

Tween Bridge Solar Farm

9.3 Statement of Common Ground with North Lincolnshire 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 prepared by the Applicant and North Lincolnshire Council (NLC).
- 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 NLC 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 NLC, and following the

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

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publication of NLC's Local Impact Report due 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) NLC.
- 1.2.2. The Order Limits straddles the administrative boundaries of NLC and City of Doncaster Council (CDC). NLC is therefore a joint host authority for the Scheme.
- 1.2.3. Collectively, the Applicant and NLC are referred to as 'the parties'.

1.3. Terminology

- 1.3.1. Section 3 of this document sets out the relevant matters raised though 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 2-1 shows a summary of the meetings and correspondence that has taken place between the Applicant and NLC 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 2-1 – Record of Engagement since 2022		
Date	Method	Purpose / Description
21.11.2022	M.Teams Meeting	In November 2022, the Applicant engaged in early communications with NLC with regards to the proposed approach to consultation and engagement on the Scheme. At the meeting on 21 November 2022, the Applicant shared a high-level timeline for consultation and discussed the planned two-stage consultation approach.
20.04.2023	Email	The Applicant provided a project update to NLC, advising that the draft PEIR is being prepared and the intention to run the informal consultation in the summer of 2023. The email also illustrated and requested comments on the proposed primary consultation zone – all residential / commercial properties located within 2km of the draft Order Limits.
29.09.2023	Email	The Applicant updated the host authorities that the informal consultation was about to commence imminently and that consultation letters would land Wednesday 4 October 2023. The email outlines what documents would be available to informal consultation responses.
09.11.2023	Email	The Applicant updated the host authorities that informal consultation was coming to a close and invited

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		them to a meeting in early December 2023 to discuss the project, either collectively or individually.
01.12.2023	In-person meeting	Meeting between Pegasus Group (representatives from Pegasus Planning & Pegasus Landscape) and with Andrew Law and Andrew Taylor at NLC to provide a project update and discuss NLC's non-statutory consultation response.
09.01.2024	Email	The Applicant contacted NLC to follow up on previous correspondence regarding the host authorities appointing external landscape resource to advice on the proposals. The Applicant expressed the preference for one resource to act on behalf of both authorities. The Applicant invited the host authorities to a meeting to discuss this further. The Applicant also provided an update that the project team were progressing to update the proposals following the non-statutory consultation, in preparation for the completion of the PEIR to support the statutory consultation.
10.01.2024	Email	NLC confirmed the host authority's intention to appoint a single resource and provided availability for a meeting.
17.01.2024	Email	The Applicant emailed the host authorities, noting the above update and advised there was no need for a meeting if there was no more detailed update from the host authorities. The Applicant asked for the timescales to appoint the landscape resource.
01.02.2024	Email	The Applicant chased the host authorities for a response to previous email and advised the Applicant's ecologist was waiting for a response from the NLC ecologist to arrange a meeting to discuss the proposals.
13.02.2023	Meeting	Pegasus Planning and the Applicant's ecologist met with Andrew Taylor from NLC to discuss the scope of works for the ecological baseline.

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14.02.2024	Email	The Applicant asked NLC again for an update and contact details for the landscape resource.
19.02.2024	Email	NLC advised they have been trying, but struggling, to contact CDC to discuss the drafting of a PPA and the selection of the landscape resource to act on their behalf.
08.03.2024	Email	The Applicant contacted the host authorities to raise a further 3 weeks have passed, and the Applicant is continuing to progress with technical assessments. The email asked the host authorities to advise how they envisage considering the landscape assessment. The Applicant expressed their eagerness to work proactively with the host authorities and welcomed an open dialogue.
11.04.2024	Email	NLC updated the Applicant they had now met with CDC and they are pressing on with appointing some resource urgently. NLC advised there is a PPA template for the Applicant. NLC proposed a meeting w/c 29 April 2024.
05.05.2024	Email	The Applicant provided revised availability for a meeting.
31.05.2024	Email	The Applicant chased NLC for a meeting date.
05.06.2023	Email	The Applicant chased NLC again for a meeting date.
07.06.2024	Email	NLC provided revised availability for a meeting.
14.10.2024	Email	The Applicant sent NLC the draft SoCC to review and provide any comments by the end of Nov 2024, and advised the final SoCC would be issued to the host authorities in Jan 2025. The Applicant invited NLC to a meeting to discuss the draft SoCC and provide an update on other project matters.
28.10.2024	Email	The Applicant chased NLC for a response to the above email.

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05.11.2024	Email	The Applicant chased NLC for a response to the email dated 14.10.2024.
11.11.2024	Email	The Applicant chased NLC on the emails dated 14.10.2024, 28.10.2024, and 05.11.2024.
20.11.2024	Email	The Applicant chased NLC on the emails dated 14.10.2024, 28.10.2024, 05.11.2024, and 11.11.2024. The Applicant advised a meeting has been arranged with CDC for the first week in December 2024.
20.11.2024	Email	NLC responded confirming they had reviewed and had no comments on the draft SoCC. The only comment raised was to advise the relevant local newspaper for NLC is the Scunthorpe Telegraph, and this is where NLC publicise any planning related applications. NLC welcomed the opportunity for a meeting with CDC and advised CDC had taken the lead on approaching landscape resource.
27.11.2024	Email	NLC followed up their email from 20.11.2024 and advised they had approached CDC but had no feedback yet noting it would be best to have a collective meeting with both host authorities. The Applicant advised a meeting had been arranged with CDC for 4 Dec 2024, confirming subject to agreement with CDC that NLC should join the meeting. NLC confirmed availability for the 4 Dec 2024 meeting.
04.12.2024	M.Teams Meeting	The Applicant had a meeting with NLC and CDC to provide a project update.
27.01.2025	Email	NLC circulated PPA template excluding anticipated costs given this development is a NSIP.
28.01.2025	Email	The Applicant acknowledged receipt of the template and requested a meeting w/c 3 Feb 2025. The Applicant advised the statutory consultation was scheduled to commence April 2025.

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04.03.2025	Email	NLC provided availability for a meeting.
13.03.2025	M.Teams Meeting	Meeting held between NLC, CDC and the Applicant to discuss a draft PPA.
25.04.2025	Email	NLC requested an update on the draft PPA.
06.05.2025	Email	NLC followed up progress on the PPA.
06.05.2025	Email	The Applicant contacted NLC to arrange an urgent meeting regarding the project programme. The Applicant advised, in light of the NESO grid reforms, the submission of the DCO application is being expediated. Therefore, the Application would like to advise the host authorities of the revised project programme and target submission date. The Applicant asked NLC to advise if they will be submitting a formal response to the statutory consultation within the publicised timeframes (by 8th May). NLC confirmed they were preparing a response to the statutory consultation and that they could attend a meeting on 12 May 2025.
12.05.2025	M.Teams Meeting	The Applicant had a meeting with NLC and CDC to discuss the Applicant's intention to accelerate the application submission because of the NESO grid reforms. The Applicant explained the submission was required to be made quicker than previously intended and that they would seek an extended pre-examination period with PINS to engage further with the host authorities following the statutory consultation and advise how the responses had been considered in the application submission. NLC expressed their concern regarding the accelerated submission due to their lack of resources to engage with this project and other ongoing commitments with other major planning applications pending determination.
03.06.2025	Email	The Applicant issued their suggested approach to the PPA with the host authorities. This included the proposed total of PPA payment and the associated breakdown of the payment.

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09.06.2025	Email	The Applicant followed up with the host authorities to confirm receipt of the email and attachments on 03.06.2026.
10.06.2025	Email	NLC confirmed receipt of the Applicant's proposed PPA.
10.06.2025	Email	The Applicant issued to CDC and NLC the draft Adequacy of Consultation Milestone Report, requesting that they confirm that the statutory consultation was undertaken as per the requirements set out in the SoCC.
11.06.2025	Email	The Applicant sent an additional email advising that PINS requested the Adequacy of Consultation Milestone, along with the host authorities' comments in June 2025. The Applicant outlined a deadline of 27 June 2025.
17.06.2025	Email	The Applicant chased the host authorities for an update on their review of the draft PPA.
23.07.2025	Email	The Applicant confirmed to NLC and CDC the DCO application was submitted to PINS on 21 July 2025. The Applicant provided a copy of the application documents within the email. The Applicant also noted they understood that NLC and CDC were discussing the draft PPA. The Applicant asked NLC and CDC to confirm the main points of contact were still the same.
31.07.202	Email	The Applicant asked NLC and CDC for an update on their review of the draft PPA, and advise when they would respond.
11.08.2025	Email	The Applicant chased NLC for a response to the email dated 31.07.2025.
13.08.2025	Email	The Applicant contacted NLC advising in the absence of any comments on the PPA, the Applicant had provided a letter outlining a recap on the engagement carried out by the Applicant at the pre-application stage and the drive for the accelerated submission. The letter went on to outline the Applicant's approach

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		to engaging with NLC and CDC through the pre-examination stage together with a proposed approach to cost recovery. The cost recovery proposals were a simplified PPA, allowing for time spent to prior to submission of the application and for the examination stage.
15.08.2025	Email	The Applicant contacted NLC to advise that the DCO application had been formally withdrawn on 15.08.2025. The Applicant advised that they would be resubmitted on or before 26 August 2025. The Applicant stated that they would like to continue to progress discussion with the PPA letter issued 13 August 2025.
22.08.2025	Email	NLC acknowledged the Applicant's email 15.08.2025 and advised NLC are considering the cost recover proposals outlined in the letter dated 13.08.2025. NLC advised they would be appointed external resource to lead on the application due to their lack of capacity within the planning team.
09.09.025	Email	The Applicant sent a letter to NLC explaining the changes made to the application from when it was withdrawn and resubmitted to PINS. The Applicant reminded NLC there is no obligation to send a copy of the application submission to NLC but this was provided to give NLC additional time to review the submission prior to being invited to submit relevant representations.
22.09.2025	Email	NLC confirmed agreement with the cost recovery proposals in the letter dated 13.08.2025. NLC requested if the Applicant has a PPA template for this simplified approach. NLC advised they are continuing to discuss with CDC appointing landscape resource.
16.10.2025	Email	The Applicant issued a detailed email to NLC. The email:

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		Acknowledged NLC's agreement to the proposed cost recovery. Requested an update on NLC's appointment of an external resource to lead on planning. Requested details for the external landscape resource. Explained that the Applicant has used the time to consider the S51 Advice received from PINS and how these fit into next steps and associated timescales for the application. Reiterated the Applicant's requests for an application workshop to discuss the proposals, proposing a meeting w/c 10 Nov 2025 for an in-person meeting, including key consultees (landscape, ecology and highways). Referred to previous timeline for Statements of Common Ground outlined in the letter dated 13.08.2025 and provided an updated timeline. Outlined an indicative application programme that had also been sent to PINS on 14.10.2025
27.10.2025	Email	NLC confirmed receipt of information from the Applicant. NLC advised they had appointed Paul Skelton to act on their behalf, leading on the application. NLC advised they intended to appoint Tetra Tech to lead on landscape matters. NLC stated that they needed the PPA signed before confirming attendance at an application workshop with the Applicant.
28.10.2025	Email	The Applicant thanked NLC for their response. The Applicant advised that their legal team were reviewing the PPA for issue. The Applicant asked if NLC have discussed appointed Tetra Tech with CDC too.
29.10.2025	Email	The Applicant issued the revised PPA to NLC.

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25.10.2025	Email	NLC responded confirming the PPA was acceptable, subject to some minor amendments. NLC confirmed Tetra Tech would be acting for both NLC and CDC on the application. NLC confirmed Paul Skelton did not have capacity to act on planning matters for both CDC and NLC.
26.01.2026	Email	NLC requested an update on finalising the PPA.
29.01.2026	Email	The Applicant issued the final copy of the PPA to NLC incorporating the requested changes.
05.02.2026	Email	NLC signed the PPA.
13.02.2026	Email	NLC confirmed Paul Skelton had been appointed and invited a meeting between Pegasus Planning and Paul to get familiar with the application, w/c 23 Feb 2026.
27.02.2025	M.Teams Meeting	Meeting between Pegasus Planning & Paul Skelton scheduled. Meeting later cancelled due to Paul's availability.
13.11.2025	Email	The Applicant informed NLC and CDC that a suite of updated documents had been submitted to PINS ahead of the relevant representations period. A copy of the documents was included in the email to NLC and invited any questions. The Applicant reminded NLC of the relevant representations period.
30.01.25	Email	The Applicant contacted NLC acknowledging that NLC has not submitted relevant representations to PINS. The Applicant asked NLC to confirm if they are intending to do so and when.
30 March 2026	M.Teams Meeting	The Applicant met with North Lincolnshire 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

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		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 the Applicant and host authorities. We discussed the content of the ISH2, ISH3, and OFH2 agendas. No issues and concerns raised by either party.

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2.1.3. Table 2-2: Record of Engagement on Heritage

Table 2-2 – Record of Engagement since March 2023		
Date	Method	Purpose / Description
13 March 2023	Email	Email sent by Applicant to agree the scope of geophysical survey with the LPA. LPA Officer stated that the scope of geophysical survey should encompass the whole land take within North Lincolnshire as there has only been very limited previous survey undertaken.
22 March 2023	Email	The Written Scheme of Investigation (WSI) for geophysical survey was submitted to the LPA Officer for approval. The methodology was approved on 30 June 2023.
22 March 2023	Email	Following the Scoping Opinion [APP-058] , a clarified scope and methodology for the setting assessment was submitted for approval. .
24 March 2023	Email	The proposed scope and methodology were approved by the LPA Historic Environment Officer on 24 March 2023.
22 June 2023	Email	LPA Officer queried the progress on commissioning and completing a geoarchaeological assessment. The Applicant initially confirmed that this was in procurement. A geoarchaeological assessment was subsequently commissioned and completed.
25 October 2023	Email	The Applicant requested LPA Officer input to help develop a proposed trial trenching strategy. Officer declined to discuss trial trenching and stated that geophysical survey and geoarchaeological reports were required.
15 November 2023	Email	A geophysical survey summary was issued to the LPA Officer. Input on a trenching strategy was also requested. No response was received.

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8 February 2024	Email	The Applicant issued a consultation document outlining a proposed initial phase of targeted archaeological trial trenching with a request for Officer input. No response was received.
12 March 2024	Email	The Applicant provided provisional geophysical survey results and the initial geoarchaeological assessment. The team requested a meeting to discuss fieldwalking, test-pitting, next steps for geoarchaeology and trial trenching.
30 April 2024	Teams Meeting	The meeting discussed archaeological progress to date and strategy for next steps. LPA Officer advised all of the Order Limits must be field walked prior to trial trenching being discussed and raised concerns over understanding of warping. Applicant indicated their view that fieldwalking the whole Order Limits would be disproportionate and agreed to consider the feasibility of targeted fieldwalking on the basis of areas of potential identified from the baseline and geoarchaeological assessments. Concerns over understanding of warping were raised by the Officer. These have been addressed within the submitted ES Technical Appendix 8.3 Geoarchaeological Assessment [REP2-O43]. The Applicant's stance regarding fieldwalking the whole Order Limits is that it is disproportionate to advise appropriately on archaeological. The Applicant agreed to consider the feasibility of targeted fieldwalking on the basis of areas of potential identified from the baseline and geoarchaeological assessments. .
12 July 2024	Email	The Geoarchaeological Assessment was circulated on 12 July 2024. No comments received. The Applicant subsequently came to the conclusion that fieldwalking discussed on 30 April 2024 was not possible given ground conditions and the very limited extent of ploughing, which was exclusively in areas of

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		limited archaeological potential. This was communicated to the Officer on 12 July 2024
9 August 2024	Email	Notification of commencement of targeted trial trenching and issue of WSI made to the LPA Officer. Follow-up emails received asking for clarification received 12/08/24 and 14/08/24. Applicant provided requested clarification.
2 September 2024	Email	Applicant sent the Officer an invitation to attend a site monitoring meeting. Invite accepted. Officer requested invitation extended to Historic England Science Advisor. The invitation was extended to the Science Advisor.
3 September 2024	Email	The LPA Officer raised concerns over the trenching being undertaken without their input or prior approval and without the fieldwalking having been undertaken. During the site meeting on 11 September 2024 the Officer acknowledged the trenching was being undertaken correctly. The Officer noted that they had provided comments on the draft WSI. A formal response was issued to the Officer by the project team. This response rebutted the inference that the project team had breached professional standards, guidance or ethics. It also noted that despite the absence of agreement the project team had been seeking engagement and agreement on the scope of trenching since October 2023. The response highlighted that the targeted trenching undertaken in 2024 was a preliminary phase of intrusive works not the sum total. The response concluded that the project team wished to take the opportunity to re-set our relationship with the Officer and work collaboratively to agree the way forward.

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		The Officer's comments were addressed and the revised WSI was approved by the LPA A position paper regarding the proposed way forward for archaeology was issued to the Officer on 26 February 2025. The position paper issued in February 2025 has been superseded by the ES Appendix 8.6 Outline Archaeological Mitigation Strategy [REP2-045]
11 September 2024	In person site meeting	The three areas of targeted trenching were inspected. Discussions during the site meeting on 11 September 2024 addressed reasoning behind proceeding with trenching at this stage (namely crop cycle and project programme to ensure the results were available to inform the Scheme design). Whilst on site the Officer acknowledged that the works were being undertaken to required standards and that the WSI was subsequently agreed.
26 February 2025	Email	A position paper regarding the proposed way forward for archaeology was issued to the Officer on 26 February 2025. The position paper issued in February 2025 has been superseded by the ES Appendix 8.6 Outline Archaeological Mitigation Strategy [REP2-045]
<u>25 March 2026</u>	<u>Teams Meeting</u>	<u>A meeting was arranged to discuss survey progress, stakeholder concerns and any outstanding areas of disagreement.</u>
<u>15 July 2026</u>	<u>Teams Meeting</u>	<u>A meeting was arranged to discuss concerns and any outstanding areas of disagreement with the Archaeology Officer.</u>
<u>20 July 2026</u>	<u>Teams Meeting</u>	<u>A meeting was arranged to discuss concerns and any outstanding areas of disagreement with the Conservation Officer.</u>

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

Table 2-3 – Record of Engagement since March 2023		
Date	Method	Purpose / Description
12 February 2025	Online meeting between NLC and the Applicant's ecologists.	Meeting between NLC and the Applicant's ecologists. Discussed all general ecology matters, including protected species survey effort and proposed mitigation, 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. Applicant's ecologist discussed a proposed targeted survey scope to assess impacts on foraging/commuting bats across the Order Limits. NLC 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 NLC 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.

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06 March 2025	Email	Email correspondence from Tyler Grange to NLC, with Tyler Grange thanking NLC for their time at the meeting and for confirming the breeding bird survey scope.
26 March 2025	Email	Email correspondence from Tyler Grange with both NLC and CDC to arrange a meeting with both local authorities to ensure an overall consistent approach to the ecology assessment.
27 March 2026	Email	Email correspondence from Tyler Grange with both NLC and CDC to confirm timings of a further meeting.
03 April 2025	Email	Email correspondence from Tyler Grange with both NLC and CDC to finalise a meeting time.
04 April 2025	Email	Email invite sent by Tyler Grange to NLC and CDC for 10 April 2025
09 April 2025	Email	Meeting agenda sent by Tyler Grange to NLC and CDC for 10 April 2025
10 April 2025	Online Meeting	Online meeting with both NLC and CDC. This was a more detailed discussion on survey scope, methodology and scheme design with both local authorities.
29 April 2025	Email	Email correspondence sent by Tyler Grange that included an attachment of the meeting notes form the 10 April 2025..
06 May 2025	Email	Email correspondence from Tyler Grange to both NLC and CDC checking if official consultation responses will be provided when the consultation period ends on the 08 May 2026.
30 June 2025	Email	Email correspondence from Tyler Grange to both NLC and CDC to update them on the change in the application deadline and to request a further meeting on ecology matters, including skylark mitigation.
01 July 2025	Email	Email correspondence from Tyler Grange to both NLC and CDC to confirm meeting timings.
08 July 2025	Email	Email correspondence from Tyler Grange to both NLC and CDC to confirm an updated meeting time and date.

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09 July 2025	Email	Email correspondence from Tyler Grange to both NLC and CDC to finalise a meeting time and date.
10 July 2025	Email	Meeting invite sent by Tyler Grange to both NLC and CDC.
15 July 2025	Online Meeting	Meeting with both NLC and CDC 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.
19 February 2026	Email	Email correspondence from Tyler Grange to both NLC and CDC, which included the BNG metric as an attachment following comments in Relevant Reps that this was not available for review. In addition, Tyler Grange requested availability for a meeting with both local authorities.
16 March 2026	Email	Email correspondence from Tyler Grange to NLC attaching the badger report and the otter and water vole report as requested by NLC. In addition, Tyler Grange suggested a meeting is arranged to discuss the ecology assessment further.
30 March 2026	Email	Email correspondence with NLC from Tyler Grange explaining that Tyler Grange had a meeting with CDC with regards to the ecology assessment for the Scheme. NLC were not in attendance at the meeting due to no response with regards to meeting availability. Tyler Grange requested availability for a meeting with NLC and CDC for week commencing 06 April 2026 or 20 April 2026.
20 April 2026	Email	Email correspondence from Tyler Grange to NLC to confirm meeting timings.
20 April 2026	Email	Email correspondence from Tyler Grange to NLC and CDC with a meeting invite for 22 April 2026.

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2.1.0. Table 2-4: Record of Engagement with Socio Economic Officers

Table 1 – Record of Engagement since March 2023		
Date	Method	Purpose / Description
09 January 2025	Email correspondence	Initiating contact with NLC to outline the approach to analysis and seek latest publicly available STEAM data.
12 March 2026	Email Correspondence	Email correspondence from Pegasus Economics to request a meeting and ask for any feedback or comments relating to the Outline Supply Chain Employment and Skills Plan (OSCESP), or the wider socio-economic assessment.
26 March 2026	Email Correspondence	Follow up Email from Pegasus Economics to ask whether NLC would like to discuss anything relating to the wider socio-economic assessment or the OSCESP.
29 March 2026	Email Correspondence	Response from NLC stating that there are no issues to discuss at this point in time.

2.1.0. Table 2-5: Record of Engagement with Landscape Officers

Table 1 – Record of Engagement since [2023]		
Date	Method	Purpose / Description
N/A	N/A	NLC Landscape Officers advised from the outset of the Scheme 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 NLC prior to the submission of the DCO application. After the application had been accepted by PINS and the PPA signed, NLC advised that Tetra Tech had been appointed to comment on the Scheme.

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11 March 2026	Online meeting	Meeting with Tetra Tech, acting on behalf of NLC and CDC to discuss Landscape Design, Tree Survey, LVIA, RVAS, Methodology and Consultation.
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2.1.1. 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	Non-statutory consultation request.
November 2023	Teams Meeting	Meeting to discuss flood risk and drainage principles.
November 2023	Email Consultation	Non-statutory consultation comments sent by LLFA Drainage Team.
December 2024	Email Consultation	Flood risk and drainage information on the Scheme provided to NLC for comment.
May 2025	Email Consultation	Statutory consultation comments received.
March 2026	Teams Meeting	Virtual meeting held with the Applicant and Mike Kitching and Mike Smith from North Lincolnshire Council. Items discussed included: Ordinary Watercourse easements, surface water flood risk, Land Drainage Consent, the Surface Water Drainage Strategy, Isle of Axholme Critical Flood Level, extent of Flood Zone 3b and raising of battery storage infrastructure. The Applicant and North Lincolnshire Council agreed to hold a further meeting to continue discussions. Representatives for City of Doncaster Council Lead Local Flood Authority were also in attendance and confirmed they would be happy to participate in further meetings.
June 2026	Email	The Applicant provided North Lincolnshire Council Lead Local Flood Authority with an updated version of Table 3-8 within this SoCG. The updates were made

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		following Deadline 2 submission from North Lincolnshire. The updated SoCG table was provided to allow North Lincolnshire to make comment and to form the basis of a subsequent Teams meeting (see below).
June 2026	Teams Meeting	Meeting held with the Applicant and Mike Smith from North Lincolnshire Council Lead Local Flood Authority to discuss items marked as “under discussion” within the SoCG.

2.1.2. Table 2-7: Record of Engagement with Environmental Protection Team

Table 1 – Record of Engagement since June 2025		
Date	Method	Purpose / Description
--	--	Consultation with NLC to agree baseline noise monitoring locations and durations
09 June 2025	Email	Email sent to NLC regarding the selection of noise assessment locations.
11 June 2025	Email	Email received from NLC confirming receipt of previous email and requesting a telephone call.
12 June 2025	Telephone	Telephone discussion with Karen Robinson at NLC. NLC confirmed that receptors HERO2, 03, 04 and 05 are all residential. Applicant response confirmed that the Heritage receptors had been assessed as residential.

2.1.3. Table 2-8: Record of Engagement with Highways Officers

Table 1 – Record of Engagement since March 2023		
Date	Method	Purpose / Description
9 March 2023	Email	Correspondence from the Applicant to NLC highways setting out the proposed scope of Automatic Traffic Count survey locations to inform the highways and transportation assessment work.

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17 March 2023	Email	Agreement with NLC highway officer Louisa Simpson on the proposed location of Automatic Traffic Count survey locations within NLC.
17 November 2023	MS Teams meeting	Meeting with NLC highway officer Louisa Simpson to discuss the construction traffic routing through Crowle. Proposed scope of highways and transportation assessment work to support the Scheme proposals also discussed.
24 January 2024	Email	Correspondence from the Applicant to NLC PRoW team querying the width of PRoW routes within NLC.
1 February 2024	MS Teams meeting	Meeting with NLC PRoW officer Colin Wilkinson to discuss the widths of PRoWs within NLC and potential temporary mitigation measures and survey timings.
23 February 2024	Email	Response from NLC PRoW officer Colin Wilkinson on the proposed scope of PRoW surveys, confirming that a weekday and weekend survey date in the Summer would provide representative data.
1 April 2026	MS Teams meeting	The Applicant met with representatives of the highway authority on 15.04.26. The following items were discussed: • Details of access points N, O, Q and X. • Construction traffic routing to access R and Q. • Construction vehicle trips.

3 Current Position

- 3.1.1. The table below provides a summary of the current position of the Applicant and NLC 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 there are some aspects that are still under discussion between the parties. 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	North Lincolnshire Council Position	Applicant Position	Status
1	Engagement	NLC confirmed that the Applicant complied with the requirements as set out in the Statement of Community Consultation.	The Consultation Report [APP-022] confirms at Section 9.2 that the Applicant produced an Adequacy of Consultation (AoCM) Milestone Report. A copy of the AoCM Report, submitted to the Planning Inspectorate on 3 rd July 2025, is provided at Appendix 2.1 of the Consultation Report [APP-023] . The AoCM Report includes the evidence where NLC confirms the Applicant	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			complies with the Statement of Community Consultation agreed with NLC.	
2	Engagement	NLC share the concerns that have been raised by City of Doncaster Council in respect of the level of communication and engagement on this project <u>at the pre-application stage</u> .	The Applicant disputes this position. The Applicant provided NLC with updates on the project evolution from December 2022 through to the submission in August 2025. This is evidenced in the records of engagement between the Applicant and NLC in section 2 of this document. NLC agreed the Statement of Community Consultation (SoCC) with NLC in advance of the commencement of consultation. This is evidenced in the AoCM Report – see Appendix 2.1 of the Consultation Report Appendices – Part 1 [APP-023]. NLC subsequently confirmed that the Applicant had complied with the detail of SoCC. The evidence is provided in Appendix 1 of the AoCM Report Consultation Report Appendices – Part 1 [APP-023].	Under Discussion Not Agreed NLC considering position and will present fully in due course
3	Need for renewable energy	NLC acknowledges that there is a recognised need and support for renewable and low carbon energy technology through national planning policy and that the	The Applicant agrees.	Under discussion

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		proposed development could contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from more renewable sources. Nevertheless, as the NGET 400kV substation and 400kV cabling from the Order Limits is not part of the proposal, and the effects of these elements has not been assessed, NLC questions the weight that can be attached to the benefits of the proposals.	The Applicant has received a grid connection offer from NESO, accepted by the Applicant. Although the point of connection to national electricity transmission system (NETS) and offsite 400kV export connection cable do not form part of the present application for development consent and have not been assessed due to the absence of definition in respect of the point of connection, the Applicant has not identified any reason why consent for those offsite elements is likely to be refused, in line with the requirements of paragraph 4.11.8 of the Overarching National Policy Statement for Energy (EN-1). Furthermore, NGET has a legal obligation to meet any requests for new power connections from developers. The Applicant considers that the obligations which arise from its agreement with NESO and from NGET's regulatory duties more generally provide a very high degree of confidence that the Scheme will connect to the NETS.	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			The Applicant does not understand why the Council questions the weight that can be attached to the benefits of the proposal. The benefits of the Scheme are clearly set out in the Planning Statement [REP2-O12] and are extensive. There is no basis in policy or law to conclude that no weight can be attributed to the present application on the basis that offsite grid connection elements are excluded from its scope. Such an approach would be positively contrary to the phased approach to consenting and delivery envisaged by the suite of energy National Policy Statements.	
4	Assessment of the proposals	The impacts of the proposal must be fully assessed in order to complete a full, fair and detailed planning balance assessment. There are several outstanding issues and concerns with the way the assessment has been carried out, and its conclusions, as highlighted below. The benefits associated with the production of renewable energy and the policy support in this regard needs to be balanced against any potential environmental impacts associated with the development. However for the reasons set out at (3) above, it is not	The Applicant agrees that the Scheme needs to be appropriately assessed to inform the Examining Authority's recommendation to the Secretary of State and considers this is emphatically the case in relation to the submitted application. The Applicant has responded to NLC's comment regarding 'weight' in row 4 above.	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		clear to NLC what weight can be given to the purported benefits.		
5	Assessment of the proposals	The Application Site is not allocated for development as part of the Development Plan for North Lincolnshire and is located predominantly outside of defined development boundaries.	The Applicant notes how the designated energy NPSs form the primary policy basis against which this DCO application must be assessed. The Applicant notes that the ExA may consider other planning policies, including policies in the local development plan, but where these conflict with a policy a NPS, then the NPS will take precedence.	Agreed

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
6	Consideration of effects to the historic environment	The Historic Environment Record (HER) advises that there is currently insufficient information available in the applicant's Environmental Assessment to assess the appropriateness of mitigation measures. Until further results from the completed archaeological evaluation are available to	The Applicant does not accept that there is insufficient information available at this stage. ES Appendix 8.1 Heritage Baseline Assessment [REP2-041 Document Reference 6.3.8.1 Revision 3] and ES Chapter 8 Cultural Heritage and Archaeology [Document Reference 6.2.8]	Under Discussion Not Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		allow the archaeological significance to be properly understood and the true extent of the impacts of the proposed development on the known and potential archaeological resource can be more accurately assessed, it is unclear what mitigation measures may be required. Part of the site is located within the Isle of Axholme Area of Special Historic Landscape interest, which is important for its significant areas of medieval open strip fields and turbaries, both of which are considered to be of national importance. As part of the proposed development, the Belton Grange parcel, to the west of Hirst Priory, would contain panels whereas the area to the south of Hirst Priory has been marked as an area of mitigation, enhancement and/or retained agricultural land. The Belton Grange Parcel is contained within an area of Recently Enclosed Land (REL) whilst the southern parcel is within an area of Early Enclosed Land (EEL). It is also noted that areas of the DCO application site also extend	Revision 3 REP2-038] provide a robust and comprehensive assessment of the potential effects of the Scheme upon relevant archaeology, built heritage and historic landscape assets including LC14 – Isle of Axholme. The assessment has been supported and informed by the following fieldwork and evaluation: ES Appendix 8.1 Heritage Baseline Assessment [REP2-041 Document Reference 6.3.8.1 Revision 3]; Analysis of LiDAR (detailed at paragraphs 5.129; 5.142; 5.143; 5.150; 5.159 and Appendix 10 of the ES Appendix 8.1 Heritage Baseline Assessment [REP2-041 Document Reference 6.3.8.1 Revision 3]; Site visits (undertaken on 20 July 2022, 28 March 2023, and 16 May 2025); Targeted trial trenching completed in 2024 as detailed in ES Appendix 8.4 Trial Trenching Report [APP-094]; ES Appendix 8.3 Geoarchaeological	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		further to west and southwest of Hirst Priory towards the motorway in proximity to the LC14 boundary. The HER considers that the baseline submitted with the DCO application is light touch and largely mitigatory in stating that the motorway divorces the area from its the rest of the policy area. Whilst the introduction of panels into the REL may not amount to a significant amount of harm to the REL character area, there does not appear to be proper consideration of impacts to the setting of other character areas including core Ancient Open Strip Field (AOSF) area at Belton Field. Development proposals would be visible, as per the submitted ZTV, from the various PRowWs which criss-cross the high ground of the AOSF. These comments should be considered alongside the conclusions of NLCs landscape consultant.	Assessment [REP2-043], ES Appendix 8.2 Geophysical Survey [APP-086; APP087; APP-088; APP-089; APP-090; APP-091; APP-092]. The surveys completed as part of the evaluation undertaken have identified 50 additional heritage assets or anomalies from cartographic sources, aerial photographs, geophysical survey and LiDAR analysis within the Order Limits. These assets are considered in both the Heritage Baseline Assessment [REP2-041] and ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP2-038 Document Reference 6.2.8 Revision 3] and clearly referenced with unique identification numbers starting with a PEG prefix. The assessment has also considered 74 findspots recorded from the widespread fieldwalking undertaken as part of the Humberhead Levels Survey (reporting published in 1993 and 1997) many of which were not recorded on the HERs. 46 Portable	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			Antiquities Scheme findspots were also plotted and considered. In addition to the archaeological anomalies the geophysical survey noted at paras 7.3.2.1–7.3.2.16 in Geophysical Survey Report part 1 [APP-086] has also identified elements of the pre-reclamation fluvial landscape which are discussed at paras 7.2.6 and 7.2.7 in Geophysical Survey Report part 1 [APP-086] and which will provide useful data in developing an appropriate approach to any further geoarchaeological assessment that may be required. The survey results of the geophysical survey are shown on figures in documents Geophysical Survey Report parts 2–7 [APP-087 – APP-092]. The results of the Appendix 8.4 – Trial Trenching Report [APP-094] have been used to inform the design with one of the three trenching areas (Area 3 adjacent to	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			Plains House Farm) excluded from development on the basis of the presence of extensive and sensitive Romano-British archaeological remains. The proposed area of preservation in situ is detailed at paragraph 9.5 and on Figure 1 in Appendix 2 of the Outline Archaeological Mitigation Strategy [REP2-O46]. Section 2 of the Outline Archaeological Mitigation Strategy [Document Reference 6.3.8.6 Revision 3REP2-O46] para 2.4 notes that there is no mandatory requirement to carry out intrusive field work. Paragraph 2.10.114 of NPS EN-3 goes on to reinforce this by stating: <i>"In some instances, field studies may include investigative work..."</i> Further, at paragraph 2.10.115 of NPS EN-3 it states: <i>"The extent of investigative work should be proportionate to the sensitivity of, and extent of, proposed ground</i>	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			<i>disturbance in the associated study area.”</i> Collectively, the policies clearly indicate that intrusive evaluative works are not a definitive or determinative requirement, and that works should be proportionate. The Archaeology and Solar Farms: Good Practice Guide (2025) which was soft launched on Monday 13th April 2026 supports the approach that the Applicant has followed in support of the Scheme. The Good Practice Guide strongly advocates for a proportionate approach to intrusive fieldwork, highlighting the need for a staged approach focussing on non-invasive survey techniques to help to establish the archaeological potential. The document also advocates that due to the flexible nature of solar schemes and the disproportionate level of disturbance from evaluation relative to solar panel insertion, if it is considered that intrusive fieldwork is necessary at all, this work	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			should, where possible, be carried out post-determination. In terms of timing, the Outline Archaeological Mitigation Strategy [REP2-046 Document Reference 6.3.8.6 Revision 3] states at para. 3.8.2: <i>“Where trial trenches are needed, timing should be carefully considered, with post-determination assessment preferred where possible... Their use and precise layout is best defined at the point when the applicant is able to provide archaeological advisors with an acceptable level of information about the specifics and layout of the solar scheme and clarity around the degree of flexibility of specific parts of the site”</i> With regards to whether trenching should be deployed at all, either at pre- or post-determination stage, para. 3.83 of the Outline Archaeological Mitigation Strategy [REP2-046 Document Reference 6.3.8.6 Revision 3] states: <i>“Trial trenching can involve more ground disturbance than the construction of panel supports. Finding an appropriate balance between</i>	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			<i>ground disturbance caused by archaeological evaluation and that caused by construction needs careful thought."</i> The potential effects of the Scheme upon the Isle of Axholme are considered in revised assessment at paragraphs 5.42–5.57 in ES Appendix 8.1 Heritage Baseline Assessment [REP2–041Document Reference 6.3.8.1 Revision 3] and assessed at paragraphs 8.8.5; 8.8.9 and 8.8.13 of ES Chapter 8 Cultural Heritage and Archaeology of the Environmental Statement [REP2–037Document Reference 6.2.8 Revision 3]. The embanked nature of the M180 creates a physical barrier to visibility south from the Order Limits. Mitigating views from the REL, panelled portions of the site, eastwards, into the northern part of the LC14 Policy Area has been considered in the design with a band of grassland, hedgerow planting and tree clump planting indicated on the Landscape and Visual Mitigation Strategy [Document Reference 6.4.6.4 Revision 4].	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
7	Fieldwalking	The HER has requested fieldwalking to be undertaken from initial consultation in 2023 onwards however this has not been undertaken citing that the land constituting the Draft Order Limit has not been subject to ploughing throughout this time. The HER would restate the importance of this iterative step of archaeological investigation to be completed.	The reasoning behind the extent of fieldwalking (very limited ploughing within the Order Limits) has been communicated to the LPA Archaeologist in an email sent on 12 July 2024, please see summary of this email above in section 2. A programme of fieldwalking is proposed to be undertaken once the Scheme acquires consent as detailed in ES Appendix 8.6 Outline Archaeological Mitigation Strategy [REP2-O46].	Under Discussion Not Agreed
8	Geophysical and Geoarchaeological Surveys	The methodologies employed during geophysical survey and geoarchaeological fieldwork are considered to be satisfactory however both techniques were employed prior to expansions in the Development Consent Order area – with increases of approximately 100ha in Area C, 200ha in Area E and Area F comprising approximately 664ha. These additional areas have not yet been subject to sufficient investigation to determine their archaeological potential.	<u>Broad agreement acknowledged.</u> Since this consultation was issued the Order Limits have been further revised and Area F is no longer part of the Order Limits – see Location Plan [APP-007]. The geophysical survey report has been revised to include the whole of the Order Limits. See: ES Appendix 8.2 Geophysical Survey Report [APP-O86; APP-O87; APP-O88; APP-O89; APP-O90; APP-O91; APP-O92]	Under Discussion Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			The geoarchaeological assessment at ES Appendix 8.3 Geoarchaeological Assessment [REP2-043] has been revised to include additional land within the Order Limits. Further geoarchaeological works will be discussed with the Officer moving forwards and will be considered in line with ES Appendix 8.6 Outline Archaeological Mitigation Strategy [REP2-046]	
9	Targeted trial trenching	A very limited scheme of archaeological trial trenching was undertaken in August 2024. These works, which targeted three discrete areas, one of which is now outside of the draft order limits, are considered to be inadequate to determine the archaeological potential of the draft order limit area. Further, the scope of the completed trenching was not agreed prior to the commencement of works per the HER's previous consultation responses. Whilst the quality of the fieldwork element of trenching was considered satisfactory during a site visit, the HER is yet to	None of the targeted trial trenching lies in areas that have been removed from the final Order Limits. The targeted trenching was designed to focus on three areas of high potential, allowing the results of this to be factored into the Scheme design in accordance with guidance at fn94 of NPS EN-3. The targeted trial trenching report is now completed – ES Appendix 8.4 Trial Trenching Report [APP-094].	Under Discussion <u>Not Agreed</u>

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		receive any post-excavation report to review.		
10	Area F	It has ... been noted that the documentation within the heritage baseline appears to exclude the easternmost area (Area F) from consideration — identified as 'National Grid Substation Assessment Area' within the latest site layout plan, this area is presumed to allow flexibility for a forthcoming separate application for a substation however could be used to site additional panels as the application evolves or has been consented. Regardless of this potential development, all areas of the draft order limits could be subject to groundworks — through cable routes, haul roads etc as part of this scheme's current draft layout. Therefore, all areas of the draft order limit should be subject to consideration within the technical baseline and ES chapter.	Since this consultation was received, the Order Limits have been revised, and Area F is no longer part of the Order Limits of this submission.	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		<u>NLC initially had concerns that the heritage baseline excluded Area F from consideration.</u>		
11	Completeness of datasets	The technical appendices and ES chapter available are based upon incomplete datasets for the latest draft order limits and do not contain appropriate assessment for a number of designated assets, archaeological features or the Isle of Axholme Area of Special Historic Landscape Interest. This appears to be on the basis of the heritage technical baseline having been completed to previous draft order limits rather than the current draft order limit. <u>NLC initially had concerns that the datasets did not include appropriate information in respect of Area F.</u> The latest data refresh for HER data was undertaken for the ES chapter on 20 November 2024 which excluded the wider Area F in which a number of features are identified within the HER's dataset but not appropriately considered for assessment in light of the	<u>As the data provided includes complete datasets the Applicant believes this concern has been addressed.</u> LC14 – Isle of Axholme considered in revised assessment at paragraphs 5.42–5.57 in Appendix 8.1 Heritage Baseline Assessment [<u>Document Reference 6.3.8.1 Revision 3</u>REP2-041] and assessed at paragraphs 8.8.5; 8.8.9 and 8.8.13 of Chapter 8 Cultural Heritage and Archaeology of the Environmental Statement [Document Reference 6.2.8 Revision 3REP2-038]. Since this consultation was received, the Order Limits have been revised and Area F is no longer part of the Order Limits of this submission. The data set that informs the Chapter 8 Cultural Heritage and Archaeology of the Environmental Statement [Document Reference 6.2.8 Revision	Under Discussion <u>Agreed</u>

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		above. The expansion of potential development areas within Area F should also be reflected in an expansion of assessment of historic landscape — which is now greatly expanded into the LC14 policy area, as well as the setting of designated heritage assets in consultation with the Conservation Officer.	3 REP2-038] and Appendix 8.1 Heritage Baseline Assessment [REP2-041 Document Reference 6.3.8.1 Revision 3] does include the entirety of the submitted Order Limits and a 1km buffer.	
12	Order Limits and setting of heritage assets	At an earlier stage NLCs Environment Officer (Built Conservation) (EOBC) had raised the need to assess the setting impact of Dirtiness Pumping Station, grade II listed building, NHLE Ref: 1083284. The heritage statement provided by Pegasus (p76) agrees there is a functional relationship between the fields to the south and the site. It notes the blocking up of openings on the south elevation overlooking these fields, however these were likely intentionally blind openings as seen elsewhere on the building as part of the overall design intent, it is likely this arose from the focal point of views needing to be along the	Possible effects relating to Dirtiness Cottage and the adjacent Pumping Station have been assessed at paragraphs 8.6.64; 8.6.65; 8.6.74–8.6.77; 8.6.90; 8.6.91 in Chapter 8 Cultural Heritage and Archaeology [Document Reference 6.2.8 Revision 3 REP2-038] and at paragraphs 6.34–6.42 and 6.55–6.64 in Appendix 8.1 Heritage Baseline Assessment [REP2-041 Document Reference 6.3.8.1 Revision 3]. The Applicant acknowledges limited agreement with the Officer regarding the functional relationship between Dirtiness Pumping Station and the land within the	Under Discussion Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		waterway to the west and not the fields. The conclusion of the Pegasus assessment was that harm arises at the lower end of 'less than substantial'. The EOBCs view is the harm is not low, but closer to moderate. Whilst the station served a likely large number of fields, it is those closest to the station that provide a more direct understanding of the relationship between the building and the land, therefore making it more sensitive to change that would affect the ability to understand the listed building's significance. The NW corner of the land immediately south of the Pumping Station does not appear to have panels planned, giving some mitigation by no panels forming a part of views from the road to the building in that location. The EOBC considers that by extending this mitigation the layout of the panels proposed in E7 could be amended to include a gap at the west similar to that in E5. This would help maintain more of	Order Limits. A <u>non-material</u> difference of opinion remains regarding the level of harm arising from the introduction of solar panels to the asset's setting. The Applicant maintains its position that the harm arising to the significance of the asset lies at the lower end of less than substantial. Opinions regarding the lack of impact to the Old Rectory and Dirtiness Cottage are acknowledged and agreed. The Applicant will<u>has</u> considered the feasibility of the Officer's request to increase the extent of mitigation proposed in relation to Dirtiness Pumping Station <u>and agrees to alter the Scheme in this area to include a strip of land that allows glimpsed views of the asset when approaching along the road to the south-west.</u>	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		the legibility of the agricultural setting to the Pumping Station. With regards the nearby listed cottage, by nature of other buildings in the area, trees etc, it is agreed there is unlikely any impact here. With regards the Old Rectory at Althorpe, the view identified by Pegasus is considered to be one that is more an effect on amenity rather than heritage significance, therefore not something the EOBC object to.		

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1		Over 44% of the Order Limits comprises BMV land, which represents approximately 813 hectares. BMV land in the NLC area of the site comprises of Grade 1, Grade 2 and Grade 3a.	The comments of NLC are noted. NLC leave the planning balance to the ExA. The Applicant has fully determined the agricultural land quality of the Order Limits, and its current land use. The amount of land	Agreed Under Discussion

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		The ES asserts that 13.7ha of BMV would be lost to fixed infrastructure however it is not clear at this stage where the 400kV substation would be located, although it assumed to be on Grade 3a/3b land. 9.1ha of this loss would be to access tracks. It is said that the majority of this land would be restored following the decommissioning stage. During the operational phase the ES asserts that the land use would remain agricultural, with grassland available for sheep grazing. This would have adverse impacts on some of the affected farm businesses which are currently mainly arable. The ES concludes that there would be no significant adverse effects from the loss of BMV soils for the duration of the Scheme, and most areas would be fully restored following decommissioning. It is a matter for the ExA as to whether <u>Subject to the SoSs conclusions in respect of the adequacy of the ES and the weight that can be attributed to the benefits of the development, NLC considers that the benefits of the development would outweigh</u>	that will be affected temporarily is limited, with only a modest area affected permanently. There will be no significant economic or food production/security effects. In respect of the RWE on-site 400kV substation, this is located on mostly Subgrade 3b land (see ES Chapter 15–Agricultural Circumstances [Document Reference 6.2.15 Revision 2] , paragraphs 15.5.27 and 15.5.30 in particular). A worst-case assumption that this will not be restored to comparable grade agricultural land has been made. During the operational phase the panel areas will be available for grazing, as NLC note. The potential effects on farm businesses are set out in ES Chapter 15– Agricultural Circumstances [Document Reference 6.2.15 Revision 2] , especially sections 15.5.64 to 15.5.73. Whilst the effects are assessed as minor adverse or negligible, as explained in ES Chapter 15– Agricultural Circumstances [Document Reference 6.2.15 Revision 2] , much of the land is owner-occupied and landowners would not have entered the Scheme if they considered that overall there would be adverse effects (paragraph 15.5.65).	
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		the adverse effects on BMV, farm business and soils.	There will be benefits for the local labour market because sheep management requires more labour than arable cropping (paragraph 15.5.71). The farms will generally benefit from income from the Scheme (paragraph 15.5.72). It should not be assumed that arable farming is preferential to sheep grazing. As set out in ES Chapter 15–Agricultural Circumstances [Document Reference 6.2.15 Revision 2] paragraph 15.5.77, in 2024 over 300,000 ha of arable land was put into non-food biodiversity management. That had risen to 444,000 ha by 1st June 2025. NLC's agreement that there are no significant adverse effects on agricultural land and the agricultural economy is sought.	
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Table 3–4: Ecology and Nature Conservation matters agreed, under discussion and not agreed between the parties

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
2	Non-breeding bird mitigation	NLC confirmed that using Bird Days calculations to inform non-breeding bird mitigation has been used elsewhere – notably the ‘South Humber Gateway’, but also noted that the method has its limitations as it does not reflect how birds may be using a site, despite giving an overall ‘area.	The Applicant agrees that using Bird Days calculations to inform the extent of mitigation required can be a useful tool but has its limitations and that the proposed mitigation has had full consideration for how birds have been recorded using the site as set out in the ES Volume 2 Chapter 7: Ecology and Nature Conservation [REP2-036] and the Outline Landscape Ecological Management Plan [REP2-070] .	Agreed
3	Breeding Birds	NLC confirmed acceptance that the breeding bird survey methodology in 2025 should follow the same methodology as was undertaken in 2022 and 2023 for consistency, and as part of the 2025 surveys the three surveys between April and July should be completed in separate months.	The Applicant agreed that the survey methodology in 2025 should follow the same methodology as in 2022 and 2023 for consistency and that surveys should be completed in separate months. The Applicant confirms that this approach was successfully completed in 2025.	Agreed
4	Skylark	NLC agreed that research into the use of solar farms by ground-nesting species such as skylark is contradictory.	The Applicant agrees that research into the use of solar farms by ground-nesting species such as skylark is contradictory. The Applicant agrees that offsite skylark plots can form part of a mitigation strategy, although	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		There was also agreement that, if necessary, offsite skylark plots can be used as part of skylark mitigation.	the strategy proposed does not propose the use of offsite plots, with all skylarks to be mitigated within the Order Limits as set out in the ES Volume 2 Chapter 7: Ecology and Nature Conservation [REP2-0364] and the Outline Landscape Ecological Management Plan [REP2-070] .	
5	Water vole / Otter survey approach and mitigation	NLC acknowledged the need for proportionality regarding survey effort given the extensive length of ditch network, and limited impacts on such. NLC specified that any mitigation/enhancement measures would need to be cognisant of mink control.	The Applicant agreed that the need for proportionality regarding survey effort given the extensive length of ditch network, and limited impacts and that mink control would form a part of the mitigation strategy.	Agreed
6	Bat Surveys	NLC required coverage of the canal corridor as part of the targeted bat activity surveys.	The Applicant agrees that the canal corridor would be covered and the surveys undertaken in 2025 ensured that this took place, with automated static bat detectors located in two different locations along the canal corridor throughout all surveys, as well as coverage during the walked transect routes as set out in the Technical Appendix 7.13 Bat Survey Results Spring and Summer 2025 [AS-017] .	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
7	GCN	NLC agreed that eDNA surveys are an acceptable method of establishing GCN presence/likely absence, although stated that the negative results were unexpected, therefore would require a bespoke approach to re-surveying GCN prior to impacts.	The Applicant agreed that re-surveying for GCN using the eDNA survey approach prior to impacts was acceptable. Further to this, updated eDNA surveys have been completed across the Order Limits in 2025 as set out in the Technical Appendix 7.7 Great Crested Newt Presence/Absence Survey Report [AS-016] , since the consultation with NLC took place, and recorded further negative GCN eDNA results, providing further certainty with regards to GCN absence.	Agreed

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1	Construction Traffic	Given the nature of the proposed development, the main impact will be during the construction phase as operational vehicle movements will be minimal. An Outline Construction Phase Traffic Management Plan (CTMP) has been submitted and Requirement 16 in the DCO secures the submission of the final CTMP.	The Applicant notes that management of the 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 [Document Reference 7.7 Revision 3] . Turning to operational traffic, the ES Chapter 12 Transport and Access [Document Reference 6.2.12 Revision 2] confirms that the during the	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			operational phase of the Scheme, the effects would be negligible and not significant.	
2	Construction worker travel	NLC notes the Outline Construction Traffic Management Plan [APP-182] assumption of 4.94 workers per hectare,. It is predicted that 75% of workers will travel by minibus, with the remainder travelling by car which is assumed to be 41 cars per day however there is no justification for this assumption or how the use of staff minibuses will be encouraged or enforced.	Additional details have been set out in the OCTMP [Document Reference 7.7 Revision 3] . The use of staff minibuses will be encouraged and enforced through the oCTMP, which is a control document secured by Requirement 16.	Under Discussion
3	Proposed Construction Access Points	Five separate Land Parcels have been identified, of which B is fully within North Lincolnshire, along with the majority of E and a small section of C and A. The access points to the site have been identified, along with the proposed routes for construction vehicles. <u>The updated oCTMP [Document Reference 7.7 Revision 2] addresses NLCs concerns in respect of accesses N, Q & P.</u> <u>In respect of access O, although the swept path shows the movement can be achieved, it does look tight with the existing bridge and</u>	The Outline Construction Traffic Management Plan (OCTMP) [Document Reference 7.7 Revision 3] sets out each of the proposed access arrangements within NLC's administrative boundaries in detail. This includes swept path assessments for the largest construction vehicles. Mitigation measures are proposed, including physical mitigation, where considered necessary. The Applicant has reviewed Access N to confirm that HGVs do not need to enter to opposing traffic lane.	Under Discussion

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		<u>there is the risk that this may be damaged. However, it is noted from the OTMP that a survey would be carried out to confirm suitability of the bridge to accommodate anticipated construction vehicle movements and if required it would be replaced/reinforced to accommodate construction traffic. The Applicant has confirmed that The oCTMP will be updated to include a commitment to survey the culvert crossings, including the one at Access O, as part of the condition surveys.</u> An initial review of these, raises the following queries: • Access N – figure 3.5 shows HGVs entering the opposite lane to enter the site • Access O – although the swept path shows the movement can be achieved, the bridge looks very tight. • Access Q – this shows a reduced visibility splay to the south, but unclear why this is the case as it looks like there should be good visibility. Details on measures to mitigate	<u>The Applicant updated the Outline CTMP [REP3-037 – REP3-042] at Deadline 3 and this includes a commitment to survey the existing culvert crossings at Accesses K, O and P.</u> Plan of Access Q has been updated to show greater visibility splay to the south which appears to be achievable. Plan of Access X has been updated to show greater visibility splay to the south which appears to be achievable. The Applicant has confirmed through discussions that access directly from the A18 / A161 is not possible due to existing walls which would prevent the turning manoeuvre. Swept	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		against the reduced visibility splay need to be provided. * Access X – very reduced visibility to the south, but unclear what is proposed to mitigate against this. It is noted that the construction accesses would be retained for operational purposes. The proposed routes to Land Parcels B & C <u>Q & R</u> would appear to be acceptable in principle. However, we would query the routing to Accesses R & Q, it would make more sense for vehicles to these points to access High Levels Bank directly from the A18, rather than the A161, as this would be a more appropriate route. Consideration should be given to a one-way route to Access Point R, as this would reduce the risk of construction vehicles passing each other with limited space. <u>The comments in respect of Access R in the updated OCTMP are noted regarding the stone pillars at the junction with the A161, so all access/egress will need to be from the west. The commitment in para 4.7.1 to arrivals/departures of HGVs being strictly managed by site managers is welcomed.</u>	path assessment of an HGV at the access will be provided in response to NLC in due course as evidence that this has been considered. One-way route not considered to be appropriate on this basis. This is set out in the OCTMP [Document Reference 7.7 Revision 3]. It is understood that NLC are happy with this approach. Confirmation that banksmen would not control background traffic on the adopted highway network has been provided in an updated OCTMP.	

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		<u>particularly with regards to Access R. It would be beneficial to undertake swept paths from High Levels/Idle Bank onto the unnamed road to Access R and to ensure there are no forward visibility issues for road users.</u> <u>NLC welcomes clarification in the updated OCTMP that banksmen would not be used to control general traffic on the adopted highway.</u> Paragraph 4.7.4 refers to temporary traffic management measures at each individual access point to assist drivers entering/exiting, but it is unclear what these measures would be. If banksmen are proposed to be used, we would not expect them to control general traffic on the adopted highway. It is noted that arrivals/departures of HGVs are proposed to be strictly managed by the site managers, and drivers would be required to adhere to a delivery schedule and call ahead to ensure that any HGVs leaving site are held within construction compounds. Drivers would be informed of the routes and temporary signage installed to assist with	The Applicant has provided a breakdown of construction traffic per parcel and per access in the OCTMP.	

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		this. This would need to be Chapter 8 compliant and the locations agreed with NLC. It is difficult to fully understand the impact of construction traffic on the local highway network. <u>Although more details have been provided on peak daily deliveries and non-peak daily deliveries (including HGV movements) for each land parcel, the Local Highway Authority would like to see a visual representation of this (e.g. monthly profile for the construction period) and also a breakdown for each access point, not just land parcel. The rationale for calculating HGV movements is acceptable.</u>The construction periods for each land parcel have been provided, including the length of the peak construction period, along with the predicted two-way AADT movements per day, including HGV movements. It is assumed that these are average movements across the construction period and it would be useful to have further information on this to fully understand the impact including a monthly profile for vehicle movements (including HGVs) across the whole construction period and also the vehicle movements per access point. It is also unclear	The Applicant updated the Outline CTMP at Deadline 3 and this includes a breakdown of the AADT at each access point [REP3-037] page 38].	

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		on how the HGV movements have been derived. It is noted that the Applicant has provided further information but NLC does not consider that the level of detail is sufficient. Details of traffic flows for each access point, not just land parcel are required, along with a monthly flow profile graph.		

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1	OSCESP [APP-184]	No specific stated position at present.	Applicant seeking <u>sought</u> clarification on expectations of commitments, framework for organisation, opportunities for engagement and reporting / evaluation mechanisms in respect of the Outline Supply Chain, Employment and Skills Plan [REP1 - 038] , <u>in response it was stated that there were no issues to discuss regarding socioeconomic matters.</u>	Under Discussion <u>Agreed</u>

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1	Assessment Methodology	Key elements of the methodology review include: • The assessment methodology as set out in Appendix 6.1 of the LVIA is based on Guidelines for Landscape and Visual Impact Assessment 3rd Edition, published by The Landscape Institute and the Institute of	The Applicant adopted an appropriate methodology for the assessment of potential landscape impacts. The methodology is outlined in Appendix 6.1: Landscape and Visual Impact Assessment Criteria [APP-061] within the ES Chapter 6 Landscape and	Under Discussion

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		Environmental Management & Assessment (GLVIA3). This is the appropriate industry standard work on LVIA. - Reference has been made to the judgement of value based on guidance within GLVIA3 and Landscape Institute Technical Guidance Note (02/21) 'Assessing the Value of Landscapes Outside National Designations' however, there is no clear assessment of the value of landscape receptors within the LVIA and whether there are areas which could be considered valued landscapes. - There is no methodology provided in relation to the production of the photomontages or the ZTVs. Further information is requested in this regard. Further information on the methodology listed above should be provided.	Visual [Document Reference 6.2.6 Revision 3REP2-033]. An assessment of landscape value was guided by the Landscape Character Assessments of both authorities within the ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3]. Sensitivity of receptors which is a function of susceptibility and value is set out throughout the chapter. Whilst the site and surrounding context contains elements of landscape value it is not considered that the site or the context constitute a valued landscape as set out at NPPF para 187a. The methodology for the production of the screened zone of theoretical visibility is shown within the title block of Figure 6.3 Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [Document Reference 6.4.6.3 Revision 2APP-147]. A detailed methodology for the production of the photomontages can be provided upon	

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			request, however, as set out in paragraph 6.3.40 of the ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3] , it states that ‘the photomontage visualisations were produced in accordance with Landscape Institutes Visual Representation of Development Proposals Technical Guidance Note [Ref 6-16].’	
2	Landscape Baseline Summary	The landscape baseline is defined by a clear study area used to inform the assessment. The LVIA identifies both national and local landscape character areas for assessment however, the LVIA doesn’t include reference to the Isle of Axholme and Hadfield Chase Landscape Character Assessment and associated landscape character areas. There is a lack of clear judgements made on value and susceptibility of landscape receptors. Further information should be provided on the landscape character areas associated with the Isle of Axholme. Further details should be provided to justify the determination of value and susceptibility of the landscape receptors.	The LVIA focuses on the local level/district landscape character assessments produced by the two Councils The Isle of Axholme and Hadfield Chase Landscape Character Assessment is an additional document that has not been flagged during consultations with North Lincolnshire. The majority of the site is located in the Thorne and Crowle Moors and the Hatfield Chase Levels Character Areas. An assessment of landscape value and susceptibility to change was undertaken for all landscape receptors, as a function of sensitivity which is set out in the methodology ES Appendix 6.1 Landscape and Visual Impact Assessment Criteria	Under Discussion

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			[APP-061] and ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3].	
3	Visual Baseline Summary	No rationale is provided for the judgements made on value and susceptibility for the visual receptors. The ZTV provided is for the overall scheme only. In addition to this, it would be helpful to have the degree of visibility shown, and additional ZTVs provided which shows the visibility for each of the main development areas. The opacity of the ZTV is fairly low and prevents a good understanding of the base mapping. The overlay of the ZTV with the landscape character areas is also difficult to read.	An assessment of value and susceptibility to change was undertaken for all visual receptors as a function of susceptibility within the ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3], with further rationale regarding sensitivity provided within Appendix 6.1: Landscape and Visual Impact Assessment Criteria [APP-061]. As stated in the ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3] at paragraph 6.4.51, Figure 6.3 Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [APP-147 Document Reference 6.4.6.3 Revision 2] is '...a tool to help illustrate locations where views of the proposed scheme may be possible, to guide the focus of the baseline studies on those locations where views are most likely to be available. Following desktop research and site visits, it is evident that the core area of actual visibility of the Scheme extends approximately 1km	Under Discussion

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			from the extents of the Order Limits.'. Therefore, no further plans are proposed to be produced.	
4	Design Iteration and Rationale	The LVIA briefly summarises design iterations in relation to stakeholder consultation. The LVIA should provide further detail with regards to the design rationale in terms of the specifics of the landscape and visual mitigation. It is noted that specific design measures have been adopted relating to the Stainforth and Keadby Canal corridor, but for the overall Order Limits, no details of the specific landscape design measures have been provided. Information with regards to the location of the on site 400 kV substation is inconsistent within the LVIA. Its location is absent from some of the landscape plans which brings into question whether it has been considered accurately within the assessment. Further detail to be provided on the landscape design rationale to gain an understanding of the landscape proposals, their rationale, design evolution and how	The design of the Scheme is set out within the 5.6-Design Approach Document [APP-032]. If further detail is required, this needs to be specifically agreed with the Applicant. The Applicant has undertaken an iterative design process including several design team workshops as the application has been prepared. Field boundaries and exiting hedgerows have been considered a key constraint to be integrated into the Scheme. Where offsets have been included these have been responsive to the landscape pattern which is linear and blocky and therefore the resultant banks of panels are laid out to reflect this. The presence of native hedgerows along many of the key routes and wider field boundaries makes them a key component of the existing landscape and therefore a suitable part of the mitigation strategy particularly when viewed at close range. The 400kV substation has been assessed within the ES Chapter 6 Landscape and	Under Discussion

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		they will assimilate into the landscape character.	Visual [REP2-033 Document Reference 6.2.6 Revision 3]. The 400kV substation missing from Figure 6.4 – Landscape and Visual Mitigation Strategy [Document Reference 6.4.6.4 Revision 4] has been included and Figure 6.4 was resubmitted at Deadline 1 to address.	
5	Landscape Effects	Overall, the focus of the LVIA centres on the presence of the PV panels with little or no recognition of the presence of 7no. 132 kV substations, 4 no. BESS and one 400kV substation. The potential raising of tracks within the Order Limits is also not discussed. The lack of recognition of some landscape character areas as identified in the Isle of Axholme landscape character assessment results in a potential underplay of landscape effects. Whether the area is considered a valued landscape should also be addressed The assessment considers that the presence of the major road network in the landscape local to the Order Limits is a detractor to overall landscape character in	All built elements of the Scheme have been assessed within ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3]. It is agreed that any assessment of landscape character must balance all landscape features which either positively or negatively influence its inherent character noting that some areas may differ. Further clarification of the contents of Table 6-6 of the ES Chapter 6 Landscape and Visual [REP2-033 Document Reference 6.2.6 Revision 3] will be provided as an	Under Discussion

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		terms of tranquillity and remoteness however some parcels are more distant and are less influenced by the visual and audible presence of those roads. There appears to some contradictory conclusions in the findings of the landscape assessment. The assessment of operational effects states that there would be no significant effects at year 1 and year 15 upon local landscape character area, rather effects would be significant upon the character of the site itself. Table 6-6 also reports no significant effects upon landscape character areas. However, paragraph 6.8.20 states that there would be significant effects upon several named landscape character areas as a result of the operation of the proposed development. Clarification is required on this basis. The basis of the year 15 and decommissioning phase of the landscape assessment is that the embedded mitigation would have established to screen the development resulting in not-significant effects. However, there is no acknowledgment of the long term change in	expansion of the table in the Chapter for Deadline 1. Additional hedgerows and trees are an appropriate form of landscape mitigation in providing screening for the operational elements of the Scheme (panels, fences, etc). While this will influence some open views within the landscape, the introduction of new planting into a landscape with limited landscape features due to intensification of agricultural uses is not considered an adverse addition within the wider rural landscape context.	

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		underlying landscape character due to the presence of the landscape mitigation, which is largely different to the existing landscape characteristics. Similar judgements have been made with regards to year 15 and decommissioning phase visual effects, and effects upon residential visual amenity, whereby the embedded mitigation has established to screen views of the development thus overall effects are no longer significant, without acknowledgement of the departure from existing wide and open views. In light of the above, the assessment of effects for the landscape receptors requires further clarification.		
6	Visual Effects	The LVIA provides judgements on sensitivity and magnitude of change although some of the justification given for the judgement arrived at for visual effects is brief, particularly relating to the viewpoint assessment and the RVAA. For some of the receptors, particularly viewpoints, there is brief rationale provided for how the sensitivity and magnitude have	The Applicant requests further clarification as to what additional information is being requested.	

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		been combined to arrive at the final effects. The assessment of effects in relation to residential visual amenity is also brief, sometimes limited to one sentence. There is also a lot of repetition of the same phrases used in the assessment of effects, this occurs within the viewpoint assessment at Appendix 6.5 and the RVAA at Appendix 6.2. The assessment of effects for the visual receptors therefore requires further clarification.		
7	Mitigation	The primary landscape mitigation measure proposed is the planting of hedgerows and woodland copses and shelterbelts to visual screen the development. The LVIA discusses that the hedgerows will be planted to restore the landscape, as set out in the relevant published landscape character assessment guidelines. However, it is not clear which landscape character guidance is being referred to. The baseline character of the receiving landscape is open, with little vegetation, and this is acknowledged in published character assessments. There is also reference made to restoring historic	Existing and remnant hedgerows are a regularly occurring component of the vegetative elements of the landscape particularly along the transport corridors and to varying degrees between the fields. Many have been previously removed or are now remnants. The county level Landscape Character Assessments have been used to guide the mitigation proposals. The North Lincolnshire Landscape Character Assessment in particular sets out Landscape Guidelines.	

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		hedgerows, but it is unclear as to where these are located. As the receiving landscape is very open, it would be useful to see further detail setting out the strategy and reasoning behind the proposed hedgerow planting in a currently open landscape, which will be allowed to grow to 3 m. It is also not expressly stated as to why the 3 m hedgerow height has been adopted. The graphics used on the Landscape and Visual Mitigation Strategy (Plan 6.4.6.4) are difficult to read to allow for a clear understanding of the landscape development proposals over the whole site. Neutral grassland is proposed as ecological habitat within the site. There is no detail provided on how agricultural farmland, likely heavy in nitrates and phosphates, will support a neutral grassland habitat. The graphics used on the tree survey and constraints plans (Appendix 6.6) require clarification in terms of hedgerows within the site that appear not to have been surveyed.	Historic hedgerows are set out in the Heritage Chapter Figure 8.3 Important Hedgerows [APP-143]. These are existing notable gaps will be supplemented with native hedgerow species through the Landscape Strategy and Visual Mitigation Strategy [Document Reference 6.4.6.4 Revision 4] which is secured by Requirement 6(2)(b) of the Draft DCO [Document Reference 3.1 Revision 67] At 3m the hedgerows will screen the 2m high fences and largely screen the panels particularly in close range views. The	

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		The landscape mitigation strategy includes for extensive hedgerow planting, woodland and copse planting, and grassland areas for wintering birds and skylark habitat. However, at decommissioning, it is stated that the landscape would be returned to pre-construction conditions (E.S. Chapter 2, page 20). Clarification should be provided as to how the farmland would sit alongside the biodiversity improvement measures associated with the development in perpetuity. The Outline Decommissioning Environmental Management Plan (Document 7.3) doesn't provide information beyond the land being handed back to the relevant landowners, with consultation with stakeholders and landowners held regarding the management of mitigation beyond the lifespan of the scheme. Further detail is required on the landscape design rationale to gain an understanding of the landscape proposals, their rationale, design evolution and how they are intended to assimilate into the landscape character.	hedgerows, with an approximate 1m wide base will be well proportioned at 3m and fit with the existing landscape pattern through the Landscape Strategy and Visual Mitigation Strategy [Document Reference 6.4.6.4 Revision 4] The Applicant notes the comment. However, the Applicant would highlight Figure 6.4 Landscape and Visual Mitigation Strategy [Document Reference 6.5.6.4 Revision 4] is produced at a scale of 1:1000 showing an overview plan of the Scheme, with then detailed section sheets of parts of the Scheme at a scale of 1:5000 to aid the reader. 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 beneficial mix for the soils and nutrients status. 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	

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			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 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. Albeit the additional vegetation not surveyed has not been considered in the BNG metric calculations; however, the current BNG metric remains robust showing a worst-case scenario of existing vegetation present	

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			in the baseline as it accounts for a lesser amount of vegetation present in the existing baseline.	
8	Cumulative Effects	The assessment of cumulative effects within Chapter 17 has been considered for developments located up to 3 km from the site, but this does not include for the proposed NGET 400 KV substation and associated cabling that will be required for the Tween Bridge scheme to be connected to the grid. As the location of this is not known, it has been scoped out of the cumulative assessment. It is queried whether this approach is acceptable (for all topics) as this is a fundamental element to allow the scheme to proceed. Within Chapter 17 the assessment of landscape and visual effects is grouped with other environmental matters such as air quality and noise, and the receptor description provided is not specific to individually named receptors with a generalised residual assessment provided.	The Applicant does not currently have clarity as to where the point of connection to the national electricity transmission system would be located. This process is managed by the National Energy System Operator and National Grid Electricity Transmission Plc. Accordingly, it is not possible for the Applicant to assess the potential cumulative effects of the Scheme in combination with these undefined offsite elements at this time, to provide a meaningful assessment. The Applicant does not therefore understand on what basis the Council questions whether this approach is acceptable. See the Grid Connection Statement [REP1-014] for more details. The Cumulative Landscape and Visual Effects are considered individually at section 17.4 of Chapter 17 Cumulative Impacts [Document Reference 6.2.17 Revision 3REP2-029].	

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		Further details with respect to the cumulative assessment are therefore requested.		

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

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1.	Isle of Axholme Critical Flood Level	North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA). North and North East Lincolnshire Strategic Flood Risk Assessment (SFRA). expects development to be protected against the Isle of Axholme Critical Flood Level of 4.1mAOD plus 300mm freeboard (total 4.4mAOD). In the EAs relevant representation, it is advised that there is a risk that in the event of a breakdown in the pumping network, the drain network in the IoA would begin to flood, putting the development at risk. Whether this risk is acceptable in the context of the	The Applicant notes and welcomes NLC's updated position on Critical Flood Level. Raising the proposed mitigation to the Isle of Axholme Critical Flood Level of 4.1mAOD plus 300mm freeboard (i.e. 4.4mAOD) is a well discussed item and have been reviewed in detail; however, it is not feasible to raise critical equipment above this level noting existing ground levels of approximately varying between -0.2mAOD and 2.6mAOD. Raising infrastructure and the edge of solar PV panels to 4.4m AOD would not align with industry practice and would result in substantial environmental, landscape, and	Agreed

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		development proposed in this case is a matter for the decision-maker. Whilst there is a clear conflict with the SFRA in his respect, NLC recognises that the Secretary of State must consider this objection in the round. It is noted that the Environment Agency is satisfied with the 1:1000 year plus 100mm design level, and that achieving the CFL would be likely to render the development unacceptable from a landscape and visual perspective and potentially unviable for the reasons the Applicant has given. As indicated in NLCs LIR, it remains a matter for the decision-maker whether the residual risk is acceptable in the overall planning balance, however, for the avoidance of doubt, NLC does not object to the use of the 1:1000 year plus 100mm freeboard flood level in this instance.	engineering impacts, including increased visual effects, greater wind loading, longer pile lengths, higher costs, and reduced generation efficiency due to altered panel configuration. It would also give rise to significant challenges from a landscape and visual context, particularly in terms of the increased heights of the panels and the resulting height of the required mitigation planting. The Applicant has already increased this slightly on the Scheme to 3.6m to increase ground clearance in response to flood risk. Therefore, it is considered wholly disproportionate to design flood risk mitigation measures against the Critical Flood Level. Throughout multiple meetings the Environment Agency confirmed that they are satisfied with the proposed mitigation measures being set at 100mm above the 1 in 1,000-year fluvial flood level, which represents a conservative design approach. The Applicant notes that the CFL of 4.4m AOD represents an extreme and highly unlikely flood scenario. Such a scenario would only be expected to occur following a widespread and prolonged failure of the flood defence and water management infrastructure across the Isle of Axholme over many years. In these	

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			circumstances, the entire Isle of Axholme would effectively function as a flood storage basin. Notwithstanding this, should such an event occur, the Scheme would be safely “switched off”, with all operational management undertaken remotely. The proposed mitigation levels, which have been agreed with the Environment Agency, are already set at 100mm above the 1 in 1,000-year fluvial flood level and therefore provide a robust and conservative design standard. The submitted Flood Risk Assessment [REP2-047 to REP2-052] includes further details as to why it is not possible to design flood risk mitigation measures against the Critical Flood Level (refer to paragraphs 5.45–5.59). The Applicant further notes that a similar risk-based approach to flood mitigation has been adopted on other major infrastructure projects within North Lincolnshire. Whilst North Lincolnshire LLFA advised during the meeting of 11 June 2026 that the CFL is expected to be applied across <u>all</u> of North Lincolnshire, the examples discussed below demonstrate that site-specific circumstances and the nature of the proposed development have also been important considerations in determining	

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			appropriate flood mitigation measures across North Lincolnshire. For example, the North Lincolnshire Green Energy Park Development Consent Order application (PINS Reference EN010116) was supported by a Flood Risk Assessment prepared by Buro Happold (Volume 6 Environmental Statement, Annex 3: Flood Risk Assessment, May 2022). The assessment was developed through extensive engagement with the Environment Agency, including a number of technical meetings, and relied upon the North Lincolnshire 2017 hydraulic modelling. Flood mitigation measures were subsequently designed with reference to the agreed design flood events and climate change allowances. The Applicant notes that neither the Flood Risk Assessment nor the agreed mitigation strategy required the development to be raised to the Isle of Axholme Critical Flood Level. The Applicant also notes that Keadby 3 does not demonstrate that all infrastructure must be raised to the CFL of 4.4m AOD. While the CFL was considered in that case, the final mitigation strategy included raising Finished Floor Levels	

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			for key buildings to 2.8m AOD, with critical operational infrastructure to a minimum of 3.6m AOD, followed by further raising up to 4.4m AOD only where reasonably practicable. Keadby 3 therefore supports the principle that the CFL is a relevant consideration to be addressed through a site-specific and proportionate assessment, rather than an absolute requirement. Keadby 3 is also materially distinguishable from the Scheme. It comprises a manned gas-fired generating station with carbon capture, with different operational, safety and infrastructure requirements. By contrast, the Scheme is unmanned renewable energy infrastructure which can be remotely shut down and does not require staff to remain on site during an extreme flood event; it is materially less vulnerable. Similarly, the adopted Lincolnshire Lakes Area Action Plan (2016), which allocates strategic growth within North Lincolnshire and the Isle of Axholme floodplain, requires development to be designed with reference to the 0.5% annual exceedance probability flood event including	

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			climate change, together with a 300mm freeboard allowance. The planning framework does not require development to be raised to the Isle of Axholme Critical Flood Level. The Applicant therefore considers that the approach proposed for the Scheme is consistent with established practice within North Lincolnshire, whereby flood mitigation measures are designed in response to the assessed flood risk, agreed flood modelling and engagement with the Environment Agency. The Applicant further notes that the CFL is contained within the Strategic Flood Risk Assessment (SFRA) evidence base, rather than being expressed as an explicit requirement within adopted development plan policy for all forms of development to be raised above the CFL. The relevant local policies, including North Lincolnshire Core Strategy Policy CS19, require flood risk to be assessed and managed having regard to the SFRA and site-specific circumstances. The Applicant therefore considers that the CFL should be treated as an important planning consideration, but not as an inflexible development level to be applied	

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			uniformly to all development types. This distinction is important in the context of the Scheme. The Scheme comprises solar PV infrastructure, BESS and associated electrical equipment. It is not residential development, nor is it a continuously occupied building or manned power station. The Scheme can be safely shut down and managed remotely during an extreme flood event. The residual risk profile is therefore materially different from development where continued occupation or permanent on-site operation is required. The Applicant also notes that the North and North East Lincolnshire SFRA itself recognises that the previous 4.1m AOD CFL (4.4mAOD inclusive of 300mm of freeboard) was based on earlier evidence and that more recent modelling has improved the understanding of flood risk in the Isle of Axholme. The SFRA identifies that North Lincolnshire Council proposes amending the CFL to 3.8m AOD, with finished floor levels for residential development being set 300mm above this. This wording is relevant, as it refers specifically to residential development and also recognises the role of	

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			more recent modelling and site-specific assessment. The Applicant considers that the appropriate test is not whether all infrastructure has been raised above the CFL, but whether the Scheme would be safe for its lifetime, having regard to the nature of the development, the assessed flood risk, the feasibility and proportionality of mitigation, and the residual risk management measures proposed. On that basis, the Applicant considers that the proposed 1 in 1,000-year fluvial flood level plus 100mm freeboard approach is robust, proportionate and policy-compliant. We note that North Lincolnshire LLFA have stated, in regard to the Critical Flood Level that "whether this risk is acceptable in the context of the development proposed in this case is a matter for the decision-maker". The Applicant would direct the Examining Authority to their Written Responses to ExQ1 [REP2-087], notably Q7.0.13 and Q7.0.17.	

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			<u>Based on the above, the item is agreed between the parties.</u>	
2.	Flood Zone 3b	North Lincolnshire LLFA Drainage Team position is that development in Flood Zone 3b must not alter ground levels in a way that reduces flood storage. North Lincolnshire Flood Zone 3b mapping must be reviewed, noting this mapping was provided by the EA and may match the EA 2025 Torne 1 in 30 year extent. Clear plans showing what development is proposed in Flood Zone 3b should be provided. In its Response to ExQ 1 [REP2-101], North Lincolnshire LLFA state the following: "As set out in section 16 of its LIR, NLC does not consider that the Applicant has demonstrated that there are clear operational reasons requiring elements of the development to be located within Flood Zone 3b. Whilst it is acknowledged that the wider site is constrained by flood risk, the applicant has not robustly demonstrated through the design or layout that the most vulnerable or highest risk	The submitted Flood Risk Assessment [REP2-047 to REP2-052] includes a full assessment of the North Lincolnshire Flood Zone 3b mapping, as defined in the 2026 Doncaster Level 1 Strategic Flood Risk Assessment. It is noted that this 2026 Strategic Flood Risk Assessment data matches the 2025 River Torne 1 in 30-year Flood Zone 3b extent, as defined by the Environment Agency's model. Both datasets define just 6.3% of the Order Limits to be located within Flood Zone 3b (approximately 116ha of the approximately 1,831ha Order Limits). A plan showing the proposed developmentScheme in Flood Zone 3b is also be appended to the submitted Flood Risk Assessment [REP2-047 to REP2-052] (refer to Appendix A11). The Proposed DevelopmentScheme within the 2025 River Torne 1 in 30-year flood extent (Flood Zone 3b) primarily comprises solar PV panels, with some areas also including a limited number of inverters, limited number of spares containers and small section of a BESS compound	Under Discussion

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		infrastructure, such as BESS facilities and substations, cannot be reasonably located within areas of lower flood risk within the Order Limits. As such, the justification for siting development within the functional floodplain is not evidenced. In addition, the proposals do not provide adequate confidence that there would be no net loss of floodplain storage or that flows will remain unimpeded. Whilst some elements of the scheme are described as permeable or elevated, infrastructure such as BESS compounds, substations and associated hardstanding will introduce areas of displacement and potential obstruction. This is particularly relevant within Flood Zone 3b, where land is required to store and convey floodwater during more frequent events, and any loss can have significant and wider reaching impacts. NLC also has concerns regarding the residual risk associated with locating higher risk infrastructure within Flood Zone 3b. These areas are expected to flood relatively frequently over the lifetime of the development, and the combination of	(approximately 11% of the overall area). <u>There was also previously and a limited section of a 132 kV substation (approximately 1.2% of overall area) located within Flood Zone 3b. The revised site layout to be submitted at Deadline 4 has however removed the portion of the substation within the extent of Flood Zone 3b. The Flood Risk Assessment [REP2-047 to REP2-052] will be updated to reflect the updated site layout at Deadline 5.</u> The Applicant notes that in accordance with Planning Practice Guidance that Essential Infrastructure is acceptable within Flood Zone 3b subject to passing the Exception Test. NPS EN-1 further details in Paragraph 5.8.41 that in relation to energy projects within Flood Zone 3b specifically, that "where essential infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not results in a net loss of floodplain storage and will not impede water flows". Paragraph 5.30 of the submitted Flood Risk Assessment [REP2-047 to REP2-0523] summarises the limited extent of the Scheme proposed within Flood Zone 3b and provides	

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		floodwater interaction with BESS infrastructure presents a credible pathway for pollution. In the event of damage, failure or fire, there is potential for contaminants to enter the wider water environment, which could result in a significant pollution incident. Given that alternative areas within the site appear to be available outside of Flood Zone 3b, the current layout does not represent a risk-based or policy-aligned approach." It remains NLCs position that it objects to the location of infrastructure in FZ3b and has particular concerns about the impact of BESS areas within Flood Zone 3b due to associated fire and pollution risk and about the potential local flood risk impact of the proposed 300mm gravel base for BESS, inverters and spare containers within Flood Zone 3b.	the operational reasons why this infrastructure is required to be located here. Additionally, please see the Applicant's response to WQ7.0.31 in the Applicant's Written Responses to ExQ1 [REP2-O87] which provides a full explanation of the operational reasons for locating some sections of the Scheme's infrastructure within Flood Zone 3b. Also, please see the written summary of Issue Specific Hearing 3 at agenda item 3b "Flood Risk". The Applicant provided clarity on the justification for locating the 132 kV Substation and BESS within areas of Flood Zone 3b. <u>As noted above, the revised site layout submitted at Deadline 4 has removed the portion of the substation within the extent of Flood Zone 3b. It has not been possible to relocate the BESS within Flood Zone 3b within the layout updates submitted at Deadline 4. The Flood Risk Assessment [REP2-O47 to REP2-O52] will be updated to reflect the updated site layout and operational reasons and environmental constraints as to why the BESS cannot be relocated outside of Flood Zone 3b at Deadline 5. Essentially, the BESS within field A20 located partially within Flood Zone 3b is bound by several other constraints including peat to the east (peat ground</u>	

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			<u>conditions are not suitable for siting of a BESS) and wind turbine topple zones.</u> Paragraph 5.31 of the submitted Flood Risk Assessment [REP2-047 to REP2-052] also reiterates that “In all instances infrastructure operationally required to be located in Flood Zone 3b will be raised above the 1 in 1,000 year flood level plus 100mm of freeboard – this is a worst case design scenario, that would ensure the infrastructure also remains operational in any lesser flood event”. This raising applies to all on-site infrastructure, including BESS and substations and will be implemented without raising existing ground levels, ensuring negligible impact on flood plain storage of flow routes. The submitted Flood Risk Assessment [REP2-047 to REP2-052]. provides an assessment of the impact on flood storage within the 2025 River Torne 1 in 100 year plus climate change extent, concluding that the Scheme has a negligible impact on existing flood storage (refer to paragraphs 5.33 to 5.38. Within their Responses to ExQ1 [REP2-103], the Environment Agency further state that “The EA can confirm that the project will not impact on the available flood storage capacity within Flood Zone 3b. The EA holds no view on	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			the operational reasons why the development needs to be located within Flood Zone 3b." With reference to North Lincolnshire's comment about the pollution pathways from BESS, the Applicant refers the LLFA to the Outline Surface Water Drainage Strategy included in the submitted Flood Risk Assessment [REP2-047 to REP2-052] and response to items 4, 5 and 6 within this table.	
3.	Raising of Battery Storage Infrastructure	Notwithstanding NLCs in principle view in respect of the location of infrastructure in FZ3b (see 2, above), the Applicant's intention that the BESS infrastructure is proposed to be raised above the 1 in 1,000 year flood level plus 100mm freeboard.	As detailed in the submitted ES Appendix 10.1 Flood Risk Assessment [REP2-047 to REP2-052], inverter buildings, battery containers, customer switchgear containers and spares containers will be sat on a 300mm gravel base and be raised at least 0.5m above the ground, ensuring raising above the modelled 1 in 1,000 year flood level plus 100mm freeboard. This raising will not include raising of existing ground levels. The infrastructure will generally be raised using isolated small blocks sat on a 300mm gravel base. With the proposed mitigation measures in place, the BESS infrastructure will be raised above the 1 in 1,000 year flood level plus 100mm freeboard, ensuring the equipment is protected	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			during this extreme flood event. The BESS has therefore been designed to remain safe from flooding over its lifetime. This request from North Lincolnshire LLFA Drainage Team about battery raising is considered to already have been actioned. The Applicant confirms this aspect is marked as agreed with North Lincolnshire Council. Commentary on the elements of the Scheme located within Flood Zone 3b are provided within row 2 above within this table. This item is agreed between the parties.	
4.	Above Ground Attenuation	North Lincolnshire LLFA Drainage Team supports the use of above-ground attenuation features such as swales and basins, which not only assist in managing runoff but also offer biodiversity benefits and align with SuDS best practice. In their Response to ExQ 1 [REP2-101], North Lincolnshire LLFA state that "Geocellular storage crates are not considered appropriate, as they offer no pollution control benefit and would be extremely difficult to inspect, isolate, or remediate in the event of	The submitted ES Appendix 10.1 Flood Risk Assessment [REP2-047 to REP2-052], includes Outline Surface Water Drainage Strategy details. Full surface water drainage strategy [REP2-047 to REP2-052] details will be provided at the next stage of design. At this point, further details regarding the 100MW BESS areas, Single TX 132 kV Substations, and RWE on-site 400kW Substation, including their exact orientation within the site layout will be available. At this stage, above ground	Under Discussion

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		an incident. There is no clear justification as to why above-ground, sealed SuDS features have been discounted, which would provide far greater control, visibility, and long-term manageability" and that " The use of below-ground systems within both BESS and substation areas is not supported, given the need for accessible and maintainable infrastructure in high-risk environments. Above-ground attenuation, including lined basins or lagoons, should be prioritised as standard unless robust evidence demonstrates otherwise. This approach would better align with good SuDS practice and provide a more effective response to emergency scenarios." During a meeting with the Applicant on 11th June 2026, Mike Smith from North Lincolnshire Lead Local Flood Authority reiterated that the Lead Local Flood Authority's stance is that attenuation should be provided above ground.	attenuation features will be considered for use, as detailed in the Flood Risk Assessment (Table 7.1) [REP2-047 to REP2-052]. It will be possible to provide full site-specific surface water drainage design with associated calculations at the next stage of design. The submitted Flood Risk Assessment [REP2-047 to REP2-052] and associated Outline Surface Water Drainage [REP2-047 to REP2-052] provides an indicative drainage strategy for each of the pieces of development infrastructure, inclusive of calculations and in accordance with the requirement to restrict to greenfield runoff rates. In terms of pollution control, the Outline Surface Water Drainage Strategy that utilises below ground storage has been designed to fully mitigate the pollution potential associated with the BESS during normal operating conditions and with any possible BESS fire (see item 6 within this Table 3-8). As detailed within Paragraph 7.45 of the submitted Flood Risk Assessment [REP2-047 to REP2-052], in normal operating conditions when there is not a BESS fire, "Treatment of surface water from the BESS and Substation	

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			areas is to be provided by the gravel subbase through which surface water is to percolate. Downstream defenders are proposed where necessary in order to treat surface water generated from the impermeable access roadways prior to being attenuated within the below ground network". Proposed downstream defenders are labelled on the Outline Surface Water Drainage Strategy Plans included in Appendix L of submitted Flood Risk Assessment [REP2-047 to REP2-052]. The Outline Surface Water Drainage Strategy has also been designed to manage runoff from the BESS during a fire event to ensure pollution potential is mitigated. The strategy to manage potentially contaminated BESS fire water is summaries within paragraphs 7.23 to 7.29 and Appendix L of the submitted Flood Risk Assessment [REP2-047 to REP2-052]. All potentially contaminated fire water will be contained within the BESS surface water drainage systems and not be allowed to enter the local water environment. As stated in the submitted Flood Risk Assessment [REP2-047 to REP2-052] (paragraphs 7.26-7.28), the details of the below ground storage are subject to detailed design which will ensure	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			the design is suitable to manage potentially contaminated fire water. The Applicant notes within these paragraphs that there are various suitable design options for both the below ground storage and impermeable BESS liner that are suitable to contain potentially contaminated fire water and the associated potential heat and contaminants. With regard, to North Lincolnshire's concerns about the inspection and long-term manageability of below ground storage proposed, the Applicant directs North Lincolnshire LLFA to the provided SuDS Operation and Maintenance Manual included in Appendix H of the submitted Flood Risk Assessment [REP2-O47 to REP2-O52]. The Applicant met with NLC LLFA to discuss this matter on 11 June. The Applicant remains keen to continue engaging with the NLC LLFA to discuss and, where possible, address any outstanding concerns.	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
5.	Surface Water Drainage Details	All drainage designs must be site specific, with hydraulic modelling to reflect changes in impermeable areas and ensure greenfield runoff rates are achieved. During a meeting with the Applicant on the 11th June 2026, Mike Smith from North Lincolnshire Lead Local Flood Authority confirmed it is acceptable to provide full site-specific surface water drainage calculations at detailed design. This item is therefore agreed between the parties.	It will be possible to provide full site-specific surface water drainage design with associated calculations at the next stage of design. During a meeting with Mike Smith of North Lincolnshire Lead Local Flood Authority on the 11th June 2026, North Lincolnshire confirmed this approach is acceptable. The submitted Flood Risk Assessment [REP2-047 to REP2-052] and associated Outline Surface Water Drainage Strategy [REP2-047 to REP2-052] provides an indicative drainage strategy for each of the pieces of development infrastructure, inclusive of calculations and in accordance with the requirement to restrict to greenfield runoff rates. The Applicant notes that the Environment Agency also confirm that "(in principle) they consider the outline surface water drainage strategy is acceptable" [REP2-103]. City of Doncaster Council have also confirmed in relation to the Outline Surface Water Drainage Strategy that "CDC in its capacity as Lead Local Flood Authority (LLFA), is content with the proposals submitted" [REP2-099].	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			Based on the response received from the NLC LLFA, this item is agreed between the parties.	
6.	Containment of BESS Fire Water	The LLFA require the BESS surface water drainage strategy to include provisions for containing potentially contaminated fire water, with the required containment volume to be determined in consultation with the Fire Service. During a meeting with the Applicant on the 11th June 2026, Mike Smith from North Lincolnshire Lead Local Flood Authority confirmed the proposals to contain potentially contaminated fire water included within the Outline Surface Water Drainage Strategy [Document Reference 6.3.10.1 Revision 3] are accepted. This item is therefore agreed between the parties.	The Outline Surface Water Drainage Strategy [REP2-047 to REP2-052] for the BESS includes provisions for containing potentially contaminated fire water, in accordance with National Fire Chiefs Council Guidance (NFCC) available at the time of writing. Latest NFCC guidance will be considered at the next stage of design. This item is agreed between the parties.	Agreed
7.	Fence Crossings	Fencing that crosses watercourses must be maintained to avoid debris build-up, which can obstruct flow. A maintenance plan should be established to ensure regular inspections. During a meeting with the Applicant on the 11th June 2026, Mike Smith from North	The submitted Flood Risk Assessment [REP2-047 to REP2-052] has an appended High Level SuDS Operation and Maintenance Manual [REP2-047 to REP2-052] that provides maintenance details for the fence crossings proposed on site to ensure the	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		Lincolnshire Lead Local Flood Authority confirmed that if there are measures included within a SuDS Operation and Maintenance Manual to manage debris build up, that this item can be agreed. The provision of a SuDS Operation and Maintenance Manual inclusive of measure for the proposed fencing is included under the Applicant Position. Based on the above, this item is agreed between the parties.	fencing does not experience a build-up of debris. This item is agreed between the parties.	
8	Raising of Tracks	ES should include clear information as to the extent of land raising for the provision of tracks, including contain which Flood Zones potential raised tracks would be in and how this would affect drainage/overland flows. During a meeting with the Applicant and Mike Smith from North Lincolnshire Lead Local Flood Authority on the 11th June 2026, the Applicant re-iterated that, as summarised in paragraph 5.35 of the Flood Risk Assessment [Document Reference 6.3.10.1], that there are no locations where access tracks are expected to be raised located within Flood Zone 3b. The Applicant noted that the raising is contained within the 1 in 100 year plus climate change extents. On this basis and the	The submitted Flood Risk Assessment [REP2-047 to REP2-052] provides full details as to where small areas of access tracks may require raising. There are just two areas within the 2025 River Torne 1 in 100 year plus climate change extent where access tracks are expected to be raised along a length of approximately 5 to 10m. As detailed within the submitted Flood Risk Assessment.1 [REP2-047 to REP2-052] highlighted in the newly provided access track raising plans appended to the Flood Risk Assessment, the impact of raising these small areas of access tracks on drainage and overland flow is considered to be negligible. The Applicant confirms that no raising of access tracks is being proposed	Agreed

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
		lack of raised access tracks within Flood Zone 3b, Mike Smith of North Lincolnshire Lead Local Flood Authority advised this item was agreed between the parties.	within the 1 in 30 year flood extent (i.e. Flood Zone 3b). The Applicant also notes that within the Environment Agency's Comments on any further information requested by the ExA and received by Deadline 1 [REP2-103], the Environment Agency state: "We have reviewed the revised Flood Risk Assessment and welcome the updates made in respect of Flood Zone 3b, resulting from the new Torne 2025 model. Appendices A13 and A14 include drawings of the proposed raised track locations within the River Torne extent. As previously advised, the loss of floodplain should be calculated up to the 1% annual exceedance probability plus climate change flood event. We have reviewed the drawings, and we are satisfied that the proposed track raising will not increase flood risk to third parties. Accordingly, we require no further details on this matter, which is now resolved. Accordingly, we withdraw our previous objection and consider that the Applicant has now adequately demonstrated that there will be no increase in	

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Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
			flood risk to third parties resulting from the proposed development." This item is agreed between the parties.	

Table 3-8: Environmental Protection Matters agreed, under discussion and not agreed between the parties

Ref	Topic	North Lincolnshire Council Position	Applicant Position	Status
1	Assessment approach, scope and Methodology	Construction and decommissioning noise and vibration impacts have been considered in line with BS 5228 and other relevant guidance including the impact of construction traffic on local roads. Operational noise levels from the Scheme have been predicted to the nearest noise sensitive receptor (NSR) locations in accordance with appropriate guidance. The impact of the predicted noise levels have been assessed against limits derived from a baseline noise survey, with the significance of the effects derived in accordance with appropriate standards and guidance.	The scope and methodology of the assessment was detailed in the ES Appendix 1.2 EIA Scoping Report [APP-057] .	Agreed

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2	Baseline Noise Survey Methodology	The location and duration of the baseline noise monitoring survey was discussed and agreed with NLC ahead of the survey.	The Applicant has undertaken the baseline noise survey in the manner agreed with NLC. This is confirmed in the Baseline Noise Survey Report [Document Reference 6.2.13 Revision 3 APP-114].	Agreed
3	Noise Sensitive Assessment Locations	NLC provided information that a number of identified Heritage receptors were residential. NLC highlighted that residential receptors along the cable route corridor had not been determined.	Heritage locations were included in the ES Volume 1, Chapter 13 Noise and Vibration [REP2-023 Document Reference 6.2.13 Revision 3] and assessed as residential. Further assessment to receptors in the vicinity of the export cable route could be undertaken once the route is determined.	Agreed
4	Construction Noise/Vibration	Noise from construction will be controlled through British Standard (BS) 5228:2009+A1 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. Construction working hours are detailed in the Outline CEMP [APP-176]. Limited works would be undertaken outside of these hours though some activities may need to be undertaken outside of agreed daytime hours. In this event permission will be sought through the DCO by setting out the construction hours and any exceptional mechanisms.	Adherence to the recommendations in the Outline Construction Environmental Management Plan [Document Reference 7.1 Revision 4 5] would ensure that the guidance of BS 5228:2009 +A1 is followed.	Agreed

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		NLC agrees with the approach taken in the Outline CEMP to the construction of the panels, with mitigation required if impact piling is required. Given the separation distances between the Order Limits and the nearest receptors, groundborne vibration impacts are considered unlikely to be significant.		
5	Construction Traffic	The ES demonstrates that, across all links, the relative change in road traffic noise during the construction phase is less than 1dB and would therefore be acceptable.	The traffic noise calculations presented in ES Volume 1, Chapter 13 Noise and Vibration [REP2-023 <u>Document Reference 6.2.13 Revision 3</u>] demonstrate that the relative change across all links is less than 1dB. No further action required.	Agreed
6	Construction Compounds	The compounds are not considered a significant source of noise and would be removed once the construction phase is completed. Noise impacts arising from the construction compounds has not been considered in any further detail in this assessment.	Noise from the construction compounds is not considered to be significant and has not been considered in any detailed in ES Volume 1, Chapter 13 Noise and Vibration [REP2-023 <u>Document Reference 6.2.13 Revision 3</u>]. No further action required.	Agreed
7	Operational Noise	Table 13-7 of the report shown above appears to consider 'No Adverse Effect Level' at a Rating level less than or equal to noise limit +5dB. However, according to BS4142:2014 a difference of around +5dB is likely to be an	The wording of BS4142 states 'A difference of around +5dB is <i>likely</i> to be an indication of an adverse impact, depending on the context.' This is not taken as being a definitive point at which adverse impacts would occur,	Under discussion

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		indication of an 'Adverse Impact', depending on the context. On this basis, the Rating level should be either less than or equal to the measured background noise level at the NSR's to ensure a low impact. In respect of daytime operational noise impacts on residential receptors, the ES indicates that the proposals would have a low noise impact in accordance with BS4142. This effect level would result in a 'Negligible' impact significance. In respect of night-time operational noise impacts (i.e. from the BESS) on residential receptors, this would be of a very low level and is below the night-time background sound level at all receptor locations.. This would result in a 'Negligible' impact significance.	particularly when the context is taken into consideration. Notwithstanding this, the operational assessments for both the daytime and night-time operational scenarios presented in ES Volume 1, Chapter 13 Noise and Vibration [REP2-023 Document Reference 6.2.13 Revision 3] indicate that noise levels would not exceed the background sound level at any of the receptors considered.	
8	Operational Vibration	It is agreed that the plant and equipment used are unlikely to generate any significant levels of groundborne vibration and, given the distances between the sources and receptors, is unlikely to result in any adverse vibration effects.	The plant items associated with the operational phase would not generate any significant levels of groundborne vibration.	Agreed
9	Decommissioning	It is agreed that the noise and vibration effects during the decommissioning phase	Appropriate mitigation measures would be included and controlled by the	Agreed

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		are expected to be similar, if not lower than those in the construction phase, and therefore not significant. Embedded mitigation measures similar to those proposed for the construction phase are recommended for the decommissioning phase, subject to the detailed design. These would be secured through the Decommissioning Environmental Management Plan.	Decommissioning Environmental Management Plan once the methods of decommissioning have been confirmed.	
10	Dust emissions (construction)	The dust emission magnitude for earthworks, construction and trackout is deemed to be large and the overall impact of dust soiling as high. IQAM Guidance that describes measures that should be employed to reduce impacts as described in the Outline CEMP.	The Applicant confirms that measures set out in the IAQM guidance have been used to develop the measures set out in the Outline Construction Environmental Management Plan [Document Reference 7.1 Revision 54] .	Agreed
11	Contaminated Land	It is agreed that an intrusive contamination investigation and risk report for unexploded ordnance be undertaken should consent be granted.	It is proposed to complete a program of suitably targeted ground investigation works across the site to better quantify the nature of risks posed to human health, controlled waters, and other sensitive environmental receptors. Such Phase 2 investigations are envisaged to be secured via a pre-commencement condition on the development. A detailed design proposal and specification for Phase 2 Ground Investigations can be provided in advance of works commencing to allow the regulatory	

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			authorities the opportunity to review and provide comments, ensuring a consensus on the approach for these works is achieved.	
12	Air Quality	The Outline CEMP makes reference to “Avoid bonfires or burning of waste material.” As it is an offence to burn controlled waste without a relevant waste exemption under the Environmental Protection Act 1990, a ‘no burning of waste policy’ should be employed on site. The Outline CEMP makes reference to construction working hours as being: 07:00 hours to 19:00 hours Mondays to Saturdays; and 09:00 hours to 13:00 hours on Sundays. NLC typically recommend the following working hours for planning applications within North Lincolnshire: 08:00 to 18:00 Monday to Friday 08:00 to 13:00 Saturday ; and No times on a Sunday.	The Applicant has updated the Outline Construction Environmental Management Plan [Document Reference 7.1 Revision 2] to confirm there will be a “no burning” policy on site. This commitment will be secure through Requirement 14 of the draft DCO [Document Reference 3.1 Revision 67] .	Agreed

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Table 3-9: Outstanding points of different on the Draft Development Consent Order

<u>Ref</u>	<u>Provision within the Draft DCO</u>	<u>North Lincolnshire Council Position</u>	<u>Applicant Position</u>
<u>1</u>	<u>Draft DCO</u>	<u>All matters agreed</u>	<u>All matters agreed</u>

4 Signatures

This Statement of Common Ground is agreed upon:

On behalf of North Lincolnshire Council:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date: