

Application by Springwell Energy Farm Limited for a development consent order to install solar PV panels to generate up to 800MW of power and on-site battery storage and associated infrastructure including battery energy storage system, access provision and 400kv underground cable corridor to facilitate the connection to the proposed National Grid substation at Navenby

Comments on submissions received at deadline 1 (for deadline 2) from Lincolnshire County Council (LCC)

LCC notes the significant number of updated application documents submitted by the Applicant, along with submissions from interested parties at deadline 1 (170 in total). These submissions encompass updates to chapters and appendices of the Environmental Statement (ES), revised plans and sections, updated management plans, a revised draft Development Consent Order (dDCO), and other supplementary assessments, statements, and responses, which are the focus of LCC's comments.

Due to the limited time between deadlines 1 and 2 to review these submissions, LCC provides the following comments at this stage and will offer additional feedback in future written submissions and during examination hearings, as needed.

Ecology and Biodiversity Comments

LCC notes the updates made to Chapter 7: Biodiversity [REP1-025] and welcomes the clarifications.

LCC notes the updates made to the Applicant's Biodiversity Net Gain (BNG) Assessment [REP1-033] and is pleased to see that results of MoRPH5 surveys have now been used to inform watercourse biodiversity baseline and to determine the potential impacts of any enhancements. The proposed changes to levels of encroachment adjacent to watercourses are welcomed and the resulting calculated biodiversity gains are noted.

LCC is also pleased to see that the Trading Rules within the Statutory Biodiversity Metric are now being met following the inclusion of creation and enhancement of hedgerows with trees associated with a bank or ditch within existing figures.

LCC notes that the proposed gains following the updated assessment are 31.66% habitat units, 20.68% hedgerow units and 13.59% watercourse units. LCC encourages the Applicant to secure gains at these levels with a specific commitment in the DCO to ensure that they are given significant weight in the planning balance.

The changes made to the Applicant's outline Landscape and Ecology Management Plan (oLEMP) [REP1-065] are noted. LCC welcomes the Applicant's commitment to advanced planting in some areas which will help to deliver potential ecological benefits as early as possible.

Paragraph 6.1.12 of the oLEMP states that a "5-year defects replacement planting period" will be included in detailed LEMPs. LCC advises that a longer replacement period would be appropriate in line with commitments to 30-year management and monitoring of BNG.

LCC also notes the updates to the outline Construction Environmental Management Plan (oCEMP) [REP1-061], the outline Operational Environmental Management Plan (oOEMP) [REP1-041] and the outline Decommissioning Environmental Management Plan (oDEMP) [REP1-047] and has no further comments to make in relation to ecology and biodiversity at this stage.

Traffic and Transport Comments

LCC notes the updates made to the outline Construction Traffic Management Plan (oCTMP) [REP1-062] which reflect the discussions the Council have had with the Applicant and are considered to be acceptable. The submission of a stage 1 Road Safety Audit [REP1-075], as requested by the Council is also noted.

The Applicant has included a requirement in the oCTMP (paragraphs 5.4.1 – 5.4.5) for a Highways Agreement with LCC for the major junction works on the A15 and this measure will minimise traffic passing through the A15/B1202 junction during peak periods (paragraphs 5.5.4 and 5.6.3). However, the text in paragraph 4.1.8 still says “Based on these routes, it is not anticipated that any timing restrictions will be required” - this should be removed to reflect the new text in paragraph 5.5.4.

Public Rights of Way Comments

Whilst LCC are generally satisfied with the submitted outline PRoW and Permissive Path Management Plan [REP1-044], we refer to Appendix B of our Local Impact Report (LIR) [REP1-088], which contains a table of proposed revisions. Many of these suggested revisions have been addressed and are incorporated into the updated plan. However, several points remain outstanding which reflect our understanding of the discussions with the Applicant to date. For example:

- Paragraph 3.4.1 still refers to the “relevant planning authority” rather than the “highway authority”;
- Paragraph 3.4.4 has not provided a definition or explanation of “local management”;
- Paragraph 3.5.2 remains unchanged following LCC’s feedback re temporary closures; and
- Plate 3.1 continues to lack clarity regarding the proposed upgrade of the enhanced PRoW (PF 737) to a bridleway.

LCC would like to see these suggestions addressed in future revisions of the document.

Waste Comments

LCC has reviewed the outline Site Waste Management Plan (oSWMP) include in the updated oCEMP [REP1-060]. Table 2 – provides a list of anticipated waste types, including during operational and decommissioning phases which is welcomed, however anticipated quantities of waste and timings should be provided as early as possible before each stage of the project which is particularly important given the current limited capacity for recycling of PV panels and the potential large cumulative quantity with other proposals, both at decommissioning and also due to operational failures. Paragraphs 6.1.33 and 6.1.35 of the oSWMP confirm respectively

that there will be a separate SWMP for the operational and decommissioning phases which is also welcomed.

Grid Connection Statement [REP1-058]

LCC notes the updates to the connection dates at paragraph 3.1.3 which reflect a revised connection offer from a Modification Application accepted by the Applicant in March 2025. Whilst the updated connection dates better align with the anticipated completion date for the Navenby substation of late 2029. However, LCC's concerns regarding the certainty of a grid connection and the potential risk for negative environmental effects without the benefits of generation which would be relied upon for the grant of any consent being secured remain as set out in paragraphs 8.8 -8.9 of our local impact report (LIR) [REP1-088] and written representation dated 9 June 2025.

Cumulative Assessment Comments

LCC has reviewed the updated Chapter 16 on Cumulative Effects of the ES [REP1-018] and acknowledges the inclusion of the Leoda Solar Scheme in the assessment. However, LCC believes that the inter-project effects with the Leoda scheme could be more significant than the assessment concludes, given the proximity and overlapping nature of these schemes. LCC's position on cumulative effects remains as outlined in Chapter 19 of our LIR [REP1-088], with significant concern about the potential for notable inter-project effects arising from this development in combination with other projects.

Interrelationship Report [REP1-068]

LCC welcomes the submission of an Interrelationship Report. While acknowledging that information on some of the other schemes included in the report is still forthcoming, LCC currently disagrees with the Applicant's position that the interrelationships between projects, such as Springwell and Leoda, would result in 'minimal' impacts. This is particularly concerning given the overlapping construction timelines and the shared use of road infrastructure for construction traffic, especially the A15.

LCC further disagrees with the Applicant's assertion that interrelationships between Springwell and other projects "are not anticipated", especially when five other schemes are under construction during the same period, with three of those overlapping Springwell's peak construction phase (as shown in figure 2 of the submitted document).

LCC would have anticipated more evidence of dialogue with other developers in the report, including the consideration of shared management plans, mitigation measures, and principles for a cooperation agreement, especially for overlapping schemes like the proposed Navenby substation. The commitment between the Applicant and National Grid to further discuss mitigation design, as well as the Applicant's openness to coordination with National Grid mentioned in paragraph 3.2.12, is welcomed. However, this coordination should not be limited to National Grid alone.

LCC wishes to reserve the right to provide further comments at a later date, especially as more information on other projects, like the Navenby substation, becomes available and as the

document is updated. This is also in consideration of the time available to thoroughly review the new document submitted between deadlines 1 and 2.

Planning Statement Addendum [REP1-069]

LCC acknowledge the submission of the planning statement addendum. LCC would agree with the Applicant's conclusion at paragraph 2.1.24 that the existing designated NPS's remain the primary basis for decision-making under section 104(2)(a) of the Planning Act 2008. The draft NPS's that are currently subject to consultation may be afforded some weight as a relevant consideration under section 104(2)(d), however the extent that they are relevant would be a matter for the Secretary of State to consider.

Comments on draft DCO Rev 2 [REP1- 006]

LCC raises a number of points in chapter 22 of our LIR [REP1-088] that we wished to see addressed in the dDCO and suggestions for alternative wording has been provided where relevant. Following discussions with the Applicant LCC are pleased to see that many of the points raised have now been incorporated into the updated dDCO Rev 2. However, our points in relation to Part 6, Articles 40 and 41, Schedule 2, Requirement 11, and Schedule 16, Article 3 (6)(a) remain outstanding.

Having reviewed the dDCO Rev 2 and the updated application documents LCC have the following comments:

Articles 9, 10 and 12

The additional wording in the oCTMP (paragraphs 5.4.1 – 5.4.5) considered above, requires all works under Articles 10 and 12 of the dDCO to be technically approved by LCC, with the two A15 junction works needing legal Agreements. On this basis the dDCO is acceptable (it also refers to LCC's Permitting Scheme at Article 9). In terms of highways clauses LCC are satisfied with the dDCO Rev 2.

Schedule 2

Requirements 5 and 11

LCC do not agree with the revised wording for requirements 5 and 11. Requirement 5 omits works packages 7 and 8 from the programme works requiring design approval despite many of the tasks within those packages having the potential to harm archaeological remains.

Work Package 7 includes up to three primary temporary construction and decommissioning areas and five secondary temporary construction and decommissioning areas include site and welfare offices, canteens and workshops, drainage car parking, storage areas and utility connections.

Work Package 8 comprises works to facilitate access and includes new access roads from the public highway, works to alter the layout of any street or highway, works to widen and surface the streets; and making and maintaining passing places.

These would involve below ground excavation, compaction and further impacts on site remediation and decommissioning and thus potentially impact archaeological deposits where present.

NPS EN-1 outlines requirements for understanding the significance of heritage assets that will be affected, including 5.9.12: 'The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.' (Section 5.9.9 – 5.9.15) and NPS EN-3 states that 'The results of pre-determination archaeological evaluation inform the design of the scheme and related archaeological planning conditions.' (footnote 94).

Use of the Rochdale Envelope and undertaking detailed design post-consent means that archaeological trenching has been pushed back until the Applicant has finalised design and areas of impact are known.

Therefore, omitting areas of groundworks associated with work packages 7 and 8 from Requirement 5 means that no archaeological trial trenching would occur and we will not understand the presence, significance or impact on archaeological remains within these areas of works, conflicting with requirements set out in NPS EN-1 and EN-3.

The revised Requirement 11 in dDCO Rev 2 is not acceptable and LCC raises the following specific issues with the Applicant's proposed Requirement 11 for Archaeology wording:

Requirement 11 – suggested alternative wording as follows:

*(1) ~~No part of Work Nos. 1 to 7 may commence until for that part:~~ **works shall commence until***

*(a) a written scheme of investigation has been submitted to and approved by ~~the relevant planning authority~~ **Lincolnshire County Council** in consultation with Historic England;*

(b) any additional trial trenching required pursuant to the approved written scheme of investigation to inform the approach to mitigation has been carried out in accordance with the approved written scheme of investigation; and

(c) where additional trial trenching to inform the approach to mitigation has been undertaken under sub-paragraph (b) updates are made to the written scheme of investigation approved under sub-paragraph (b) to account for the results of the additional trial trenching carried out and such updated written scheme of investigation has been submitted to and approved by the relevant planning authority in consultation with Historic England.

(2) The written scheme of investigation under sub-paragraph (1)(a) must be substantially in accordance with the outline written scheme of investigation.

(3) ~~For the purposes of sub-paragraph (1), "commence" includes parts (a) to (h) inclusive of the permitted preliminary works.~~

(4) Any approved written scheme of investigation (whether pursuant to sub-paragraph (1)(a) or (1)(c)) must be implemented as approved and maintained throughout the construction of the authorised development and any archaeological works ~~or watching brief~~ must be carried out in accordance with the approved scheme.

We recommend the phrase *‘No development shall commence’* be used instead of the phrases *‘No part of Work Nos. 1 to 7 may commence’* or *‘permitted preliminary works’* as both non-intrusive and intrusive permitted preliminary works may damage or destroy buried archaeology, for example by compaction from plant movement.

It is imperative that *‘substantially’* is removed as the word suggests deviation from the agreed documentation. In practical terms establishing what is *‘substantially in accordance’* is likely to prove contentious and unworkable. The National Planning Policy Framework paragraph 57 makes clear that planning conditions must satisfy the six tests including being enforceable, precise, and reasonable in all other respects.

It is standard archaeological practice on large schemes to agree an overarching Archaeological Mitigation Strategy (AMS) which covers the whole scheme. As it requires an understanding of the surviving archaeology to be impacted by the development, this needs to be based on the evaluation trenching results in order to be fit for purpose. An approved trial trenching Written Scheme of Investigation (the Trenching WSI) therefore is needed in advance of the AMS (the Mitigation WSI).

As there has not been trenching outside of the fields proposed for infrastructure on this scheme, in order to provide sufficient baseline evidence our recommended wording is the Mallard Pass Solar Scheme Requirement. Like that scheme, Springwell requires further trial trenching with the results informing an adequate Mitigation WSI and management plan which can be agreed, that is:

XX.— (1) The authorised development may not commence until:

- (a) a scheme for additional trial trenching has been submitted to and approved by both relevant planning authorities, in consultation with Lincolnshire County Council and Historic England;*
- (b) additional trial trenching has been carried out in accordance with the scheme approved under sub-paragraph (a); and*
- (c) updates are made to the outline written scheme of investigation to account for the results of the additional trial trenching carried out and the updated outline written scheme of investigation is submitted to and approved in writing by both relevant planning authorities in consultation with Lincolnshire County Council and Historic England.*

(2) The authorised development must be carried out in accordance with the updated outline written scheme of investigation approved under sub-paragraph 1(c).

[\(Mallard Pass Secretary of State Development Consent Order\)](#)

Please note we have removed the references to Nottinghamshire County Council as they are not relevant to this scheme.

Requirement 8

LCC welcomes the inclusion of a specific requirement to deliver a minimum of 10% Biodiversity Net Gain at Requirement 8(2). LCC encourages the Applicant to secure gains at the levels predicted in [REP1-033] with a specific commitment in the DCO to ensure that they are given significant weight in the planning balance.

Requirement 19

The inclusion of LCC as a consultee is welcomed however we should be referred to as the Waste Planning Authority rather than “waste authority”.

Schedule 16 Protective Provisions

LCC welcome the inclusion of a protective provision for Lincolnshire Fire and Rescue, the draft wording is acceptable, however, LCC would welcome further discussions with the Applicant regarding the value of the fees payable under the provisions.

LCC Comments on the Applicant’s responses to ExQ1

LCC notes the Applicant’s responses to ExQ1[REP1-071] and has the following comments:

Q1.4.1) LCC welcomes the Applicant’s commitment to delivering a minimum of 10% net gain in biodiversity and is pleased that the Applicant anticipates being able to deliver significantly more than this as illustrated in the BNG Assessment [REP1-033]. LCC notes the Applicant’s comments in relation to not committing to delivering more than 10%. LCC is of the opinion that if significant positive weight is to be afforded to BNG in the planning balance, the Applicant should commit to the delivery of more than 10% BNG.

Q1.4.3) LCC confirms that positive discussions have been held in relation to establishing an Ecological Steering Group.

Q1.4.4 and Q1.4.5) LCC welcomes the Applicant’s commitment to monitoring of bats and birds which will contribute to the understanding of the impacts of large scale solar farms on these species groups. Results of monitoring should be reported to the proposed Ecological Steering Group and used to inform appropriate remedial measures if required.

Proposed Itinerary for the Accompanied Site Inspection [REP1-076]

LCC is satisfied with the proposed itinerary for the Accompanied Site Inspection.