.2.13 Revision 3REP2-023] includes a number of heritage locations. The assessment at all locations demonstrate noise from the operational facility would fall well below the prevailing background sound level. Given this, it is likely that the prevailing environmental sound climate would mask noise from the solar farm and BESS.	Agreed

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Table 3-10: Other Environmental Topics – agreed, under discussion and not agreed between the parties

Ref	Topic	CDC Position	Applicant Position	Status
1	Glint & Glare	<i>Paragraphs 12.1 to 13.3 of RR</i> 12.1 CDC would emphasise in the strongest of terms that the reopening the airport is a key strategic priority for the Council, with a plan for passenger flights to resume. As such, CDC requests that the impacts on the airport be fully accounted for within the final ES and that the baseline for all relevant assessments contained within it are with the airport as fully operational. 12.2 This is further highlighted by Local Plan Policy 58(B) of the adopted Local Plan sets out that in all cases low carbon and renewable energy proposals will be supported where they (inter alia) allow the continued safe and efficient operation of Doncaster Sheffield Airport. 12.3 CDC will provide further, detailed feedback on the assessments undertaken in this respect through its Local Impact Report in due course and in this respect intends to consult with its own retained consultant.	The Applicant has already considered the potential impacts of the Scheme against Doncaster Sheffield Airport due to the possibility of the airport becoming operational in the near future. There is no significant impact from Glint and Glare on aircraft using Doncaster Sheffield Airport. See Section 8.2 of the ES Technical Appendix 16.1 Glint and Glare Assessment (Fixed and Tracker Design) [APP-122]; and Section 8.2 of the ES Technical Appendix 16.2 Glint and Glare Assessment (Fixed Design) [REP1-025].	Agreed

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Ref	Topic	CDC Position	Applicant Position	Status
2	Cumulative Impacts	3. Relevant Planning Permissions & Cumulative Impacts: 3.1 For the purposes of assessing the cumulative effects, the Council relies on the List of Cumulative Schemes set out in Environmental Statement Appendix 17.1 Cumulative Long List [APP-126] and Environmental Statement Appendix 17.2 Cumulative Short List [APP-127]. Reference is also made to Environmental Statement Chapter 17: Cumulative Impacts [APP-O54] and Environmental Statement Figure 17.1: Cumulative Sites Plan [APP-175]. 3.2 In this respect, CDC can advise as follows: 3.3 23/O2642/FULM [cited as No. 27, APP-126] has now been granted planning permission. 3.4 25/OO287/OUTM [cited as No. 22, APP-127] was refused planning permission on 12.12.2025 3.5 Whilst the above development at Hurst Lane, Auckley has been accounted for in the Cumulative Short List [APP-127], CDC cannot find reference within the documents to developments in very close proximity at land	The Applicant is grateful to CDC for advising that application 25/OO287/OUTM was refused. The Applicant notes that the development will remain on the shortlist to reflect the potential for an appeal submission. It is noted that no appeal has been submitted within 6 months of the decision date. If no appeal has been submitted, it will subsequently be removed from the short-list for cumulative sites [APP-127]. This shortlisted cumulative site had not led to any significant cumulative effect predicted within the ES. Application 23/O2642/FULM was identified as Site 27 on the Cumulative Sites Long List [APP-127]. Although this application was approximately 6.6km from the Scheme it was excluded from the cumulative shortlist since its scale and nature were unlikely to lead to a significant cumulative effect with the Scheme. This application was not accompanied by an EIA and through its own determination process CDC have confirmed a S106 to resolve all socio-economic requirements and the BNG/ecological effects have been resolved. Applications 25/OO316/OUTA and 25/OO137/OUTA are approx. 11.65km from the	

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Ref	Topic	CDC Position	Applicant Position	Status
		south of Hurst Lane, Auckley, which have resolutions to grant planning permission, subject to the finalisation of Section 106 agreements (currently at an advanced stage). These are set out as follows and CDC would question why they have been excluded from the cumulative assessment, along with other committed development at the airport itself. This should be rectified, or a satisfactory explanation provided setting out why they have been excluded from the assessment: 3.6 25/00136/OUTA Outline planning application (with all matters reserved except external vehicular highway access) for residential development (Use Class C3), provision of coworking hubs, with land allocated for a single form entry primary school (if required), including the demolition of Warren House Farm and the provision of drainage (including SUDS), public open space with children's play space, enhancements to existing footpaths/tracks, new footpaths and cycleways (including the creation of an active travel corridor) – Resolved to grant planning permission on 18.11.2025.	nearest point of the Scheme. This is outside of the 10km ZOI (biodiversity) that was set in the cumulative site methodology. The ZOI that was set for all other environmental disciplines is less than 10km. These distances are listed in Table 17.5 of Chapter 17 Cumulative Impacts of the ES [REP2-029]. Application 20/03415/FULM is approx. 11.34km from the nearest point of the Scheme and was excluded from the cumulative long list for the same reason. Doncaster Sheffield Airport is south of the Scheme. At its closest point it is approx. 9.57km from the Scheme. This assumes the airport's northern boundary is the railway line. None of the proposed or approved planning applications that link to Doncaster Sheffield Airport are within 10km of the Scheme and therefore none fall within the presented criteria for cumulative assessment. For clarification the Glint and Glare section of Chapter 16: Other Topics of the ES [REP2-027] considered the possible impacts on Doncaster Sheffield Airport the majority of which is located outside of 10km for the Scheme. This airport was included in the Glint	

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Ref	Topic	CDC Position	Applicant Position	Status
		3.7 25/00137/OUTA Outline planning application (with all matters reserved except external vehicular highway access) for multi-tenure residential development (Use Class C2/C3) (including affordable housing, later living, retirement accommodation, assisted living, build to rent and other complimentary/multi-tenure/specialist housing) with land identified for a single form entry primary school (if required), including the demolition of Warren House Farm and the provision of community buildings (Use Classes E, F1 (a-g), F2 (a-d), sui generis uses comprising drinking establishments with expanded food provision, co-working hubs (Use Classes E, F1 (a-g), F2 (a-d)), drainage works (including SUDs), public open space with children's play space, enhancements to existing footpaths/tracks, new footpaths and cycle ways (including the creation of an active travel corridor) – Resolved to grant planning permission on 18.11.2025. 3.8 Linked to these two outline applications directly above is planning application reference 20/O3415/FULM, which was granted planning permission on 20th December 2024 for a	& Glare assessment to ensure it was robust. There is no significant impact from Glint and Glare on aircraft using Doncaster Sheffield Airport. Fenwick Solar Farm (Application No EN010152) is cumulative site No. 24 within the shortlisted sites, and was granted development consent on 18 February 2026. Its status from 'at Examination' to 'pending SoS decision' will be updated the next time that Chapter 17 Cumulative Impacts of the ES [REP2-O29] is updated in the Examination. Whitestone Solar Farm (EN0110020) is located approximately 21.5km from the Scheme. Area Whitestone 1 is located within CDC, the remaining two areas are within Rotherham Metropolitan Borough Council (RMBC). This scheme is currently atⁱⁿ pre-examinationapplication stage <u>with the DCO application accepted for Examination on the 3rd July 2026</u>. The applicant for this scheme is stating that their application will be submitted in May 2026 according to their website www.whitestonesolarfarm.co.uk	

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Ref	Topic	CDC Position	Applicant Position	Status
		mixed use development (in hybrid form) comprising: a) An application for full planning permission for the construction of highway/drainage infrastructure and strategic landscape planting within the application site; and b) An application for outline planning permission with all matters reserved (except access) for up to maximum floorspace of 42,689sqm GIA, comprising of: 13,572m2 of floorspace to be used within Class E(g) (offices) 12,143m2 of floor-space to be used within Class C3 (residential) 8,826m2 to be used within Class C1 (up to 3 hotels) 3,529m2 to be used within Classes E(a) (b) & Sui Generis (r) (retail /restaurant / cafe / hot food takeaway) 2,833m 2 to be used within Classes E(a)/E(c)/E(b)/ SG (p)/SG (r)/ E(e) or E(f)/ (retail / financial and professional services /	The Whitestone Solar Farm <u>did not scope in our</u> the Scheme for a cumulative assessment and <u>was not put on to its cumulative long list according to their relevant documentation (6.17 Environmental Statement Chapter 17 Cumulative Effects Assessment [APP-069] and 6.20 Environmental Statement Appendix 17.2 Long List of Developments for Cumulative Effects Assessment [APP-154]).</u> Scoping Opinion listed in Appendix F sites that are currently being considering cumulatively. The Scheme was not included on this list. PINS offered no comment in the Scoping Response that the Scheme should be brought into the cumulative assessment. Therefore, Whitestone Solar Farm will not be added to <u>our</u> cumulative <u>longlist of</u> shortlist for further assessment during the Examination.	

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Ref	Topic	CDC Position	Applicant Position	Status
		restaurant / cafe / drinking establishment / hot food takeaway and community facilities such as medical facilities or creche) 1,700m2 to be used within Class E(a) (food-retail) 919m2 to be used within Classes E(b) / SG(r) (restaurant / cafe / hot food takeaway) 473m2 to be used within Class E(a) / Sui Generis (retail / petrol filling station) and 314m2 to be used within Classes SG(q) (public house) together with facilities for the storage of waste, car parking, landscaping, site re-profiling, drainage and utilities infrastructure. 3.9 CDC reserves its position to make more detailed commentary on this matter within the Local Impact Report. In general, whilst not committed developments at this point for the purposes of the ES, there are two other substantial solar farm DCO projects in the pipeline within the Borough (and into neighbouring authorities), which may have progressed by the time of the Local Impact Report or into the Examination and these will		

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Ref	Topic	CDC Position	Applicant Position	Status
		be referenced in detail at those stages, where possible to do so in order to give the fullest, and most up to date position to assist the Examining Authority. Similarly, Town and Country Planning applications currently undetermined may have been determined by these stages and will also be referenced accordingly. 3.10 In the meantime, the following information is provided: • The Fenwick Solar Farm DCO was made 18 February 2026. • Whitestone Solar Farm DCO2 is expected to be submitted between April and June 2026		

Table 3-11: Draft Development Consent Order Matters agreed, under discussion and not agreed between the parties

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<u>Ref</u>	<u>Provision within Draft DCO</u>	<u>City of Doncaster Council's Position</u>	<u>Applicant's Position</u>	<u>Status</u>
1	Part 3 – Streets: Permit Scheme	CDC has concerns over the scope of the powers contained within Part 3 (Streets) of the Draft DCO [Document Revision 3.1 Revision 7] , articles 11 to 18. CDC has requested that the Applicant amend the Draft DCO to provide for application of CDC's permit scheme to the Scheme.	The Applicant understands that the CDC permit scheme requires road space to be booked where works or other operations affecting the highway are proposed. The Applicant considers that this is, in general, a reasonable mechanism to enable CDC to manage its network efficiently and consistently. The Applicant is currently updating the Draft DCO [Document Reference 3.1 Revision 7] to ensure the permit scheme is appropriately accommodated with the existing controls secured by the Draft DCO and does not duplicate or conflict with the established controls. These consequential amendments to the Draft DCO [Document Reference 3.1 Revision 7] , are submitted at Deadline 4 and the Applicant has shared this update with CDC ahead of that deadline.	Under discussion
2	Part 3 – Streets: Highways Agreement	CDC has concerns over the scope of the powers contained within Part 3 (Streets) of the Draft DCO [Document Revision 3.1 Revision 7] , articles 11 to 18. CDC has requested that the Applicant amend the Draft DCO to provide	The Applicant and the Council have discussed the potential inclusion of a highways agreement to be referenced within the Draft DCO [Document Reference 3.1 Revision 7] , such	Under discussion

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		<u>that highway works proposed under Part 3 be carried out in accordance with the Council's standard highways agreement.</u> <u>CDC comment dated 20 July 2026: CDC shared its standard s.278 highways agreement with the Applicant on 26 May 2026. The Applicant returned its comments on 14 July 2026 and CDC is considering these. CDC will continue discussing this point with the Applicant and intends to provide an update on the same at Deadline 5.</u>	<u>that elements of the street works activities would be governed outside the DCO.</u> <u>The Draft DCO already contains a comprehensive framework for the control and management of highway works. This includes the relevant provisions within Part 3 (Streets) of the Order and the Outline Construction Traffic Management Plan [REP2-077], which is subject to the approval of the highways authority under requirement 16(1). Taken together, these mechanisms provide an adequate and well-established basis for regulating highways impacts.</u> <u>It is the Applicant's position that the introduction of a separate highways' agreement, particularly one expressly referenced in the Order, would risk duplicating existing controls and introducing an additional layer of consent. This would undermine the fundamental purpose of the DCO regime as a "one-stop-shop" for nationally significant infrastructure projects, in which all necessary authorisations and controls are secured within a single authorising instrument. The Applicant's position is therefore that a side agreement should not sit in parallel with the draft DCO and that any reasonable conditions which CDC deems necessary in addition to those already</u>	
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			<u>provided for can be folded into the DCO and associated management plans.</u> <u>In terms of precedent, the Applicant notes that article 16(3) of the Fenwick Solar Farm Order requires the undertaker to enter into an agreement substantially in accordance with a framework highway works agreement with City of Doncaster Council. However, this appears to be an isolated example in the solar DCO context, and the Applicant is not aware of any consistent practice of requiring such provisions in solar Orders more generally. The Applicant notes that it is not bound to follow the approach taken on Fenwick particularly where precedent shows that it cannot be regarded as typical / standard as far as DCO implementation is concerned.</u> <u>The Applicant has received a copy of the framework highways agreement proposed by CDC and returned comments on 14 July 2026. The Applicant's review focused on identifying whether that agreement addressed matters which are not already regulated by the Draft DCO [Document Reference 3.1 Revision 7] and management plans. The Applicant remains willing to engage constructively with CDC and, where appropriate, to incorporate specific provisions into the Draft DCO or the Outline</u>	
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			<u>Construction Traffic Management Plan [Document Reference 7.7 Revision 3]</u>, provided that any changes within the Draft DCO do not duplicate or conflict with controls already secured and are otherwise reasonable and proportionate in scope. The Applicant notes from CDC's Deadline 3 submission <u>[REP3-O81]</u> that CDC would be content to agree highways protective provisions with the Applicant and understands that it is CDC's intention to submit its proposed protective provisions at Deadline 4. The Applicant agrees with this approach and will duly consider CDC's draft protective provisions and provide a response at Deadline 5. The Applicant has also provided a response to Q2.5.3 <u>[Document Reference 8.21 Revision 1]</u>, which pertains to this topic.	
3	<u>Deemed consent provisions – time period.</u> Article 13(5) (power to alter layout, etc. of streets)	CDC is concerned that the deemed consent provisions, drafted as specifying a 28-day period, should be extended. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 6) of its Local Impact Report <u>[REP1-O62]</u> and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral	The Applicant does not consider it necessary or justified for the 28-day time period within the deemed consent provisions, to be extended. The purpose of the deemed consent provisions is to avoid delay to the delivery of the authorised development where routine consents are required from the highway authority. The proposed 28-day period reflects	Under discussion

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	<u>Article 15(9) (temporary closure or restriction of streets and public rights of way)</u> <u>16(2) (access to works)</u> <u>18(8) (traffic regulation measures)</u>	<u>submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 6, from page 14).</u>	<u>a reasonable and proportionate balance between:</u> <u>ensuring the highways authority has sufficient time to consider applications;</u> <u>and</u> <u>providing the Applicant with certainty and avoiding programme risk.</u> <u>The Applicant considers that the type of applications to be made under these provisions will be relatively limited in scope and technical complexity and accordingly should not require extensive time or resource to determine.</u> <u>It is not anticipated that there will be significant numbers of applications made for consent under the deemed consent provisions, as the general principle is that the Applicant is seeking consent for these from the Secretary of State pursuant to the Order and has listed the affected streets in the relevant schedules to the Draft DCO. Second, an application is likely to be made in respect of one or a small number of streets given, as noted, that the list included in the DCO is comprehensive. Third, the Applicant is proposing, in response to CDC's request, that the CDC permit scheme would apply to activities within the scope of articles 13, 15 and 16. The permit scheme imposes</u>	
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			<u>separate requirements as to the timing of applications for permits. Fourth, where any activities contemplated pursuant to the provisions cited engage detailed design considerations, CDC's approval pursuant to Requirement 6 would need to be secured. Again, separate timescales apply to applications for the discharge of requirements.</u> <u>In short, the number of applications and volume of work required of CDC in these circumstances will be minimal.</u> <u>It is also important to note that:</u> <u>the deemed consent mechanism only operates in circumstances where no response is provided within the prescribed period; and</u> <u>the Council retains the ability to refuse consent within that period where it considers it appropriate to do so.</u> <u>The Applicant further notes in this regard that any application made pursuant to these provisions would need to include "a statement ... that refers to the timeframe for consideration of the application and the consequences of failure to meet that timeframe". This is secured by the draft DCO</u>	
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			submitted at Deadline 7 [Document Reference 3.1 Revision 7]. <u>In these circumstances, the Applicant considers that there is no compelling justification for extending the deemed consent timeframe, and that doing so would introduce an unnecessary risk of delay to the implementation of the Scheme.</u> <u>The Applicant notes the precedent on this point:</u> <u>Article 13(5) of the Draft DCO:</u> Article 13(5) is precededented in article 10(5) of Helios Renewable Energy Project Order 2025. Outside the solar context, this provision is precededented in: article 12(6) of the Dogger Bank South East and West Offshore Wind Farms Order 2026, article 14(5) of the Outer Dowsing Offshore Wind Farm Order 2026, article 10(4) of the Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 article 10(5), article 11(4) of the London Luton Airport Expansion Development Consent Order 2025. <u>Action 15(9) of the Draft DCO:</u> In the solar context, A15(9) is precededented in A13(7) of the Helios Renewable Energy Project Order 2025. Outside the solar context in other energy DCO and wider DCOs, this article is precededented in	
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			<u>A10(7) Dogger Bank South East and West Offshore Wind Farms, article 10(5) and 11(7) of the Outer Dowsing Offshore Wind Farm Order 2026, article 12(7) of the Mona Offshore Wind Farm Order 2025, Luton Airport Expansion A13(6), article 12(8) of the Lower Thames Crossing Order 2025.</u> Article 16(2) of the Draft DCO: <u>A16(2) is precededented in 13(2) Dogger Bank, A12(2) of the Outer Dowsing Offshore Wind Farm Order 2026, article 14(2) of the Mona Offshore Wind Farm Order 25, A15(2) Luton Airport Expansion.</u> Article 18(8): <u>A18(8) is precededented in A16(9) Luton Airport Expansion, A17(11) Lower Thames Crossing.</u> <u>The Applicant also notes that the recently published, Nuclear Regulatory Review 2025 produced by a Taskforce led by John Fingleton, recommended that model provisions for DCO drafting should be reinstated to help solve common problems occurring in the consenting of NSIPs. One of the model provisions included in the Review is the inclusion of 28-day decision making period with deemed consent applying at the end of this (see page 96 of the Report). The Report says under Recommendation 28: Reinstatement of the Infrastructure Planning (Model Provisions)</u>	
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			<u>(England and Wales) Order 2009: "MHCLG should legislate to reinstate the Model Provisions. These Model Provisions in addition to standard provisions, should include: (e) Time periods for consultation, decision-making, and notice periods across all provisions, should not exceed 28 days, and for protective provisions, this period should be 42 days (with deemed consent applying at the end of these periods)." On 26 November 2025, the Prime Minister fully endorsed the recommendations of the Review, accepting "the principle of all the recommendations it has set out".</u>	
4	<u>Deemed consent provisions – deeming provision statement:</u> <u>Article 13(5) (power to alter layout, etc. of streets)</u> <u>Article 15(9) (temporary closure or restriction of</u>	<u>CDC's view was that in each article with a deemed provision, the deeming provision should be followed by a provision which requires the undertaker to inform the authority of the deemed provision when it makes the application.</u> <u>CDC comment dated 20 July 2026: CDC welcomes these amendments.</u>	<u>The Applicant updated article 13 (Power to alter layout, etc., of streets) of the Draft DCO [REP2-002] at Deadline 2 to include paragraph (6) which states:</u> <u>"(6) An application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application."</u> <u>The Applicant is proposing to update articles 15, 16 and 18 of the Draft DCO [Document Reference 3.1. Revision 7] at Deadline 4 to include the equivalent provision in each article. The Applicant therefore awaits CDC's agreement that this matter is now agreed and</u>	Agreed

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	<u>streets and public rights of way)</u> <u>16(2) (access to works)</u> <u>18(8) (traffic regulation measures)</u>		<u>can be removed from outstanding points of difference as to the Draft DCO.</u>	
5	<u>Consent provision:</u> <u>Article 15(5)(b) (temporary closure or restriction of streets and public rights of way)</u> <u>Article 49(1) Requirements, appeals, etc.</u>	<u>CDC is requesting the removal of “such consent not to be unreasonably withheld or delayed” in article 15(5)(b) and 49(1) in circumstances where there is a deemed consent provision.</u> <u>CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 9, from page 7) of its Local Impact Report [REP1-062] and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 9, from page 20).</u>	<u>The Applicant notes that this wording is preceded in circumstances where deemed consent provisions apply and does not consider that CDC has justified why the inclusion of deemed consent provisions necessarily means that consent could not be unreasonably withheld or delayed in all cases. See, for example, Article 10(4) of the Helios Renewable Energy Project Order 2025, Article 14(3) of the Outer Dowsing Offshore Wind Farm Order 2026, Article 13(5)(b) of the Boston Alternative Energy Facility Order 2023 and Article 12(5)(b) of the A122 (Lower Thames Crossing) Development Consent Order 2025, which support the Applicant's position on this matter.</u>	<u>Under discussion</u>

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6	Article 42 (Trees subject to tree preservation orders)	CDC is querying the Applicant's use of this article in circumstances where there are no trees subject to TPOs within the Order Limits. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 13, from page 10) of its Local Impact Report [REP1-062] and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 13, from page 25).	The Applicant is not proposing to make any changes to the drafting of this article. The power in this article is necessary to ensure that the Applicant can take appropriate action in relation to any TPO granted within the Order Limits. The Applicant has had regard to PINS' Advice Note on Drafting Development Consent Orders and in particular paragraph 22.3 which says that "<i>It is not appropriate for this power to be included on a precautionary basis.</i>" The Applicant's approach is consistent with that guidance. This article has not been included as a broad or speculative power, nor does it adopt the form of drafting cautioned against in the guidance. Rather, the Applicant has undertaken a detailed search but has not identified any trees currently subject to TPOs. However, it is quite possible that a TPO could be made in the future and, if that happened, it would not be appropriate for the Applicant's ability to construct and maintain this NSIP to be impeded in those circumstances. The Applicant's approach to article 42 is preceded by the approaches taken in Article 38 of the Helios Renewable Energy Project Order 2025, article 43(6)-(9) of the Stonestreet Green Solar Order 2025, article 39	Under discussion
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			<u>of the Byers Gill Solar Order 2025 and article 36(1) of the Heckington Fen Solar Farm Order 2025.</u> <u>The Applicant does not consider it necessary to limit the effect of this article to TPOs made from a certain date (e.g., after submission of the application). The article would not apply to TPOs made before the DCO application in this case because there are none as matter of fact. Adding further wording to limit the temporal scope of the provision would not therefore make any difference and would accordingly be superfluous contrary to good practice in statutory drafting. There are a number of Orders where the Applicant's approach has been accepted by the SoS (as set out above).</u>	
<u>7</u>	<u>Requirement 3 (phasing of the authorised development and date of final commissioning)</u>	<u>CDC has requested that the Applicant amend requirement 3 of the Draft DCO [Document Reference 3.1 Revision 7] to secure the submission of a detailed written scheme, including a construction timetable and plans identifying phase areas.</u> <u>CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 14, from page 10) of its Local Impact Report [REP1-O62] and Table 1 (unresolved comments on the draft</u>	<u>The Applicant is not proposing to make any changes to the drafting of Requirement 3.</u> <u>At present, Requirement 3 secures the submission and approval of a written scheme setting out the phases of construction prior to commencement, with paragraph (5) expressly allowing for flexibility and optioneering within that scheme, subject to the undertaker providing notice of the final intended phasing prior to commencement. This mechanism is an important feature of the drafting, as it allows</u>	<u>Under discussion</u>

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		<u>DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 14, from page 27).</u> <u>CDC would emphasise the following points, which are made in the latter document:</u> <u>"CDC would be content to receive the timetable on the basis that it is draft and likely to change, provided it is given reasonable notice of any changes.</u> <u>CDC would be content for the timetable to be included in another document, for instance a Planning Performance Agreement, if such a document could be agreed".</u>	<u>the phasing strategy to evolve in response to delivery considerations while still ensuring that the relevant planning authority has appropriate visibility and control at the point that works commence.</u> <u>Introducing a requirement to include a fixed construction timetable within the Requirement risks undermining this flexibility. In particular:</u> <u>it would conflict with the flexibility expressly preserved under paragraph (5), which is designed to allow the approach to phasing to develop/evolve up to the point of commencement; and</u> <u>it could constrain the undertaker's ability to respond to programme changes, logistics and other delivery considerations, particularly where the precise sequencing of phases is not fixed at the outset.</u> <u>In any event, the written scheme is subject to approval by the relevant planning authority. As such, there is already an appropriate mechanism for CDC to require further detail (including, where justified, indicative programmes or plans) as part of that approval</u>	
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			<u>process, without the need to prescribe this on the face of the Requirement.</u> <u>The Applicant also notes that the detailed Construction Environmental Management Plan will include an indicative overview of the final construction programme for information. This is set out in paragraph 2.1.4 of the Outline CEMP [REP2-062]. Requirement 14 gives the Council approval rights of the detailed CEMP.</u> <u>The Applicant also notes that the made Fenwick Solar Farm Order 2026 does not include a requirement for the submission of a written scheme for construction, so the approach proposed here already represents a more structured and controlled mechanism. Neither do many made solar DCOs; the Applicant notes that the wording that the Council is requesting is not preceded in Helios Renewable Energy Project, Stonestreet Green Solar, Tillbridge Solar Project, Byers Gill Solar, East Yorkshire Solar Farm and West Burton Solar Project.</u>	
8	<u>Schedule 2, Part 2, Paragraph 4 (Fees) / Planning Performance</u>	<u>CDC is requesting a PPA for the full recovery of CDC's costs in discharging any application under the Order.</u>	<u>The Applicant has amended the provisions of the Draft DCO [Document Reference 3.1, Revision 7] relating to fees for the discharge of requirements and has shared the proposed drafting with CDC ahead of Deadline 4. The</u>	<u>Under discussion</u>

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	<u>Agreement (PPA)</u>	<u>CDC comment dated 20 July 2026: CDC welcomes the evolution of the Applicant's position; however, CDC notes that fees are not proposed for other consents under the Order and these should also be paid. It is not clear to CDC that the Applicant's proposal will provide for the full recovery of CDC's costs. That is essential because, if not, CDC will effectively be subsidising the Applicant's project and it would be unreasonable for CDC to be placed in that position. In any event, CDC will continue to discuss the Applicant's costs proposal with the Applicant.</u> <u>CDC maintains its overall position on fees and would refer to the points made in Appendix 2 (row 19, from page 12) of its Local Impact Report [REP1-062] and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 19, from page 29).</u>	<u>proposed amendments increase to a significant extent the fees payable to CDC and NLC in connection with applications for the discharge of requirements, to those currently set out in the Draft DCO. The revised fee levels are in line with recent solar precedent, including the Springwell Solar Farm Order 2026, the West Burton Solar Project Order 2025, the Cottam Solar Project Order 2024, the Heckington Fen Solar Park Order 2025, the Tillbridge solar Order 2025 and the Mallard Pass Solar Farm Order 2024. On the basis of the precedented approach to fees proposed, the Applicant does not consider that a separate PPA is necessary. The Applicant would welcome further discussions with CDC on this point, but is fundamentally of the view that the fee levels and scope now proposed are substantial and widely precedented.</u>	
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4 Signatures

This Statement of Common Ground is agreed upon:

On behalf of North Lincolnshire Council Consultee:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date: