

**Comments on responses to ExQ2 and Comments on any further information and submissions
received at Deadline 4**

by Anne Heard Interested Party reference 20054475

A. Comments on response to ExQ2 by Springwell REP4-049

Section 2.2 Responses to Second Written Question (ExQ2) Table 1-7 Cultural Heritage Questions

Q2.7.5 Temple Bruer - Heritage Impact Review

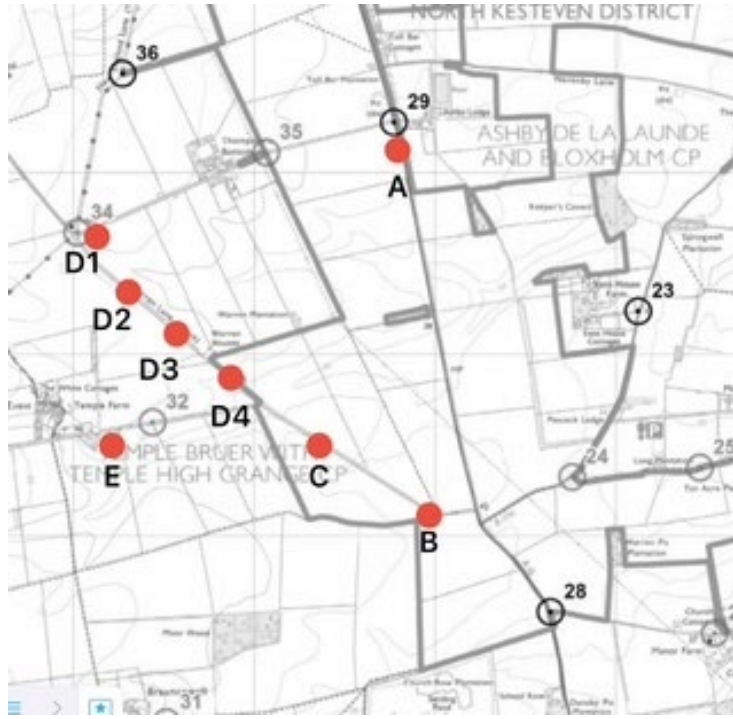
At D3 an Interested Party (IP) [REP3-083] submitted an independent report on the impact of the Proposed Development on the Temple Bruer Preceptory Church Tower Grade I Listed Building and Scheduled Monument. A) Applicant, provide a detailed response to the findings and conclusions of the report including the following points that are raised:- The extent to which the former Knights Templar estate boundary forms the setting of the heritage assets and contributes to the significance of these assets – The impact on kinetic views of the Preceptory along Warren Lane and how intervisibility between the Preceptory and the Proposed Development in this location has been considered.

Summary of the Applicant's response:-

- The Templar's estate contributes to its significance and forms part of the agricultural setting in which it is experienced.
- The changes to the land use, character and appearance of parts of the former estate, including changes to views along Warren Lane, will result in a slight reduction of the contribution that the setting makes to the significance of the scheduled monument and listed building.
- The impact on the significance of these heritage assets overall is considered to be negligible.
- The level of harm is reported within the Planning Statement
- Of the viewpoints presented in the report, Viewpoint A is included as Viewpoint 29 of the Landscape Visualisations (Part 6 REP3-027). Viewpoint B and C appear to have been taken from field entrances and are not representative of the overall character of the views from Warren Lane. Viewpoints D1-4 and E would have solar arrays behind the viewer when looking towards Temple Bruer.

Comments:-

1. The Applicant refers to Viewpoints B and C of the report being taken from field entrances and not being representative of views from Warren Lane. These photographs do not purport to show views from Warren Lane, they are taken along Temple Road, off the junction with the A15 heading towards Temple Bruer. An extract of Chapter 10 Fig 10.4 (APP-066) shows the Applicant's viewpoint locations, including viewpoint 29 (which is Viewpoint A of the report) with Viewpoints B, C, D1, D2, D3, D4 and E of the report also marked on for ease of reference:-



Viewpoints B and C were not taken from field entrances, they were taken from areas of no hedge or very low hedging along Temple Road.

2. The Applicant says that Viewpoints D1-4 and E would have solar arrays behind the viewer when looking towards Temple Bruer. The purpose of these photographs was to illustrate the views of the Temple Bruer Preceptory Church tower along the various public roads around the site. As you walk along Warren Lane between points D1 to D4 the experience would be that on one side of the way would be views across the fields towards Temple Bruer as shown on the photographs whilst to the other side would be fields of solar arrays.

3. The Applicant considers the importance of the setting of the Temple Bruer Preceptory Church tower purely in terms of its agricultural setting. This is to completely ignore that the Templar estate was planned in order to demonstrate the power and dominance of the Templars and their buildings in the landscape. I have previously described that the approaches to the Preceptory were along processional routes to allow the visitor glimpses of the Preceptory buildings as they neared the gates. These routes especially from the modern A15 and along Temple Road remain as a reminder of that experience. There will be a change of use and character of the land surrounding the approach roads to the Preceptory from fields of tended crops and natural vegetation to incongruous expanses solar arrays, fences, lighting and a collector compound. Instead of narrow lanes, Temple Road will be widened, vegetation removed and new accesses onto the solar fields formed. In my view there will be substantial harm to the setting of the Temple Bruer Preceptory church tower.

Section 2.2 Responses to Second Written Question (ExQ2) Table 1-9 Land, Soils and Groundwater Question

Q2.9.1 Temporary or Permanent Effects

NKDC has identified [REP3-180] a number of other NSIP solar farms where land that has been judged to be sealed under hardstanding (as a result of access tracks, BESS, substation, and other fixed equipment) has been taken as permanent loss of agricultural land. A. What is the applicant's reply? b. Provide a similar list of decisions where such effects have been considered temporary

Summary of the Applicant's response:-

-The Applicant disagrees that the projects referred to by NKDC (ie Mallard Pass, Heckington Fen, Gate Burton and Cottam, Beacon Fen (at examination) have considered the loss of agricultural land sealed under hardstanding is permanent following mitigation as the land can be returned to agricultural use following reinstatement.

- The Applicant has reviewed other NSIP solar farms and this approach is consistent with all other projects with a time limited consent, including Mallard Pass, Heckington Fen, Gate Burton and Cottam.

Comments:-

1. I disagree with the Applicant's assertions. I set out below detailed references in relation to the 5 cases referred to:-

Mallard Pass – this was a 60 year time limited consent although the EIA was originally carried out on the basis that the proposed development would be permanent (paragraph 4.9 to 4.17 of the SoS Decision letter). The Applicant subsequently advised that the 60 year time limit did not alter the conclusions in Chapter 12 of the ES (paragraph 3.7.96 of the Recommendation Report refers). Table 12-4 of Chapter 12 Land Use and Soils (APP-042) states that the areas of access tracks and solar stations on the site amounts to 8 ha. Paragraph 12.4.16 acknowledged that these areas will be treated as permanently sealed over. It was accepted in paragraph 12.4.20 that even though the oDEMP required the solar station and tracks to be restored to agricultural use at the end of the operational phase, "it is assumed that restoration may not be back to comparable quality, at least initially, following decommissioning". The onsite substation containing 6.4 ha (Table 12-5 refers) was also considered as permanently sealed over for the same reasons as the access tracks and solar stations. Of the 14.4ha of agricultural land affected by the substation, access tracks and solar stations, 4.2ha was BMV land (Table 1 of the ExA Recommendation Report refers).

Heckington Fen -this was a 40 year time limited consent. Paragraph 16.6.30 Chapter 16 Land Use and Agriculture (APP-069) states "only those areas of land proposed for the fixed equipment and substations, should be treated as sealed-over or irreversibly lost. The final Construction Management plans can require those areas to be restored to agricultural use at the end of the operational phase, but a cautious approach is taken in this ES and it is assumed that restoration may not be back to comparable quality, at least initially, following decommissioning". Paragraph 3.6.42 of the ExA report noted that of the 20.2ha of agricultural land proposed for the tracks, solar stations and substation, less than 3 ha would be BMV land. Paragraph 4.52 of the Secretary of State's decision letter acknowledges that the permanent loss of 2.8ha of BMV is a harm of the proposed development.

Gate Burton- this was a 60 year time limited consent. Paragraphs 12.8.8 of Chapter 12 Socio Economics and Land Use (REP4-010) stated that "the Solar Energy and Solar Park contains 73.6 ha of

BMV and 6.8 ha of estimated BMV of which approximately 2 ha will be permanently lost due to the construction of the substation and permanent planting on site... The remainder and vast majority of BMV land affected (approx 73 ha) will be temporary and reversible following decommissioning". There was a clear distinction made between the temporary loss of agricultural land for the solar arrays during the operational phase of 60 years where the use could revert back to agriculture and the permanent loss of agricultural land for the permanent planting and substation which was not reversible. Paragraph 1.1.2 of the Decommissioning Environmental Management Plan (APP-026) stated that the future of the substation and associated control buildings would be agreed with the LPA prior to commencement of decommissioning. Paragraph 4.174 of the Secretary of State's decision letter states "The Secretary of State agrees with the ExA that 2 ha of BMV would be permanently lost and around 73ha would be out of arable use for 60 years.

Cottam -this was a 60 year time limited consent. Paragraph 19.9.2 of Chapter 19 Soils and Agriculture (REP-010) states that substation, power storage facilities and temporary tracks will cover 47.9 ha of which 4 ha will be BMV land occupied by temporary tracks. At paragraph 19.9.21 it was proposed that the hardstanding and access tracks would be removed on decommissioning. Paragraph 4.55 of the Secretary of State's decision letter stated "The Applicant argued that the cumulative agricultural land resource loss would be temporary with actual loss limited to the small extent of the switchgear housings and substations". Paragraph 2.1.1 of the Outline Decommissioning Statement stated that all above ground structures were to be removed and the land restored to agriculture. Paragraph 4.74 of the decision letter says that the Secretary of State agrees that the proposed development would revert back to agricultural use once the operational time period had expired and that the effects would be temporary and reversible. However, given the distinction made between temporary and actual loss in paragraph 4.55, it is not clear whether the Secretary of State's conclusions in paragraph 4.74 are solely in the context of the majority of the site which would be covered by solar arrays which he was discussing in the previous paragraphs.

Beacon Fen (yet to be decided) -time limited consent 40 years. Paragraph 14.7.3 Chapter 14 Soils and Agricultural Land (APP-065) says that the permanent land take is the footprint of the built development including the BESS, substation, transformer stations, construction compounds and the access tracks and roads, a total of 23.31 ha. A distinction is made between this permanent loss of land and the temporary nature of the loss of agricultural land for the solar arrays where the land can be returned to agriculture after decommissioning (paragraph 14.7.2 refers). Paragraph 1.4.9 of the Outline Decommissioning Plan (APP-078) states that all solar infrastructure will be removed on decommissioning.

All of the 5 cases referred to were time limited consents and the intention of all, with the exception of Gate Burton (where the future of the substation was to be decided at the time of decommissioning), was to remove the infrastructure and revert the use of the land to agriculture on decommissioning. In all cases there appears to have made a distinction between the loss of agricultural land during operation which was temporary and reversible on decommissioning and an acknowledgement that there would be a permanent loss of agricultural land for the areas of the substations, BESS etc. In Mallard Pass and Heckington Fen, the applicants acknowledged that even though their intention was to remove the infrastructure, there was doubt as to whether the soils under these areas could be returned to their former ALC quality and adopting a cautious approach, they considered that these areas were permanently lost. I suggest that the Applicant is not taking the same cautious approach because the implications of so doing would mean that the permanent loss of over 20 ha of BMV within the Proposed Development (Table 11-12 of Chapter 11 Land Soil and Groundwater (REP1-014) refers) would trigger the IEMA thresholds. (In the cases cited the amount of

BMV and which would be lost was below the 20 ha threshold- Mallard Pass 4.2 ha, Heckington less than 3 ha, Gate Burton 2ha).

Section 2.2 Responses to Second Written Question (ExQ2) Table 1-11 Noise and Vibration Questions

Q2.11.1 Noise Impact on users of PRow

The Applicant is asked to provide a detailed response to the concerns raised to an IP's D3 submission [REP3-083] in relation to noise impacts on users of PRow in construction and operation with particular reference to how the WHO guidance should be applied ie whether the environment of "outdoors, in parkland and conservation areas" in the guidance more closely aligns with the PRow than a garden or balcony setting.

Summary of the Applicant's response:-

- The use of the WHO guidelines was to put the likely noise levels on the PRow into context, not to infer that the WHO guidelines would apply to users of the PRow
- WHO guidelines apply to long term exposure within balconies and outdoor living area. The use of PRow is different with a variable and short term exposure to noise.
- It would be unreasonable to align a parkland/conservation area environment with a PRow. Whilst both are outdoors, linear pathways and transient use of PRow are different to that of a defined outdoor space of a parkland/conservation area.
- The anticipated levels of noise along the PRow would not be significant as a result of which the first aim of the Noise Policy Statement for England is achieved.
- All reasonable steps to mitigate adverse noise effects along PRow are within the embedded mitigation as a result of which the second aim of the Noise Policy Statement for England is met.

Comments: -

1.If the intention of the Applicant was to put the likely noise levels experienced along the PRow into context by using the WHO guidelines, then as the Applicant has above stated, the analogy to the noise experienced within gardens and balconies (where exposure is long term) referred to in the guidelines is not the appropriate measure of assessment.

2. The WHO guidelines consider adverse health effects according to specific environments. Table 1 of the guidance lists specific environments where noise can be experienced and the consequent health effects. Many of these are not environments with long term exposure to noise, such as gardens or balconies. For example, noise assessment for outdoor school playgrounds are measured during play time, noise during ceremonies, festivals and entertainment events are measured over a 4 hour period, public addresses indoors and outdoors are measured over 1 hour.

3. The Applicant appears to be differentiating parkland/conservation areas referred to in the WHO guidelines with PRow because a) parkland/conservation areas are defined spaces b) PRow are linear and c) use of the PRow is transient. Looking at some examples of parkland, Belton House estate near Grantham has 1300 acres of parkland and gardens which are open to the public. The parkland may have a defined area but these are over huge expanses. Within the parkland, there are trail routes or linear paths that visitors can enjoy. The visitors to Belton are transitory as they walk through the parkland just as the users of the PRow at Scopwick. Similarly, Doddington Hall near Lincoln has a

number of estate walks that are open to the public along defined routes within 1,903 acres. What is the difference between users of the ProW over the footpaths of Blankney Estate and the users of the footpaths within Belton or Doddington?

4. The Applicant says that the first aim of the Noise Policy Statement for England is met as there will not be significant noise levels experienced over the PROW. The first aim of the Policy is to avoid significant adverse impacts on health and quality of life through the effective control of noise within the context of government policy on sustainable development. The emphasis is on avoiding adverse impacts on health arising from noise levels. The ExA has heard evidence from the residents of Scopwick about the way they currently enjoy the network of footpaths around the village and the peace and quiet of that experience, the enjoyment of nature. Compare that to their experience if the Proposed Development proceeds. Despite the embedded mitigation, the noise contour plans at Figure 12.3 (APP-068) illustrate that noise levels will be well above background levels along the network of footpaths. Applying the WHO guidelines for parkland/conservation areas which in my view are appropriate, there will be adverse health effects.

Section 2.2 Responses to Second Written Question (ExQ2) Table 1-15 Other Matters, including Waste

Q2.15.1 Decommissioning

Further to discussions at ISH3 [EV6-008] [EV6-09], the ExA consider that there is currently insufficient evidence to demonstrate that decommissioning will be suitably funded, particularly as decommissioning costs have not been included in the Funding Statement [REP1-010] that supports the application (notwithstanding its purpose in relation to Compulsory Acquisition matters). Provide a new funding statement or additional information that clearly demonstrates that decommissioning can be suitably funded by the Applicant.

Summary of the Applicant's response:-

- The Applicant has provided an updated Funding Statement (REP4-007) which clarifies at paragraphs 2.2.2 and 2.2.3 that the Applicant's total cost estimate for the Proposed Development of £650 million - £750 million includes the costs of decommissioning.
- The Applicant still maintains that this is not strictly required
- The Applicant reiterates that securing a decommissioning fund is unnecessary as policy does not require it.

Comments:-

1.The Funding Statement submitted by the Applicant as part of the DCO application (APP-016) stated at paragraph 2.2.1 that the current costs estimate of the Proposed Development is approximately £650m-£750m. Paragraph 2.2.2 stated that the estimate had been arrived at by "including construction costs, preparation costs, supervision costs (including compensation payable in respect of any compulsory acquisition), equipment purchase, installation, commissioning and power export". Paragraph 2.3.1 states that the Proposed Development may be funded on balance sheet or by leveraging debt from reputable lenders. No specific mention was made in the Funding Statement about decommissioning costs.

2. In response to ExA Q1 Table 1-6 Q1.6.9 (REP1-071), the Applicant confirmed that the Funding Statement did not include decommissioning costs and that "should development consent be granted,

the Applicant will factor all required costs including decommissioning costs, within its decision to commence construction of the Proposed Development”. (The Applicant submitted version 2 of the Funding Statement (REP1-011) to revise Appendix A to reflect the correct shareholding % of Luminous Energy Group Limited)

3. In response to representations from Scopwick and Kirkby Green Solar Action Group (RR-370) that there should be a decommissioning bond in place, the Applicant stated at Table 3-13 Responses to Relevant Representations (REP1-070 page 105) that “the Applicant will follow good commercial practice and ensure that it has funds set aside to decommission the Proposed Development...”.

4. In response to Scopwick and Kirkby Parish Council’s question about what bonds or other insurances would be put in place to cover decommissioning (REP2-023 page 137) at Table 5-4, the Applicant responded that “it would be setting aside funds during the operation of the Scheme to meet the cost of decommissioning”

5. In response to ExQ 2.15.1 the Applicant now says that the decommissioning costs are included in the total estimate of £650 million - £750million.

6. The Applicant has throughout the examination process provided several different contradictory explanations of the way that the decommissioning costs are to be funded:-

Version 1 - no mention made of the decommissioning costs in the Funding Statement

Version 2- confirmation that decommissioning costs **are not** included in the £650-£750 cost estimate for the scheme

Version 3- funds would be set aside for the decommissioning costs

Version 4- funds would be set aside for the decommissioning costs during the operation of the scheme

Version 5- decommissioning costs **are** included in the £650-£750 cost estimate for the scheme

7. The costs of decommissioning will be many tens of millions of pounds. Why then, in the latest version of the Funding Statement, does the total estimated cost of the scheme (that now includes decommissioning) still remain at the original figure of £650m-£750m? As the Applicant has given conflicting statements about the decommissioning costs and has failed to provide a clear explanation of how these are to be funded, the only method of ensuring that the costs will be funded adequately is to require the Applicant to provide an index-linked bond prior to commencement of any development.

Section 2.2 Responses to Second Written Question (ExQ2) Table 1-10 Landscape and Visual Impact Questions

Q2.10.1 Cumulative Landscape and Visual Impact

c. Provide a response to LCC’s judgement that sequential visual effects across two or more schemes could be experienced by visual receptors travelling through the wider landscape on both PRow and road corridors.

Summary of the Applicant's response

-Sequential cumulative visual effects in LVIA are usually discussed in relation to recognised linear routes for example a specific A-road, a long distance footpath, cycle route, canal or railway. Whilst, in theory, it would be possible to undertake a journey by car or along a series of interconnected footpaths from east to west, linkages east to west are limited. All of the main connections in the landscape run north to south.

Comments:-

1.The plans provided by the Applicant do not show the NSIP solar farms schemes in the area including Leoda superimposed on a road map. There is such a plan in the Fosse Green documents (Figure 15-4 -APP-117) which is helpful to illustrate the points here. Whilst the A roads (A15 and A46) run on a linear north-south alignment, residents do manage to travel **across** the county along the non-linear minor roads, it is not just theoretical, this really does happen!

2. The report commissioned by LCC in Nov 2016 "Lincolnshire- Visitor Profiling" and produced by Arkenford (accessed online 28/9/25) showed that the greatest percentage of visits in the County were to Lincoln (73%), Skegness (66%) and Mablethorpe (50%). The Lincolnshire East Coast is a major visitor attraction for the County, the East Lindsey Coastal Strip STEAM Report 2015-2024 shows that 2.72 million people visited the east coast in 2024. Traditionally resorts such as Skegness and Mablethorpe are a popular holiday destination for tourists from the Nottingham and Mansfield areas and many of these will travel cross country to avoid the traffic around Lincoln and to enjoy a more scenic route.

3. Travelling from Nottingham along the A46, it is possible to turn off the main road and head east towards Witham St Hughes, Thurlby and Bassingham where you will be able to see the Fosse Green Solar panels, then head towards Navenby past the Coleby BESS, then out of Navenby along Green Man Road past the Navenby BESS, south along the A15 where you can enjoy the sight of the Navenby substation and Springwell BESS, off towards Scopwick past some more fields of solar panels and then onwards to Woodhall Spa and the east coast. Anecdotally, one of the members of staff at the Royal Oak in Scopwick recently commented that many of their customers are holidaymakers travelling to the east coast. I personally travelled along these minor roads from Navenby to the east coast to work every day for 15 years.

B. Comments on Responses to Deadline 3 Submissions by Springwell REP4-048

Section 4 Table 5.5 Traffic and Transport

1.My Deadline 3 Submission (REP3-083) in relation to monitoring and enforcement of construction traffic was as follows:-

"Paragraph 4.1.9 of the oCTMP (REP1-062) acknowledges that "it is difficult to control worker movements".

Section 8.4 of the oCTMP sets out the enforcement measures proposed which are that the restricted routes will be recorded on a map and communicated to all drivers, sub-contractors and suppliers.

Any non-compliance of vehicle routing should be reported by local residents and any breaches will be enforced through contractual arrangements. At the ISH4 the Applicant's expert stated that the

movement of HGV would be monitored by the contractor by the use of GPS trackers (Part 1 01:07:20:02-01:07:43:24). However, there is no mention of this requirement in the oCTMP.

It is not proposed in the oCTMP that the applicant or its contractors will be taking any measures themselves to monitor traffic along the proposed routes or to monitor other routes to determine compliance with the vehicle routing provisions including the embargo at the junction of the A15/B1202. Whilst the movement of HGVs can be monitored by trackers, this will not apply to other commercial and private vehicles travelling to and from the various construction sites. I question how members of the public are to be expected to report breaches of the routing provisions, as the Applicant suggests, as they will have no knowledge of which vehicles are Springwell workers, contractors etc.

As currently drafted, there is a vague requirement in paragraph 8.3.4 of the oCTMP for the principal contractor to collect data, however the onus (and cost) is on the relevant planning authority (LCC) to take steps to monitor traffic routes and obtain information from the contractor in order to check compliance with the routing provisions. I suggest that the oCTMP is amended to require the Applicant to provide such information to LCC as it may require in the form of quarterly reports to demonstrate compliance with the routing provisions. (There is a precedent in the Sunnica DCO for such a reporting mechanism in paragraph 6.2 of the draft Decommissioning Environmental Plan)."

2. In response to my submission, the Applicant reiterates that the finalised CTMP will include further details on monitoring, compliance and enforcement. My concern is that principles need to be established at this outline stage to provide for example, who will be responsible for collecting monitoring data, what data will be collected and how will the movements of contractors vehicles which do not have trackers be monitored, how frequently and to whom will this data be reported, what will be the mechanism for enforcement of any breaches of the routing requirements.

3. The revised oCTMP (REP4-028) which now includes routing provisions for LGV contains only broad sweeping statements about monitoring such as paragraph 8.3.4 which states "a range of data will be collected by the principal contractor to monitor key indicators of success". Paragraph 8.4 deals with enforcement and again, is merely a broad statement that an "effective enforcement process needs to be established". I would repeat my request that these woolly and vague statements be replaced with some clear principles. The Fosse Green Framework Traffic Management Plan (APP-199) has comprehensive sections 7 Monitoring and Review and 8 Compliance and Enforcement which cover these matters and similar provisions should be made for Springwell.

Outstanding Deadline 3 Submissions that have not been addressed by the Applicant

Maintenance of Solar Panels

1. Extracts from my Deadline 3 submission (REP3-083) in relation to the maintenance of the solar panels was as follows:-

"The only references to the maintenance and repair of the solar panels is Table 1 of the oOEMP (REP2-018) where a set of process tasks includes "regular site inspections". Paragraph 2.4.3 states that there will be up to 24 permanent staff on site during the operational period with additional workers being brought onto the site when required for maintenance, replacement of solar equipment, vegetation management and cleaning. This suggests that the inspection of the solar panels will be carried out by the permanent staff.

The Applicant has failed to provide any level of detail about how frequently the solar panels will be inspected. Assuming that the panels will be inspected on a weekly basis, this means that, given there are 1.5 million solar panels (paragraph 3.4.8 of Vol 1 ES Proposed Development Description APP-043) constructed across 1280 ha, each of the 24 members of staff during a five-day working week will have to inspect 12,500 solar panels each day ($1.5M \div 24 \div 5$). This appears to be a physical impossibility. It is unlikely that at any time all 24 members of staff will be present due to sickness, holidays etc or that all 24 staff will be employed to check solar panels. How is the Applicant able to ensure that the panels are “regularly inspected” other than by having either considerably more permanent staff on site or considerably less frequent inspections than once a week? In either scenario there will be environment impacts either from increased traffic and noise from contractors or pollution from damaged solar panels which have not been replaced.

The Applicant has indicated a service life of the solar panels as 40 years (Table 8.5 Vol 8 Climate Change ES (APP-048)). The Applicant has asserted that only 5% of the 1.5M solar panels will be replaced over the lifetime of the project which will cover 0.5% for replacement and 0.2% for construction breakages (Response to Deadline 1 Submissions Table 3-12 LIR 18.25-18.26 (REP2-023)).

On the basis of the Applicant’s estimate, 5% of the 1.5 million solar panels equates to 75,000 panels that will need to be replaced, so on average 36 panels will need to be replaced each week. The panels each measure 2.4m by 1.3m by 30-40 mm deep (paragraph 3.4.6 of Vol 1 ES Proposed Development Description). Will the damaged panels be immediately dismantled so as to prevent leaching of contaminants into the soil? If so, where will they be stored? If the damaged panels remain in situ until replacement panels can be installed, how long will it take to replace the panels? After the storm at Porth Wren on 10 December 2024, an EDF spokesperson said that the damaged panels would not be replaced until early 2025 (New Civil Engineer - online accessed 26.7.25). “

2. The Applicant does not appear to have addressed these issues in their Responses to Deadline 3 Submissions (REP4-048). The Applicant submitted a revised oOEMP at Deadline 3 (REP3-039) relating *inter alia* to replacement activities. This includes a new section 2 Replacement Schedule which requires the Applicant to submit a planned maintenance schedule annually in relation to components which will require replacement as set out in Table 3.20 of Chapter 3. The Solar panels appear to be excluded from the planned maintenance schedule as it is not intended to replace the panels during the lifetime of the scheme. Could section 2 be revised to set out how often the solar panels are to be inspected and how any repairs or breakages are to be dealt with?

Outline Battery Safety Management Plan

1.Extracts from my Deadline 3 submission (REP3-083) in relation to the outline Battery Safety Management Plan was as follows:-

“Whilst paragraph 1.1.4 of the oBSMP (REP1-048) reflects the requirement for the Applicant to prepare the Battery Safety Management Plan (which includes details of the design of the BESS including measures to manage the firewater) which then must be submitted to the relevant planning authority (LCC) for approval, paragraph 1.1.5 of the oBSMP gives the Applicant power to unilaterally amend the plan prior to construction without the need to consult or obtain the approval of any of the consultees, including the EA, or LCC. Any comfort that the EA may take from the requirement to consult them on the Drainage Plan or the Battery Safety Management plan is obviated by the ability

of the Applicant to make whatever changes they see fit to the Battery Safety Management Plan prior to construction. I suggest therefore that this paragraph be deleted from the oBSMP.”

2. The Applicant has not responded to the suggestion that paragraph 1.1.5 of the oBSMP be deleted.

