RWE

Tween Bridge Solar Farm

9.2 Statement of Common Ground with City of Doncaster Council

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Document Reference: 9.2

Deadline 8~~6~~ 6 October~~22 September~~ 2026

Revision 6~~5~~

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1 Introduction

1.1. Purpose of this document

1.1.1. This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Tween Bridge Solar Farm (the 'Scheme').

1.1.2. The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.

1.1.3. The SoCG is a 'live' document that has been prepared by the Applicant and City of Doncaster Council (CDC) Consultee throughout the course of the Examination.

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 Communities[1].

1.1.5. This Guidance comments that:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority'.

1.1.6. The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between the Applicant and CDC Consultee on matters relating to the Scheme. Where matters are yet to be agreed, the parties will continue to proactively work to reach agreement.

~~1.1.7. The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and the CDC Consultee. This SoCG is based on the CDC's Relevant Representation and will be progressed on~~

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

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

1.2. Parties to this Statement of Common Ground

1.2.1. This SoCG has been prepared by (1) the Applicant and (2) CDC.

1.2.2. The Order Limits straddles the administrative boundaries of CDC and North Lincolnshire Council. CDC is therefore a joint host authority for the Scheme.

1.2.3. Collectively, the Applicant and CDC are referred to as 'the parties'.

1.3. Terminology

1.3.1. Section 3 of this document sets out the relevant matters raised 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 1 shows a summary of the meetings and correspondence that has taken place between the Applicant and City of Doncaster Council in relation to the Scheme. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

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

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

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

11 July 2025	Teams Meeting	Meeting between Applicant and City of Doncaster Council to discuss response to Adequacy of Consultation Milestone Response
17 June2025	Email	The Applicant chased the host authorities for an update on their review of the draft PPA.
19 June2025	Email	City of Doncaster Council officers advised they were still reviewing the draft. The delay in responding was due to hearings for another DCO application.
19 June 2025	Email	The Applicant responded advising that their priority was for a response to the Adequacy of Consultation, reiterating the need to submit to PINS in June 2025.
29 July 2025	Email	City of Doncaster Council responded outlining their concerns relating to the Applicant's lack of engagement.
13 August 2025	Email	Applicant's email and attachment setting out Applicant's response to City of Doncaster Council's AoCM response. The letter provided a recap on engagement carried out by the Applicant at the pre-application stage and the driver for acceleration of the DCO application submission. It then went on to outline the Applicant's proposed approach to engaging with the host authorities through the pre-examination stage, together with a proposed approach to cost recovery
8 September 2025	Email	Correspondence from City of Doncaster Council to Applicant accepting the Applicants' approach to a PPA, subject to further considerations of the commuted sums.
5 November 2025	M.Teams Meeting	The Applicant met with City of Doncaster Council planning officers to discuss the proposed PPA/Cost Recovery outlined by the Applicant. The meeting discussed, overview of the draft PPA, review of roles and responsibilities, financial contribution, timescale and programme, and next steps.

25 November 2025	M.Teams Meeting	The Applicant met with City of Doncaster Council planning officers as a follow up to previous meeting (05.11.2025).
30 March 2026	M.Teams Meeting	The Applicant met with City of Doncaster Councill planning officers to provide a project overview, discuss on going strategy of engagement, access to confidential/restricted documents (e.g. badger report), preparing SoCG, the ExA site visit itinerary, the details of the PPA in place, and AOB. It was agreed monthly meetings would be scheduled and if both parties felt not necessary could be cancelled.
21 April 2026	M.Teams Meeting	Regular catch-up call as agreed in previous meeting (30 Marach 2026). Applicant and Council discussed the approach to SoCG. CDC confirmed that Officer's had not flagged any concerns regarding engagement with the Applicant. CDC confirmed no comments or topics to be raised following Open Floor Hearing 1 and Issue Specific Hearing 1. CDC advised the Local Impact Reports (LIR) are being progressed and are using Relevant Representations as a foundation to the LIR. All acknowledged CDC planning lead had not been to site yet and agreed to arrange at convenient time for CDC and NLC.
19 June 2026	M.Teams Meeting	Regular catch up between Pegasus Group and CDC. Discussed the content of the ISH2, ISH3, and OFH2 agendas. No issues and concerns raised by either party.
17 July	M.Teams Meeting	Regular catch up between Pegasus Group and CDC. Discussed the progress of the Statement of Common Ground. Pegasus Group advised CDC of the minor updates to the Scheme, being submitted at Deadline 4, including the removal of some panels and removing some infrastructure from Flood Zone 3b. These updates were to positively respond to consultee comments regarding flooding and impact on built heritage from North Lincolnshire Council. CDC and Pegasus Group agreed no issues with communication between the Applicant and CDC.
20 August	M.Teams Meeting	Regular catch up between Pegasus Group and CDC. The Applicant advised CDC on the Applicant's programme to progress the SoCG for submission at Deadline 6. CDC agreed with the importance to make

		progress on a number of matters and to work with the Applicant to facilitate communication with officers.
16 September	M.Teams Meeting	Regular catch up between Pegasus Group and CDC. The Applicant discussed with CDC the two current priorities; progressing the SoCGs and encourage CDC's legal representative engage with the Applicant regarding comments on the draft DCO. CDC circulated their updated input to the SoCG and their legal representatives contacted the Applicant after the meeting.

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

Table 1 – Record of Engagement since March 2023		
Date	**Method**	**Purpose / Description**
13 March 2023	Email	To agree the scope of the geophysical survey SYAS requested additional information. A draft of the Heritage Baseline Assessment was issued so that SYAS could make an informed decision.
22 March 2023	Email	Following the scoping opinion, a clarified scope and methodology for the setting assessment was submitted to the Design and Conservation Officer at CDC for approval. The proposed scope and methodology were approved on 24 March 2023.
22 June 2023	Email	The WSI for geophysical survey was submitted to the consultee for approval. The methodology was approved on 30 June 2023.
25 October 2023	Email	The project team requested input on the proposed trial trenching strategy but no response was received.
15 November 2023	Email	A geophysical survey summary was issued to SYAS. Input on a trenching strategy was also requested but no response was received.

1 December 2023	Phone Call	SYAS called project team for a detailed discussion about documentary sources which required assessment and review before intrusive works could be considered.
4 December 2023	Email	Follow up email containing a list of non-digital sources requiring review in South Yorkshire HER.
12 March 2024	Email	The project team provided provisional geophysical survey results and the initial geoarchaeological assessment. The team requested a meeting to discuss fieldwalking, test-pitting, next steps for geoarchaeology and trial trenching. A meeting was arranged for 30 April 2024.
30 April 2024	Teams Meeting	The meeting discussed archaeological progress to date and strategy for next steps. Concerns over understanding of warping were raised by SYAS – these were addressed in a revision of the geoarchaeological assessment. Fieldwalking was raised by the Officer as being necessary across the whole of the Order Limits. The Applicant's stance regarding fieldwalking the whole order limits was disproportionate to advise appropriately on archaeological conditions. The Applicant agreed to consider the feasibility of targeted fieldwalking on the basis of areas of potential identified from the baseline and geoarchaeological assessments. Fieldwalking was not presently possible given ground conditions and the very limited extent of ploughing, which was exclusively in areas of limited archaeological potential. This was communicated to SYAS on 12 July 2024. Discussion of trial trenching was declined by SYAS on the basis that the results of other ongoing work, currently unfinished, should first inform the trial trenching strategy.

17 April 2025	Teams Meeting	A meeting was arranged as part of the Statutory Consultation and targeted test-pitting was agreed as a suitable means of assessing areas of prehistoric potential given fieldwalking was not feasible due to ground conditions.
14 May 2025	Email	WSI for targeted test-pitting was issued to SYAS for approval with a provisional start date of 19 May 2025 proposed. Comments were received on 03 June 2025 and work commenced on 09 June 2025.
25 March 2026	Teams Meeting	A meeting was arranged to discuss survey progress, stakeholder concerns and any outstanding areas of disagreement.
15 July 2026	Teams Meeting	A meeting was arranged to discuss stakeholder concerns and any outstanding areas of disagreement. This meeting took place on 15th July 2026. The view of the CDC Conservation Officer was that the assessment of heritage assets should be undertaken in the wider setting of the area of special distinctive character rather than the artificial setting of the smaller contrived areas of the Applicant's assessment. It was further considered that harm was substantial rather than less than substantial and because harm was likely to be experienced by generations of farmers the interruption of farming use would result in permanent harm rather than being temporary in nature. This opinion is based on the special characteristics of the distinctive location and landscape. Also a proposed Biosphere is the subject of a recent application which if successful will have UNESCO status and the Scheme would have a detrimental impact as it is located on land within the influencing areas around the core areas of the Moors at Hatfield and Thorne and Crowle. CDC considers that the Scheme underplays the importance of the significance and the setting of the heritage assets in the wider landscape in terms of views to and from assets, and that the Scheme results in loss of wide sky views which is an important feature of distinctive landscape. It is impossible because of the nature of the Scheme to mitigate against this and therefore a high level of harm results. These issues are discussed in greater detail why in the opinion of CDC the DCO should not be confirmed.

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

Table 1 – Record of Engagement since July 2023		
Date	**Method**	**Purpose / Description**
13 July 2023	Meeting	Meeting between Doncaster Council and Avian Ecology Ltd. Discussed all ecology matters, including skylark mitigation, nightjar mitigation, invertebrate impacts, water quality, hibernacula, mammal connectivity and winter birds mitigation
14 February 2024	Online meeting	Meeting between Doncaster Council and Tyler Grange. Discussed all general ecology matters, including protected species survey effort and proposed mitigation. Updating Doncaster Council, following similar discussions separately with North Lincolnshire Council. specifically with regards to: Non-breeding birds and using Bird Days Calculations to inform mitigation; Breeding bird surveys and acknowledgement was agreed between all parties that research into the use of solar farms by ground-nesting species such as skylark is contradictory. Discussions were also had regarding the scope and length of commitment of off-site skylark plots in adjacent land. Otter and water vole. Both parties acknowledged the need for proportionality regarding survey effort given the extensive length of ditch network, and limited impacts on such. Mink control was also discussed; Bats. Tyler Grange discussed a proposed targeted survey scope to assess impacts on foraging/commuting bats across the Order Limits. North Lincolnshire highlighted that coverage of the canal corridor was required. GCN. All parties acknowledged that eDNA surveys, as already completed, are an acceptable method of establishing GCN presence/likely absence
05 March 2025	Email	Email correspondence between the CDC and Tyler Grange regarding breeding bird survey effort and specifically following the 2025 surveys following the same methodology as was undertaken in 2022 and 2023.

12 March 2025	Online meeting	An online meeting to provide further detail on proposed updated survey methods and timings.
10 April 2025	Online meeting	Online meeting with both Doncaster City Council and North Lincolnshire Council. This was a more detailed discussion on survey scope, methodology and scheme design
15 July 2025	Online Meeting	Meeting to discuss the timetable of the submission, the updated survey work undertaken in 2025 and the fact that the results form 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	The Applicant sent CDC a copy of the BNG metric and requested availability for a meeting.
23 February 2026	Email	The Applicant sent CDC a further copy of the BNG metric in a different format to ensure it had been received, and requested availability for a meeting.
26 February 2026	Email	The Applicant checked that CDC had received the BNG metric and whether they had availability for a meeting.
10 March 2026	Email	CDC confirmed receipt of the BNG metric and provided dates for a meeting.
11 March 2026	Email	The Applicant confirmed meeting dates with CDC.
18 March 2026	Online Meeting	The Applicant and CDC discussed the application and principally Skylark - construction mitigation, operation mitigation and monitoring requirements; reptiles – survey requirements and mitigation; Non-Breeding Bird Mitigation Strategy and BNG.
30 March 2026	Email	The Applicant emailed CDC and also North Lincolnshire Council to arrange a meeting between all parties.
20 April 2026	Email	The Applicant emailed CDC and also North Lincolnshire Council to confirm a meeting between all parties.

22 April 2026	Online Meeting	Meeting to provide an update on the scheme and discuss specifically skylark mitigation. Reptile mitigation in the CDC confirmed that they no longer require further Surveys as long as appropriate mitigation is implemented, nightjar assessment and the requirement for further detail on habitat availability post-construction, BNG and monitoring.
21 May 2026	Email	The Applicant provided meeting minutes from the 22 April meeting, confirmed that the required updates had been provided in the relevant documents, including the OLEMP, OECMP, BNG and HRA, and requested a further meeting.
04 June 2026	Email	The Applicant requested an updated on the Deadline 2 submissions and confirmed that BNG was being updated for Deadline 3. The Applicant stated that once documents have been reviewed, if there are still any outstanding issues it would be useful to arrange another meeting and requested availability.
18 June 2026	Email	The Applicant sent a further request the CDC for an update on the submitted Deadline 2 submissions.
25 June 2026	Online Meeting	To discuss the points from the hearing, including skylark mitigation and the fact that CDC will not be requesting use of a skylark metric, the fact that the Applicant has addressed the BNG trading rules and changed the grassland type underneath solar panels to meet the requirements of CDC.
25 June 2026	Email	CDC provided an advice note on BNG in South Yorkshire, entitled - Solar Farms and BNG in South Yorkshire REVISION 3.
01 July 2026	Email	The Applicant confirmed to CDC that the South Yorkshire BNG advice note had been followed as part of the BNG update for Deadline 3. The Applicant also sent additional plans and detail on grassland buffers and habitat that will be available for nightjar.
27 July 2026	Email	The Applicant sent CDC and North Lincolnshire a copy of the most up to date BNG metric that was submitted at Deadline 3, as it was not appearing on the Examination library. The Applicant also confirmed that CDCs previous comments had been addressed, although it

		was not possible to complete cross-section drawings and series of photographs had been provided instead to show mitigation areas.
05 August 2026	Email	CDC emailed the Applicant and confirmed they have reviewed the BNG metric, that the trading rules breach has been corrected and requested further information regarding grassland types and strategic significance. CDC also suggested a meeting to discuss further.
06 August 2026	Email	The Applicant confirmed the correct plans for CDC to review to establish the grassland types being created within the Order Limits and confirmed further information on strategic significance would be provided.
06 August 2026	Email	CDC thanked the Applicant for confirming the plans to review to establish grassland types. CDC also informed the Applicant that long-term habitat monitoring fees need to be agreed and that they impose these on all mandatory BNG schemes.
11 August 2026	Email	The Applicant confirmed meeting timings and also confirmed that the CDC guidance regarding strategic significance had been followed.
11 August 2026	Online Meeting	Meeting to discuss the BNG assessment in regards to strategic significance for the Scheme.
02 September 2026	Email	The Applicant emailed CDC on the understanding that their original ecologist had retired and to confirm the relevant contact at CDC who was now working on this scheme on behalf of CDC. In addition, the Applicant asked CDC if they had any draft wording for the drafting of draft DCO requirement, due to the ExQ3, as question Q3.2.2 states – "Could CDC and the applicant please come to an agreement on draft wording for dDCO Requirement 8(3)(a)."
08 September 2026	Email	The Applicant enquired with CDC when they would be able to respond to the previous email regarding the ExQ3 question and to also confirm who at CDC is now working on this Scheme.

14 September 2026	Email	CDC confirmed that they are reviewing recent information and will provide a response regarding the drafting of draft DCO requirement in due course.
17 September 2026	Email	CDC provided draft wording for the draft DCO requirement relating to mimimum BNG area calculations.
17 September 2026	Email	The Applicant suggested to CDC some minor amendments of the BNG area calculations for the draft DCO.
18 September 2026	Email	CDC confirmed that they would be happy to accept the following minimum BNG area calculations within the draft DCO requirements: 20% for habitat units, 100% for hedgerow units and 10% for watercourses.

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

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

23/03/2026	Email correspondence	Email from Pegasus Socio Economics team to Business Doncaster providing a summary of what was discussed during the meeting on 16/03/2026 and an example of potential edits to the OSCESP for further consideration and comment.
07/04/2026	Email correspondence	Email from Business Doncaster to Pegasus Socio Economics team providing further comment and clarification as to the expectations in respect of future iteration of the OSCESP [REP1-038].

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

Table 1 – Record of Engagement since [xx]		
Date	**Method**	**Purpose / Description**
N/A	N/A	The Council advised from the outset of the projects they did not have the relevant expertise to comment on the landscape assessment or proposals relating to this application. There was no engagement between the Applicant and a landscape officer/consultant acting on behalf of the Council prior to the submission of the DCO application. After the application had been accepted by PINS and the PPA signed, the Council advised that Tetra Tech had been appointed to comment on the proposals.
04.03.2026	Email	The Applicant contacted Tetra Tech, acting on behalf of the Council, to arrange a meeting to discuss the landscape assessment and proposals.
11.03.2026	M.Teams Meeting	The Applicant met with Tetra Tech, acting as landscape consultant on behalf of City of Doncaster Council. Tetra Tech ran through their scheme observations that will be presented within their reporting to City of Doncaster Council.
27 August 2026	Meeting at Pegasus Group Offices, Leeds	The Applicant met with Tetra Tech, acting as landscape consultant on behalf of City of Doncaster Council. Matters of agreement and disagreement were discussed, with the SoCG updated accordingly.

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

Table 2-6 – Record of Engagement since October 2023		
Date	**Method**	**Purpose / Description**
October 2023	Email Consultation	The Applicant requested early engagement with City of Doncaster Council Flood Risk Officers.
December 2024	Email Consultation	Flood risk and drainage information on the Scheme provided to City of Doncaster Council for comment.
February 2025	Email Consultation	Flood risk and drainage comments received from City of Doncaster Council.
May 2025	Email Consultation	Statutory consultation comments received.
March 2026	Email Consultation	Request for private water supply records held by City of Doncaster Council.

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

Table 1 – Record of Engagement since [March 2023]		
Date	**Method**	**Purpose / Description**
9 March 2023	Email	Email from Pegasus Group seeking agreement on the scope of Automatic Traffic Count surveys to be carried out within CDC area.
23 March 2023	Email	Correspondence between Pegasus Group and CDC PRoW officers with regard to whether the Council held any records of PRoW usage.
26 April 2023	Email	Response from CDC acknowledging the email seeking agreement on the scope of the Automatic Traffic Count surveys dated 9 March 2023.

24 November 2023	Email	Email from Pegasus Group requesting a meeting with CDC highway officers to discuss the Scheme and the proposed highways and transportation work to be submitted in support of the application.
12 January 2024	Email	Chasing email from Pegasus Group requesting a response from CDC.
15 January 2024	Email	Response from CDC Head of Planning apologising for lack of responses and providing the names and contacts of highways officers within the Council for future correspondence to be directed.
17 February 2026	Email	Email issued to highway officers Andy Wiltshire and Steve Larkin, as well as PRoW officer Andy Carnell (with heads of Planning Emma Keefe and Roy Sykes included) providing the Transport related documents submitted for examination and requesting a meeting to discuss the proposals. The Highways officers were also consulted as part of the statutory consultation, but did not issue a response.
11 March 2026	M.Teams meeting	The Applicant met with representatives of the highway authority on 11.03.26. The following items were discussed: • the proposed access points. • The routing proposed for construction traffic. • The mitigation measures proposed in the OCTMP. • Securing S184/S278 agreements within the DCO. • Public rights of way; and • Clarification on Schedule 4 and the Streets and Access Plans.
15 April 2026	M.Teams meeting	The Applicant met with representatives of the highway authority on 15.04.26. The following items were discussed: • The need for road safety audits at all access points; • Surfacing requirements;

		• Details of construction compounds; • PRoW mitigation; and • Doncaster Streetworks Permit and reference within the draft DCO.
17 August 2026	Email	Email issued to highway officer seeking confirmation of agreement to remaining points in the SoCG (item 8).
28 August 2026	Email	Response from CDC confirming that subject to clarification on the surfacing (bound and matting) to be provided at each access point, all matters are agreed.

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

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

2.1.10. Table 2-7: Record of Engagement with City of Doncaster Council's legal advisors on drafting of the Draft DCO

Table 1 – Record of Engagement since May 2026		
Date	**Method**	**Purpose / Description**
21 May 2026	M.Teams Meeting	Call held between the Applicant and CDC's legal advisors to discuss CDC's comments on drafting within the Draft DCO.
14 July 2026	Email	The Applicant emailed City of Doncaster Council's advisors noting that City of Doncaster Council's Deadline 3 submission had suggested agreeing protective provisions for City of Doncaster Council as local highway authority, and requesting sight of the Council's suggested protective provisions.
24 July 2026	Email	City of Doncaster Council's legal advisors responded to the Applicant with a copy of the Council's proposed protective provisions for local highway authorities.
30 July 2026	Email	The Applicant responded to City of Doncaster Council's legal advisors, provided comments and edits to the Council's preferred protective provisions for local highway authorities and noting that the Applicant's preferred provisions would be included in the Draft DCO at Deadline 5 on 4th August.
13 August 2026	Email	City of Doncaster Council's legal advisors confirmed receipt of the Applicant's comments on the protective provisions for local highway authorities.
24 August 2026	Email	The Applicant chased the Council's legal advisors requesting further comments on the protective provisions before the end of the month given Deadline 6 on 22nd September.
9 September 2026	Email	The Applicant chased the Council's legal advisors requesting further comments on the draft protective provisions for local highway authorities.
15 September 2026	Email	The Applicant emailed the Council's legal advisors noting that due to having not received comments on the protective provisions, the protective provisions within the Draft DCO would not be updated at Deadline 6. The Applicant also noted the North Lincolnshire Council had now asked for the protective provisions to apply to

		them as well and requested confirmation that City of Doncaster Council was happy with this.
17 September 2026	Email	City of Doncaster Council's legal advisors responded to the Applicant's emails providing comments on the draft protective provisions for local highway authorities and confirming that they were happy for the protective provisions to apply to North Lincolnshire Council as well as City of Doncaster Council.
17 September 2026	Email	The Applicant responded to the Council's legal advisors confirming receipt of their comments on the draft protective provisions and noting that the Applicant would respond in detail following Deadline 6.

3 Current Position

3.1.1. The table below provides a summary of the ~~current~~ final position of the Applicant and the City of Doncaster Council in relation to specific matters that have been under discussion to date.

3.1.2. Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.

~~3.1.3. As noted above, this is a 'live' document and drafted prior to the publication of DCD Local Impact Report. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement had been reached between the parties.~~

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

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		of renewable and low carbon sources of energy in suitable locations across the Borough are central to achieving our commitments on both reducing carbon emissions and combating the effects of climate change.		
2	NPS	*Paragraphs 4.1 to 4.4 of RR* 4.1 The legislative basis for the proposed development is set out within The Planning Act 2008, which defines the process under which consent for Nationally Significant Infrastructure Projects are determined. National Policy Statements: 4.2 In accordance with Section 104(2) of the Planning Act 2008, the Secretary of State is required to have regard to any relevant national policy statements, amongst other matters, when deciding whether or not to grant a Development Consent Order. 4.3 The relevant National Policy Statements ("NPSs") include the Overarching National Policy Statement for Energy (EN-1) (Department for Energy Security and Net Zero, published January 2024), the National	The Applicant agrees that the designated energy NPSs form the primary basis against which the scheme must be assessed. See Section 6.3 of the Applicant's **Planning Statement [REP2-012].**	Agreed

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

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

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

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

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

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Landscape Historical Context	Paragraph 8.1 to 8.2 of RR The importance of the landscape comprising the Order limits and beyond in heritage terms has, in the view of CDC, been significantly downplayed by the Applicant in its assessments. Understanding the local distinctiveness of the land within the Order limits is key in this respect and this has not been properly considered. Much of what gives this landscape its distinctiveness is tied to its historic context, in particular the fact that it is reclaimed land by the drainage scheme implemented by	The historic landscape within the **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]** has considered the identified elements of the historic landscape (such as Thorne Moor and Hatfield Moor) as non-designated heritage assets. Similar comments from North Lincolnshire were also actioned with regard to the Isle of Axholme. No comments have been received from CDC with regard to concerns over the consideration of the wider "Vermuyden reclaimed landscape" – this is not considered to be a heritage asset in its own	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		Cornelius Vermuyden (1595–1677), a Dutch engineer commissioned by King Charles I to drain vast areas of wetlands in England, including Hatfield Chase and the Fens of East Anglia. His work in the 17th century involved cutting canals (like the Old and New Bedford Rivers), redirecting rivers (e.g., the River Don became the "Dutch River"), and constructing embankments, transforming wild marshlands into fertile farmland. These engineering works are some of the largest man-made landscape features in England and his influence is still seen across the landscape comprising the Order limits and beyond. The resultant strips of land are usually long slivers separated by drainage channels running at the side of field boundaries. Historically, this attracted a type of farming which involved many small-scale farmers cultivating these small areas /fields of land not always contiguous. The management and drainage of the land has been carefully managed over the past 200 years initially by the Hatfield Chase Company and then by internal drainage boards to optimise the productivity of the land and to maintain the drainage system.	right and is not identified on any database as such. The comment from CDC to provide a more detailed consideration of the implications of the Scheme upon Thorne Conservation Area were addressed in the **ES Technical Appendix 8.1: Heritage Baseline [REP4-032]** Vermuyden's drainage work has been altered and developed in the later post-medieval period including through later drainage works, the construction of the Stainforth and Keadby Canal, Inclosure of Common fields and the areas of 19th century warp draining that lie within the Order Limits. Some of the larger dykes within the north-western part of the scheme are as recent as the mid 20th-century. The evolution of the post-medieval landscape is recorded in paragraphs 5.125-5.138 and Plates 8-13 of the **ES Technical Appendix 8.1: Heritage Baseline [REP4-032].** The Scheme will not result in changes to the drainage or the ability of the internal drainage boards to manage the drainage system. The position regarding flooding and	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		This has helped to maintain the local distinctiveness of the landscape.	drainage is outlined in Table 3-8 of this SoCG. The local distinctiveness noted is the result of several phases of landscape evolution and has seen significant changes over time. The results of the geophysical survey clearly indicate the impact of 20th century field amalgamation on the historic character of the landscape with large numbers of earlier field drains identified as subsurface remains (**Environmental Statement Appendix 8.2 Geophysical Survey Report [APP-086 – APP-092]**). The position noted above is supported by Miller (Isle of Axholme HLC, 1997) who records mechanisation from 1918 onwards as a key contributory factor in the loss of hedgerows, field amalgamation and desiccation of peat soils (p. 31). Miller notes that fields within the Recently Enclosed Landscape (REL) character area within which the Scheme is generally located were historically largely comprised of rectilinear fields bounded by both hedges and ditches (see pages 58, 64, 65).	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
2	Historical Landscape Context	Paragraph 8.3 of RR This physical legacy creates a clear local distinctiveness across the landscape of small parcels /fields separated by drainage channels. Whilst there has been a trend in modern times for the amalgamation of fields, it is impossible to erase the local distinctiveness here because of the dykes, ditches and drains which define the small parcels of land. In historic terms, this also has an important wider bearing on the significance of Doncaster as an agricultural centre of major influence.	The Applicant notes that the Scheme will not erase or alter any of the historic dykes and the field pattern will remain legible. Whilst the temporary introduction of solar arrays will alter the arable agricultural character of the Order Limits for the duration of the Scheme, it will be returned following the conclusion of decommissioning. Paragraph 8.3 of the RR notes that 'it is impossible to erase the local distinctiveness because of the dykes, ditches and drains…'. The Applicant agrees with this point. The assessment undertaken has concluded that the temporary introduction of solar panels will not adversely affect the historic landscape as the field pattern and associated ditches will remain unaltered. During Operation the land within the Scheme will be grazed by sheep. The panels will sit on top of and within the landscape as they are situated within the existing field parcels. The panels will not obscure the ground beneath nor will they change the land beneath – this will be visible when moving through the areas and the ability to understand their agricultural use	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			and local distinctiveness will not be completely removed.	
3		Paragraph 8.5 of RR The special interest of the heritage assets in the area must be understood as the way which they interact with the local distinctiveness of the Vermuyden "won land", as described above, and through proper recognition that the dispersed and isolated nature of the farm houses, as indicated by the long views, is an important contribution to local distinctiveness much more than just the physical attributes of the buildings and fabric which has been the focus of the Applicant's assessment (erroneously in the view of CDC). It is, in fact, quite wrong to suggest that heritage interest is mainly limited to the fabric of the building. Proper and thorough consideration of local distinctiveness, making use of earlier land character studies as a fundamental starting point would assist in a wider, more holistic, and altogether more appropriate, approach to	The Applicant notes that the study area for built heritage assets was agreed within the **Planning Inspectorate's EIA Scoping Opinion,** presented at **ES Technical Appendix 1.1 [APP-057]** and at paragraph 8.1.3 of the **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]**. It is noted that that City of Doncaster Council did not comment on heritage matters as part of their scoping consultee response. This extensive study area allowed for the identification of long distance views and intervisibility that contribute to significance. The Applicant disagrees with the suggestion that significance has been limited to the fabric of the buildings. Appendix 8.1- **Heritage Baseline Assessment [REP4-032]** set out what elements of the asset contribute to the significance within the descriptions and it is clear that the reason for the designation or identification as non-designated assets in question in this	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		the analysis. CDC would welcome the opportunity to discuss these studies with the Applicant to further assist their understanding of the landscape which, unfortunately, is demonstrably lacking at present.	assessment is primarily the physical fabric of the asset. There is no suggestion that setting makes no contribution but rather the contribution the setting makes proportionately has been set out. The **ES Technical Appendix 8.1: Heritage Baseline [REP4-032]** and **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]** have specifically considered the setting and intervisibility of the built assets within the wider landscape. The temporary introduction of solar arrays will not affect the ability of people within the landscape to understand the openness and expansiveness associated with dispersed farmsteads.	
4	Setting of Sandhill Farmhouse	Paragraph 8.8 of RR The ES suggests that the setting of this listed building is limited particularly in the views to the north of the farmhouse and therefore the impact of the solar farm is not particularly restrictive on the setting	The Applicant has noted at paragraphs 8.6.67; 8.6.80; and, 8.6.93 of the **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]** and in more detail at paragraphs 6.22-6.33 of the **ES Volume 3 Technical Appendix 8.1 Heritage Baseline Assessment [REP4-032]** that there will be	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		associated with the listed building. Whilst it is accepted that tree planting around the site provides some softening of the open landscape, there remains a very clear sense of openness and isolation here. Without doubt, losing this through the proposed development would harm the setting of the listed building.	temporary less than substantial harm to the significance of the farmhouse through changes to its rural setting and views arising from the introduction of solar arrays.	
5		In fact, Sand Hill Farm remains very visible from the track/access road (Jacques Bank), much further to the east, going over Dirtness Levels to Medge Hall and the canal. Views across the fields in Lincolnshire towards Sand Hill Farm take in the edges of fields in the slightly undulating landscape. Furthermore, long distance views looking north to the wind farm at Tween Bridge from Jacques Bank, Green Bank, Clay Bank Road and Double Bridges Road give an overriding impression of isolated openness as the wind farm in distant views provides a bookend for these views over the distinctive generally flat countryside.	An assessment of Sandhill Farmhouse is presented within paragraph 6.22 to 6.33 of the **ES Technical Appendix 8.1 Heritage Baseline Assessment [REP4-032].** The very distant intervisibility of the eastern elevation of Sandhill Farmhouse is acknowledged but it is surrounded by a substantial buffer of agricultural land and the temporary introduction of solar arrays will not affect the ability of people within the landscape to understand the openness and expansiveness with dispersed farmsteads.	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
6		Paragraph 8.10 of RR The flat open countryside with limited hedging along the small field boundaries which are mainly formed with open ditches form part of the local distinctiveness of the Vermuyden won landscape. The tree planting which has taken place around the isolated farmhouses such as Sand Hill Farm and Red House Farm emphasise the remoteness and openness of the area particularly with the benefit of long distant views.	From the map regression undertaken as part of the **ES Technical Appendix 8.1, Heritage Baseline Assessment [REP4-032]** it is clear that there have been hedges within the landscape for a considerable period. The hedges immediately surrounding Sandhill Farm, for example, were recorded as being more extensive on the 1893 OS Map than at the present day which clearly supports the limited reintroduction of some hedges within the landscape. Historic mapping can be found within the **ES Technical Appendix 9.1 Phase 1 Ground Conditions Desk Study Reports for Land Parcels A-E part 2 [APP-098 to APP-106]**.	Not Agreed
7		Paragraph 8.11 - 8.12 of RR The reference within the ES to the sparseness of hedges on field boundaries disingenuously implies the quality of the landscape is lacking in some form. Moreover, to infer from this that the proposed planting scheme provides some improvement to the landscape over and above the need to screen the proposed development fundamentally fails to	The Applicant disagrees that the comments around hedgerows makes any value judgment regarding the landscape and its quality, it merely highlights that there are some sparse and gappy hedges within the Order Limits and wider landscape. As noted at paragraph 8.7.4 of the **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]** hedge planting forms only part of the proposed scheme of	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		recognise that the lack of hedged field boundaries is a key contributory aspect to the local distinctiveness of the area. In fact, hedges would serve to irrevocably change this important character. As such, the proposed planting to mitigate the impacts of the development would, in and of itself, cause harm in historic landscape terms. 8.12 In this respect, CDC would also question how the existing historic watercourses could be properly managed and maintained with such planting in situ.	mitigation with offsets to retain suitable margins around/or views from the assets to minimise the adverse effects also embedded within the design. The **Outline Operational Environmental Management Plan [REP4-037]** sets out management principles for the ditches and watercourses during the operational lifetime of the development.	
8	Archaeology	Paragraph 8.15 – 8.17 of RR The site is bordered by Thorne Moors to the north and Hatfield Moors to the south and would have been part of this fenland moor landscape prior to the drainage works initiated in the 17th century. This has had a bearing on the character of archaeological potential within the site with the nature of the archaeological resource likely to be represented by lithic scatters of Mesolithic, Neolithic & Bronze Age date (c.10,000-1,000 years ago), features dating to the 17th century or later and paleoenvironmental	The research undertaken with regard to the historic environment has been an iterative process. The results are detailed in the **ES Technical Appendix 8.1, Heritage Baseline Assessment [REP4-032]**. Initially desk-based research was undertaken which was informed by: HER data; archival sources; historic cartographic sources; Site walkover; Aerial photograph analysis; LiDAR analysis; and	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		evidence largely within former river channels or deposits of peat. 8.16 This leads on to the main area of disagreement - the type and timing of archaeological evaluation techniques employed. The disagreement is recognised by the applicants in their Potential Main Issues for Examination report (EN010148-000240-5.9 Potential Main Issues for Examination) [APP036]. Items HER-02 and HER-03 concern archaeological fieldwork techniques and their timing (field-walking and trial trenching respectively). Archaeological research should be an iterative process with the results of one piece of work feeding into the design of the next. Fieldwalking is a broad brush evaluation technique aimed at identifying areas of archaeological interest across large areas. Trial trenching characterises deposits and archaeological activity at a particular location. Fieldwalking is the more suitable technique for identifying lithic scatters within this site and, as such, SYAS advised it should be undertaken before any trial trenching so that the results could inform the location of the trenches or other	Review of previous archaeological assessments. Further to this, due to the acknowledged geoarchaeological potential of the Order Limits a specialist assessment was commissioned and its findings used to revise the heritage assessment; **ES Technical Appendix 8.3 Geoarchaeological Assessment [REP2-043]**. Further evaluation has been undertaken in the form of a geophysical survey of the entire Order Limits. The anomalies identified were also then considered as possible archaeological assets within the assessment. This has been revised on several occasions as a result of the evolving Order Limits to ensure complete survey coverage. The results are detailed in **ES Technical Appendix 8.2 Geophysical Survey Report [APP-086 – APP-092].** The presence of prehistoric archaeological potential was identified at an early stage and the feasibility of undertaking fieldwalking was assessed in both 2023 and 2024. Due to the prevailing agricultural regimes within the Order Limits most of the land was found to	

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		development and, if so, the nature of these;" EN010148-000359-6.3.8.6 Outline Archaeological Strategy: para 4.2 (1)	This test pitting is not a replacement for fieldwalking but rather an additional piece of work to provide information until such time as fieldwalking would be possible to undertake with the potential for meaningful results to be achieved. It should be noted that trial trenching has been completed within targeted areas of the Order Limits, in North Lincolnshire, where this evaluation technique would be the most effective and where archaeological potential was such that it needed to be further investigated to inform the scheme design, as set out in the **ES Technical Appendix 8.4 Trial Trenching Report [APP-094].** It is the case that a full suite of evaluation has taken place to inform the assessment of the Scheme.	
		Paragraph 8.18 of RR This archaeological mitigation strategy is actually an archaeological evaluation and mitigation strategy that the applicants propose should be undertaken post consent. However, determining the impact	The approach to assessing potential impacts to the archaeological resource within **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]** has been precautionary with a worst-case scenario employed to ensure adverse effects are	Not Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		of a proposed development upon potential archaeological remains is something that needs to be understood prior to determination so that appropriate planning weight can be afforded. To not do so could lead to harm to archaeological remains or inappropriate mitigation post-consent. Perhaps a useful compromise would be to evaluate the areas of high impact construction activities such as below ground cable routes, directional drilling access pits, temporary compounds, BESS and substations at this stage so that any issues could be addressed in a more timely fashion.	clearly articulated and due weight given to these. The exact routes and construction details for the higher impact elements of the Scheme would be developed as part of the detailed design of the Scheme and secured by requirement, notably requirement 6 of the **Draft Development Consent Order** [~~**Document Reference 3.1 Revision 9**~~Document Reference 3.1 Revision 10]. The Applicant is confident that any potential evaluation or mitigation required within these areas can be delivered in a timely fashion post-consent. The **Outline AMS [REP4-034]** has been amended to include a zoning plan following comments received from SYAS on behalf of CDC.	
9		Paragraph 8.19 - 8.20 of RR Where the oAMS specifies mitigation measures rather than evaluation techniques, SYAS is broadly in agreement	The Applicant acknowledges the broad agreement. The Applicant has considered the comments provided and will continue to engage on the	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		with the proposals. Micro-siting should be added to the options specified in paragraph 5.10 as another method of avoiding archaeological impacts. As we were not given the opportunity to review the strategy before submission, there are a number of minor revisions that should be added: • Details arrangements for monitoring the fieldwork by local authorities should be included • The oAMS should use the language of the DCO stating in paragraph 5.11 that site specific WSIs "will be substantially in accordance with this strategy" • In paragraph 5.14, archaeological advisors should be notified of the date of commencement of the archaeological fieldwork at least two weeks in advance • WSIs should also comply with regional and county standards & guidance • Fieldwalking should be undertaken on a 10m transect	**ES Technical Appendix 8.6 Outline Archaeological Mitigation Strategy [REP4-034]** to ensure the approaches detailed are acceptable to the City of Doncaster Council. The Applicant has prepared a revised **Outline Archaeological Mitigation Strategy [REP4-034].** Requirement 12 of the **Draft Development Consent Order [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10]** secures the Outline AMS by stipulating that the written scheme of investigation for each development phase must be substantially in accordance with the Outline AMS. Requirement 12 also provides approval rights to the relevant local planning authority of a written scheme of investigation for each phase of development. The comments provided by SYAS on behalf of CDC have been addressed in the Outline AMS. The **Outline AMS [REP4-034]** has been amended to include a zoning plan following comments received from SYAS on behalf of CDC.	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		• Archaeological Monitoring (Watching Brief) -This mitigation measure needs more careful explanation. It cannot be a watching brief if the machine is under the supervision of an archaeologist (paragraph 5.64) • Section 9 should also specify that details of the location and restrictions to works in archaeologically sensitive areas excluded through design or preserved in situ by design should be included in other relevant Outline plans. 8.20 SYAS noted in the statutory consultation response that operational and decommissioning effects should not be scoped out and continue to hold this view. No specific measures are proposed for Cultural Heritage as part of the environmental management and monitoring measures in the Outline Operational Environmental Management Plan (oOEMP) [APP-177]. However, there is a minor threat to the archaeological mitigation areas preserved in situ by design or exclusion through a lack of information. A plan showing archaeological mitigation areas	Further amendments to the zoning plan within the **Outline AMS [REP4-034]** will be made for Deadline 5 following additional feedback received in a meeting with SYAS on 15 July 2026.	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		should be included in the oOEMP and like for like replacement of foundations and cabling should be stipulated.		
10		8.21 The Outline Decommissioning Environmental Management Plan [APP-178] does include provision for protecting any archaeological remains during decommissioning and SYAS agrees with these. The final document should include a plan showing the archaeological mitigation areas preserved in situ and make provision for decommissioning methods to be assessed by SYAS on behalf of the local planning authority.	This change is agreed. The Applicant has updated the **Outline Decommissioning Environmental Management Plan [~~Document Reference 7.3 Revision 5~~REP5-026]** to include an appropriate plan.	Agreed
11	Outline Landscape Ecological Management Plan	The Outline Landscape Ecological Management Plan (oLEMP) [APP-181] describes operations concerned with the creation of habitats such as harrowing, rolling, tree planting and scrape creation. The impacts of these groundworks will require assessment. The oLEMP should be cross-referenced with the oAMS to ensure that no harmful groundworks undertaken	This change is agreed. The Applicant has updated the **Outline Landscape Ecological Management Plan (oLEMP) [~~Document Reference 7.6 Revision 6~~REP6-036~~-~~]** and the **ES Technical Appendix 8.6 Outline Archaeological Mitigation Strategy [REP4-034]** to ensure any potential impacts are	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		for ecological mitigation occur within areas where archaeological remains are preserved in situ.	identified and appropriate mitigation is in place.	
12	Outline Archaeological Mitigation Strategy and Zoning Plan	CDC agree that the Outline Archaeological Mitigation Strategy (oAMS) and Zoning Plan are an appropriate mechanism to deliver any further archaeological works that may be required.	The Applicant and the Archaeology Officer have discussed the Outline Archaeological Mitigation Strategy and the zoning plan that it contains. The discussions have agreed that the zoning plan and the oAMS provide a suitable mechanism to deliver the appropriate programme of further archaeological investigations required within the Order Limits. It is agreed that the zoning plan affords a suitable basis to determine the potential for impacts to arise to archaeologically sensitive deposits or remains within the Order Limits and to develop a proportionate programme of additional archaeological investigation. Initial discussions have agreed a possible approach to addressing the archaeological resource which will entail geoarchaeological	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			investigation with subsequent targeted fieldwalking and trial trenching. The exact scope and methodologies agreed will be determined following detailed design and will be agreed with stakeholders on a location specific basis.	
132	Engagement	Based on the content of the SYAS advice above, it is clear to CDC that the Applicant has failed to properly engage with SYAS on substantive matters for a prolonged period, leading to fundamental flaws in the submission. This is another example of the Applicant's disregard for the importance of meaningful, constructive engagement throughout the NSIP process.	The Applicant does not accept CDC's assertion that the submission is *'fundamentally flawed'*. There has been ongoing engagement with SYAS during the development of the Application which is evidenced through the Consultation Log, section 8.2, in **ES Volume 2 Chapter 8: Cultural Heritage and Archaeology [REP4-025]**. SYAS feedback and guidance has been sought and the results used to inform the present assessment and moving forwards with ensuring the delivery of an appropriate scheme of archaeological mitigation.	Not Agreed

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

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

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Skylark	7.1 The matter of significant effects on skylark population has been previously raised by CDC by requesting information on mitigation measures. The issue of the displacement of skylarks by solar farms has been the subject of a number of studies and reports. The article 'Blithe Spirit: Are Skylarks Being Overlooked in Impact Assessment?'14 provides some very specific advice on mitigation targeting for this species. The breeding bird survey has identified 269 skylark breeding territories over the 1830ha of the Order limits and this is a breeding density of 0.15territories /ha. Although this is a relatively low density compared to some habitats with a higher limit of holding 0.76 territories/ha, the Order limits does still hold a significant number of breeding skylarks. Given the skylark is on the International Union for Conservation of Nature Red List of Threatened Species (the IUCN Red List), as well as being Priority Species throughout the UK, the retention and persistence of the skylark population within the Order Limits is of significant importance. This is reiterated at paragraph 7.5.121 with the comment that	The Applicant agrees that any unmitigated construction works could have a major adverse impact and has therefore developed a mitigation strategy to mitigate construction impacts, including timing of works and pre-commencement checks, as detailed in the submitted documents including the **ES Volume 2 Chapter 7: Ecology and Nature Conservation [REP5-012]** and the **Outline Ecological Construction Management Plan [~~REP5-030~~REP6-034]**.	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		the ground nesting bird assemblages including skylark are of National-Regional/County significance and as such any unmitigated construction works would have a major adverse impact.		
2	Skylark	7.2 CDC considers that given the high number of skylark breeding territories some bespoke elements targeting the needs of skylarks should be included in all the 127ha of mitigation land for ground nesting birds. The "Fox Article" provides a mitigation metric based upon recent research into skylark breeding ecology, and this should be seriously considered in the finalisation of mitigation measures for ground nesting birds including skylark. CDC has been involved in producing a joint South Yorkshire wide: (Doncaster/Barnsley/Rotherham/Sheffield) approach to skylark mitigation, however there is currently a wide range of opinions coming from peer reviewed papers and articles in respect of skylark mitigation and where a position appears to be sound; it is refuted by an opposing position. Ultimately there may not be a total agreement	The Applicant agrees that bespoke elements targeting the needs of skylarks should be included in all the 127ha of mitigation land for ground nesting birds and this is included in the **ES Volume 2 Chapter 7: Ecology and Nature Conservation [REP5-012]** and the **Outline Operational Landscape Ecological Management Plan [~~Document Reference 7.6 Revision 6~~REP6-036]** which includes measures detailed in the 'The Fox Article'. However, as detailed in this article, there are limitations to the approach presented and the purpose of the article is to provide a starting point for discussion and is not an approved methodology for determining skylark mitigation: '*The prototype methodology given here is not perfect, makes several assumptions and is as yet without monitoring data. However, it is anticipated to provide a*	Agreed

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		between CDC and the applicants on such mitigation measures. From discussions and amendments to the proposed layout there will be an iterative approach to mitigation through long term monitoring. CDC are satisfied with this approach and there can be agreement on this basis	*starting point for discussion on GNB mitigation.*' (Fox. 2022)[2]. In addition to the above, the Applicant has also had regard to guidance from the RSPB, Natural England, and research by Donald 2004[3].As detailed in the 'Fox Article' The steady decline of the skylark population since the 1970s is mainly due to agricultural intensification and habitat loss. In addition to this, intensive farmland, which is the predominant habitat within the Order Limits, often provides a suitable nesting window only briefly, making only one or two skylark broods possible, and sometimes none. Therefore, the bespoke measures for skylark mitigation will include specific measures to ensure optimal habitat is provided for skylark that will assist with increasing the carrying capacity of the habitats available. As detailed by Donald 2004 (referenced above), in optimal habitat,	

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

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

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			skylarks can have up to four broods per year. Therefore, although the overall habitat extent in area may decrease post-construction, the carrying capacity and habitat conditions will increase, potentially enabling an increase in successful breeding and broods. The bespoke mitigation measures include: sward height managed optimally for nesting skylark, at 20-50cm; the provision of skylark foraging plots to increase foraging opportunities; the provision of beetle banks to increase foraging opportunities; the use of species-rich neutral grassland to increase foraging opportunities within mitigation areas and around solar arrays; wide uncultivated margins to increase foraging, retention of winter stubbles to provide a longer nesting season and better winter foraging too. The Applicant also highlights that not all potential territories recorded during surveys are necessarily successful nesting skylarks, therefore, there are likely less nesting skylark within the Order Limits than territories	

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			recorded. As detailed in the 'Fox Article'[4], *'singing is not a conclusive indicator of a viable nest.'* The 'Fox Article'[5] also states that skylark forage within solar farms and that It is possible that development sites with suitable grassland could provide 'nursery' habitat where nesting takes place on adjacent farmland and that if the carrying capacity of neighbouring habitat allows, some degree of 'absorption' of skylark territories into the surroundings is theoretically possible. Further to this, the article continues by stating that *'Where sites are in proximity to heaths, moorland or coastal grassland this may be more likely'*. Heaths and moorland are located in proximity to the Order Limits and therefore provide further likelihood of absorption of territories in the wider area.	

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

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

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			The Applicant therefore considers that the proposed mitigation measures—comprising extensive areas of grassland within the mitigation areas managed specifically for skylarks, alongside areas of arable habitat—will substantially enhance nesting and foraging opportunities. These measures are expected to increase the carrying capacity of the available habitat and enable skylarks to raise three to four broods per year, compared with the one or two broods typically achieved under the current intensive arable land use. In addition, the habitats surrounding the solar arrays will provide further enhanced foraging opportunities compared to the existing situation, allowing some territories to be absorbed within the surrounding landscape. In line with CDCs comments further detail regarding skylark mitigation provision and the suitability of the mitigation is provided in the updated **Outline Landscape Ecological Management Plan** [~~**Document Reference 7.6 Revision 6**~~REP6-036]. Following correspondence with CDC ecologist and a review of their SoCG response, the	

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			Applicant understands that a Joint South Yorkshire LPA approach to skylark mitigation is to be produced and published imminently. This document will be fully reviewed by the Applicant once issued by the four South Yorkshire LPAs and an appropriate response then provided, along with a skylark mitigation and monitoring plan. The Applicant understands that the Joint South Yorkshire LPA approach to skylark mitigation is not currently finalised and confirms that there will be an iterative approach to mitigation through long term monitoring in line with CDC requirements, which will include habitat surveys to ensure the necessary habitat conditions are achieved for the benefit of skylark, as well as pollinating invertebrates surveys, to ensure foraging resources are being achieved, and skylark surveys for the life-time of the scheme. Monitoring results will then be reported to the relevant local planning authorities, with the need for any remedial measures agreed and implemented accordingly, as detailed in Section 7 of the **Outline Landscape Ecological Management**	

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			Plan [~~Document Reference 7.6 Revision 6~~REP6-036].	
3	Skylark	7.3 CDC also considers that as the GNB (ground nesting birds) mitigation areas should be subject monitoring over 30 years. As this will run concurrently with the monitoring of BNG on site habitat condition there could be some interpretation of any relationship between GNB and habitat condition. As the joint South Yorkshire approach to skylark monitoring has not yet been published and probably will not appear before the final stages of the DCO, CDC request that the applicants' ecologists propose a skylark monitoring programme which CDC will respond to in a prompt manner. Additional information noted. This point can now be agreed.	The Applicant included = interpretation of any relationship between GNB and habitat condition as part of the 30 year monitoring and has provided further text in this regard within the updated **Outline Landscape Ecological Management Plan [~~Document Reference 7.6 Revision 6~~REP6-036].** The Applicant also confirms that a separate skylark monitoring strategy will be produced following the publishing of the South Yorkshire LPA approach to skylark mitigation, so that this document can be reviewed and addressed as part of the strategy. The Applicant confirms that long term monitoring in line with CDC requirements is proposed, which will include habitat surveys to ensure the necessary habitat conditions are achieved for the benefit of skylark, as well as pollinating invertebrates surveys to ensure foraging resources are being achieved, and skylark surveys for the life-time of the	Agreed ~~Under Discussion~~ ~~Agreed~~

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
			scheme. Monitoring results will then be reported to the relevant local planning authorities, with the need for any remedial measures agreed and implemented accordingly, as detailed in Section 7 of the **Outline Landscape Ecological Management Plan** [~~**Document Reference 7.6 Revision 6**~~REP6-036].	
4	Skylark	7.4 Moreover, CDC cannot emphasise strongly enough that the features that contribute so strongly to the landscape qualities of this area, including across the entire Order limits within the CDC administrative boundary, directly contributes to the ecological importance in respect of skylarks too. These birds prefer stubble land, across large areas with few field boundaries. As such, the Order limits provide an important habitat for skylarks. The large expanses of solar panels would, in the view of CDC, create artificial field boundaries, with a wholly detrimental impact on this species. While there is a difference of opinion on this point, an iterative approach to mitigation	The Applicant agrees that the features that contribute strongly to the landscape qualities of this area, including across the entire Order limits and within the CDC administrative boundary, directly contributes to the ecological importance in respect of skylarks. The Applicant has designed the mitigation proposals with regards to the importance of the surrounding landscape and proposes measures that will increase foraging within the Order Limits. The mitigation measures proposed—comprising extensive areas of grassland within the mitigation areas managed specifically for skylarks, alongside areas of arable habitat—will substantially enhance nesting and foraging opportunities. These measures are expected to increase the carrying capacity of the available habitat and	Agreed

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		following monitoring has been agreed as the best way forward.	enable skylarks to raise three to four broods per year, compared with the one or two broods typically achieved under the current intensive arable land use. In addition, the habitats surrounding the solar arrays will provide further enhanced foraging opportunities compared to the existing situation, allowing some territories to be absorbed within the surrounding landscape.	
5	Skylark	7.5 It is not sufficient to state that compensatory habitat will be provided in terms of quantitative area to be given over for this purpose, that is an altogether too simplistic an approach and would ultimately result in a sub-optimal habitat. Instead, it is equally about the resultant quality of that replacement habitat. CDC remains to be satisfied that the functionality of any such replacement habitat is fit for purpose. It is unfortunate that the applicants ecologists cannot provide ground level demonstrations of vertical structures locations and heights which are critical to	The Applicant agrees that that compensatory habitat for skylark is not only influenced by quantitative area, but also the quality of that replacement habitat. The Applicant considers that the Scheme delivers on both of these criteria. In quantitative terms, the proposals include the provision of 127ha of mitigation land for ground nesting birds, ensuring that sufficient habitat extent is maintained to support skylark territories. In terms of habitat quality, the mitigation areas will be specifically designed and managed to optimise conditions for skylark through the provision of suitable sward heights, skylark foraging plots, species-rich neutral grassland, wide	Agreed

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		optimising nesting and breeding behaviour . It is accepted that the iterative approach to mitigation coming through the monitoring programme will optimise landscape and layout for sky larks	uncultivated margins and the retention of winter stubbles. These measures are intended to increase the availability of nesting and foraging habitat and improve the carrying capacity of the landscape for skylark compared to the existing intensive arable land use, as set out above in response to paragraph 7.2. As set out in the **Applicant Responses to Deadline 5 Submissions** [REP6-048~~Document Reference 8.28~~], CDC stated in its **Comments on Responses to ExQ2 [REP5-058]:** "This additional information along with the drawings 16413/P20 Sheets 1 to 7 are acceptable to CDC and compensates for the lack of cross sectional illustrations." CDC has therefore confirmed that the additional information and drawings are acceptable and compensate for the lack of cross-sectional illustrations. CDC has also accepted that the iterative approach to	

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			mitigation through the monitoring programme will optimise the landscape and layout for skylark. Accordingly, this matter is considered by the Applicant to be agreed.	
6	Skylark	7.6 Ultimately, the ecological value in this habitat is derived through lack of disturbance and activity, which results in this tranquil, isolated place, the value of which in so many respects is being underestimated by the Applicants. Along with other measures this should have a positive impact and remove CDC objection	The Applicant agrees that the ecological value of habitat for skylark is derived through lack of disturbance and activity, and mitigation areas have been provided without public access to ensure that this remains. In addition, measures are proposed throughout construction to prevent impacts from disturbance during that phase, as detailed in the **Outline Ecological Construction Management Plan [~~Document Reference 7.5 Revision 6~~REP6-034]**. These measures include, for example, the timing of construction activities to avoid the breeding bird season where practicable, the implementation of pre-commencement checks for nesting birds, and the establishment of protective buffers where active nests are identified. The mitigation areas themselves will be managed to maintain suitable nesting and foraging conditions for skylark whilst limiting disturbance through the	Agreed

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			exclusion of public access and minimising unnecessary operational activity.	
7	Nightjar	7.7 Information on the management of lighting in respect of this priority/qualifying species has previously been requested. The Applicant response to this is that details of the assessment of recent data gathering through literature reviews will provide a full coverage of the potential impact pathway of lighting. CDC considers that this is a satisfactory response. This is still under discussion while the RIES process moves through its stages Additional information noted. This point can now be agreed.	The Applicant agrees with CDC in respect of the management of lighting. The Applicant provided further detail on construction periods in relation to Nightjar presence and the identification of 'less sensitive' areas in the updated **Report to Inform Habitat Regulations Assessment [~~Document Reference 5.3 Revision 8~~REP6-006, REP6-008, and REP6-010].** The Applicant confirms that the construction lighting measures requested by Natural England under issue NE10 were included in the **Outline Ecological Construction Management Plan [~~Document Reference 7.5 Revision 6~~REP6-034]**, submitted at Deadline 4. Issue NE10 is recorded as agreed in the **Natural England Statement of Common Ground [Document Reference 9.9 Revision 4].** The measures are retained at paragraphs 3.3.27 to 3.3.31 of the updated **Outline Ecological Construction Management Plan [~~Document Reference 7.5 Revision 6~~REP6-034]**, submitted at Deadline 6.	Agreed ~~Under Discussion~~

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8	Invertebrates	7.8 An assessment of likely significant effects is provided at Section 7.5 of the ES, and this provides sufficient information.	The Applicant agrees with CDC.	Agreed
9	Water Quality	7.9 This is fully considered in the ES in various sections throughout the document. It is considered that the cessation of agricultural inputs and physical disturbance from ploughing and harrowing will have a beneficial impact on water quality and this is accepted.	The Applicant agrees with CDC.	Agreed
10	Reptiles	7.10 Further reptile surveys are still required. CDC's experience of developments in the area show that it is important to take reptiles into account and surveys are necessary. The Order Limits are very extensive, and we do not consider that it is possible to safely scope out reptile surveys from every potential area of supporting habitat. Records of reptiles from the Doncaster LRC are supplied in many cases with notes of location specifics and many	The majority of the Order Limits comprises arable farmland that is unsuitable to support reptile species. The ES addresses the potential for impacts on reptiles based on habitat survey and suitability appraisal and an understanding of the lifecycle requirements of reptile species. Based on these findings, the Applicant does not consider reptile surveys are required.	Agreed

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		basking reptiles are found on artificial substrates and man-made surfaces and dead vegetation 7.11 Thorne Moors is noted for its reptile population (Local Record Centre 'LRC' records) and it is at least necessary to have some strategy based upon the proximity of sensitive and habitat rich locations rather than scope out the whole of the Order Limit area. We consider that some further survey effort should have been located in areas adjacent to the two SAC/SPA areas. Further discussions on the survey methods in respect of proportionality have reached agreement and the RIES document which addresses ecological receptors does not consider reptiles to be a significant receptor and given that assessment CDC consider that no further surveys are required and hence there is agreement on this topic.	As habitats of higher value to reptile species will be protected and retained as part of The Scheme, the Applicant does not consider that further specific surveys are required and that it is reasonable to scope out the potential for significant adverse effects on local reptile populations and address the safeguarding of individuals potentially present, within the **Outline Ecological Construction Management Plan** [~~**Document Reference 7.6 Revision 6**~~REP6-036] Further to this, area M1(A) provides a large buffer to the adjacent SPA/SAC in this area and the Order Limits is also separated by a road from this location. In addition a road is present and separates the Order Limits from the SPA/SAC and parcels A3, A5 and A7. These land parcels also comprise arable and are not suitable reptile habitat. Therefore no impacts to reptiles using the SPA/SAC are likely in these locations. Parcel A19 is adjacent to the SPA/SAC, although is to be buffered by approximately 10m, reducing any likely impacts to reptiles.	

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			It is also important to note the legal protection afforded to most common reptiles (apart from smooth snake and sand lizard which are not present in this part of the U.K). Native reptiles are protected under the Wildlife and Countryside Act 1981 and it is an offence to intentionally kill or injure them, possess or transport them (or any part, alive or dead), sell, offer, or publish an advert to sell. Therefore, although the animals are protected, their habitat is not, and a suitable mitigation strategy to ensure no harm takes place during construction, will ensure that relevant legislation is complied with.	
11	Amphibians	7.12 The potential for amphibians and specifically eDNA surveys are considered at 7.4.72 -7.4.77 of ES Chapter 7. All water bodies sampled for GCN through eDNA sampling gave negative results. The overall assessment is that the proposed eCMP will provide sufficient protection through the construction phase and this is accepted.	The Applicant agrees that the **Outline Ecological Construction Management Plan** [~~**Document Reference 7.5 Revision 6**~~REP6-034] provides sufficient protection through the construction phase for amphibians.	Agreed

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12	Mammal Connectivity	7.13 It is accepted that the mammal gates to be adopted will be appropriate and suitable to ensure the uninterrupted passage of terrestrial mammals. There should also be a monitoring protocol produced to ensure that such mammal gates are functioning and are in the correct location coinciding with established terrestrial mammal movements. This will also cover deer. There is a significant roe deer population in the area, identified as a Local Biodiversity Action Plan15 species.	The Applicant agrees that the mammal gates to be adopted will be appropriate and suitable to ensure the uninterrupted passage of terrestrial mammals and that a monitoring protocol has been added to ensure that such mammal gates are functioning and are in the correct location coinciding with established terrestrial mammal movements in the updated **Outline Ecological Construction Management Plan [~~Document Reference 7.5 Revision 6~~REP6-034]**.	Agreed
	Hibernacula	7.14 The proposals as identified in the LEMP are acceptable and there is no monitoring requirement.	The Applicant agrees that the proposals as identified in the **Outline Landscape Ecological Management Plan [~~Document Reference 7.6 Revision 6~~REP6-036]** are acceptable and there is no monitoring requirement for hibernacula.	Agreed
13	Peat and Carbon Sequestration	7.15 It is understood that a Phase 2 Geotechnical & Geoenvironmental Investigation (secured via the CEMP) will include drilling/auguring within each land parcel to accurately calculate the extent of	The Applicant has completed a **Phase 1 Ground Conditions Desk Study [APP-097 through to APP-107]**. The Applicant does not consider it proportionate for geotechnical surveys to be undertaken prior to the	Agreed ~~Under Discussion~~

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		peat across the scheme. From this geological data, assessments of carbon sequestering should be undertaken. Comments noted, this point is agreed.	determination of the DCO application. This is common practice for solar farms through the Town & Country Planning process and DCO applications. The Applicant confirms that a program of ground investigations will take place across the site to inform a wide range of design and planning requirements. Specific consideration will be given during the scoping, delivery and technical interpretation of these investigative works to potential impacts of the scheme on carbon sequestering within peat soils. The works will be presented as part of a submission of a Final CEMP, secured by Requirement 14 of the **Draft DCO [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10].**	
14		7.16 CDC will comment on the results of these investigations but would also draw attention to the comments made in the "Agricultural Land" section of this Relevant Representation. Furthermore, CDC would take the opportunity to reiterate that the very foundation of the environmental and	If peats are contained within the Order Limits, they were not identified on the 100m grid survey of **Appendix 15.1 – Agricultural Land Classification [APP-120]**. If peats are within the Order Limits, they are only likely to be disturbed during trenching operations to install cables. The **Outline Soil Management**	Agreed ~~Under Discussion~~

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		ecological importance of this site is that it is peat land. This importance cannot be underestimated, and CDC considers at present the Applicant is persistently doing so. Comments noted, this point is agreed.	**Plan [REP2-078]** therefore covers action to be taken in the event that peats are found, in the section on internal cabling. The Soil Management Plan is secured through Requirement 10 of the **dDraft DCO [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10].** The Applicant is aware of and committed to completing ecological and soil assessments that will consider and advise mitigation measures to ensure any impact on peat lands during and following on from completion of the development are minimised to as low as reasonable and practicable.	
15	Importance of open areas for wintering birds	7.17 This is being addressed following the updating of non-breeding bird surveys and the interpretation of these results as areas included in the mitigation proposals This will be contained within an updated version of the Non-Breeding Bird Mitigation Strategy. CDC would welcome the opportunity to engage on this at the earliest point given that it has not had the benefit of meaningful engagement with the Applicant in this respect to date.	The Applicant agrees that further engagement with CDC regarding wintering birds would be beneficial and has made contact to arrange this.	Agree

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16	Habitat enhancement	7.18 These will be part of the BNG post development proposals and also be a part of the LEMP where functional ecological enhancements can be detailed	The Applicant agrees with this position.	Agree
17	Biodiversity Net Gain	7.19 ES Appendix 7.12: Biodiversity Net Gain [APP-082] sets out as follows: As described within The Statutory Biodiversity Metric 16413_M01a and summarised below in Figure 4.1, based on the habitats present that will be lost and those to be created, the development would result in a gain of 3727.44 habitat units. The DEFRA Statutory Biodiversity Metric has demonstrated that the Scheme will achieve a net gain in biodiversity units exceeding 10% across the Order Limits, even when applying a precautionary baseline approach. This demonstrates the deliverability of measurable biodiversity improvements in line with the Applicant's commitments under the NERC Act and relevant national policy, despite the Scheme not being subject to mandatory BNG requirements.	The Applicant considers that the BNG assessment detailed in **Appendix 7.12: Biodiversity Net Gain Assessment [~~REP3-028~~Document Reference 6.3.7.12 Revision 4]** clearly demonstrates that measurable gains in biodiversity are being created within the Order limits, despite BNG not being mandatory for NSIPs. This is confirmed by Natural England within their Relevant Representation, in which they state: '*Natural England welcome the commitment to delivering Biodiversity Net Gain (BNG) on this project. We recommend that the target increase in BNG of at least 10% across all biodiversity unit types is secured via the Landscape and Ecological Management Plan (LEMP). Please note that BNG is not yet mandatory for NSIPs and Defra's guidance on provision of BNG for NSIPs has not yet been published; therefore, our advice may be subject to change once this is available.*'	Ageed ~~Under Discussion~~

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		7.20 However, it is noted that Requirement 8 as set out in the Draft Development Consent Order [APP- 016] states: (3) The landscape and ecological management plan for the relevant phase must include details of: (a) the extent to which the relevant phase contributes to ensuring that the authorised development overall achieves a minimum of 10% biodiversity net gain during its operational lifetime using the statutory biodiversity metric published by the Department of Environment, Food and Rural Affairs on 12 February 2024 to calculate those percentages. a gain of 345.56 hedgerow units, and a gain of 100.43 watercourse units. This is a percentage gain of 79.82% in habitat units, 178.57% in hedgerow units and 10.84% in watercourse units. 7.21 This position is unacceptable in the Council's view, and it is understood that Examining Authorities are pressing Applicants for further commitment to enshrine both bold and actual percentage	To be clear, as set out in para 6.6.18 of the **Planning Statement** [Document Reference 5.5 Revision 3~~REP2-012~~], whilst the provisions relating to BNG for NSIPs are not currently in force, it is expected that the biodiversity gain statement to be introduced to the Planning Act 2008 (via Schedule 15 to the Environment Act 2021) will specify a requirement for new NSIPs to provide a minimum 10% BNG. The drafting of Requirement 8 of the **draft DCO** [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10] is reflective of this. Accordingly, the Applicant does not consider that it is necessary to go further by providing actual percentage gains across habitat types. The Applicant has reviewed CDC's questions regarding strategic significance. The CDC Policies Map identifies the Scheme as being located within the Humberhead Peatlands – Thorne and Hatfield Moors Biodiversity Opportunity Area. This local strategic designation informed the application of strategic significance to relevant habitats within the Biodiversity Metric.	

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		gains across various habitat types (i.e. water courses, hedgerows, grassland etc.) within the DCO Requirements. Given that this is a benefit the applicant seeks to rely upon in the overall balance, CDC considers this should be the case here CDC has reviewed the updated Biodiversity Metric and confirmed that the previous trading rules breach has been corrected and that no fundamental errors have been identified. CDC has, however, requested further clarification regarding the application of strategic significance. In the absence of an adopted LNRS, CDC considers that its published local guidance on assigning strategic significance should be applied. CDC has advised that baseline habitats should be recorded as 'Area/Compensation not in Local Strategy/no Local Strategy', with the local guidance then used to determine which habitat creation is appropriate to assign high strategic significance.	The Applicant raised this with CDC on 11 August 2026 to clarify the application of CDC's local guidance in the context of the Biodiversity Opportunity Area. The Applicant considers that the approach taken reflects the identified local strategic ecological context, but welcomes clarification from CDC on the appropriate application of strategic significance within the Metric. The Applicant notes that CDC subsequently stated in its Comments on Responses to ExQ2 [REP5-058]: "Referencing 6.3.7.12 Environmental Statement Appendix 7.12 Biodiversity Net Gain Assessment (Rev 3) (Clean) [~~REP3-028~~Document Reference 6.3.7.12 Revision 4] CDC is pleased to see the matter of strategic significance so fully addressed at paragraphs 3.7 to 3.8 even though the South Yorkshire Local Nature Recovery Strategy is still in the later stages of its preparation." The Applicant therefore considers that this point is agreed.	

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18	BNG Methodology	7.22 In terms of the detailed methodology and gains cited, CDC reserves its position to provide more detailed commentary in the Local Impact Report but at this stage can provide the following observations and comments: 7.23 It is not difficult to provide demonstrable BNG gains in circumstances such as this, where arable land is upgraded to neutral grassland over >1,000 ha. The benefits in this respect should be bold and maximised, as set out above. 7.24 At 1.6 it states that the DEFRA Statutory Metric Calculator has been utilised, but this cannot be found. There is a screenshot of the Final Results page showing a 79.82% increase in biodiversity, but the Statutory Metric should be available in full for proper scrutiny. 7.25 There remains a number of minor differences in the approach to BNG and as mentioned and although the matter of complete Excel formatted BNG metric being submitted have been addressed where amendments to the scheme layout are put	The Applicant has provided the BNG metric to CDC. The Applicant notes that within the Comments on Responses to ExQ2 [REP5-058] CDC has confirmed that the previous trading rules breach has been corrected and that no fundamental errors have been identified within the updated metric. CDC has also subsequently confirmed, in its Comments on Responses to ExQ2 [REP5-058], that the matter of strategic significance has been fully addressed at paragraphs 3.7–3.8 of the Environmental Statement Appendix 7.12: Biodiversity Net Gain Assessment (Rev 3) [~~REP3-028~~Document Reference 6.3.7.12 Revision 4]. The Applicant therefore considers that the matters raised at paragraphs 7.22–7.25 have now been addressed and agreed with CDC.	Agreed

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		forward these need to be followed by revised BNG metric calculations.		
19	BNG	Comments noted and agreed.	The Applicant can confirm that land-use has changed over time within the Order Limits, and that this was taken into consideration during the completion of the BNG calculations.	Agreed
20		There are also some discrepancies between certain plots in the Habitat Map provided in Appendix 7.1 Baseline Habitats Report [APP-072]. One field adjacent to High Bridge Road (Grid ref centre SE 71457 12179) is shown in August 2023 as cereal crop, in August 2025 it is 'other neutral grassland' and in December 2025 it is cultivated unvegetated land/bare ground unsealed surface. Comments noted and agreed	The Applicant can confirm that land-use has changed over time at the Order Limits, and that this was taken into consideration during the completion of the BNG calculations.	Agreed
21		7.27 At 3.10 it is stated that the vegetation to be established below the solar panels would be neutral grassland as opposed to the recommended classification from UKHabs of using Solar Panel with Vegetation u1b6 (other developed land) and "on a	The Applicant confirms that within the Biodiversity Metric, the vegetation beneath the panels has been classified as modified grassland in poor condition. This approach was adopted on a precautionary basis to reflect the potential influence of shading,	Agreed

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		precautionary basis the target condition would be poor." We would strongly contend that this be amended to reflect the recommended u1b6. This will be an important factor as if certain heavily shaded areas fail to establish as targeted in the BNG proposals this would amount to a failing in BNG target habitat and condition. It can be seen from the screenshot taken from the BRE/NFU joint publication Good Practice Guidance for Solar Farms16 below, that unvegetated areas do occur under solar panels. This may not be a large area for each panel >0.25m2 and may not compromise grazing efficiency but where there is the quantitative measurement of post development habitats these unvegetated areas under a large number of panels can add up to a significant area. Alternatively, such 'unvegetated' areas could remain as grassland. 7.28 The proposals for the 'below the panel' habitat type does not consider the use of concrete support slabs referred to as 'ballast'. These are shown in Plan 2.9, Figure 2.9: Indicative Layout and Cross Section Plan Showing ref: Typical 3P Fixed Table	maintenance access and panel infrastructure on vegetation composition and structure. The Applicant acknowledges the forthcoming Clarkson-Woods publication referenced by LWT in their Relevant Representation and the potential development of a specialist UKHab secondary code for vegetation beneath solar panels. As this clarification is not yet formally adopted within the UKHab classification or the Statutory Biodiversity Metric guidance, the current assessment has applied the most appropriate existing habitat classification within the metric framework. The approach taken is considered precautionary, as areas of grassland beneath solar panels will be established using a species-rich neutral grassland seed mix and managed through grazing or mowing. While some areas may achieve a higher condition over time, the Biodiversity Metric assessment conservatively assumes poor condition to avoid overestimating biodiversity gains. The Applicant confirms that the proposed solar panels will have a minimum clearance of 0.8m above ground level, with panel heights	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		(Ballasted) [APP-015]. These concrete slabs are 2.4m2 and are set at 1 per 'pile or 10 for every 54 panels. A screenshot of this arrangement is shown below. 7.29 If this is to be the case that concrete slabs are used throughout the solar panel areas, then this should be included in the Biodiversity Net Gain report. **3 BNG** As mentioned at the Hearing of the 23rd the joint South Yorkshire LPA's have an emerging stance on the application of habitats to solar panels with a requirement for under panel grasslands to be of low distinctiveness. This would be part of a potential three tiered approach to grassland establishment in solar farms with: beneath panel, in-between panels and wider boundary grassland which can be of medium distinctiveness moderate condition. Tyler Grange have accepted the principle of only having low distinctiveness grassland under the panels and also included this level for in-between panel grassland areas of the same type as much	increasing to a maximum of approximately 2.3m for fixed panels (or up to 2.5m for tracker panels where required for flood clearance). As such, only a limited proportion of each panel array will be at the lowest clearance. On this basis, shading is not considered to preclude the establishment or management of grassland habitat within the fenced area. The Applicant also notes that CDC confirm within their section 7.27 that the areas underneath panels can remain as grassland within the metric, by stating that: "such 'unvegetated' areas could remain as grassland.' Therefore, it is considered that the approach undertaken by the Applicant with the BNG habitat classifications confirms with this requirement. The Applicant will continue to monitor developments in national guidance relating to the classification of vegetation beneath solar panels. Should formal guidance or updated UKHab classifications be published prior to determination of the Scheme, the Applicant	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		as anything this removes the need to carry out detailed scaled measurements off-plan when the net gain biodiversity units are in a significant surplus (+70%). This is a reasonable and appropriate approach as if the in-between grassland improves beyond expectations ten this ultimately beneficial to wildlife and BNG outcomes have not been jeopardised Tyler Grange will amend the BNG metric with this approach post intervention habitats. A further issue with BNG is identified at in Tween Bridge Solar Farm Biodiversity Net Gain Report 16413_R11c_June 2026_RR at 3.21 it states that trading\g rules have been broken and Rule 1 has been broken where Mycelia[6] states "*There are net losses of Medium distinctiveness area habitats in 1 broad habitat group, and too few gains at higher distinctiveness categories to offset these losses.*	will review the assessment and update the Biodiversity Metric where appropriate. CDCs comments relate to the Statutory Biodiversity Metric submitted with C**hange Request 1 [CR1-003]**. This has been superseded by the version submitted at Deadline 3 [~~REP3-028~~Document Reference 6.3.7.12 Revision 4] and its associated updated Statutory Biodiversity Metric. The associated updated metric was emailed to the City of Doncaster Council on the 27 July 2026. Its omission from the Examination Library has been raised with the Planning Inspectorate, and it is available on the document library as of the 29th July 2026. The discrepancies identified by CDC relate to the superseded Change Request 1 documents and have been addressed in the current assessment and metric – **Environmental Statement Appendix 7.12: Biodiversity Net Gain Assessment [~~REP3-028~~Document Reference 6.3.7.12 Revision 4]**.	

[6] Mycelia BNG analysis software by VERNA.

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		The broad habitat group concerned is: Heathland and shrub, which loses 5.97 BU, from "Heathland and shrub - Bramble scrub" (1.59 BU pre-intervention, and 0.0 BU post-intervention, so a loss of 1.59 BU), "Heathland and shrub - Mixed scrub" (4.38 BU pre-intervention, and 0.0 BU post-intervention, so a loss of 4.38 BU) We should not be in the situation where there is a + 79.82 % net change in area biodiversity but the consulting ecologists are not prepared to adhere to the rules in the BNG guidance. Having discussed this with Tyler Grange they have accepted that it would not be difficult or compromising to amend the BNG Metric to ensure that BNG trading rules are not broken. Discussions between the ExA and Tyler Grange addressed the matter of the operational area of the Order Area being within the statutory designated site (Thorne Moors) and this can be resolved through a commitment from the applicants to ensure non-operational land in this area.	The net gain figures in the **Environmental Statement Appendix 7.12: Biodiversity Net Gain Assessment** [~~REP3-028~~Document Reference 6.3.7.12 Revision 4] assessment correspond with the associated updated metric. Paragraph 3.34 and Figure 4.1 confirm gains of 1,339.96 habitat units, 349.75 hedgerow units and 99.39 watercourse units. These represent net gains of 29.50% habitats, 172.57% for hedgerows and 10.26% water courses. The Applicant can confirm that paragraph 3.2.1 and Table 3-2 of the **Outline Ecological Construction Management Plan** [~~Document Reference 7.3 Revision 5~~REP5-026**6** was updated at Deadline 4 to confirm that no works will take place within the Thorne Moor SAC and Thorne and Hatfield Moors SPA. The Applicant notes that all aspects of the BNG comments have been agreed as set out above.	

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		~~We do not consider that these matters have been fully considered by the Applicants ecologist~~		

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1	Construction & Operational traffic	Paragraph 10.1 of RR: CDC considers that the most significant transport and access impacts will be associated with the construction and eventual decommissioning phases of the proposed development. Once operational, it is understood that the proposed development is likely to generate a minimal number of vehicular trips associated with ongoing maintenance and management of the site overall.	The Applicant notes that the management of construction traffic will be controlled through a Construction Traffic Management Plan secured by DCO requirement, which will be substantially in accordance with the **Outline Construction Traffic Management Plan** [~~**Document Reference 7.7. Revision 5**~~REP6-038, REP6-040, and REP6-042]. As regards operational traffic, the **ES Volume Chapter: 12 Transport and Access** [~~**Document Reference 6.2.12 Revision 4**~~REP6-012] confirms that during the operational phase of the development, the effects would be negligible and not significant.	Agreed
2	Construction Traffic	Paragraph 10.2 of RR: During the construction phase of the development a significant number of HGV	The **ES Volume 2 Chapter 12: Transport and Access** [~~**REP4-015**~~REP6-012] confirms that the impact of construction traffic is generally considered to be of negligible to moderate	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		and LGV traffic will be generated through the delivery of solar panels, mounting equipment and associated infrastructure.	significance. Mitigation has been provided in the form of an **Outline Construction Traffic Management Plan [~~Document Reference 7.7. Revision 5~~REP6-038, REP6-040, and REP6-042]** to reduce the impacts of the construction phase. The document includes a range of management and mitigation measures to reduce the impacts of the construction phase. The proposed mitigation is forecast to reduce the significance of effect of Moderate to Minor and Not Significant.	
3	Construction Traffic Routing	Paragraph 10.3 of RR: It should be noted that the local highway network surrounding the site is predominately comprised of narrow country lanes that are typical of the rural location. As such, the road network is not designed to be accessed by large HGVs and there are limited safe and convenient routes for construction traffic and maintenance vehicles to access the site without causing disruption to the network, and other users of the network including local businesses.	The Applicant has engaged with highway officers at CDC to discuss the access proposals. Stage One Road Safety Audits have been undertaken in all locations, and a highway condition survey requirement is set out within the **Outline Construction Traffic Management Plan [~~Document Reference 7.7. Revision 5~~REP6-038, REP6-040, and REP6-042]** and is agreed. This is secured through Requirement 16 of the **draft DCO [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10]**.	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
4	Access Arrangements	Paragraph 10.4 pf RR City of Doncaster Council will constructively review the Framework Plans and would welcome the opportunity to engage with the Applicant to discuss their suitability in close liaison with the relevant teams across the Council as Highways Authority as this has not happened to date.	The **Outline Construction Traffic Management Plan [~~Document Reference 7.7. Revision 5~~REP6-038, REP6-040, and REP6-042]** includes details on all access points within CDC. This includes Road Safety Audits in all locations, as requested by highways officers.	Agreed
6	Permit Scheme	*Paragraph 10.6 of RR* ..the Council operates the "Doncaster Permit Scheme" which sets out that anyone intending to carry out work on all streets must apply for a permit which sets out how the work must be undertaken to minimise disruption to the network. Again, the Council expects the requirements of the Permit Scheme Document be enshrined within the DCO itself to ensure the effective ongoing management of the	The Applicant understands that the CDC permit scheme requires road spaces to be booked where works or other operations affecting the highway are proposed. The Applicant considers that this in, in general, a reasonable mechanism to enable CDC to manage its network efficiently and consistently. The Applicant reviewed the permit scheme and considered how it would interact with the existing controls secured by the Order with a view of seeking to ensure that any provision relating to the permit scheme does not	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		highway network during the construction phase of the development. No change to the position and requirements. The permit scheme allows the Local Authority to carry out its statutory duty, to coordinate works on the highway. Submission of Appendix E is also required.	duplicate or conflict with the established controls. Following this review the Applicant updated the **Draft DCO [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 10]** at Deadline 4 to ensure that the permit scheme is appropriately accommodated within the existing controls secured by the Draft DCO. The Applicant has therefore changed the status of this item to agreed. A further update relating to this matter is set out in Table 3-11 of this SoCG, ref #1.	
7	Permit Scheme	*Paragraph 10.7 of RR* In support of this approach, CDC would direct the Applicant's attention to the final DCO agreed between the parties in respect of the Fenwick Solar Farm which sets these provisions out. The firm expectation of the Council is that these provisions will be replicated in the Draft DCO in this case.	The Applicant notes this request and would simply note, at this stage, that any approach agreed needs to be reflective of the specific circumstances of the case. Accordingly, matters agreed in the context of the Fenwick Solar Farm Order do not necessarily mandate the approach to be adopted in this case.	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		No change to the position and requirements. The permit scheme allows the Local Authority to carry out its statutory duty, to coordinate works on the highway. Submission of Appendix E is also required. Doncaster Permit Scheme which is a statutory requirement in its entirety and therefore cannot be 'cherry picked' as to which section the DCO does or does not refer to.	The Applicant notes, as per its above response at #6 and the update set out in Table 3-11 of this SoCG that this item is now agreed. A further update relating to this matter is set out in Table 3-11 of this SoCG, ref #1.	
8	Access Arrangements	Following meeting on 11th March 2026: CDC advised that any access points which are currently used for agricultural purposes would need to be upgraded to accommodate HGVs including surfacing. The s278 would incorporate this condition for upgrading the highway at the access points. The applicant has identified access points that are already bound, however the suitability of this needs to be determined and shown to be suitable.	The Applicant agrees to provide a bound surface at those accesses which are to be used permanently for operational purposes where the existing access isn't surfaced to an acceptable standard (and therefore excluding (i) construction access only and (ii) those already at suitable standard). Recent photographs – taken on 24th June 2026 – are included on the access arrangement drawings for Access A (Figure 3.2), N (Figure 3.15), O (Figure 3.16) and Z (Figure 3.27) which show the existing bound surfaces in these locations.	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		Recent photos of each access point should be provided to allow the current condition to be assessed, only text of the location has been provided so far. Exact entry points should also be provided in the form of a what3words link.	What3Word references for each access point have been added to the access arrangement drawings at Figure 3.1 - 3.37 of the **oCTMP** [~~**Document Reference 7.7 Revision 5**~~REP6-038, REP6-040, and REP6-042].	
9	Access Arrangements	Following meeting on 11th March 2026: CDC advised that Stage One Road Safety Audits should be carried out for each access which requires work	The Applicant has undertaken Stage One Road Safety Audits for all access points, and this is included in the **Outline Construction Traffic Management Plan** [~~**Document Reference 7.7. Revision 5**~~REP6-038, REP6-040, and REP6-042] alongside a Designer's Response.	Agreed
10	Access Arrangements	Following meeting on 11th March 2026: CDC advised that visibility splays at access points should reflect the Design Manual for Roads and Bridges and that swept path assessment and appropriate management and mitigation at each access point will be required to ensure that there are no obstructions on any CDC	The Applicant has reviewed this request and additional information on access points within CDC are set out in the **Outline Construction Traffic Management Plan** [~~**Document Reference 7.7. Revision 5**~~REP6-038, REP6-040, and REP6-042].	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		roads, particularly where HGVs use the whole of the access.		
11	Construction Traffic Routing	Following meeting on 11th March 2026: CDC advised of the 7.5 tonne except for access weight limit restriction on Low Levels Bank between the junction with the A18 Tudworth Road and Crow Tree Bank. Therefore, vehicles routing to accesses served from this stretch of Low Levels Bank will not be permitted to pass through this weight restriction but could access and egress to/from the east or west only.	The Applicant has reviewed the weight limit restriction and has adjusted the construction traffic route to Access J and K to use High Levels Bank and Crow Tree Bank to access Low Levels Bank east of the weight restriction, as set out in the **Outline Construction Traffic Management Plan [~~Document Reference 7.7. Revision 5~~REP6-038, REP6-040, and REP6-042]**	Agreed
12	Construction Phase mitigation	Following meeting on 11th March 2026: CDC advised that any wheel washing facilities will need to be provided to CDC's specification (diesel pressure washer) and that road sweepers are not permitted on the adopted highway without the express permission of CDC.	Noted and agreed.	Agreed

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

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
1.	Engagement with Business Doncaster	City of Doncaster Council requested in its Statutory Consultation response that the Applicant should seek to engage positively with Business Doncaster, this was also highlighted within the Relevant Representations received from [RR-008].	The Applicant engaged with Business Doncaster as requested in the Statutory Consultation response. The Applicant presented a commitment to supply chain, employment, training, and educational opportunities associated with the construction, operation and decommissioning of the Scheme within the **Outline Supply Chain, Employment and Skills Plan [REP1-039]** as has been discussed. The **Outline Supply Chain, Employment and Skills Plan [REP1-039]** was updated in May 2026 to align with engagement with Business Doncaster.	Agreed
2.	Employment	Paragraph 9.1 of RR 9.1 The adopted Local Plan sets out that Doncaster has a relatively low proportion of people employed in highly skilled occupations and wage rates are significantly lower than the national average. Doncaster's economy is relatively reliant on lower skilled sectors that are more sensitive to changes in local demand. Compared to Yorkshire and	The Applicant notes the comments relating to the existing socio-economic conditions within Doncaster and confirms that many points made are aligned with analysis provided within the **ES Volume 1 Chapter 11 Socio Economics [APP-048]**.	Agreed

Ref	Topic	City of Doncaster Council Position	Applicant Position	Status
		Humber, our economy is relatively inward facing and more reliant on jobs in health, retail, transport, construction, and public administration. However, it does have significant jobs in several tradeable sectors, for example, manufacturing, engineering, and financial and professional services.		

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

CDC's Summary of Landscape & Visual Position: CDC does not feel the Landscape assessment addresses the landscape effects sufficiently. The landscape baseline is underplayed and does not take into account the individual qualities of each landscape character area to inform the sensitivity. The landscape assessment description is based entirely on the visual qualities of the proposals in the landscape and does not address the individual aspects of the landscape that make up the character areas and how they will be changed by the development. It is for these reasons CDC feel the landscape assessments is insufficient.

CDC feels the visual assessment, including the RVAA, underplays the effect of the development, particularly at year 15, reducing the magnitude of change due to maturing hedgerows to a greater degree than is warranted.

The landscape design for the proposals is not sufficiently described to understand how they have taken on board all the relevant factors in their development. It is therefore not possible to understand they are adequate to address the mitigation proposed or how they benefit and enhance the existing landscape.

All vegetation within the site boundary should be surveyed to ensure its protection during construction and the lifetime of the development.

The Applicant's Summary of Landscape & Visual Position: The Applicant has agreed with CDC to the inclusion of two additional landscape character assessments within ES Chapter 6 Landscape and Visual [REP4-021] and has agreed all methodology is in accordance with current guidance.

In addition, the approach to soil testing was also deemed acceptable, whereby the Applicant provided CDC with a link to the 7.6 Outline Landscape Ecological Management Plan (Clean) (Rev 5) {REP4-055] and in particular Paragraph 4.14 of the report confirms soil testing will be undertaken. The paragraph reads "Prior to habitat creation, soil testing will be completed to confirm the PH and nutrient and determining the appropriate seed mix to ensure the maximum beneficial mix for the soils and nutrients status.".

The Applicant also agreed with CDC that hedgerow planting is an appropriate mitigation measure for the Scheme and agreed that land used for the Scheme will be returned to the landowner at the point of decommissioning.

Ref	Topic	CDC Position	Applicant Position	Status
1	Screen Zone of Theoretical Visibility	City of Doncaster Council made clear in its response to the Statutory Consultation, it's expectation that the impacts of the proposed development on Thorne and Hatfield Peat Moorlands must be fully assessed. It is therefore disappointing that only very scant regard continues to be given to this important landscape. Figure 6.3 - Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [APP-147] indicates that there is limited visibility from Humberhead Peatlands National Nature Reserve due to extensive woodland	**Figure 6.3: Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [REP4-041]** shows very limited visibility within both NNRs and any related public rights of way, (noting that both contain Access land which also shows very limited visibility) and therefore, effects upon these areas have largely been focussed upon any potential ecological impacts, rather than considered as a visual receptor. However, the NNRs have been considered in terms indirect effects upon their landscape character as part of the assessment of landscape character areas and types as defined in the Doncaster Landscape	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		vegetation and therefore, the Applicant considered that no detailed consideration was deemed necessary for this assessment. CDC would strongly question the Applicant's logic behind not including viewpoints taken from the Nature Reserve to evidence this position. In terms of wider impacts, the special qualities of the landscape character of the area, including that within the proposed Order limits has been significantly downplayed, and CDC is concerned that this altogether cynical approach has infected the conclusions contained within the ES in terms of overall impacts.	Character and Capacity Assessment of Doncaster Borough (March 2007). Table 6.4 of **Environmental Statement Chapter 6 Landscape and Visual [REP4-021]** sets out the Viewpoint and Photomontage Locations, which in paragraph 6.4.62 are 'considered to provide representative views towards and in some cases from within the Order Limits from the surrounding landscape as illustrated on **ES Figure 6.3 - Screened Zone of Theoretical Visibility with Viewpoints and Photomontage Locations [REP4-041]** and presented in Viewpoint Photographs in **ES Appendix 6.3 - Viewpoint Photographs [APP-063 – APP-066]**.' The Applicant notes CDC's comment regarding special qualities of the landscape character. However, Special Landscape Qualities do not apply to landscape which have not been designated as a national landscape. The Order Limits and the wider study area do not feature any national landscape designations.	

Ref	Topic	CDC Position	Applicant Position	Status
			Humberhead Peatlands National Nature Reserve has the same boundary as the following statutory designated sites: Thorne Moor Special Area of Conservation (SAC), Thorne & Hatfield Moors Special Protection Area (SPA), Thorne, Crowle and Goole Moors Site of Special Scientific Interest (SSSI) and Hatfield Moors SSSI. Therefore, the protection measures detailed in section 7.5 of the submitted **ES Chapter - Volume 2 Chapter 7: Ecology and Nature Conservation [Document Reference 6.2.7Revision 5]** and all the measures included within the **Outline Ecological Construction Management Plan [~~Document Reference 7.5 Revision 5~~REP6-034]** and **Outline Landscape Ecological Management Plan [~~Document Reference 7.6 Revision 6~~REP6-036]** were updated for Deadline 1, to ensure that these protection measures apply to this NNR.	
2		City of Doncaster Council would emphasise in the strongest of terms that this is a highly distinctive landscape which includes intact farmland with few 'man-made' intrusions as well as the large lowland raised bog areas of Thorne and Hatfield Moors. Overall, and	The Order Limits are influenced by many man-made intrusions including wind farms, powerlines, motorways, railway lines and busy A-roads. However, when considering these factors, on balance the sensitivity of the Order Limits is considered to be medium, as	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		unsurprisingly, this is rated as a high quality landscape. Thorne and Hatfield Moors are internationally designated nature sites. The landscape strategy is to conserve these special qualities.	defined in the **ES Chapter 6: Landscape and Visual [REP4-021]. Figure 6.4 Landscape and Visual Mitigation Strategy [REP4-042]** conveys that much of the existing landscape features have been retained and respected, including the network of trees, hedgerows, woodlands and ditches and also enhances the Order Limits with new landscape features throughout. As the landscape is not designated from a landscape perspective, there are no specific landscape qualities to preserve, other than those characteristics set out in published landscape character studies. The Isle of Axholme and Hadfield Chase Landscape Character Assessment is an additional landscape character document (in addition to the district level assessments produced by the two councils and considered in the LVIA). This additional document was not flagged during landscape consultations with North Lincolnshire. The majority of the site is located in the Thorne and Crowle Moors and the Hatfield Chase Levels Character Areas identified in this document. This landscape character assessment is now considered within	

Ref	Topic	CDC Position	Applicant Position	Status
			Chapter 6 of Environmental Statement [REP4-021]. Paragraph 6.3.10 of the **Chapter 6 of Environmental Statement [REP4-021]** confirms that the landscape *assessment has been undertaken in accordance with the principles of best practice, as outlined in published guidance documents, notably the third edition of the Guidelines for Landscape and Visual Assessment (GLVIA3), (Landscape Institute and the Institute for Environmental Management and Assessment, 2013)'*. The LVIA Assessment Criteria is set out in **ES Appendix 6.1 [APP-061]** which follows this guidance. **Chapter 6 of the Environmental Statement [REP4-021]** considers National, Local and Order Limits level of landscape character, including reference to National Character Area 39: Humberhead Levels, along with relevant landscape character areas within the Landscape Character & Capacity Assessment of Doncaster Borough (March 2007) and the landscape character types within North Lincolnshire Landscape Character Assessment (September 1999). Chapter 6 was also updated at Deadline 4 to	

Ref	Topic	CDC Position	Applicant Position	Status
			consider the relevant landscape character areas within North Lincolnshire Landscape Character Assessment (JBA Consulting on behalf of North Lincolnshire Council 2021) and Landscape Character Assessment Final Report (Isle of Axholme & Hatfield Chase Landscape Partnership Prepared by Fiona Fyfe Associates with Countryscape and Steven Warnock December 2014). This was requested at the Issue Specific Hearing 3, which is set out in **8.17 Written Summary of Oral Submissions at the Issue Specific Hearing 3 [REP3-048].**	
3	Landscape assessment	**ES Chapter 6 Landscape and Visual [REP4-021]** has been updated at Deadline 4 to include summaries and assessments of the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment (2014) and the North Lincolnshire Landscape Character Assessment as (2021) requested.	**ES Chapter 6 Landscape and Visual [REP4-021]** has been updated at Deadline 4 to include summaries and assessments of the Isle of Axholme and Hatfield Chase Landscape Partnership Assessment (2014) and the North Lincolnshire Landscape Character Assessment 2021. This matter is now agreed.	Agreed
4	Landscape assessment	The character assessment in the LVIA does not look at a sufficiently fine grain of landscape character to inform the	**ES Chapter 6 Landscape and Visual [REP4-021]** has been reviewed and updated in terms of the description of the Landscape	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		assessment. GLVIA3 states in para 5.16 that even when a LCA is available 'it is still likely that it will be necessary to carry out specific and more detailed surveys of the Order Limits and perhaps its immediate setting or surrounding'. This is to 'pick up other characterises that may be important in considering the effects of the proposal'	Character of the Order Limits in line with the documents set out above at Deadline 4 to include further description of any identified landscape character sub areas within the Order Limits.	
5	Landscape assessment	The applicant has not addressed landscape value in accordance with TGN 02-21: Assessing landscape value outside national designations. This landscape has been designated previously and areas within the Order Limits or study area lie within areas recommended for consideration as an 'Area of High Landscape Value' (ref example JBA LCA 2021: Trent Levels – Flat Drained Treed Farmland). Consideration as to whether this is a valued landscape should be fully explored in accordance with the TGN. Although an update has been made to the LVIA at deadline 4, CDC do not feel this addresses landscape value sufficiently. The question of landscape value has been addressed on the site as a whole, it has not considered the individual landscape	A response on Landscape Value was provided at item 10.18 in the Comments on Local Impact Reports (City of Doncaster Council) **[REP2-089]**. In terms of TGN02/21 and the identification of Landscape Value it is considered on balance that whilst the landscape contains elements of value it does not constitute a Valued Landscape (NPPF para 187). With reference to Box 5.1 in GLVIA3 the following summary is provided. In terms of quality and condition; the landscape of the study area is generally representative of the local character areas, though there is a distinction between the moors areas and the open Hatfield Chase levels. The land within which the Order Limits sits is generally intensively farmed and contains denuded hedgerows. In terms of	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		character areas. The outcome of value has been assessed as 'medium', which aligns with the sensitivity given throughout the report, but with which CDC do not agree with as we fee the landscape has been undervalued throughout the assessment. The landscape assessment description is based entirely on the visual qualities of the proposals in the landscape and does not address the individual aspects of the landscape that make up the character areas and how they will be changed by the development.	scenic qualities; whilst the level ground provides wide open skies the landscape is strongly influenced by powerlines, motorways and existing turbines. In terms of rarity; this landscape is not notably rare in this portion of the country and extends beyond the study area. In terms of representativeness; the landscape contains important examples of restoring peat bogs, the remainder of the landscape is broadly representative of the wider agricultural landscape. In terms of Conservation Interests, Thorne and Hatfield Moors are important wildlife sites and the Isle of Axholme Area of Historic Landscape Interest is located to the south east around Epworth. In terms of Recreational Value; the canal provides an important green corridor but access for recreation is generally limited and disconnected. In terms of Associations; the landscape is the product of centuries of artificial drainage and agricultural improvement including the works of the Dutch engineer Cornelius Vermuyden in the 1620's	
6	Landscape assessment	CDC disagree with the applicant in relation to the influence on the landscape character of major road corridors over the Order	The Applicant has set out at point 2 above, that in addition to the major road corridors, the Order Limits are influenced by many	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		Limits. The major road corridors do influence the landscape character within their immediate environs, but not over the whole character of the Order Limits. The landscape character assessment should readdress this point.	man-made intrusions including, large agricultural sheds, wind farms, motorways, railways and busy A roads. As noted above at point 2, ES Chapter 6: Landscape and Visual [REP2-033] considers National, Local and Order Limits level of landscape character along with relevant landscape character areas within the Landscape Character & Capacity Assessment of Doncaster Borough (March 2007) and the landscape character types within North Lincolnshire Landscape Character Assessment (September 1999). The Applicant considers that the landscape character assessment is robust and appropriate and in compliance with best practice guidelines, and therefore refutes the assertion that the landscape character assessment should readdress this point.	
7	Landscape and visual assessment	CDC considers that the applicant has not sufficiently described value and susceptibility in relation to landscape or visual receptors so it is difficult to say if the	**Appendix 6.1 Landscape and Visual Impact Assessment Criteria [APP-061]** sets out the sensitivity of receptors, (underpinned by an	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		conclusions they have reached are accurate and considered	understanding of the value and susceptibly of receptors).	
8	Landscape and visual assessment	CDC considers that the applicant has not provided enough detail in addressing magnitude and effect, particularly in relation to the visual assessment and RVAA. It is therefore difficult to say if the conclusions are accurate and considered.	These documents have been produced in line with the respective methodologies and are considered to be proportionate to the assessment.	Not agreed
9	Landscape and visual assessment	CDC do not consider that all the ancillary infrastructure has been adequately considered in the assessment of landscape and visual effects. For example the 400kv substation was originally omitted from the landscape design proposal plans and the visualisations. It has subsequently been added to both, but the assessment text has not been updated to reflect its addition.	The ancillary infrastructure has been adequately considered in the assessment of landscape and visual effects. Whilst the 400kV substation was omitted from the Landscape mitigation plans (now rectified) it was not omitted from the visualisations. All elements of the Scheme have been considered in the assessment and therefore the text does not require an update.	Not agreed
10		CDC consider that more detail is required in relation to the landscape design proposals in order to fully appreciate the landscape strategy. Details are provided in the LEMP in relation to the mitigation parcels but there	It is considered that a single locally appropriate hedgerow mix will be appropriate to the proposals and suit the local conditions and characteristics. It is noted that there may be instances where the proportion of holly	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		is little detail on how the landscape strategy for each parcel has evolved e.g., hedgerow strategy specific to the parcels, vegetation connectivity with surrounding landscape, how the characteristics of each parcel has been addressed. The landscape detail should address the design evolution, – how the landscape design has reflected the historic field pattern, how the landscape character has been considered in their placement how the so as to retain any key open views whilst enhancing others; how habitat corridors have been considered to create linkages to the wider landscape; how the proposed hedgerows work with the right of way network to improve the experience; how the species selection relates to the various characteristics of each area – etc.	will be increased to increase local screening during winter conditions. The landscape pattern has been reflected in the proposals; planting is located along field boundaries and therefore will be connective to the surrounding landscape. The Applicant considers that the information is contained within the Design Approach Document [Document Reference 5.6 Revision1] [APP-032]. On 27 August 2026, the Applicant had explained how the design of the layout had evolved including rigorous analysis of the constraints and opportunities within the Order Limits, and how the Applicant had undertaken several site visits to the Order Limits and surrounding landscape and many visits to individual properties in order to inform its approach. This context was fed into several design days where the full Applicant team inputted into the analysis and interrelation of many aspects to shape the Scheme.	
11	Landscape design	CDC consider that the ability for the landscape to host the proposed habitat is an important element of the design proposals.. The applicant has explained how	A response has been provided in **the Statement of Common Ground with North Lincolnshire Council [~~Document Reference 9.3 Revision 5~~Document Reference 9.3**	Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		this will be addressed at the detailed design stage. Should the soil testing identify unsuitable soils for the proposals the landscape proposals should be adjusted and agreed accordingly with CDC.	Revision 6], Table 3-7, item 7. The response states: 'Prior to habitat creation, soil testing will be completed to confirm the PH and nutrient levels and determining the appropriate seed mix to ensure the maximum beneficial mix for the soils and nutrients status.' This matter is now agreed.	
12	Landscape design	CDC consider that all vegetation within the Order Limits should be surveyed in accordance with BS 5837. This is to ensure all vegetation has been taken into account in the design, any removal adequately acknowledged and any protection measures for retained vegetation implemented appropriately.	The query over Arboricultural Survey Data has been responded to within **Statement of Common Ground with North Lincolnshire** [~~Document Reference 9.3 Revision 5~~Document Reference 9.3 Revision 6] within Table 3-7, item 7. The response states: 'The Applicant notes this comment. In a few discrete areas within Development Parcel C9 (see **ES Figure 1.3: Development Parcel Plan [APP-131]** for location detail) arboricultural survey data has not been obtained. This related to the area shown on Sheet 25 of the Tree Survey and Constraints Plan in **Appendix 6.6 Arboricultural Impact Assessment [APP-070]** only. The Applicant confirms that through a desktop review of existing vegetation present in those	Not Agreed

Ref	Topic	CDC Position	Applicant Position	Status
			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.	
13	Landscape and visual assessment	CDC comment that it should be made clear in the LVIA that proposed ecological habitat created as part of the project may not be retained following decommissioning. CDC acknowledges that the land will be returned to the land owners on decommissioning. ~~A mechanism should be put in place to retain~~	As stated at item 10.40 of the Comments on Local Impact Reports (City of Doncaster Council) **[REP2-089].** It is not intended nor required that the biodiversity measures for the Scheme would continue in perpetuity. The land used for the Scheme will be returned to the landowner. It	Agreed~~Under discussion~~

Ref	Topic	CDC Position	Applicant Position	Status
		~~the beneficial landscape mitigation proposals at decommissioning.~~	would be for the landowner at that time to decide on the use of the land.	
14	Landscape design	CDC agree that hedgerow planting and enhancement are appropriate mitigation proposals. The maturing hedgerows have subsequently referred to in the RVAA	The Applicant welcomes the acknowledgement that hedgerow planting and enhancement are appropriate mitigation proposals. There is an inherent balance to be struck between providing screening and maintaining openness within the landscape, the proposed hedgerow planting represents the most appropriate form of mitigation within that balance. The Applicant has submitted an updated **ES Appendix 6.2: RVAA [REP4-027]** at Deadline 4 to provide more detail on the changes arising from the mitigation. This matter is now agreed.	Agreed
15	Landscape and visual assessment	CDC have reviewed the methodology on photography received from the applicant	This is noted.	Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		and are satisfied that this is in accordance with current guidance.		

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

Ref	Topic	DCD Position	Applicant Position	Status
1.	Ordinary Watercourse Easements	City of Doncaster Council request a 10m easement for Ordinary Watercourses, noting that this distance may be reduced if sufficient information can be provided to show how open watercourses or culverted watercourses will be maintained for the lifetime of the development. The LLFA has no objection in principle to the proposed 5m easement subject to the applicant robustly demonstrating that 5m easements are sufficient to maintain the watercourses.	A 5m easement has been left entirely clear alongside both sides of all Ordinary Watercourses. This easement will ensure maintenance access to the watercourses is not impacted by the Scheme. The Applicant anticipates that the majority of required maintenance will be carried out using a tractor with flail attachments for vegetation clearance. The use of an excavator may be required under certain circumstances where more significant maintenance is required. The Applicant considers the 5m easement sufficient for the maintenance requirements. This item is agreed between the parties.	Agreed
2.	Surface Water Flood Risk	City of Doncaster Council, in response to the proposed solar and infrastructure raising note that "this is acceptable, we would require	The lowest edge of proposed solar panels and infrastructure in areas predicted by the Risk of Flooding from Surface Water dataset to be at risk of surface water flooding during a 1 in	Agreed

Ref	Topic	DCD Position	Applicant Position	Status
		information on the expected flood depths and the proposed solar panel levels."	1,000-year rainfall event, will be raised above the predicted 1 in 1,000 year surface water flood depths. Predicted surface water flood depths and proposed solar panel levels are included in Appendix A and I of the submitted **ES Technical Appendix 10.1 Flood Risk Assessment [REP5-014 and REP5-016]** The requested information has been provided and this item is agreed between the parties.	
3.	Land Drainage Consent	Land Drainage Consent will be required where cables routes or fences will cross Ordinary Watercourses. Land Drainage Consent is a separate process to planning and each consent activity carried a fee of £50. The LLFA are content for the consents to be obtained post DCO.	Land Drainage Consent for cable crossings, fence crossings and any surface water outfalls into Ordinary Watercourses will be reviewed at detailed design post-consent of the DCO application, please refer to paragraph 2.1.6 of the **Other Consents and Licences (Rev 1) [App-034].** The LLFA are content with the Applicant's approach and this item is agreed between the parties.	Agreed
4.	Surface Water Drainage Strategy	City of Doncaster Council have provided the LLFA advice on drainage strategies for solar farms. It should be noted that this is not a	As confirmed in the **ES Volume 2 Chapter 10: Water Resource [REP2-021]**, the proposed Outline Surface Water Drainage Strategy as presented in the **Flood Risk Assessment [REP5-014 and REP5-016]** has been prepared	Agreed

Ref	Topic	DCD Position	Applicant Position	Status
		CDC policy so no further consideration is required for this element.	with consideration of the council's local guidance. This item is therefore agreed between the parties.	

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

Ref	Topic	CDC Position	Applicant Position	Status
1	Assessment approach, scope and methodology		The scope and methodology of the assessment was detailed in the Applicant's **Scoping Report [APP-058]**	Agreed
2	Baseline noise survey methodology	CDC were happy with the location and duration of the noise monitoring locations.	The Applicant has undertaken the baseline noise survey in the manner agreed with CDC and presented at **ES Technical Appendix 13.1 Baseline Noise Survey Report [APP-114].**	Agreed
3	Noise sensitive assessment locations	CDC confirmed they were happy with the identified assessment locations including residential, heritage and ecological receptors.	The Applicant has assessed the noise impact at the agreed assessment locations., as presented in the **ES Volume 1, Chapter 13: Noise and Vibration [~~Document Reference 6.2.13 Revision 4~~REP6-014]**	Agreed

Ref	Topic	CDC Position	Applicant Position	Status
4	Character of the area	Within **CDC's RR** to Cultural Heritage, the authority states: *'there is also potential for the proposed development to give rise to noise impacts that could adversely affect the distinctiveness of the area. An important characteristic associated with the isolation and remoteness of this location is the limited noise intrusion experienced here. Changes to this will undoubtedly affect the enjoyment of the distinctive area for both residents and others seeking to enjoy its special qualities such as users of the public rights of way.'*	**ES Volume 1, Chapter 13: Noise and Vibration** [~~Document Reference 6.2.13 Revision 4~~REP6-014] includes a number of heritage locations. The assessment at all locations demonstrate noise from the operational facility would fall well below the prevailing background sound level. Given this, it is likely that the prevailing environmental sound climate would mask noise from the solar farm and BESS.	Agreed

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

Ref	Topic	CDC Position	Applicant Position	Status
1	Glint & Glare	*Paragraphs 12.1 to 13.3 of RR* 12.1 CDC would emphasise in the strongest of terms that the reopening the airport is a key strategic priority for the Council, with a plan for passenger flights to resume. As such, CDC requests that the impacts on the airport be	The Applicant has already considered the potential impacts of the Scheme against Doncaster Sheffield Airport due to the possibility of the airport becoming operational in the near future. There is no significant impact from Glint and Glare on aircraft using Doncaster Sheffield Airport. See Section 8.2 of	Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		fully accounted for within the final ES and that the baseline for all relevant assessments contained within it are with the airport as fully operational. 12.2 This is further highlighted by Local Plan Policy 58(B) of the adopted Local Plan sets out that in all cases low carbon and renewable energy proposals will be supported where they (inter alia) allow the continued safe and efficient operation of Doncaster Sheffield Airport. 12.3 CDC will provide further, detailed feedback on the assessments undertaken in this respect through its Local Impact Report in due course and in this respect intends to consult with its own retained consultant.	the **ES Technical Appendix 16.1 Glint and Glare Assessment (Fixed and Tracker Design) [APP-122]**; and Section 8.2 of the **ES Technical Appendix 16.2 Glint and Glare Assessment (Fixed Design) [REP1-025]**.	
2	Cumulative Impacts	**3. Relevant Planning Permissions & Cumulative Impacts:** 3.1 For the purposes of assessing the cumulative effects, the Council relies on the List of Cumulative Schemes set out in Environmental Statement Appendix 17.1 Cumulative Long List [APP-126] and Environmental Statement Appendix 17.2	At Deadline 6 the Applicant has submitted an updated **ES Chapter 17 Cumulative Impacts [~~Document Reference 6.2.17 Revision 4~~REP6-016]** to reflect any changes in status to the cumulative schemes or if new relevant cumulative schemes have been submitted since the submission of the DCO application. The below suggestions of cumulative schemes from CDC have been reflected in the update	Agreed

Ref	Topic	CDC Position	Applicant Position	Status
		Cumulative Short List [APP-127]. Reference is also made to Environmental Statement Chapter 17: Cumulative Impacts [APP-054] and Environmental Statement Figure 17.1: Cumulative Sites Plan [APP-175]. 3.2 In this respect, CDC can advise as follows: 3.3 23/02642/FULM [cited as No. 27, APP-126] has now been granted planning permission. 3.4 25/00287/OUTM [cited as No. 22, APP-127] was refused planning permission on 12.12.2025 3.5 Whilst the above development at Hurst Lane, Auckley has been accounted for in the Cumulative Short List [APP-127], CDC cannot find reference within the documents to developments in very close proximity at land south of Hurst Lane, Auckley, which have resolutions to grant planning permission, subject to the finalisation of Section 106 agreements (currently at an advanced stage). These are set out as follows and CDC would question why they have been excluded from the cumulative assessment, along with other committed development at the airport itself. This should be rectified, or a satisfactory	and in addition, 6 relevant, new cumulative schemes submitted since the DCO application submission have been assessed. The Applicant is grateful to CDC for advising that application 25/00287/OUTM was refused. The Applicant notes that the refused development (25/00287/OUTM) has bypassed the 6 month appeal submission window. **ES Appendix 17.1 Cumulative Long List [~~Document Reference 6.3.17.1 Revision 2~~REP6-020]** and **ES Appendix 17.2~~1~~ Cumulative Short List [~~Document Reference 6.3.17.2 Revision 2~~REP6-022]**have been updated to reflect this cumulative scheme's change in status. However, the assessment of this cumulative scheme is retained in **ES Chapter 17 Cumulative Impacts [~~Document Reference 6.2.17 Revision 4~~REP6-016]** for completeness. This shortlisted cumulative site had not led to any significant cumulative effect predicted within the ES. Application 23/02642/FULM is identified as Site 27 on the **ES Appendix 17.1 Cumulative Long List [~~Document Reference 6.3.17.1 Revision 2~~REP6-020]** The status of the application has been updated to granted at	

Ref	Topic	CDC Position	Applicant Position	Status
		explanation provided setting out why they have been excluded from the assessment: 3.6 25/00136/OUTA Outline planning application (with all matters reserved except external vehicular highway access) for residential development (Use Class C3), provision of coworking hubs, with land allocated for a single form entry primary school (if required), including the demolition of Warren House Farm and the provision of drainage (including SUDS), public open space with children's play space, enhancements to existing footpaths/tracks, new footpaths and cycleways (including the creation of an active travel corridor) – Resolved to grant planning permission on 18.11.2025. 3.7 25/00137/OUTA Outline planning application (with all matters reserved except external vehicular highway access) for multi-tenure residential development (Use Class C2/C3) (including affordable housing, later living, retirement accommodation, assisted living, build to rent and other complimentary/multi-tenure/specialist housing) with land identified for a single form entry primary school (if required), including the	Deadline 6 in **ES Appendix 17.1 Cumulative Long List [~~Document Reference 6.3.17.1 Revision 2~~REP6-020]** and **ES Appendix 17.1 Cumulative Short List [~~Document Reference 6.3.17.2 Revision 2~~REP6-022]** submissions. Although this application was approximately 6.6km from the Scheme it was excluded from the cumulative shortlist, and remains excluded from the updated cumulative effects assessment, since its scale and nature were unlikely to lead to a significant cumulative effect with the Scheme. This application was not accompanied by an EIA and through its own determination process CDC have confirmed a S106 to resolve all socio-economic requirements and the BNG/ecological effects have been resolved. Applications 25/00316/OUTA and 25/00137/OUTA are approx. 11.65km from the nearest point of the Scheme. This is outside of the 10km ZOI (biodiversity) that was set in the cumulative site methodology. The ZOI that was set for all other environmental disciplines is less than 10km. These distances are listed in Table 17.5 **ES Chapter 17 Cumulative Impacts [~~Document Reference 6.2.17 Revision 4~~REP6-016]**. Application 20/03415/FULM is approx.	

Ref	Topic	CDC Position	Applicant Position	Status
		demolition of Warren House Farm and the provision of community buildings (Use Classes E, F1 (a-g), F2 (a-d), sui generis uses comprising drinking establishments with expanded food provision, co-working hubs (Use Classes E, F1 (a-g), F2 (a-d)), drainage works (including SUDs), public open space with children's play space, enhancements to existing footpaths/tracks, new footpaths and cycle ways (including the creation of an active travel corridor) – Resolved to grant planning permission on 18.11.2025. 3.8 Linked to these two outline applications directly above is planning application reference 20/03415/FULM, which was granted planning permission on 20th December 2024 for a mixed use development (in hybrid form) comprising: a) An application for full planning permission for the construction of highway/drainage infrastructure and strategic landscape planting within the application site; and b) An application for outline planning permission with all matters reserved (except	11.34km from the nearest point of the Scheme and was excluded from the cumulative long list for the same reason. Applications 25/00316/OUTA, 25/00137/OUTA and 20/03415/FULM remain excluded from the cumulative effects assessment update submitted at Deadline 6 as they are outside the methodology scope and will not cause significant cumulative effects with the Scheme. A note has been included in **ES Appendix 17.1 Cumulative Long List** [~~**Document Reference 6.3.17.1 Revision 2**~~REP6-020] submitted at Deadline 6 setting out the position in relation to these schemes. Doncaster Sheffield Airport is south of the Scheme. At its closest point it is approx. 9.57km from the Scheme. This assumes the airport's northern boundary is the railway line. None of the proposed or approved planning applications that link to Doncaster Sheffield Airport are within 10km of the Scheme and therefore none fall within the presented criteria or methodology for cumulative assessment. These schemes remain excluded from the cumulative effects assessment update submitted at Deadline 6 as they will not cause significant cumulative effects with	

Ref	Topic	CDC Position	Applicant Position	Status
		access) for up to maximum floorspace of 42,689sqm GIA, comprising of: 13,572m2 of floorspace to be used within Class E(g) (offices) 12,143m2 of floor-space to be used within Class C3 (residential) 8,826m2 to be used within Class C1 (up to 3 hotels) 3,529m2 to be used within Classes E(a) (b) & Sui Generis (r) (retail /restaurant / cafe / hot food takeaway) 2,833m 2 to be used within Classes E(a)/E(c)/E(b)/ SG (p)/SG (r)/ E(e) or E(f)/ (retail / financial and professional services / restaurant / cafe / drinking establishment / hot food takeaway and community facilities such as medical facilities or creche) 1,700m2 to be used within Class E(a) (food-retail) 919m2 to be used within Classes E(b) / SG(r) (restaurant / cafe / hot food takeaway)	the Scheme. A note has been included in **ES Appendix 17.1 Cumulative Long List [~~Document Reference 6.3.17.1 Revision 2~~REP6-020]** submitted at Deadline 6 setting out the position in relation to these schemes. For clarification the Glint and Glare section of **Chapter 16: Other Topics of the ES [REP2-027]** considered the possible impacts on Doncaster Sheffield Airport the majority of which is located outside of 10km for the Scheme. This airport was included in the Glint & Glare assessment to ensure it was robust. There is no significant impact from Glint and Glare on aircraft using Doncaster Sheffield Airport. Fenwick Solar Farm (Application No EN010152) is cumulative site No. 24 within the shortlisted sites, and was granted development consent on 18 February 2026. Its status has been updated to 'Granted' in **ES Appendix 17.1 Cumulative Long List [~~Document Reference 6.3.17.1 Revision 2~~REP6-020], ES Appendix 17.1 Cumulative Short List [~~Document Reference 6.3.17.2 Revision 2~~REP6-022]** and **ES Chapter 17 Cumulative Impacts [~~Document Reference 6.2.17 Revision 4~~REP6-**	

Ref	Topic	CDC Position	Applicant Position	Status
		473m2 to be used within Class E(a) / Sui Generis (retail / petrol filling station) and 314m2 to be used within Classes SG(q) (public house) together with facilities for the storage of waste, car parking, landscaping, site re-profiling, drainage and utilities infrastructure. 3.9 CDC reserves its position to make more detailed commentary on this matter within the Local Impact Report. In general, whilst not committed developments at this point for the purposes of the ES, there are two other substantial solar farm DCO projects in the pipeline within the Borough (and into neighbouring authorities), which may have progressed by the time of the Local Impact Report or into the Examination and these will be referenced in detail at those stages, where possible to do so in order to give the fullest, and most up to date position to assist the Examining Authority. Similarly, Town and Country Planning applications currently undetermined may have been determined by these stages and will also be referenced accordingly.	016]. The change in status does not impact the cumulative effects assessment and conclusions reached in the original drafting of the ES Chapter 17 Cumulative Impacts and no changes are made to the assessment. Whitestone Solar Farm (EN0110020) is located approximately 21.5km from the Scheme. Area Whitestone 1 is located within CDC, the remaining two areas are within Rotherham Metropolitan Borough Council (RMBC). This scheme is currently at pre-examination stage with the DCO application accepted for Examination on the 3rd July 2026 The Whitestone Solar Farm did not scope in the Scheme for a cumulative assessment and was not put on to its cumulative long list according to their relevant documentation (6.17 Environmental Statement Chapter 17 Cumulative Effects Assessment [APP-069] and 6.20 Environmental Statement Appendix 17.2 Long List of Developments for Cumulative Effects Assessment [APP-154]). This scheme remains excluded from the cumulative effects assessment update submitted at Deadline 6 as it will not cause significant cumulative effects with the Scheme. A note has been included in	

Ref	Topic	CDC Position	Applicant Position	Status
		3.10 In the meantime, the following information is provided: • The Fenwick Solar Farm DCO was made 18 February 2026. • Whitestone Solar Farm DCO2 is expected to be submitted between April and June 2026 By way of an update (29/09/2026, City of Doncaster Council can confirm that Planning Application Refs. 25/00316/OUTA and 25/00137/OUTA have been approved, and that the Whitestone DCO application (EN0110020) has now been submitted for examination. It agrees that these can be scoped out of the cumulative assessment..	**ES Appendix 17.1 Cumulative Long List** [~~**Document Reference 6.3.17.1 Revision 2**~~REP6-020] **s**ubmitted at Deadline 6 setting out the position in relation to this scheme.	

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

Ref	Provision within Draft DCO	City of Doncaster Council's Position	Applicant's Position	Status

1	Part 3 – Streets: Permit Scheme	CDC has concerns over the scope of the powers contained within Part 3 (Streets) of the **Draft DCO [Document Revision 3.1 Revision 7]**, articles 11 to 18. CDC has requested that the Applicant amend the Draft DCO to provide for application of CDC's permit scheme to the Scheme. **CDC's Deadline 7 comment:** while the principle of the inclusion of article 12 (application of permit scheme) is welcomed by CDC, CDC seeks confirmation why article 12(1)(d) is needed. CDC understands an explanation will be provided at Deadline 7. **CDC's Deadline 8 comment:** CDC has considered the Applicant's Deadline 7 reply. CDC disagrees with it and considers article 12(1)(d) should be deleted. It is appropriate for CDC to refuse a permit on the basis of the location of the proposed works in this case. An application would not be refused without good reason, and the Applicant's response gives examples of good reasons. Reasons for refusal are often linked to safety. For instance, if it would be unsafe to issue a permit for a particular location because another permit has already been	The Applicant understands that the CDC permit scheme requires road space to be booked where works or other operations affecting the highway are proposed. The Applicant considers that this is, in general, a reasonable mechanism to enable CDC to manage its network efficiently and consistently. The Applicant updated the Draft DCO ~~[Document Reference 3.1 Revision 9~~**Document Reference 3.1 Revision 10**~~]~~ [REP4-003] at Deadline 4 to ensure the permit scheme is appropriately accommodated with the existing controls secured by the Draft DCO and does not duplicate or conflict with the established controls. The Applicant shared this update with CDC ahead of that deadline. ~~It is the Applicant's view that due to the amendments to the Draft DCO, this item is now agreed. The Applicant would welcome CDC's confirmation of this.~~The Applicant set out the rationale for the inclusion of article 12(1)(d) in **Applicant Responses to Interested Party Comments on the ExA's Commentary on the dDCO [Document Reference 8.33 Revision 1]** (at page 64).	Agreed~~-~~ in principle **but inclusion of article 12(1)(d) not agreed** ~~Under discussion~~Agreed

		issued for that location for the period required by an applicant, CDC would not want its ability to refuse to be constrained in any way. Safety must trump the risk of a slight delay to an applicant's programme of works. CDC would also refuse an application for a particular location if an effect of issuing the permit scheme would be to prevent persons from accessing a diversion. For instance, if a permit has already been issued and an effect of that issue is that people must use a diversion, CDC would not want the diverted route to be the subject to a permit. In the light of the above, CDC would wish to preserve its ability to refuse an application for a permit on the basis of location.	The Applicant now awaits CDC's confirmation that this matter is agreed.	
2	Part 3 – Streets: Highways Agreement	CDC has concerns over the scope of the powers contained within Part 3 (Streets) of the **Draft DCO [Document Revision 3.1 Revision 7]**, articles 11 to 18. CDC has requested that the Applicant amend the Draft DCO to provide that highway works proposed under Part 3 be carried out in	The Applicant and the Council ~~have~~ discussed the potential inclusion of a highways agreement to be referenced within the **Draft DCO [~~Document Reference 3.1 Revision 9~~Document Reference 3.1 Revision 1010]**, such that elements of the	~~Under discussion~~Agreed

		accordance with the Council's standard highways agreement. CDC comment dated 20 July 2026: CDC shared its standard s.278 highways agreement with the Applicant on 26 May 2026. The Applicant returned its comments on 14 July 2026 and CDC is considering these. CDC will continue discussing this point with the Applicant and intends to provide an update on the same at Deadline 5. **CDC's Deadline 7 comment:** CDC provided its comments on the Applicant's proposed local highway authority protective provisions on 17 September 2026 and awaits the Applicant's response. Those comments were also included in CDC's Deadline 6 submission Responses to ExQ3 **[REP6-091]** at Part 2 of the Annex (from page 38/45 to 45/45). In addition, at Deadline 6, CDC submitted its preferred form of Protective Provisions. These were the PPs submitted by the Applicant at Deadline 5 as amended by CDC. The amendments were shown tracked. (See CDC's Responses to ExQ3	street works activities would be governed outside the DCO. The Draft DCO already contains a comprehensive framework for the control and management of highway works. This includes the relevant provisions within Part 3 (Streets) of the Order and the **Outline Construction Traffic Management Plan [~~Document Reference 7.7 Revision 5~~REP6-038, REP6-040, and REP6-042REP6-040, 042 and 044]**, which is subject to the approval of the highways authority under requirement 16(1). Taken together, these mechanisms provide an adequate and well-established basis for regulating highways impacts. It is the Applicant's position that the introduction of a separate highways' agreement, particularly one expressly referenced in the Order, would risk duplicating existing controls and introducing an additional layer of consent. This would undermine the fundamental purpose of the DCO regime as a "one-stop-shop" for nationally significant infrastructure projects, in which all necessary authorisations and controls are secured within a single authorising instrument. The Applicant's position is therefore that a side agreement	

		[REP6-091] at Part 1 of the Annex (from page 25/45 to 37/45). ~~3.1.6.~~ **CDC's Deadline 8 comment:** CDC confirmed on 6 October 2026 that the revised PPs that the Applicant sent to it on 5 October 2026 are acceptable. CDC understands these will be included in the draft DCO that the Applicant will submit to the Examination at Deadline 8.	should not sit in parallel with the draft DCO and that any reasonable conditions which CDC deems necessary in addition to those already provided for can be folded into the DCO and associated management plans. In terms of precedent, the Applicant notes that article 16(3) of the Fenwick Solar Farm Order requires the undertaker to enter into an agreement substantially in accordance with a framework highway works agreement with City of Doncaster Council. However, this appears to be an isolated example in the solar DCO context, and the Applicant is not aware of any consistent practice of requiring such provisions in solar Orders more generally. The Applicant notes that it is not bound to follow the approach taken on Fenwick particularly where precedent shows that it cannot be regarded as typical / standard as far as DCO implementation is concerned. The Applicant has ~~now~~ considered ~~both~~ the ~~framework highways agreement and the~~ protective provisions, subsequently proposed by CDC as an alternative to its previous request for a framework highways agreement. ~~The Applicant's review focused on identifying whether that agreement~~	

			~~addressed matters which are not already regulated by the **Draft DCO [Document Reference 3.1 Revision 9**~~Document Reference 3.1 Revision 10~~**]** and management plans.~~ The Applicant ~~has now~~ incorporated specific protective provisions for the protection of CDC as local highway authority into the Draft DCO at **Deadline 5 [**REP5-002**].** The Applicant ~~has~~ also provided a response to Q2.5.3 **[REP5-041]**, which ~~pertains~~ pertained to this topic. ~~The Applicant awaits comments from CDC on the protective provisions included within the Draft DCO at Deadline 5 (and shared with CDC's legal representatives on 30 July 2026) with a view that any necessary amendments as a result of those comments, could be made to the Draft DCO **[Document Reference 3.1 Revision 9]** submitted at Deadline 6. The Applicant is confident that agreement as to the form of the protective provisions can be reached with before the end of the examination.~~ The Applicant received comments on the draft protective provisions (shared with CDC on 30th July 2026) from CDC's legal advisors on 17th September and ~~is currently engaging with CDC with a view to reaching an agreement before the close of~~	

			~~examination~~issued a response to these on 30th September. ~~The Applicant intends to provide a substantive response to CDC's comments shortly after Deadline 6is now awaiting CDC's further response.~~ The parties are continuing discussions in relation to PPs and hopefully will be able to reach an agreement on or before deadline 8.	
).	**Deemed consent provisions – time period.** Article 14~~3~~(5) (power to alter layout, etc. of streets) Article 16~~5~~(9) (temporary closure or restriction of streets and public rights of way)	CDC is concerned that the deemed consent provisions, drafted as specifying a 28-day period, should be extended. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 6) of its Local Impact Report **[REP1-062]** and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [**REP3-081**] (row 6, from page 14). The Schedule to this document includes certain of CDC's proposed amendments to the draft DCO and this amendment is shown in Amendment 1, Amendment 2,	The Applicant does not consider it necessary or justified for the 28-day time period within the deemed consent provisions, to be extended. The purpose of the deemed consent provisions is to avoid delay to the delivery of the authorised development where routine consents are required from the highway authority. The proposed 28-day period reflects a reasonable and proportionate balance between: • ensuring the highways authority has sufficient time to consider applications; and	Not agreed

	176(2) (access to works) 198(8) (traffic regulation measures)	Amendment 3, and Amendment 4 at the end of this SoCG. **CDC's Deadline 7 comment:** CDC maintains its position on this issue.	• providing the Applicant with certainty and avoiding programme risk. The Applicant considers that the type of applications to be made under these provisions will be relatively limited in scope and technical complexity and accordingly should not require extensive time or resource to determine. It is not anticipated that there will be significant numbers of applications made for consent under the deemed consent provisions, as the general principle is that the Applicant is seeking consent for these from the Secretary of State pursuant to the Order and has listed the affected streets in the relevant schedules to the ~~Draft~~ **draft DCO [Document Reference 3.1 Revision 10]**. Second, an application is likely to be made in respect of one or a small number of streets given, as noted, that the list included in the draft DCO is comprehensive. Third, the Applicant is proposing, in response to CDC's request, that the CDC permit scheme would apply to activities within the scope of articles 13, 15 and 16. The permit scheme imposes separate requirements as to the timing of applications for permits. Fourth, where any activities contemplated pursuant to the	

		~~3.1.10.~~	provisions cited engage detailed design considerations, CDC's approval pursuant to Requirement 6 would need to be secured. Again, separate timescales apply to applications for the discharge of requirements. In short, the number of applications and volume of work required of CDC in these circumstances will be minimal. It is also important to note that: • the deemed consent mechanism only operates in circumstances where no response is provided within the prescribed period; and • the Council retains the ability to refuse consent within that period where it considers it appropriate to do so. The Applicant further notes in this regard that any application made pursuant to these provisions would need to include "a statement … that refers to the timeframe for consideration of the application and the consequences of failure to meet that	

			timeframe". This ~~is~~ was secured by the draft DCO submitted at Deadline 3 **[REP3-006]**. In these circumstances, the Applicant considers that there is no compelling justification for extending the deemed consent timeframe, and that doing so would introduce an unnecessary risk of delay to the implementation of the Scheme. The Applicant notes the precedent on this point: **Article 13(5) of the Draft DCO:** Article 13(5) is precedented in article 10(5) of Helios Renewable Energy Project Order 2025. Outside the solar context, this provision is precedented in: article 12(6) of the Dogger Bank South East and West Offshore Wind Farms Order 2026, article 14(5) of the Outer Dowsing Offshore Wind Farm Order 2026, article 10(4) of the Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 article 10(5), article 11(4) of the London Luton Airport Expansion Development Consent Order 2025. **Action 15(9) of the Draft DCO:** In the solar context, A15(9) is precedented in A13(7) of the Helios Renewable Energy Project Order 2025. Outside the solar context in other	

			energy DCO and wider DCOs, this article is precedented in A10(7) Dogger Bank South East and West Offshore Wind Farms, article 10(5) and 11(7) of the Outer Dowsing Offshore Wind Farm Order 2026, article 12(7) of the Mona Offshore Wind Farm Order 2025, Luton Airport Expansion A13(6), article 12(8) of the Lower Thames Crossing Order 2025. **Article 16(2) of the Draft DCO:** A16(2) is precedented in 13(2) Dogger Bank, A12(2) of the Outer Dowsing Offshore Wind Farm Order 2026, article 14(2) of the Mona Offshore Wind Farm Order 25, A15(2) Luton Airport Expansion. **Article 18(8):** A18(8) is precedented in A16(9) Luton Airport Expansion, A17(11) Lower Thames Crossing. The Applicant also notes that the recently published, Nuclear Regulatory Review 2025 produced by a Taskforce led by John Fingleton, recommended that model provisions for DCO drafting should be reinstated to help solve common problems occurring in the consenting of NSIPs. One of the model provisions included in the Review is the inclusion of 28-day decision making period with deemed consent applying at the end of this (see page 96 of the Report). The	

			Report says under Recommendation 28: Reinstatement of the Infrastructure Planning (Model Provisions) (England and Wales) Order 2009: "MHCLG should legislate to reinstate the Model Provisions. These Model Provisions in addition to standard provisions, should include: (e) Time periods for consultation, decision-making, and notice periods across all provisions, should not exceed 28 days, and for protective provisions, this period should be 42 days (with deemed consent applying at the end of these periods)." On 26 November 2025, the Prime Minister fully endorsed the recommendations of the Review, accepting "the principle of all the recommendations it has set out". The Applicant notes the drafting proposal which CDC has put forward. For the reasons that the Applicant has previously expressed in detail, the Applicant does not consider that it would be appropriate to incorporate these drafting suggestions within the ~~**Draft DCO [Document Reference 3.1 Revision 8]**~~draft DCO. The Applicant provided a further response to CDC's submissions on this matter at Deadline 7 within **Applicant Responses to Interested Party Comments on the ExA's**	

			Commentary on the dDCO [Document Reference 8.33 Revision 1]. The matter is not agreed.	
3.	**Deemed consent provisions – deeming provision statement:** Article 14(5) (power to alter layout, etc. of streets) Article 16(9) (temporary closure or restriction of streets and public rights of way) 17(2) (access to works) ~~3.1.13.~~ 19(8) (traffic	~~3.1.14.~~ CDC's view was that in each article with a deemed provision, the deeming provision should be followed by a provision which requires the undertaker to inform the authority of the deemed provision when it makes the application. 4. CDC comment dated 20 July 2026: CDC welcomes these amendments. In addition, as stated in Appendix 2 (row 7) of its Local Impact Report **[**REP1-062**]** and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [REP3-081] (row 7) there should be a corresponding provision which states that if the statement is not included, the deeming provisions will not apply. The Schedule to this document includes certain of CDC's proposed amendments to the draft DCO and this amendment is shown in Amendment 1, Amendment 2,	~~The Applicant updated article 14 (Power to alter layout, etc., of streets) of the **Draft DCO [REP2-002]** at Deadline 2 to include paragraph (6) which states:~~ ~~"(6) An application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application."~~ ~~The Applicant is proposing to update articles 16, 17 and 19 of the **Draft DCO [Document Reference 3.1. Revision 9]** at Deadline 3 to include the equivalent provision in each article. The Applicant therefore awaits CDC's agreement that this matter is now agreed and can be removed from outstanding points of difference as to the Draft DCO.~~ ~~The Applicant notes the drafting proposal which CDC has put forward.~~ ~~The Applicant agrees to incorporate the drafting suggested by CDC to articles 14, 16, 17 and 19 of the **Draft DCO [Document Reference 3.1 Revision 9**~~Document Reference 3.1 Revision 10~~**]** submitted at	6. Agreed

	regulation measures)	Amendment 3, and Amendment 4, shown at the end of this SoCG **CDC's Deadline 7 comment:** this is now agreed. 5.	~~Deadline 6. The updated drafting will include a new provision which states that, taking article 14 as an example, if an application for consent under paragraph (4) does not include the statement required under paragraph (6), then the provisions of paragraph (5) will not apply to that application".~~ ~~In light of this change, it is the Applicant's view that this item can now be changed to agreed and would welcome CDC's confirmation of this~~CDC's drafting proposals in relation to this matter have been incorporated within the **draft DCO [Document Reference 3.1 Revision 10]** during the course of the examination and the matter is now agreed.	
7.	**Consent provision:** Article 15(5)(b) (temporary closure or restriction of streets and public rights of way)	CDC is requesting the removal of "such consent not to be unreasonably withheld or delayed" in article 15(5)(b) and 49(1) in circumstances where there is a deemed consent provision. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 9, from page 7) of its Local Impact Report **[REP1-062]** and Table 1 (unresolved	The Applicant notes that this wording is precedented in circumstances where deemed consent provisions apply and does not consider that CDC has justified why the inclusion of deemed consent provisions necessarily means that consent could not be unreasonably withheld or delayed in all cases. See, for example, Article 10(4) of the Helios Renewable Energy Project Order 2025, Article 14(3) of the Outer Dowsing Offshore Wind Farm Order 2026, Article 13(5)(b) of the	19. Not agreed

	8. Article 49(1) Requirements, appeals, etc.	comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [**REP3-081**] (row 9, from page 20). The Schedule to this document includes certain of CDC's proposed amendments to the draft DCO and this amendment is shown in Amendment 2 and Amendment 6. **CDC's Deadline 7 comment:** CDC maintains its position on this issue. In addition to the documents mentioned above, CDC also considered this issue in its Responses to ExQ3 **[REP6-091]** at Table 1, DCO3.5 (pages 20/45 and 21/45).	Boston Alternative Energy Facility Order 2023 and Article 12(5)(b) of the A122 (Lower Thames Crossing) Development Consent Order 2025, which support the Applicant's position on this matter. The Applicant notes the drafting proposal which CDC has put forward. For the reasons that the Applicant has previously expressed in detail, the Applicant does not consider that it would be appropriate to incorporate these drafting suggestions within the **Draft DCO [Document Reference 3.1 Revision ~~8~~10]**. The Applicant provided a response to CDC's Deadline comments on this matter (set out by CDC in REP6-091) in **Applicant Responses to IP Comments on the ExA's Commentary on the dDCO [Document Reference 8.33 Revision 1].**	
20.	21. Article 42 (Trees subject to tree preservation orders)	22. CDC is querying the Applicant's use of this article in circumstances where there are no trees subject to TPOs within the Order Limits. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 13, from page 10) of its Local Impact Report **[REP1-062]** and Table 1 (unresolved	The Applicant is not proposing to make any changes to the drafting of this article. The power in this article is necessary to ensure that the Applicant can take appropriate action in relation to any TPO granted within the Order Limits. The Applicant has had regard to PINS' Advice Note on Drafting Development Consent Orders and in particular paragraph 22.3 which says that "*It is not appropriate for this power to be*	24. Not agreed

		comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [**REP3-081**] (row 13, from page 25). The Schedule to this document includes certain of CDC's proposed amendments to the draft DCO and this amendment is shown in Amendment 5. **CDC's Deadline 7 comment:** CDC maintains its position on this issue. 23.	*included on a precautionary basis*." The Applicant's approach is consistent with that guidance. This article has not been included as a broad or speculative power, nor does it adopt the form of drafting cautioned against in the guidance. Rather, the Applicant has undertaken a detailed search but has not identified any trees currently subject to TPOs. However, it is quite possible that a TPO could be made in the future and, if that happened, it would not be appropriate for the Applicant's ability to construct and maintain this NSIP to be impeded in those circumstances. The Applicant's approach to article 42 is precedented by the approaches taken in Article 38 of the Helios Renewable Energy Project Order 2025, article 43(6)-(9) of the Stonestreet Green Solar Order 2025, article 39 of the Byers Gill Solar Order 2025 and article 36(1) of the Heckington Fen Solar Farm Order 2025. The Applicant does not consider it necessary to limit the effect of this article to TPOs made from a certain date (e.g., after submission of the application). The article would not apply to TPOs made before the DCO application in	

			this case because there are none as matter of fact. Adding further wording to limit the temporal scope of the provision would not therefore make any difference and would accordingly be superfluous contrary to good practice in statutory drafting. There are a number of Orders where the Applicant's approach has been accepted by the SoS (as set out above).	
25.	26. Requirement 3 (phasing of the authorised development and date of final commissioning)	27. CDC has requested that the Applicant amend requirement 3 of the **Draft DCO [Document Reference 3.1 Revision 7]** to secure the submission of a detailed written scheme, including a construction timetable and plans identifying phase areas. 28. CDC comment dated 20 July 2026: CDC maintains its position and would refer to the points made in Appendix 2 (row 14, from page 10) of its Local Impact Report [**REP1-062**] and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [**REP3-081**] (row 14, from page 27).	The Applicant is not proposing to make any changes to the drafting of Requirement 3. At present, Requirement 3 secures the submission and approval of a written scheme setting out the phases of construction prior to commencement, with paragraph (5) expressly allowing for flexibility and optioneering within that scheme, subject to the undertaker providing notice of the final intended phasing prior to commencement. This mechanism is an important feature of the drafting, as it allows the phasing strategy to evolve in response to delivery considerations while still ensuring that the relevant planning authority has appropriate visibility and control at the point that works commence.	29. Not agreed ~~Under discussion~~

		CDC would emphasise the following points, which are made in the latter document: "CDC would be content to receive the timetable on the basis that it is draft and likely to change, provided it is given reasonable notice of any changes. CDC would be content for the timetable to be included in another document, for instance a Planning Performance Agreement, if such a document could be agreed". **CDC's Deadline 7 comment:** CDC maintains its position on this issue.	Introducing a requirement to include a fixed construction timetable within the Requirement risks undermining this flexibility. In particular: • it would conflict with the flexibility expressly preserved under paragraph (5), which is designed to allow the approach to phasing to develop/evolve up to the point of commencement; and • it could constrain the undertaker's ability to respond to programme changes, logistics and other delivery considerations, particularly where the precise sequencing of phases is not fixed at the outset. In any event, the written scheme is subject to approval by the relevant planning authority. As such, there is already an appropriate mechanism for CDC to require further detail (including, where justified, indicative programmes or plans) as part of that approval process, without the need to prescribe this on the face of the Requirement. The Applicant also notes that the detailed Construction Environmental Management	

			Plan will include an indicative overview of the final construction programme for information. This is set out in paragraph 2.1.4 of the **Outline CEMP [~~REP2-062~~Document Reference 7.1 Revision 7]**. Requirement 14 of the **draft DCO [Document Reference 3.1 Revision 10]** gives the Council approval rights of the detailed CEMP. The Applicant also notes that the made Fenwick Solar Farm Order 2026 does not include a requirement for the submission of a written scheme for construction, so the approach proposed here already represents a more structured and controlled mechanism. Neither do many made solar DCOs; the Applicant notes that the wording that the Council is requesting is not precedented in Helios Renewable Energy Project, Stonestreet Green Solar, Tillbridge Solar Project, Byers Gill Solar, East Yorkshire Solar Farm and West Burton Solar Project.	
30.	31. Schedule 2, Part 2, Paragraph 4 (Fees) / Planning Performance	32. CDC is requesting a PPA for the full recovery of CDC's costs in discharging any application under the Order. CDC comment dated 20 July 2026: CDC welcomes the evolution of the Applicant's position; however, CDC notes that fees are	The Applicant ~~has~~ amended the provisions of the ~~Draft~~ draft DCO at Deadline 4 **[~~Document Reference 3.1, Revision 9~~REP4-003]** relating to fees for the discharge of requirements and ~~has~~ shared the proposed drafting with CDC ahead of ~~Deadline 4~~that deadline. The ~~proposed~~ amendments	34. Not Agreed ~~Under discussion~~

	Agreement (PPA)	not proposed for other consents under the Order and these should also be paid. It is not clear to CDC that the Applicant's proposal will provide for the full recovery of CDC's costs. That is essential because, if not, CDC will effectively be subsidising the Applicant's project and it would be unreasonable for CDC to be placed in that position. In any event, CDC will continue to discuss the Applicant's costs proposal with the Applicant. 33. CDC maintains its overall position on fees and would refer to the points made in Appendix 2 (row 19, from page 12) of its Local Impact Report [**REP1-062**] and Table 1 (unresolved comments on the draft DCO) included its Written summary of oral submissions made at hearings in w/c 22 June 2023 [**REP3-081**] (row 19, from page 29). **CDC's Deadline 7 comment:** It is essential that CDC's costs of discharging requirements (and of dealing with other applications for consent) are covered. CDC is not seeking to profit from providing the services demanded by the	increased to a significant extent the fees payable to CDC and NLC in connection with applications for the discharge of requirements, to those ~~currently~~ previously set out in the Draft DCO. The revised fee levels are in line with recent solar precedent, including the Springwell Solar Farm Order 2026, the West Burton Solar Project Order 2025, the Cottam Solar Project Order 2024, the Heckington Fen Solar Park Order 2025, the Tillbridge solar Order 2025 and the Mallard Pass Solar Farm Order 2024. On the basis of the precedented approach to fees proposed, the Applicant does not consider that a separate PPA is necessary. The Applicant ~~would welcome further discussions with CDC on this point, but~~ is ~~fundamentally~~ of the clear view that the fee levels and scope now proposed are substantial, ~~and~~ widely precedented and commensurate with the scope and complexity of the post-consent management plans that will need to be considered by CDC as discharging authority under the Schedule 2 Requirements. ~~The Applicant requests any further comments from CDC on this matter ahead of Deadline 6, noting also the ExA's WQ3.14.2 which requests an explanation of and justification for the fee amount sought by~~	

		Applicant's Order, indeed it would be unlawful for it to seek to do so. However, CDC is seeking to ensure that it does not end up in a position where, because of an unsatisfactory fee regime, it is doing work at a loss and is effectively subsidising the Applicant's project. Any other approach is unfair. It will be appreciated this is an application for a nationally significant infrastructure project under the Planning Act 2008, and the fee should reflect the work involved. It will also be remembered that, by paragraph 1 of Schedule 2, the discharging authority will have a statutory deadline to make its decision on any application and if no decision is made within that period, consent will be deemed to have been granted. The same applies in respect of consents sought under articles. Dealing with any application for consent under this Order will therefore be a matter of high priority for the discharging authority, diverting officer resource from other matters. The inclusion of the deeming provision and its effects on local authority resourcing is another reason why the full	~~CDC.~~CDC's Deadline 7 comment is substantially the same as that set out by CDC in response to ExQ3.14.2 in REP6-091. The Applicant provided a response to this in **Applicant Responses to Interested Party Responses to 3rd Written Questions [Document Reference 8.32 Revision 1]** (from p24).	

		cost of doing this work must be covered by the Applicant. CDC's original (and still preferred) position would be to secure the payment of its reasonable costs by way of post-consent planning performance agreement. That has not been possible and the Applicant has suggested, during the course of the Examination, a series of fees proposals. While the latest proposal **[REP5-003]** is better than that originally proposed, it does not provide the certainty required by CDC that all their costs will be covered. CDC notes that the fees proposed are in line with recent solar DCO precedents; however, having considered the Secretary of State's Decision Letters and ExA's Recommendation Reports for each precedent, CDC has not identified an instance where the fees were subject to analysis or discussion. It is also not clear how the fees have been calculated. CDC understands that the precedent projects are not yet at the stage of discharging requirements and so it has not been possible to test the robustness of the fee structure in any meaningful way.		

		Despite the above, CDC wishes to seek to make the fee proposal work. It would propose to do this by amending paragraph 4 (fees). CDC's amendments are included in in its Responses to ExQ3 **[REP6-091]** Q3.14.2 (pages 11/45 to 17/45). For convenience, it is also set out below at Amendment 7. **CDC's Deadline 8 comment:** CDC maintains the position set out in its Deadline 7 response above and as amplified in its Deadline 8 reply		

Schedule to SoCG: CDC's proposed amendments to the draft DCO

Amendment 1

Power to alter layout, etc., of streets

.—(1) The undertaker may for the purposes of, or in connection with, the authorised development, alter the layout of or carry out any works in, the streets specified in columns (1) and (2) of the table in Schedule 5 (alteration of streets) in the manner specified in relation to that street in column (3).

Without prejudice to the specific powers conferred by paragraph (1), but subject to paragraphs (3) and (4), the undertaker may, for the purposes of constructing, operating, maintaining or decommissioning the authorised development, permanently or temporarily alter the layout of any street and, without limitation on the scope of this paragraph, the undertaker may—

alter the level or increase the width of the carriageway by reducing the width of any kerb, footway, cycle track or verge within the street;

alter the level or increase the width of any such kerb or verge;

reduce the width of the carriageway;

make and maintain passing places; and

alter, remove, replace, install and relocate any street furniture, including bollards, lighting columns, road signs and chevron signs.

The undertaker must restore any street that has been temporarily altered under this article to the reasonable satisfaction of the street authority.

The powers conferred by paragraph (2) may not be exercised without the consent of the street authority, which may be given subject to reasonable conditions.

If a street authority which receives an application for consent under paragraph (4) fails to notify the undertaker of its decision before the end of the period of 28 56 days beginning with the date on which the application was received, it is deemed to have granted consent.

An application for consent under paragraph (4) must include a statement that the provisions of paragraph (5) apply to that application.

If an application for consent under paragraph (4) does not include the statement required under paragraph (6), then the provisions of paragraph (5) will not apply to that application.

An application for consent under paragraph (4) is deemed advance notice under section 54 of the 1991 Act where advance notice required.

Paragraphs (3) and (4) do not apply where the undertaker is the street authority for a street in which the works are being carried out.

Amendment 2

Temporary closure or restriction of streets and public rights of way

15.—(1) The undertaker may temporarily close, prohibit the use of, restrict the use of, authorise the use of, alter or divert the use by vehicles, or classes of vehicles, or pedestrians of—

the streets set out in columns (1) and (2) of the table in Part 1 (streets to be temporarily closed or restricted) of Schedule 6 (streets and public rights of way to be temporarily closed or restricted) to the extent specified in column (3) of that table; and

the public rights of way set out in columns (1) and (2) of the table in Part 2 (public rights of way to be temporarily closed or restricted) of Schedule 6 to the extent specified in column (3) of that table.

Without prejudice to the specific powers conferred by paragraph (1) and subject to paragraph (5), the undertaker, during and for the purposes of the authorised development, may temporarily close, alter, divert, prohibit the use of, authorise the use of or restrict the use of any street or public right of way and may for any reasonable time—

divert the traffic or a class of traffic from the street or public right of way;

authorise for the purpose of crossing only the use of motor vehicles on classes of public rights of way where, notwithstanding the provisions of this article, there is otherwise no public right to use motor vehicles; and

subject to paragraph (4), prevent all persons from passing along the street or public right of way.

The undertaker may use any street or public right of way temporarily closed, altered, diverted, prohibited or restricted under the powers conferred by this article and within the Order limits as a temporary working site.

The undertaker must provide reasonable access for pedestrians going to or from premises abutting a street or public right of way affected by the temporary closure, prohibition, restriction, alteration or diversion of a street or public right of way under this article if there would otherwise be no such access.

The undertaker must not temporarily close, prohibit the use of, restrict the use of, authorise the use of, alter or divert—

any street or public right of way specified in paragraph (1) without first consulting the street authority during a period of not less than 28 days; and

any other street or public right of way without the consent of the street authority, ~~**such**~~ **which** consent ~~**not to be unreasonably withheld or delayed but which**~~ may be given subject to reasonable conditions.

Any person who suffers loss by the suspension of any private right of way under this article is entitled to compensation to be determined, in case of dispute, under Part 1 (determination of questions of disputed compensation) of the 1961 Act.

In this article expressions used in this article and in the 1984 Act have the same meaning.

The undertaker, for the purposes of, or in connection with, the authorised development, may temporarily close, prohibit the use of, authorise the use of, alter or divert any public right of way which is added to the definitive map and statement (within the meaning of the Wildlife and Countryside Act 1981) on or after [insert date].

If a street authority which receives a valid application for consent under sub-paragraph (5)(b) fails to notify the undertaker of its decision before the end of the period of ~~**28**~~ **56** days beginning with the date on which the application was received, it is deemed to have granted consent.

Nothing in this article prevents the undertaker from temporarily closing, prohibiting the use of, restricting the use of, altering or diverting a street or public right of way under this article more than once.

An application under sub-paragraph (5)(b) must include a statement that the provisions of paragraph (9) apply to that application.

If an application for consent under sub-paragraph (5)(b) does not include the statement required under paragraph (11), then the provisions of paragraph (9) will not apply to that application.

Amendment 3

Access to works

—(2) The undertaker may, for the purposes of the authorised development—

form and lay out the permanent means of access, or improve existing means of access, in the approximate locations specified in Schedule 7 (access to works); and

with the approval of the highway authority, which may be given subject to reasonable conditions, form and lay out such other means of access or improve existing means of access, at such locations within the Order limits as the undertaker reasonably requires.

If the highway authority which receives an application for consent under sub-paragraph (1)(b) fails to notify the undertaker of its decision before the end of the period of ~~28~~ **56** days beginning with the date on which the application was received, it is deemed to have granted consent.

An application under sub-paragraph (1)(b) must include a statement that the provisions of paragraph (2) apply to that application.

If an application for consent under sub-paragraph (1)(b) does not include the statement required under paragraph (3), then the provisions of paragraph (2) will not apply to that application.

Amendment 4

Traffic regulation measures

18.—(1) Subject to the provisions of this article the undertaker may for the purposes of the authorised development, temporarily place traffic signs and signals on any road within the Order limits or which gives access to such a road, or on any road in connection with an instrument made under this article or any other road as reasonably required for conveying information to traffic, and the placing of those traffic signs and signals is deemed to have been permitted by the traffic authority for the purposes of section 65 of the 1984 Act and the Traffic Signs Regulations and General Directions 2016([7]).

Subject to the provisions of this article the undertaker may make temporary provision for the purposes of the authorised development—

as to the speed at which vehicles may proceed along any road;

permitting, prohibiting or restricting the stopping, waiting, loading or unloading of vehicles on any road;

as to prescribed routes for vehicular traffic or the direction or priority of vehicular traffic on any road;

permitting, prohibiting or restricting the use by vehicular traffic or non-vehicular traffic of any road; and

suspending or amending in whole or in part any order made, or having effect as if made, under the 1984 Act.

No speed limit imposed by or under this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011([8]) when used in accordance with regulation 3(5) of those regulations.

Before exercising the power conferred by paragraphs (1) or (2) the undertaker must—

consult the chief officer of police in whose area the road is situated; and

obtain the written consent of the traffic authority which may be given subject to reasonable conditions.

The undertaker must not exercise the powers conferred by paragraphs (1) or (2) unless the undertaker has—

given not less than 4 weeks' notice in writing of its intention so to do so to the chief officer of police in whose area the road is situated and to the traffic authority; and

not less than 7 days before the provision is to take effect, published the undertaker's intention to make the provision in one or more newspapers circulating in the area in which any road to which the provision relates is situated.

Any provision made under the powers conferred by paragraphs (1) or (2) of this article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraph (1) or (2).

Any provision made by the undertaker under paragraphs (1) or (2)—

must be made by written instrument in such form as the undertaker considers appropriate;

has effect as if duly made by the traffic authority in whose area the road is situated, as a traffic regulation order under the 1984 Act and the instrument by which it is effected may specify savings and exemptions to which the provision is subject; and

is deemed to be a traffic order for the purposes of Schedule 7 (road traffic contraventions subject to civil enforcement) to the Traffic Management Act 2004([9]).

If the traffic authority fails to notify the undertaker of its decision within ~~28~~ **56** days of receiving an application for consent under sub-paragraph (4)(b) the traffic authority is deemed to have granted consent.

([7]) S.I. 2016/362.
([8]) S.I. 2011/935
([9]) 2004 c. 18.

A copy of the instrument referred to in paragraph (7)(a) must be served on the traffic authority as soon as reasonably practicable after being made.

An application under sub-paragraph (4)(b) must include a statement that the provisions of paragraph (8) apply to that application.

If an application for consent under sub-paragraph (4)(b) does not include the statement required under paragraph (10), then the provisions of paragraph (8) will not apply to that application.

Amendment 5

Trees subject to tree preservation orders

42.—(1) Subject to paragraph (2), the undertaker may fell, lop or prune any tree that is subject to a tree preservation order **which was made following the date on which this Order was made** within or overhanging land within the Order limits or cut back its roots, if it reasonably believes it to be necessary to do so in order to prevent the tree from obstructing or interfering with the purposes of the authorised development or any apparatus used in connection with the authorised development.

In carrying out any activity authorised by paragraph (1)—

the undertaker must do no unnecessary damage to any tree and must pay compensation to any person for any loss or damage arising from such activity; and

the duty contained in section 206(1) (replacement of trees) of the 1990 Act does not apply.

The authority given by paragraph (1) constitutes a deemed consent under the relevant tree preservation order.

Any dispute as to a person's entitlement to compensation under paragraph (2), or as to the amount of compensation, is to be determined under Part 1 (determination of questions of disputed compensation) of the 1961 Act.

Amendment 6

Requirements, appeals, etc.

49.—(1) Where an application is made to, or a request is made of, the relevant planning authority or any other relevant person for any consent, agreement or approval required or contemplated by any of the provisions of this Order:

such consent, agreement or approval must, to be validly given, be given in writing ~~**and must not be unreasonably withheld or delayed**~~; and

any refusal must be accompanied by a statement of the reasons for refusal.

Amendment 7

Fees

4.—(1) Where an application is made to the relevant planning authority for written consent, agreement or approval in respect of a requirement, a fee is to apply and must be paid to the relevant planning authority for each application.

(2) **Subject to sub-paragraph (5), the** ~~The~~ fee payable for each application under sub-paragraph (1) is as follows—

(a) a fee of £2,578 for the first application for the discharge of each of ~~the~~ requirements **3 (phasing of the authorised development and date of final commissioning)**, **5 (approved details and amendments to them)**, 6 (detailed design approval), 7 (battery safety management plan), 8 (landscape and ecology management plan), 10 (soil management), 11 (surface water and foul drainage), 12 (archaeology), 14 (construction environmental management plan), 15 (operational environmental management plan), 16 (construction traffic management plan), **17 (operational noise)**, ~~and~~ 19 (decommissioning and restoration) **and 20 (public rights of way)**.

(b) a fee of £588 for each subsequent application for the discharge of each of the requirements listed in sub-paragraph (a) and any application under requirement 6 (detailed design approval) in respect of the requirements listed in paragraph (a); and

(c) a fee of £298 for any application for the discharge of—

(i) any other requirements not listed in paragraph (a);

(ii) any application under requirement 5 (approved details and amendments to them) in respect of requirements not listed in paragraph (a); and

(iii) any approval required by a document referred to by any requirement or a document approved pursuant to any requirement.

~~**(3) Any fee paid under this Schedule must be refunded to the undertaker within four weeks of—**~~

~~**(a) the application being rejected as invalidly made; or**~~

~~**(b) the relevant planning authority failing to determine the application within the relevant period in paragraph 1(1) unless—**~~

~~**(i) within that period the undertaker agrees, in writing, that the fee is to be retained by the relevant planning authority and credited in respect of a future application; or**~~

~~**(ii) a longer period of time for determining the application has been agreed pursuant to paragraph 1(1)(c) of this Schedule.**~~

~~**(4)**~~ **(3)** The fees specified in sub-paragraph (2) shall be adjusted **(upwards only)** on each anniversary of the date this Order comes into force by a percentage equal to the index value of the Consumer Price Index (I) most

recently published prior to that anniversary~~, provided that in no event shall any annual adjustment exceed 5%~~.

(4) On and from 8 June 2026, the relevant planning authority became entitled pursuant to the Infrastructure Planning (Fees) Regulations 2010 (as amended from time to time) ("the Fees Regulations") to charge fees for providing relevant services in relation to applications for development consent.

(5) Nothing in this Order fetters the ability of the relevant planning authority to charge a fee for –

(a) charging an additional fee where any fee mentioned in sub-paragraph (2) does not cover the cost of the relevant planning authority providing the service related to that fee; or

(b) providing a relevant service pursuant to the Fees Regulations which is not mentioned in sub-paragraph (2) and which is not recoverable under another provision of this Order.

Justification for amendments

Sub-paragraph (2)

CDC considers that the work arising from each of requirements 3 (phasing of the authorised development and date of final commissioning), 5 (approved details and amendments to them) 17 (operational noise), and 20 (public rights of way) is likely to be substantial and so these requirements ought to be mentioned in this sub-paragraph.

Deleted sub-paragraph (3)

This sub-paragraph is unreasonable. For example, if an application is rejected as invalid, the discharging authority will have done the work to reach that conclusion. Reaching this decision, based on the Applicant's inability to submit documents in a valid fashion, should not cost the discharging authority money. Similarly, it does not follow that it is the discharging authority's fault if it has not discharged the application within the statutory timeframe. Again, the provision of unsatisfactory documents by an applicant can compromise the ability of the authority to work in an expeditious way. The discharging authority should not be punished for this. Sub-paragraph (3) should be deleted.

New sub-paragraph (3)

CDC does not understand why the adjustment of the Consumer Price Index value should randomly stop at 5%. If the index increases more than 5%, why shouldn't the percentage? CDC has also clarified sub-paragraph (3) to provide that any adjustment is upwards only, which CDC assume was the Applicant's original intention.

New sub-paragraphs (4) and (5)

These provisions are new and reflect the fact that CDC can now charge fees for providing relevant services in relation to DCO applications under the Infrastructure Planning (Fees) Regulations 2010. New sub-paragraph (4) is a statement of the law.

New sub-paragraph (5) would allow the discharging authority to charge additional fees when the numbers cited in sub-paragraph (2) are insufficient. For example, CDC considers that subsequent work in relation to certain requirements (including requirements 6, 8 and 19 and which would give rise to a fee of £588) are unlikely to be significantly less time

consuming than the original work arising from each requirement. New sub-paragraph (5)(a) would allow CDC to charge for any additional work not captured by the payment of £588.

Similarly, new sub-paragraph (5)(b) would allow the discharging authority to charge for work demanded by the Order and which is not set out in sub-paragraph (2). This would allow the discharging authority to charge a fee for discharging other consents (e.g. under an article), provided there is no other mechanism in the Order for so charging. The proviso is included to prevent double charging and is consistent with CDC's ambition of making this exercise a cost-neutral one.

4 Signatures

This Statement of Common Ground is agreed upon:

On behalf of City of Doncaster Council Consultee:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date: