BEACON FEN ENERGY PARK

Planning Inspectorate Reference: EN010151

Applicant's Responses to Examining Authority's First Questions (ExQ1)
Document Reference: 9.6
October 2025

The Planning Act 2008

Glossary

Abbreviation	Description
AC	Alternating Current
AIL	Abnormally Indivisible Load
AIS	Air Insulated Switchgear
Applicant	Beacon Fen Energy Park Ltd
BESS	Battery energy storage system
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
BoR	Book of Reference
CCTV	Closed circuit television
CIEEM	Chartered Institute of Ecology and Environmental Management
DC	Direct Current
DCO	Development Consent Order
DNOs	District Network Operators
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
ExQ1	Examining Authority's Written Questions 1
GIS	Gas Insulated Switchgear
HDD	Horizontal Directional Drilling
HLA	Host Local Authority
HGV	Heavy Goods Vehicle
HRA	Habitat Regulations Assessment
HSE	Health and Safety Executive
HV	High Voltage
IDB	Internal Drainage Board
IPs	Interested Parties
LCC	Lincolnshire County Council
LIR	Local Impact Report
Low Carbon	Low Carbon Ltd
LPA	Local Planning Authority
MW	Megawatts
NESO	National Energy System Operator
NETS	National Electricity Transmission System
NGR	National Grid Reference
NKDC	North Kesteven District Council
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
oCEMP	Outline Construction Environmental Management Plan
oCTMP	Outline Construction Traffic Management Plan
oLEMP	Outline Landscape and Ecological Management Plan
Order	The Beacon Fen Energy Park Order
PCU	Power Conversion Unit
PINS	Planning Inspectorate
Proposed Development	The entire development to be constructed and operated within the Site, as set out in Schedule 1 of the draft DCO
PRoW	Public Right of Way

Abbreviation	Description
PV	Photovoltaic
RR	Relevant Representation
RVAA	Residential Visual Amenity Assessment
SAC	Special Areas of Conservation
SHDC	South Holland District Council
Site	The entire draft Order Limits or red line boundary located approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington
SoCG	Statement of Common Ground
SoS	Secretary of State
SPA	Special Protecton Area
SuDS	Sustainable Drainage System
TCE	The Crown Estate
WMS	Written Ministerial Statement
ZoI	Zone of Influence

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Appendix 1: Applicant's Response to Examining Authority's request for further information under Rule 17

1. Introduction

1.1.1 This **Applicant's Response to Examining Authority's First Questions (Document Ref. 9.6)** document has been prepared on behalf of Beacon Fen Energy Park Ltd (the 'Applicant') in support of an application for a Development Consent Order ('DCO'), that has been submitted to the Secretary of State (the 'SoS') for the Department for Energy Security and Net Zero, under Section 37 of 'The Planning Act 2008' (the '2008 Act').

1.1.2 This document summarises the responses made by the Applicant to the **Examining Authority's Written Questions 1 ('ExQ1') (PD-007)** which were published on 1 October 2025 in relation to the application for development consent (Application) for the Beacon Fen Energy Park (the {Proposed Development). **Appendix 1** of this document also outlines the Applicant's response to the Examining Authority's request for further information under Rule 17.

1.1.3 The structure of this document follows the order of the topics listed in the Index as shown in the **Examining Authority's Written Questions 1 ('ExQ1') (PD-007)**.

1.1.4 This document is structured as follows:

- Section 2 provides the Applicant's responses to the Examining Authority's Written Questions 1 ('ExQ1').
- Included at Appendix 1 is Applicant's Response to Examining Authority's request for further information under Rule 17, which was issued on 13 October 2025.

2. ExQ1 (PD-007)

2.1.1 The table below sets out the written summary of the Applicant's Responses to the **Examining Authority's Written Questions ('ExQ1') (PD-007)** as submitted on 01 October 2025.

Table 2.1 – Applicant's Response to ExAs ExQ1 (PD-007)

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
General and cross topic matters			
GCT.1.2	HLAs	**Environmental Impact Assessment (EIA) Scoping** Appendix 1.1. Scoping Report (APP-071) includes the applicant's assessment of the relevant local policy context. Are the HLAs content with the applicant's policy analysis?	While not directed at the Applicant may we point out that the policy analysis for the DCO application is set out in tabulated format in the Planning Statement (APP-277). See Appendices 3A-3C and 4A-4D. The analysis of planning policy within the EIA scoping request was a concise summary for information purposes, at the time and in the context of a scoping submission (i.e. relates to EIA scope and not the merits of a proposal).
GCT.1.6	Applicant	**Other consents and permits** Other Consents and Licences Statement (APP-276) details the applicant's position in relation to those consents and agreements which the applicant currently anticipates may be required to supplement powers within the draft DCO and the status of any agreement with the regulatory authority (where required). The applicant is therefore asked to: 1. Provide an update on progress with obtaining these consents, licences and permits. Include a section providing an update on these consents, licences and permits in any emerging Statements of Common Ground (SoCGs) that are being drafted with the relevant consenting authorities.	The Applicant provided an updated **Other Consents and Licenses Statement** at **Deadline 1 (REP1-005)** which sets out the progress on obtaining the relevant consents, licenses and permits. There have been no further updates and as a result the Applicant does not propose to submit an updated document at Deadline 2. The Applicant will ensure that the next versions of the SoCGs with the following IPs to be submitted into examination contain sections providing an update on relevant consents, license and permits: • Lincolnshire County Council; • North Kesteven District Council; • Boston Borough Council; • Environment Agency; • Anglian Water; and • Natural England. The Applicant and Black Sluice Internal Drainage Board have signed a final copy of the relevant SoCG which is submitted alongside this document at Deadline 2 **(Document Ref. 8.17).** As this SoCG is final the Applicant does not intend to update it.
GCT.1.7	Applicant HLAs All local authorities Prescribed consultees Interested parties (IPs)	**Central Government Policy and Guidance** Are you aware of any updates or changes to Government Policy or Guidance (including emerging policies) relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications for the application?	The Applicant notes that the Government launched a consultation on draft 'revisions' to National Policy Statements EN-1, EN-2 and EN-3 between 24 April 2025 and 29 May 2025. The proposed revisions (also described in the consultation as 'updates') are not of a fundamental nature. The consultation explains they are 'reinforcing the government's ambition to deliver Clean Power by 2030 and net zero'. The proposed updates to EN-1 seek to align with the Clean Power 2030 and frame EN-1 as a vehicle for meeting the priorities outlined within the CP30 Action Plan, replacing older documents from previous governments such as the Energy White Paper and British Energy Security Strategy.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			The key proposed updates to EN-3 relate to the reintroduction of onshore wind, with the draft EN-3 NPS now explicitly covering onshore wind (and updates how onshore wind is assessed within the NSIP regime). There is no material change to policy of relevance to Beacon Fen Energy Park, and there is an updating/strengthening of the existing strong need case in the NPSs for solar nationally: section 2.10 of draft EN-3 emphasises the 'huge potential' nationally for 'cheap, versatile and effective' solar power and refers to the deployment range for solar PV of 45-47 GW by 2030 with scope to exceed this. The proposed updates to EN-5 strengthen language that grid reinforcement, new transmission links and associated substations/compounds are critical to meeting Clean Power 2030 and should be treated as enabling infrastructure. The consultation makes clear that whilst the review is undertaken, the current suite of energy NPS remain relevant government policy and EN-1 to EN-5 have effect for the purposes of the Planning Act 2008. It further clarifies that the SoS has decided that for any application accepted for examination before amending the energy NPSs, the current suite of energy NPS should have effect in relation to its determination. As such, the current NPS (published in 2024) remain in effect in relation to the determination of this DCO Application. The same transitional arrangements in the consultation clarify that the draft revised NPSs are potentially capable of being important and relevant considerations in the decision-making process. However, for the reasons stated above, the Applicant does not consider that the nature of the changes proposed materially alter the relevant planning policy applicable to this Application, as set out in the **Planning Statement (APP-277)**.
GCT.1.10	Applicant	**ES Supporting Documents** The applicant has confirmed, at ISH1 and in the ES supporting documents, that an element of flexibility in relation to the delivery of the proposed development has been retained within the confines of a Rochdale Envelope. Although the ExA accepts that some flexibility is needed, can the applicant please explain what work has been carried out in order to minimise land take in relation to the proposed access route, as it appears to be wider in places	The Applicant's approach to the Rochdale Envelope generally is set out in detail in section 4.3 of **ES Chapter 4 Scope and Methodology (APP-055)**. An appraisal was undertaken to identify the need for, and location of, a Bespoke Access Road, as detailed within **Appendix 3.2 Bespoke Access Road Options Appraisal (APP-080).** Once the preferred location was identified, further work was undertaken by the Applicant to refine the Bespoke Access Corridor and minimise land take as far as possible (as summarised within Table 3.3 of **Chapter 3 Alternatives and Design Evolution (APP-054)**). The key work carried out to inform the refinement of the Bespoke Access Corridor comprised the arboricultural survey (**Appendix 6.6 Arboricultural Impact Assessment (APP-088)**), geophysical survey (**Appendix 8.8 Geophysical Survey Report - Cable and Access Routes (APP-128 – 148)**), and targeted trial trenching (**Appendix 8.10b Trial Trenching Report - Targeted Access Route (APP-152)**). It is intended that the Bespoke Access Road will follow field boundaries as far as possible in order to minimise the impact on agricultural operations. As stated within **Appendix 2.2 Bespoke Access Road Construction Method Statement (APP-075)**, construction of the Bespoke Access Road will require a working width during construction of up to 50m. The permanent width is likely to be a minimum of 12m comprising a 6m carriageway, and 3m either side for verge, drainage, and earthworks tie-in to ground level. Additional carriageway width of up to 2m is required on bends to allow HGVs to pass, and to accommodate AIL movements.

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			As stated within Table 3.3 of **Chapter 3 Alternatives and Design Evolution (APP-054)**, the Bespoke Access Corridor was narrowed where possible, following the completion of the geophysical survey and targeted trenching. The central section of the Bespoke Access Corridor is wider due to the presence of archaeological remains within the two fields c.600m north of the A17, as illustrated within **Appendix 8.10b Trial Trenching Report - Targeted Access Route (APP-152)**. These remains are concentrated across the boundary between the two fields. In order to maintain flexibility for micrositing during detailed design, sufficient land was included within this section of the Bespoke Access Corridor to accommodate the road and associated working width on either side of the field boundary. The main issues which may impact micro-siting include land ground conditions and land drainage. Further ground investigation is to be undertaken prior to detailed design but flexibility needs to be incorporated for the final design to respond to the results of the ground investigation to minimise impact on agricultural land. The Bespoke Access Corridor is also wider to the north-east of the archaeological remains, to accommodate flexibility in relation to the field boundary east of Asgarby Road.
GCT.1.11	Applicant HLAs	Can the applicant please set out what considerations it has given to the need to develop a s106 agreement with the HLAs, namely Lincolnshire County Council, North Kesteven District Council and Boston Borough Council? And, if the applicant feels there is a need for one, what are the topics and issues that the s106 agreement should cover? Can the HLAs confirm their position in relation to the need for a s106 agreement and confirm if any discussions or consideration has been given to this?	The Applicant recognises that one or multiple s106 agreements have been requested from certain LPAs for certain topics. Discussions are ongoing and the current status is as follows. Discussions are ongoing and the current status is as follows. On the topic of Biodiversity Net Gain (BNG) monitoring: - NKDC state in their **Local Impact Report (REP1-044)** that they would seek a S106 obligation for BNG monitoring. The Applicant awaits NKDCs indicative BNG monitoring fee. - The Applicant is not aware of other LPAs requiring BNG monitoring fees. - The Applicant notes that the **outline Landscape and Ecological Management Plan (oLEMP) (APP-089)** includes monitoring surveys at years 1, 3 and 5, followed by surveys, every 5 years until year 40, following the establishment period. A final version of the oLEMP is secured by requirement in the draft DCO, the latest version of which is submitted at Deadline 2 alongside this document **(Document Ref. 3.1).** - Both the monitoring set out in the oLEMP and the provision and agreement by the LPAs of a BNG Strategy are included within the draft DCO. Failure to comply would constitute a criminal offence. - In light of the above, the Applicant does not believe that a s106 agreement is also required for the LPAs to monitor BNG and notes that there is no NSIP related guidance to suggest otherwise. Furthermore, NKDC proposes that the Applicant sign up to an ecology steering group, one purpose of which would also be to monitor progress of the oLEMP. On the topic of ecology steering group: - The Applicant notes NKDC's desire for a s106 to cover an ecology steering group and will hold further discussions with NKDC about how this will work, why a s106 is required to secure this and the wording NKDC would propose. The Applicant has discussed the potential to join the Ecological Steering Group in a meeting with NKDC and LCC (14 August 2025) and is open to exploring this further. We understand this would meet once or twice per year but would need to understand heads of terms proposed.meeting with NKDC

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			and LCC (14 August 2025) and is open to exploring this further. We understand this would meet once or twice per year but would need to understand heads of terms proposed. - NKDC have also indicated to the Applicant that they would like the permissive path to form a 'Stepping Out Walk'. This would include the provision of a number of items of street furniture on or close to the route and NKDC have indicated this should be secured by a s106. The Applicant is open to the idea but proposes to secure it within the oLEMP. - LCC have not indicated that they believe a s106 agreement is required for an ecology steering group. - We are not aware of a Boston Borough Council request for a steering group. They have requested within their **LIR (REP1-059)** and **Written Representation (REP1-059)** that mitigation plans for landscape and visual effects of the extension of the substation should be included either through site specific measures or via contributions secured via S106 agreement. The Applicant is looking to set up a meeting with BBC to discuss site specific measures at the extension of the substation and does not believe a s106 agreement will be required. On the topic of employment/skills/education packages: - NKDC state in their **LIR (REP1-054)** that they would seek S106 for the OSSCEP. - BBC in their **Written Representation (REP1-060)** have also indicated that they would like to see an employment skills and education contribution secured through a s106 agreement. - The Applicant notes that in their **RR (RR-002)**, LCC were of the view that that this can be secured through DCO requirement. The authority's stance has however changed and they state in LIR comment that a S106 agreement is required. - the Applicant believes that the plan can be appropriately secured through requirement in the DCO and is not aware of any guidance or practical reasons that suggest this would not appropriately secure it. **NKDC's LIR (REP1-054) and LCC's LIR (REP1-044)** suggest a programme for decommissioning and re-instatement of land *"can be conditioned as part of a consent, even possibly with a s106"*. The Applicant considers this can be secured by requirement.
GCT.1.12	Applicant HLAs Statutory Undertakers (SUs)	The applicant has presented a Long and Short List of Committed Development (APP-102) and (APP-103). Can all HLAs confirm if they are happy with the list provided or if there are any further projects that they wish to add? Other IPs, namely SUs, are also invited to comment.	While not directed at the Applicant we would clarify that the Applicant identified schemes for consideration within the cumulative assessment with regard to the NSIP guidance on Cumulative Effects Assessment (2024), undertaking a staged approach as set out within **Chapter 4 Scope and Methodology (APP-055)**. The list of schemes (see Appendix 2.4 Cumulative Assessment Short List (APP-082) considered within the ES was confirmed through engagement with Lincolnshire County Council, North Kesteven District Council, and Boston Borough Council in January 2025 which is identified in the consultation tables in section 2 of each of the submitted HLA draft SoCGs (APP-281 to APP-283).

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GCT.1.13	Applicant	As per the Funding Statement (APP-043), the applicant estimates that the proposed development will cost £550m to build and that this will be funded by Low Carbon Limited off Low Carbon Limited's own balance sheet. Considering that the applicant is Beacon Fen Energy Park Limited, a company wholly owned by Low Carbon Limited, what assurances can the applicant provide that required funding will be available to Beacon Fen Energy Park Limited for the different phases of the development?	The Applicant addressed a similar question when responding to Action Point 1 following the ISH1 hearing in **Written Summary of Oral Submissions from ISH1 and Responses to Action Points (REP1-030)**. A summary of this response is as follows. . A summary of this response is as follows. Section 2.1 of the Funding Statement (APP-043) clarifies the corporate structure of the Applicant entity, and particularly that the sole shareholder of the Applicant is Low Carbon UK Solar Investment Company Limited, which is in turn an indirect subsidiary of Low Carbon Limited. Section 2.3 of the Funding Statement subsequently clarifies the proposed funding for the Project, and which includes details as to how the Applicant entity is funded by Low Carbon off Low Carbon's own balance sheet. If the Secretary of State grants development consent for the Proposed Development then there are certain different avenues which may eventuate for the ultimate funding of the project. Low Carbon's baseline assumption is that it will fund the development and construction of the Proposed Development through a combination of equity and debt, as explained in section 2.3.4-2.3.5 of the **Funding Statement (APP-043)**. The Proposed Development is set up as a Special Purpose Vehicle, which is the industry standard for an energy project of this nature. Low Carbon has funded the entire development cost to this point and will continue to do so through the current development stage. If granted DCO consent then, equity for the subsequent stages of development and construction is expected to be funded from Low Carbon's balance sheet plus utilisation of a £400 million revolving credit facility that Low Carbon currently has in place with the specific purpose of helping fund Low Carbon's equity contribution to the construction costs on its renewable energy projects. Additionally, Low Carbon has a high level of confidence of securing the required bank debt for the Proposed Development having previously closed a £510 million facility with seven tier 1 lenders for building out a ~800MW portfolio of solar assets in the UK and Netherlands, a process that generated a high level of interest from a deep pool of credible lenders. In addition, Article 46 of the **Draft DCO (AS-008)** prevents the exercise of the compulsory acquisition powers until the SoS has approved a form of security from the Applicant. The Applicant has addressed the ExA's request for additional information regarding the funding for the decommissioning phase of the Proposed Development in response to ExQ GCT.1.14 below and does not repeat the same here to avoid duplication.
GCT.1.14	Applicant	In addition to GCT.1.13, the ExA would also specifically ask for further assurances and evidence that funding for the decommissioning phase of the proposed development is secured and will be available.	Requirement 18 of the draft DCO provides that decommissioning of Work Nos. 1, 2 and 3 must commence no later than 40 years following the date of final commissioning of the authorised development. This requirement also provides that, unless otherwise agreed in writing with the relevant planning authority, no later than 12 months prior to the date the undertaker intends to decommission any part of the authorised development, the undertaker must notify the relevant planning authority of the intended date of decommissioning. Within 12 months of such notification, the undertaker must submit to the relevant planning authority for its approval a decommissioning environmental management plan for that part which must be substantially in accordance with the Outline Decommissioning Environmental Management Plan (APP-078). No decommissioning works may be carried out until the relevant planning authority has approved the plan submitted in

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			relation to such works, and the plan must be implemented as approved. Breach of a requirement of a DCO is a criminal offence pursuant to s161 of the Planning Act 2008. This is considered to be a sufficient deterrence to ensure compliance. Insofar as the ExA or an interested party is querying whether a form of bond or alternative security mechanism is required to be secured in the draft DCO in respect of these works, the possibility of requiring security to be put in place for decommissioning costs was considered during the Examination of The Mallard Pass Solar Farm Order 2024. The ExA's Recommendation Report states at paragraph 7.4.73 that "*Whilst there were suggestions by Interested Parties for provision to be made for a financial bond, consistent with the other made DCO's for solar projects we do not consider this to be necessary given the controls that would already be in place via Requirement 18 [Decommissioning and restoration] of the DCO*". As far as the Applicant is aware, no solar DCO has imposed such a requirement, including the recently granted West Burton Solar Project Order 2025, Heckington Fen Solar Park Order 2025 and East Yorkshire Solar Farm Order 2025. There is nothing about the Project which would justify a different approach. NPS EN-3 provides a clear policy framework for solar NSIPs, and paragraphs 2.10.65 to 2.10.69 deal with project lifetime and decommissioning. There is no reference within this policy to it being necessary for security to be put in place to cover the costs of decommissioning. Indeed, paragraph 2.10.68 notes that "Solar panels can be decommissioned relatively easily and cheaply". Such a requirement would not meet the policy test within NPS EN-1 paragraph 4.1.16 that requirements should only be imposed that are, inter alia, necessary and reasonable. No such requirement has therefore been included in the draft DCO nor would it be appropriate.
GCT.1.15	Applicant	How has the applicant taken into consideration the impacts of climate change on the proposed development and how has the proposed development been developed in order to respond to the challenges of climate change particularly the increase in frequence of extreme weather events?	The impacts of climate change on the Proposed Development relate to climate resilience which was considered in Part B of **Chapter 12 Climate Change (APP-063).** Table 12.5 set out the potential climate risks associated with various extreme events from increased temperatures to higher rainfall, and more frequent gales and storms etc. To help understand the likelihood of these events occurring, climate projections have been used and these indicate that, over the lifetime of the Proposed Development, there will be trends towards wetter winters and drier summers, with a steady increase in mean temperatures throughout the year. **Appendix 11.1 Flood Risk Assessment (APP-162)** considers the risk of climate change-related flooding in some detail and proposes mitigation measures to address this fully. In addition to Sustainable Drainage Systems (SuDS) mitigation which will be designed to include an allowance for increased rainfall as a result of climate change. Various components in susceptible parts of the Solar Array Area will be subjected to elevated construction to minimise the risk of damage from potential flood events. The design parameters are secured pursuant to Requirement 5 (Detailed design approval) and Requirement 10 (Surface and foul water drainage) of the **draft DCO (AS-008)**. During the construction phase, which is intended to take place in the short term, the climate is not expected to be dramatically different from that of today and little additional mitigation is expected to be required to address climate change specifically.

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			During the 40 year operational phase, as the climate changes, drier, warmer summers, are likely to bring about higher levels of sunlight. Higher temperatures associated with this can adversely affect panel efficiency, but the effect will be slight, and it is noted that solar panels operate successfully even in desert conditions in other parts of the world. The heights proposed for the solar mounting system will allow sufficient air flow to provide passive ventilation and cooling. The increase in hours of direct sunshine during summer months may, in part, be offset by less sunshine during winter months, but there is likely to be more solar generation overall as a result. As noted in the Paragraph 12.12.11 of **Chapter 12 Climate Change (APP-063)**, there are various embedded mitigation features built into the proposed design, with some of this mitigation proposed to be further specified within the detailed design process. Section 19.2 Additional Mitigation of **Chapter 19 Summary of Significant Environmental Effects (APP-070)** and **Appendix 2.3 Embedded Mitigation (APP-076)** (both secured by the **Draft DCO (AS-008)**) detail the mitigation measures proposed. The design parameters are secured through the outline design principles pursuant to Requirement 5 Detailed Design Approval of the **Draft DCO (AS-008)**. Another expected climate change effect is increased volatility within the weather patterns that the Proposed Development will experience. There will be an increased risk of more intense storms. As part of the detailed design process, wind loading calculations will be undertaken to ensure that the design of the mounting structures and the panels themselves are sufficiently robust to withstand the expected intensities of these extreme events. During decommissioning, adherence to the **Decommissioning Environmental Management Plan** which will be developed based on **Appendix 2.5: Outline Decommissioning Environmental Management Plan (APP-078)**, (secured via Requirement 18 of Schedule 2 of the **Draft DCO (AS-008)**)**,** will ensure safe working practices are followed to address the relevant weather conditions expected at the end of the project lifetime.
GCT.1.16	Applicant Environment Agency (EA)	The Environment Agency (EA) in its representation (RR-006), have raised a number of concerns regarding the applicant's approach to flood risk which were also the subject of discussions at ISH1. The ExA would just like to clarify that it is hoping to see significant progress on this matter at the early stages of the examination as to avoid the need for any significant changes to be made to the proposed development at a later stage in the examination process.	The Applicant acknowledges the concerns of the ExA on this matter and has been making positive progress. Since ISH1 the Applicant received responses from the Environment Agency on the fluvial flood modelling and breach modelling on 6th October and 3rd October respectively. The Applicant continues to work constructively with the EA to resolve minor outstanding matters in this regard of which, at the time of writing, is limited to a total of four points of clarification across the two models. We will provide a more detailed update via a revised draft SoCG with the Environment Agency at deadline 3 or deadline 4. Furthermore, two meetings were held with the Environment Agency on 7th October and 10th October to discuss the matters within their representation (RR-006) and agree how these matters will be resolved. Some of the representations made by the Environment Agency with respect to flood risk can only be resolved once the aforementioned flood modelling studies have been signed-off by them. Where this is the case, agreement has been reached with the Environment Agency on the approach that will be taken within the assessment to resolve those matters, following model sign-off. The applicant considers that none of the outstanding matters are insurmountable and only require additional information or clarification to be provided to the Environment Agency to resolve their concerns. The applicant does not anticipate that any matters are of a nature that would result in a change to the Proposed Development.

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			All flood risk matters raised in the Environment Agency's representation (RR-006) will be addressed within a revised **Appendix 11.1 Flood Risk Assessment (APP-162)** report.
GCT.1.17	Natural England (NE)	The applicant states, in paragraph 4.1.1 of document 7.3 Biodiversity Net Gain Strategy (APP-280) that the proposed development is anticipated to provide a net gain of 36.43% in relation to habitat units, a 10.79% net gain in relation to hedgerow units and a 15.95% net gain in watercourse units. Can NE and the EA please confirm they are content with the applicant's calculations and the proposed net gain in relation to national policy and priorities?	While the quesiton is not directed to the Applicant we will share our understanding of the Natural England an Environment Agency positions to assist the ExA. In their Relevant Representations Natural England have welcomed the commitment to Biodiversity Net Gain demonstrated in document 7.3 Biodiversity Net Gain Strategy (APP-280). Natural England note that as Biodiversity Net Gain is not mandatory they have not assigned a red/amber/green risk rating to this issue. Natural England acknowledge the projected net gain and *welcome the net gain in biodiversity as illustrated across all units*. Natural England have welcomed the commitment to managing and monitoring the habitats to make sure the biodiversity net gain is delivered. The Environment Agency have not commented on the net gain calculations.
GCT.1.8	Applicant	The Non-Technical summary of the ES does include reference to some benefits for the proposal, namely: habitat improvements; benefit on climate due to savings in emissions; employment and economic contributions to the local economy. Could the applicant please confirm that these are the key benefits of the proposal and provide further justification for why these outweigh, in the applicant's view, the adverse effects identified by the applicant, namely landscape and visual, cultural heritage and agricultural land?	The likely significant environmental effects of the Proposed Development are set out in Table 1 of the **Non-Technical Summary (APP-051)** of the Environmental Statement (ES), alongside the adverse effects. Further detail is found in the relevant **ES Chapters (APP-052 – APP-070)**. Section 7 of the **Planning Statement (APP-277)** sets out the Applicant's assessment of all of the benefits and adverse impacts of the Proposed Development that are of relevance to the determination of the application in line with the criteria and balancing set out in Section 104 of the Planning Act 2008. The benefits of the Proposed Development are considered to be as follows: • Generation of approximately 400 MW of electricity – providing valuable clean energy that is deliverable swiftly, being capable of connecting to the grid as early as 2029. • Provision of a BESS capacity of up to 600MW, primarily to store energy from the solar panels but also to provide balancing services to the National Grid. • Biodiversity Net Gain of 30% for Habitat Units, 10% for Hedgerow Units and 10% for Watercourse Units which shall be in place for 30 years as part of a wider package of appropriate landscaping and habitat proposals and new and improved hedgerows. • Provision of a substantial new permissive path across the Solar Array Area during the operational period linking to existing Public Rights of Way to the east and west providing additional walking and recreation opportunities. • The construction of the Proposed Development would provide moderate beneficial socioeconomic effects in the Boston Borough are in relation to workforce, businesses and residents

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			The unavoidable adverse effects following the application of mitigation are considered to be as follows: • A number of significant adverse landscape impacts, the majority of which will be during the construction phase but also during operation and decommissioning. A number of mitigation measures are proposed and secured within the draft DCO (AS-008). • The Residential Amenity Threshold would be met at one receptor. However, mitigation measures will mean that after approximately 10 years the threshold would no longer be met. • The construction and decommissioning phases would result in a moderate adverse significant impact on a Grade I Listed Building, although it would be less than substantial harm. However, there is a critical national priority for the Proposed Development which justifies this (and the above) residual impacts. • A major adverse impact would result from the loss of agricultural land, but this would be temporary and reversible and soil management measures would allow for reinstatement of the Site to agricultural production following decommissioning. In conclusion therefore, and as set out in section 7.6 of the Planning Statement (APP-277), given the urgency of the need for new low carbon electricity generation capacity (as set out in NPS EN-1) and the importance of decarbonising the power and industrial sectors in the UK to meet the legally binding target of net zero by 2050, it is considered that the benefits of the Proposed Development significantly outweigh the limited harm that would result from the effects identified above and that development consent should be granted.
GCT.1.19	Applicant	Due to their resolution and size, certain figures, namely (APP-194), (APP-195), (APP-233), (APP-234), (APP-235), (APP-236), (APP-237), (APP-238) are very difficult to load and often crash IT systems. The applicant is asked to submit these figures at a lower resolution if possible or in such a way as to make them less cumbersome to IT systems.	The Applicant confirms that **Figure 1.3 Site Area Plan (APP-194)**, **Figure 1.4 Indicative Site Layout Plan (APP-195)**, **Figure 6.31 Landscape Strategy Plan (APP-233 to APP-235)** and **Figure 6.32 Vegetation Removal Plan (APP-236 to APP-238)** have been reviewed with the intention of reducing the file size(s) in order to resolve problems in respect of viewing. The reduced files are to be submitted at Deadline 2 along with this document.
GCT.1.20	Applicant	**General Comments on the Habitats Regulations Assessment (HRA)** The ES references, in ES Chapter 2: Proposed Development (APP-053), a National Grid substation at Bicker Fen, the HRA Report references this being near Bicker Bar, can the applicant confirm that these are the same location and ensure consistency going through the examination and within certified documents?	. The substation is named Bicker Fen Substation and is located near to the village of Bicker (which on some maps is termed Bicker Bar). To avoid any residual confusion, the Applicant has amended this reference within the **Habitat Regulations Assessment** as part of the various updates to this document made at Deadline 2. as part of the updates to this document made at Deadline 2. as part of the updates to this document made at Deadline 2.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
GCT.1.21	Applicant	Can the applicant confirm the construction, operation and decommissioning timescales used for the HRA and confirm that these are consistent with those used for the EIA?	The Applicant can confirm that the timelines used for the **Habitat Regulations Assessment (APP-050)** follow those set out in Section 2.15 of **Chapter 2 Proposed Development (APP-053)** of the **Environmental Statement (ES).** That is: • Construction commences in 2027 (assuming consent granted 2026); • Construction of the Proposed Development takes 2.5 to 5 years; • The Proposed Development is in operation for 40 years; • The decommissioning phase of the Proposed Development takes 12 to 36 months.
GCT.1.22	Applicant	ES Chapter 2: Project Description (APP-053) references the potential for junction improvements to be required. These are not referenced in the HRA, can the applicant confirm and signpost where these have been considered in the HRA?	The junction improvements are indicated in Appendix E- H of Transport Assessment Parts 1-3 (APP-155, APP-156 and APP-157). Proposed works are to enable introduction or improvement of site accesses, or introduction of crossing points of existing highway for site traffic. These works are subject to detailed design, but will generally comprise resurfacing or localised strengthening of the existing carriageway to form these new or improved junctions, and introduction or widening of verge crossings. In some cases, vegetation management, mainly within highway verges will be required to enable suitable visibility. There is potential that some temporary localised widening, likely using temporary plating, on Carterplot Road and Great Hale Drove to enable movement of cable reels by abnormal load vehicles. These widening works will be within highway land which generally comprises mown verge. Whilst the potential junction improvements have not been separately referenced within the HRA (because the need for, and by consequence, their specific location has not been confirmed), to confirm they are not of a nature or scale which it is considered could give rise to any potential new or different LSE above those already considered in, nor impact upon the subsequent conclusions reached, in the HRA. The Applicant has considered potential impact pathways through: • Disturbance of qualifying species (gadwall and otters); and • Pollution of watercourses. In particular, the underlying road infrastructure within which the improvements could be made are not of a proximity and/or scale which could give rise to any new or different disturbance impacts on the qualifying species of the relevant European Sites from those reported in the HRA already and similarly, in respect of the other potential pathway, pollution of watercourses during the construction phase, such impact will be avoided in the same way as for the other components of the Proposed

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Development – through the measures secured in the oCEMP, secured via Regulation 12 of Schedule 2 of the draft DCO. For completeness, the above conclusions similarly apply in respect of potential impacts on lapwing, noting the additional assessment carried out in their respect in the HRA in response to comment from Natural England, as described in response to question BIO.1.12 below and reflected in version 2 of the HRA submitted at this Deadline 2.
GCT.1.23	Applicant	Can the applicant confirm how the worst-case scenario has been considered within the HRA?	As with the EIA, the HRA relied upon the use of the Rochdale Envelope approach where details of the development have not been confirmed and necessary flexibility is retained. Section 4.3 of Chapter 4 of the ES (APP-055) describes the approach and clarifies that the use of 'worst-case' design parameters is considered to allow for a robust, and worst-case, assessment of the potential impacts of the Proposed Development. Those parameters and assumptions are set out in that section of Chapter 4 and the same principle and approach was followed for the HRA to ensure a robust worst-case was followed and conclusions presented. The **Habitats Regulations Assessment (APP-050)** has considered the worst case scenario for impacts on: *Qualifying overwintering bird species of the Wash SPA and Ramsar; *Otters (a qualifying species of the Wash and North Norfolk Coast SAC); *Habitats of the Wash SPA and Ramsar and Wash and North Norfolk Coast SAC For qualifying bird species the impacts were assumed to occur through disturbance. The worst case was assumed in that the works in the vicinity of the qualifying bird species would occur during the winter months. The populations of birds during the breeding season (spring/summer) had been assessed, but none of the qualifying bird species met the threshold for consideration, therefore impacts on the Wash SPA and Ramsar could only occur during the winter months. The other worst-case scenario consideration for qualifying bird species was that the maximum noise disturbance would occur throughout the construction area; i.e. it would be equally as loud at the edge of the Proposed Development as in the centre. When considering otters a worst case scenario was adopted that all crossings would be open trenched except Heckington Eau and the South Forty-Foot Drain. During the Riparian Mammal Surveys of the Solar Array Area (APP-098) and the Cable Route Corridor and Bespoke Access Route Corridor (APP-108 to APP-112) evidence for otters was only found on Heckington Eau and the South Forty-Foot Drain. However a worst case scenario was assumed that otters would move around the Site and that there would be potential for their habitats to be damaged or destroyed or that otters would be disturbed. The Applicant considered impacts on habitats to occur through pollutants entering the watercourses and flowing to the internationally designated sites. A worst-case scenario was assumed that any materials used which could cause pollution would be used close enough to enter the watercourses via run-off or by filtering through the soil. The worst case scenario also

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			included that the pollutants would cause a significant impact after travelling though the various watercourses to reach the international sites.
Need, site selection and alternatives			
NED.1.1	Applicant	Can the applicant confirm what type of Photovoltaic (PV) panels are proposed and what other options and alternatives were considered in relation to PV panel technology and why any options or alternatives considered were dismissed, including any risks identified?	It is important to note that the panel make, model or type is not proposed to be fixed by the application. Notwithstanding this, the indicative design at **Figure 1.4 Indicative Site Layout Plan (APP-195)** assumed the use of a TRINA vertex NEG 21C.20 685Wp (Watt peak) panel. This type of panel uses a particular cell type known as TOPCon (Tunnel Oxide Passivated Contact) which has emerged as the technology with the largest market share, globally at present and is a known specification with good availability presently. This makes this type of panel a sensible choice at this stage for the purpose of setting certain assumptions. However, as set out above, neither the particular panel, nor the technology are being set by the application. EN-3 at 2.10.70 recognises that applicants may not have settled the 'type, number and dimensions' of the panels at the point of application and at 2.6 (along with 4.3.11 of EN-1) requests applicants explain which elements have yet to be finalised and the reason why this is the case. As set out in paragraph 3.6.5 of **ES Chapter 3 Alternatives & Design Evolution** of the ES, a degree of flexibility has been maintained regarding a number of design parameters that are not fixed at this stage in the DCO application. This is to ensure that there is sufficient flexibility to utilise the latest technologies at the time of construction, to enable potential improvements in efficiency and functionality beyond what can be achieved by current technologies. Table 3.4 of the same chapter sets out alternatives considered within the Solar Array Area.Therefore, as set out in Section 4.3 of **Chapter 4 Scope and Methodology (APP-055)** of the ES, the assessments within the ES have made use of the Rochdale Envelope approach. Final details of the Proposed Development are controlled by Requirement 5 in Schedule 2 of the Draft DCO (AS-008) and will be in accordance with the Outline Design Principles in Appendix 1 of the **Design and Access Approach Document (AS-019).**
NED.1.2	Applicant	The applicant has confirmed, at ISH1, that a 600MW connection to Bicker Fen substation has been secured. Can the applicant please confirm when the connection will become available?	As set out in the **Electricity Grid Connection Statement (APP-285)** the Applicant entered into a Grid Connection Agreement with NESO in May 2022. That Agreement specifies an import and export capacity of 600MW each and for a connection in three 'stages' between June 2029 and October 2033.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
NED.1.3	Applicant	The proposed development includes a Battery Energy Storage System (BESS) which has a proposed capacity of 600MW. Can the applicant please provide further detail and information on why it believes that a 600MW BESS is appropriate for the proposed development and how likely it is that it will be used to maximum capacity considering the anticipated energy generation capacity of the proposed development?	Please refer to the Applicant's response to Action Point 7 from the Issue Specific Hearing 1, which is considered to answer this question **(REP1-030)**.
NED.1.4	Applicant	What are the consequences for the applicant of the project underperforming? And how has the applicant prepared for this?	Broadly, the Applicant considers there to be two principal potential causes for the Project to under-perform - i) delayed construction/delivery of the Project, and ii) once constructed, poorer operational performance than foreseen. The Applicant has sought, and will continue, to seek to mitigate the first risk through careful construction programme planning, relying upon Low Carbon's experience of the delivery of its existing portfolio of projects in the UK and beyond. In relation to the second risk, the Applicant has sought to mitigate against this through the design development of the Proposed Development to date and the retention of appropriate flexibility in the outline design where appropriate (including to allow for technological advancements to be implemented). More broadly, it should be noted that solar and battery storage projects are mature technologies with reliable performance characteristics. As identified in our answer to NED.1.1, for example, we have assumed a highly available panel type (TRINA) in setting certain assumptions for the assessment. Given this, and given the technical work that would be conducted before constructing the project pursuant to requirements and other regulatory regimes, the Applicant does not foresee circumstances where the project significantly underperforms, and considers that overperformance is at least as likely. Solar technology is proven in delivery in the UK on an unsubsidised basis and underperformance is not considered to be a significant risk to an investment decision to proceed. underperformance is not considered to be a significant risk to an investment decision to proceed.
NED.1.5	Applicant	Most of the case for need as set out by the applicant is based on a national need analysis. Is there a case for local need and has any case for local or regional need taken into consideration the cumulative effects of other renewable energy generation proposals in the area?	The Proposed Development would allow for the generation and export of renewable energy from a large-scale solar array (over 50MW capacity). As such, the current suite of National Policy Statements (NPSs) for energy are the relevant NPSs and the Secretary of State must decide the application for development consent for the Proposed Development in accordance with those NPSs pursuant to s104 of the Planning Act 2008. NPS EN-1 states that the Secretary of State should assess all applications for development consent for the types of infrastructure included by the NPS (including solar) on the basis that there is demonstrated urgent need for them, that substantial weight should be given to this need, and that the Secretary of State is not required to consider the specific contribution of any individual project to be satisfied that need is established (NPS EN-1, Paras 3.2.6 to 3.2.8).

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Further, the Proposed Development will, if consented, connect to the National Electricity Transmission System (NETS). NPS EN-1 states at Paragraph 3.3.12 that the "connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere" The Proposed Development is therefore one which aims to, and will, if consented, contribute significantly towards the national need to reduce net carbon emissions to zero by 2050. The available grid infrastructure, coupled with the broad land characteristics and solar irradiance in the region local to the Proposed Development, support the development of large-scale solar schemes. NPS EN-3 foresees this and provides direction at Para 2.3.9 that "As most renewable energy resources can only be developed where the resource exists and where economically feasible, and because there are no limits on the need established in Part 3 of EN-1, the Secretary of State should not use a consecutive approach in the consideration of renewable energy projects". It is clear therefore that policy does not set a test that the individual contribution of that project to national need must be considered in reaching a determination on a DCO application, nor that the existence of other renewable energy developments in the same nation or region would somehow cumulatively impact upon or reduce that need and mean the contribution is not required.need and mean the contribution is not required. The suitability of the location for contributing to this national need is addressed in Appendix 2 Site Selection Report of **the Planning Statement (APP-277)**. This includes consideration of why both this region and subsequently the local area and this specific site were found suitable. TThree Local Impact Reports have been submitted and these identify a range of impacts and benefits at the local level which the Applicant has provided its response to at this deadline.
NED.1.6	Applicant	In (PDA-012) and at ISH1 a series of comments were made in relation to the applicant's approach to alternatives, particularly in relation to the location of the proposed cable corridor, and with alternatives being put forward by an Affected Person, as set out in (PDA-012), have been assessed. Can the applicant please provide clarification in relation to the points raised, particularly how the November 2021 offer put forward by LCJ Mountain Farms has been assessed and how the applicant has taken into consideration the need to minimise Best and Most Versatile (BMV) land loss?	Given that the subject matter of this question overlaps with Action Point 6 from ISH 1, the Applicant refers to its response to that Action Point in its **Written Summary of Oral Submissions from ISH1 and Responses to Action Points (REP1-030)** which details the Applicant's legal and policy compliance on the matter of alternatives, as well as how alternatives advanced by LCJ Mountain Farms Limited ("**MF**") for both the Solar Array Area and Cable Route Corridor have been considered through the refinement of the Proposed Development. The Applicant also refers to its response to MF's Relevant Representation (which advanced many of the points that were repeated in PDA-012) in the **Applicant's Response to RRs (REP1-029)** and its response to MF's Written Representation in (DOC). In respect of MF's assertion that its offer of 516 acres of land (on which to situate the solar array or part of it) was a reasonable alternative that was not properly assessed by reference to EN-1 and/or EN-3, the Applicant reiterates its response to Action Point 6 referenced above, particularly the text following the subheading *'Solar Array Area'.* On the specific matter of minimising use of BMV land, in its response to Action Point 6 the Applicant set out how its Site Selection Report at Appendix 2 to the **Planning Statement (APP-277)** utilised Defra mapping data as an accepted and

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			proportionate approach to site selection, and that this data identified MF's proposed site as of a higher ALC grade than the Solar Array Area. The Applicant also refers to Appendices 3A and 3B of the **Planning Statement (APP-277)**, which detail the Applicant's compliance with EN-1 and EN-3. The responses to paras. 5.11.23 and 5.11.34 of the former (e-pages 300-301 and 314-315) and 2.10.29-30 of the latter (e-pages 367-371) detail how the Applicant has complied with the requirements of policy regarding BMV land. In respect of the assertion in PDA-012 that alternatives to the Cable Route Corridor should have been considered that *"safeguarded node, spur and substation options, enabling local integration"*, the Applicant has designed and refined its Cable Route Corridor in a manner compliant with law and policy. The Proposed Development had to apply to NESO for a grid connection offer for proposals within its own control. The grid offer was then made to the project, subject to NESO's standard obligations, including the need to provide an efficient connection to the network. PDA-012 makes reference to multiple projects in a range of locations and at different voltages. It is not within the Applicant's gift to determine how those connections are coordinated.makes reference to multiple projects in a range of locations and at different voltages. It is not within the Applicant's gift to determine how those connections are coordinated.
NED.1.7	Applicant	The Electricity Grid Connection Statement (APP-285) states, in paragraph 4.1.6 that the Grid Connection Agreement specifies an import and export capacity of 600MW each. Can the applicant please provide confirmation of how that import/export capacity will function in practice, namely if the 600MW capacity of the connection will be divided between import and export at any given time, or if the import and export capacity are independent? If they are independent, then does the applicant believe that the proposed development should be assessed as having a 1200MW, of which 600MW are generating capacity, and that its description should reflect that?	The capacity of the connection limits the net import or export of power to or from the Proposed Development. In practice, at any one time, the Proposed Development will either be net importing, or net exporting. In either case the net flows are not permitted to be larger than 600MW under the grid connection offer/agreement. Any power flowing from the solar array to the BESS will also net off. For example:: • The solar array is producing 400MW and the BESS is charging 600MW. The power from the solar array would charge the BESS. The net export from the Proposed Development would be zero, and the and the net import to the Proposed Development would be 200MW. • The solar array is producing 400MW and the BESS is scheduled to discharge. The power from the BESS would be capped at 200MW to respect the 600MW connection capacity. Net power imports to the Proposed Development will never be simultaneous with net power exports from the Proposed Development. In that regard, the 600MW connection relates to the Proposed Development and it is therefore shared between the solar array and the BESS. It is therefore correct that the Proposed Development should be assessed as having a 600MW grid connection capacity as this represents the upper ceiling as to what may flow to or from the grid at any one time.
NED.1.8	Applicant	At ISH1 the applicant confirmed that the secured 600MW connection to Bicker Fen substation has the potential to import/export energy from/to the proposed development. Can the applicant please explain how the ES has taken the importing of energy into consideration as part of its assessment and how much of the proposed capacity of the BESS does the applicant anticipates will be used for this, assuming that imported energy would be stored in the BESS?	Paragraph 1.1.1 of the **Non-Technical Summary of the ES** (APP-051), explains that the Proposed Development will have a Battery Energy Storage System (BESS) with 600MW of output capacity (a measure of the maximum instantaneous level of power deliverable by the system). The Applicant's response to ExQ NED.1.2 sets out information on the grid connection offer held. The Applicant's response to Action Point 7 arising from ISH1 explained that the BESS can import energy directly from the solar array and that the energy generated by the main solar development over the course of one day will regularly exceed the energy storage capacity of the BESS, and that

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			this may happen at all times of the year; however, is more likely to happen in months with higher solar irradiation The BESS could import energy from the NETS, and government sees a growing need for electricity storage with this capability. Government expects that "a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar" (NPS EN-1, Para 3.3.20) and "As the electricity grid sees increasing levels of generation from variable renewable generators such as offshore wind, onshore wind and solar power, there will be an increasing need for storage infrastructure to balance electricity supply and demand." (NPS EN-3, Para 2.9.26). During times of high wind and low solar irradiance, the BESS as proposed could import surplus energy from the NETS and store it until it is needed. The BESS as proposed could also provide balancing services to NESO in varying states of charge. It is very likely that the full capacity of the proposed BESS will regularly be charged with energy from the grid. However, whether and when the BESS would store or export surplus renewable energy, and whether any energy flows originated from the solar array or from the NETS, would depend on many factors including national demand, the weather, and the evolving composition of the future GB generation fleet. In summary: 1. The main solar development may regularly send its full power generation to the BESS (400MW less system losses) 2. The BESS will regularly send its full power capacity to grid (600MW), in response to market signals to meet demand when supplies are lower 3. The BESS will regularly import its full power capacity from the grid (600MW), in response to market signals to avoid wasting supplies when demand is lower The ES assesses a BESS that both exports and imports, as is clear in for example paragraph 2.15 of **Chapter 2 Proposed Development of the Environmental Statement Volume 1 (APP-053)** and paragraph 3.4.2 of **Chapter 3 of the Environmental Statement Volume 1 (APP-054)**. The ES assesses a BESS that both exports and imports, as is clear in for example paragraph 2.15 of **Chapter 2 Proposed Development of the Environmental Statement Volume 1 (APP-053)** and paragraph 3.4.2 of **Chapter 3 of the Environmental Statement Volume 1 (APP-054)**. For clarity, however, there is no additional 'development' specific to the 'import' function of the BESS, as it is comprised within the infrastructure already proposed as part of the 'export' element of the BESS (i.e. within the buildings/switchrooms). There is therefore no additional 'impact' created by the 'import' element in EIA terms - it is an additional function use/feature of the infrastructure' only.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
NED.1.9	Applicant National Grid	Following from NED.1.7, can the applicant and National Grid please provide confirmation of discussion regarding the proposed development's capacity to import energy from the national grid and why this component of the proposed development is needed in the context of the relevant national policy statements?	Paragraphs 3.3.5 and 3.3.6 of NPS EN-1 state that: "… We need the increased flexibility provided by new storage and interconnectors … to reduce costs in support of an affordable supply. Storage … can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. (Storage) can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings … Storage can also reduce the need for new network infrastructure" At Paragraphs 3.3.25 to 3.3.27 of EN-1, it is stated that: "Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated. Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher … Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases" Government is also supportive of co-location of solar and storage schemes, as set out at Paragraph 2.10.10 of NPS EN-3, because co-located schemes maximise the efficiency of land use. The Applicant's response to ExQ1 NED.1.3 and ISH1 Action Point 7 sets out why the BESS should be considered as associated development to the main solar array, in particular by increasing the effectiveness of the solar array (timing its generation to when there is demand); reducing the potential for wasted MWh (the energy is stored, not wasted); and therefore maximising the level of carbon free MWh sent to the grid (therefore the benefit of the Proposed Development). Further, the BESS will also be capable of delivering system services to the grid which are increasingly needed to operate a low-carbon electricity system. These also support the operation of the Proposed Development by increasing the security reliability and flexibility of the system to which it connects. To enable the BESS to provide services to the solar array, the BESS would need to be able to import energy from the solar array when that energy is not needed on the NETS; and export stored solar energy to the NETS when solar irradiance is lower. To enable the BESS to provide its full array of services to the national energy system, the BESS would need to respond to the supply/demand balance of the national energy system, not just the solar array. This full array of BESS services is deliverable for the benefit of the smooth and efficient operation of the NETS through the provision of an import and export connection to the NETS.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
NED.1.0	Applicant	Following from NED.1.7, can the applicant also please clarify how it proposes the ExA takes into consideration the proposed development's capacity to import energy from the national grid, as opposed to generating energy, as part of the ExA assessment against relevant national policy statements, particularly considering that most of the tests are set out in relation to generating energy.	The Applicant considers that it may be useful to set the context that the government established a definition of electricity storage through the Energy Act 2023 and clarified that electricity storage, such as BESS, is a distinct subset of generation within the Electricity Act 1989The NPS are clear that BESS may in principle be considered associated development. The BESS proposed would support a range of services to grid and support the operation of the solar array as set out in the response to NED.1.9 above. In our response to Action Point 7 submitted at Deadline 1 **(REP1-030)** we set out the NPS EN-1 and EN-3 policy that acknowledges the national grid roles and benefits of BESS and the opportunities to colocate with solar. The NPS policy does not distinguish between import and export related roles of BESS and indeed it is apparent from its wording that it relates to BESS that do both because at NPS EN-1 3.3.6 it is stated that 'storage can also reduce the need for new network infrastructure'. The types of services BESS offer to the grid are expanded on in paragraph 3.3.27 including balancing services to NESO, The Applicant's response to ExQ1 NED.1.5 explains that the Proposed Development would allow for the generation and export of renewable energy from a large-scale solar array (over 50MW capacity). As such, the Secretary of State must have regard to the current suite of NPSs for energy as relevant NPSs and must decide the application for development consent for the Proposed Development under the Planning Act 2008 in accordance with those NPSs. Further, NPS EN-1 states that the Secretary of State should assess all applications for development consent for the types of infrastructure included by the NPS (including solar) on the basis that there is demonstrated urgent need for them, that substantial weight should be given to this need, and that the Secretary of State is not required to consider the specific contribution of any individual project to be satisfied that need is established (NPS EN-1, Paras 3.2.6 to 3.2.8). The Applicant has made out a need case in the DCO application for the Proposed Development as a whole, rather than a series of individual interacting need cases for the NSIP and the associated development and the various potential roles of that associated development. Further, given that the BESS is spatially co-located with the solar NSIP and its on site substation and occupies a small fraction of the footprint of the solar NSIP these would in practice be difficult to distinguish. The Applicant has taken a Rochdale envelope approach to the characteristics that define the scheme in relation to any environmental effects arising from its development.As set out in the answer to NED.1.8, the Environmental Statement appropriately considers the environmental effects of construction, operation and decommissioning of a BESS that has both export and import capability. A BESS with import capability is in theory charged/discharged more frequently hence the same type of environmental effects of the BESS during operation occur and either the same or greater level of effect. In conclusion the Applicant has not sought to distinguish the various potential roles of a BESS for planning policy conformity or EIA purposes. We do not believe the NPS envisages distinguishing the various potential roles of a BESS and evaluating the acceptability of each as to NPS conformity; and for the avoidance of doubt the Applicant regards any additional environmental effects, to the extent they are of EIA significance and can be distinguished as solely relating to import capability, to be acceptable.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
NED.1.11	Applicant	Fig. 3.3 Alternative Access Routes (APP-199), sets out 5 different options which were researched by the applicant. Option 1, which broadly accompanies the proposed cable corridor, was not the preferred option for the applicant, as confirmed in Chapter 3 of the ES Alternatives & Design Evolution, as it would require significant engineering and detailed foundation design to support the required loads for the proposed development. Could the applicant please provide further detail on this matter and what the applicant considers significant engineering and detailed foundation design?	Option 1 comprises a route following the cable corridor between the A17 and the solar array. The option was considered as it could potentially be delivered within the cable route corridor with little additional land take. However, there are significant engineering challenges to delivering this route. Notably, significant engineering and detailed foundation design would be required for the crossing of the Heckington Eau, which is an Environment Agency Main River with raised flood defences on each bank. These would entail substantial earthworks either side of the watercourse within the flood zone, interaction with raised flood defences, the potential for piled foundations, and the potential for surcharging which could significantly increase construction timescales. Owing to the raised flood defences, the substantial nature of this vehicular bridge (i.e. deck/soffit thickness) and anticipated flood risk in this locality, the bridge structure would need to have sufficient clearance, resulting in a relatively high structure and substantial approaches and foundations either side. All of the above requirements are compounded by the need for the structure to carry abnormal indivisible loads of up to 160te nett, which require unusually shallow approach gradients to avoid grounding and traction issues for abnormal size or weight vehicles and loads. The vehicle required to move such loads is 56m in length and has 16 axles, which significantly impacts horizontal and vertical manoeuvrability. The works would also increase the land take required for the Bespoke Access Road. This is because raised bridge structures have significantly larger earthworks footprints than a road acrossrelatively flat ground sothere will be land take significantly wider than the carriageway width eitherside of the bridge crossing. It should be noted that abnormal loads do cross a watercourse elsewhere in the project, with 30te nett cable reels utilising a bridge crossing of Hodge Dyke. However, these are much smaller loads that can use a bailey bridge, sited at a suitable crossing of the Dyke without raised banks. Overall, this cable reel crossing will require a much smaller temporary structure, whereas a Bespoke Access Road crossing of Heckington Eau would be a significant structure that would need to remain in place for the operation of the project. Whilst locating the Bespoke Access Road within its own corridor does require additional land take for the project overall, the Bespoke Access Road will be in-situ for a significantly longer period than most above ground features within the Cable Route Corridor and has specific functional requirements relating to the vehicles that will use it. Therefore, the Bespoke Access Road route has been selected based on a range of relevant factors over and above factors relating to alignment of the cable route.
NED.1.12	Applicant	In light of NED.1.11, can the applicant also please clarify how the aim of reducing the amount of land take has been taken into consideration as part of the applicant assessment of the different access routes considered as well as the effect that the preferred option, option 2, would have on woodland?	Land take was considered in relation to multiple factors within **Appendix 3.2 Bespoke Access Road Appraisal of the ES) (APP-080)**. These include the respective length (and, thus, land take) of the route options, the number of watercourses crossings (see land take comment within NED 1.11 response, above) required and potential economic displacement (due to loss of agricultural production through crossing multiple discrete fields used for agricultural purposes). Narrowing / refinement of the corridor for archaeological and veteran tree and hedgerow reasons is referenced in section 3.5 of **Chapter 3 – Alternatives and Design Evolution of the Environmental Statement Volume 1 (APP-054).** In respect of considering woodland, whilst this is not explicitly referred to within **Appendix 3.2**, the route options were considered in relation to potential arboricultural impacts. Overall, for arboriculture, it was noted at the time that the anticipated impacts to trees from any of the options

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			would be low or negligible, with impacts limited to crossing boundary hedgerows. This last point is discussed within **Appendix 3.2** under 'Ecology'. **Appendix 6.6 Arboricultural Impact Assessment (App-088)** details a total hedgerow loss of 67.5m and the partial removal of 41m² from one woodland, which accounts for 4.4% of the total woodland area of 925m² within the Bespoke Access Corridor. It should be noted that hedgerow boundary crossings were required for all options considered and were reviewed in relation to a circa 6m (circa 8m on bends) wide carriageway and a construction works corridor of up to 50m in width.
NED.1.13	Applicant	Can the applicant please set out clearly its approach to overplanting, which the applicant confirmed at ISH1 that is seeking to do, the proportion of overplanting and how overplanting has been calculated?	The Applicant provided a summary in ISH1 of its overplanting approach (**Written Summary of Oral Submissions from ISH1 and Responses to Action Points (Doc Ref. 9.3 (e-page 26 onwards) (REP1-030)**. It was explained in ISH1 that the Proposed Development sought to make the most efficient use of land available at the Solar Array Area, once all of the technical and environmental buffers had been removed. This left approximately 1,184 acres of land (479 hectares). The corresponding indicative design in Figure 1.4 Indicative Site Layout Plan (APP-195) determined that around 536 MWp could be installed (based on a fixed-tilt, south-facing system, using 685 Watt peak panels. Based on this level of MWp and, taking a relative industry standard approach of aiming for an overplanting ratio of DC:AC of between 1.3 : 1 and 1.5 : 1, a conservative 400MW AC generation output was considered (the combined AC output of the inverters in line with paragraph 2.10.53 of EN-3). This would therefore result in a DC:AC ratio of 1.34 (536 divided by 400). The Applicant has taken this approach to maximise the efficiency of the solar scheme in terms of MWp relative to the land area available as Solar Array Area. The Applicant notes that at footnote 92 of NPS EN-3 (para 2.10.55) overplanting is described as: "the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator's grid connection." Although NPS EN-3 considers that overplanting allows developers to enable the grid connection to be maximised across the lifetime of the site, overplanting is not a requirement and there may be rational reasons why a particular developer, at a particular location, does not pursue an overplanting strategy for their project. The extent to which a proposed location can be overplanted (in the EN-3 sense of the term), if at all, is contextual and depends on available land area, cable access routes, grid connection capacity, panel orientation, and local irradiation levels. Further, local characteristics of a site, such as topography, archaeology, land, and other environmental factors influence the scope for overplanting. We would therefore clarify that the Proposed Development does not include overplanting in the EN-3 footnote 92 sense of the term. To do so would either (a) require a greater area of suitable land for solar array purposes than is available to the Applicant, and/or (b) the solar panels installed on the identified area would need to be placed closer together, increasing shading effects and reducing the overall effectiveness of the scheme.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			We would also clarify that irrespective of this the Environmental Statement has assessed an appropriate maximum extent of solar panels.
Compulsory Acquisition, Temporary Possession, Land Rights and related matters			
CA.1.1	Applicant	Section 122 of the Planning Act 2008 (PA2008) states that an order granting development consent may include provision authorising the Compulsory Acquisition (CA) of land only if the SoS is satisfied that the land: (a) is required for the development to which the development consent relates, (b) is required to facilitate or is incidental to that development, or (c) is replacement land which is to be given in exchange for the order land under section 131 or 132. And that there is a compelling case in the public interest for the land to be acquired compulsorily. Can the applicant please confirm that all of the land included within the Order Limits, as set out in the Land Plans (AS-005) and identified as subject to CA, meets the requirements set out in Section 122?	The Applicant confirms that it considers that all of the land within the Order Limits that is identified on the **Land Plans (AS-005)** as subject to compulsory acquisition meets the requirements of section 122 PA2008. The Applicant has substantiated this position in detail in the **Statement of Reasons (AS-013).**
CA.1.2	Applicant	Please advise whether the Book of Reference (BoR) (APP-015/016) is fully compliant with the Department for Communities and Local Government (DCLG) Guidance related to procedures for the compulsory acquisition of land (Sept. 2013)[1]. If it isn't, please amend accordingly.	The Applicant confirms that all iterations of the **Book of Reference** are compliant with the guidance specified, specifically Annex D of that guidance. This includes the version submitted at Deadline 1 **(REP1-002)** which supersedes the Procedural Deadline A version **(PDA-002/003),** the Additional Submission version **(AS-015/016)** and Application version **(APP-044)**.
CA.1.3	Affected Persons (APs) Interested Persons (IPs)	The BoR (APP-015/016) identifies, on a plot by plot basis, all parties who own or occupy land and/or have an interest in or right over the land affected by the proposal, and/or who may be entitled to make a 'relevant claim' as defined in section 57 of the PA2008. Are any APs or IPs aware of any inaccuracies in the BoR (APP-015)? If so, please set out what these are and provide details.	

[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/236454/Planning_Act_2008_-_Guidance_related_to_procedures_for_the_compulsory_acquisition_of_land.pdf

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
CA.1.5	Applicant	There are a number of Category 1, 2 and 3 persons identified as 'unknown' in the BoR (APP-015/016). Can the applicant confirm whether further steps have been taken, or will be taken during the examination, to identify any persons having an interest in the land?	Prior to submission of the Application, the Applicant's land agents conducted multiple rounds of diligent inquiry to establish ownership and fulfil the Applicant's statutory obligations. This diligent inquiry included desktop land referencing (HM Land Registry interpretation, review of online resources for additional occupiers, land use and categorisations checks, review of information on Companies House and address validation through Royal Mail), contact land referencing, site inspections, the erection of site notices to identify unknown land interests and the erection of site notices for pre-application statutory consultation under section 42 of the Planning Act 2008. Site notices were also erected at the section 56 stage to notify unknown interests of the acceptance of the Application in accordance with section 230 of the Planning Act 2008. Further communications with landowners and potentially interested parties have taken place during the negotiation of voluntary land agreements and HM Land Registry has been checked regularly for any updates to land registration. In a continued effort to identify unknown interests, diligent inquiry will continue using the following methods: periodic HM Land Registry refreshes, communication with stakeholders to confirm any changes and site visits/notices to continue the review of unregistered land. Should the Applicant's land agents identify any of the unknown interests, an updated version of the **Book of Reference (REP1-002)** will be submitted into the Examination.
CA.1.6	Applicant	Certain special categories of land, such as crown land, are subject to additional provisions in the Planning Act where it is proposed that they should be compulsorily acquired. The applicant has confirmed, in the Detailed Land and Rights Negotiations Tracker (Rev.2) (PDA-005/006) that negotiations to deal with the section 135 consent and Deed of Covenant are on-going. Can the applicant confirm how these are being progressed?	There are two deeds of covenant being agreed in respect of the Crown's interests within the Order Limits – the first is in agreed form and will be signed at the same time as the second deed of covenant. In relation to this second deed of covenant, a draft was issued on 19 September 2025 to the Crown Estate's ("TCE") solicitors and a response has subsequently been chased by email and telephone and the Applicant is continuing to follow up on this. The second deed of covenant is based on a similar form to the first deed of covenant and it is therefore anticipated that this can be agreed relatively quickly (subject to the engagement of TCE and their advisors). A draft of the s135 consent is also with TCE's solicitors and this will be completed at the same time as the two deeds of covenant and again this is being progressed (and chased) in tandem. The Applicant is targeting for both matters to be closed out by the midpoint of the examination.
CA.1.9	Applicant	The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. Can the applicant please clarify how: 1. It has had regard to the Equality Act 2010 in relation to the powers sought for CA and TP? 2. Have any APs been identified as having protected characteristics? If so, what regard has been given to them?	To the extent that the ExA is referencing the public sector equality duty in section 149 of the Equality Act 2010, the Applicant confirms that it is not a *"public authority"* or *"person… who exercises public functions"* to which that section applies. The Secretary of State will need to comply with that duty in making a decision on the application. To the extent the ExA is enquiring more broadly about non-discrimination, the Applicant has taken reasonable steps to ensure that those potentially affected by the Proposed Development have been engaged with without discrimination and on an inclusive basis. As per the response to CA.1.5 above, the Applicant has adopted a range of methods in identifying land interests and engaging with interest holders to conclude voluntary agreements where possible, to ensure that those with protected characteristics were not disadvantaged. In its wider consultation on the Proposed Development, including the extent of compulsory acquisition and temporary possession powers sought, the Applicant utilised a range of methods, both online and offline, in accordance with best practice. The Applicant's **Statement of Community Consultation** at **Appendix 5 to the Consultation Report (APP-047)** explains how 'Hard to Reach'

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			groups were identified by the Applicant, with input from local authorities, and specifically considered through the Applicant's approach to non-statutory and statutory consultation (paras. 8.1.11-13). This document also confirmed that the Applicant ensured to provide summary information in clear, non-technical language; ensured that event venues were fully accessible; provided large-print consultation documents and communicated that braille, audio or other language versions of consultation documents could be provided upon request (para. 8.1.14). (As at the date of writing, the Applicant has not specifically identified any APs as having protected characteristics (as defined in the Equality Act 2010) that would result in them being disproportionality disadvantaged by the Proposed Development, resulting in the need to consider reasonable adjustment to policies or procedures. As above, the Applicant has sought to consult and engage with APs in a manner that would not discriminate should they have protected characteristics.)
CA.1.10	Applicant	Are any land or rights acquisitions required in addition to those sought through the draft DCO before the proposed development could become operational?	The Applicant does not require any additional land or rights to those included with the Application in order to deliver the Proposed Development.
CA.1.11	Applicant	The ExA notes that the latest version of the Detailed Land and Rights Negotiations Tracker (PDA-005/006) is not colour coded similarly to previous versions of the Land and Rights Negotiations Tracker (APP-045). The ExA requests that future versions of the Detailed Land and Rights Negotiations Tracker are colour coded similarly to (APP-045).	The Applicant notes this request and has submitted an updated version of the **Detailed Land and Rights Negotiations Tracker** at Deadline 2 which is colour coded similarly to the Application version of the **Land and Rights Negotiations Tracker (APP-045).**
Development Consent Order and other consents			
DCO.1.1	Applicant	Notwithstanding that drafting precedent has been set by previous DCOs or similar orders, full justification should be provided for each power/provision taking into account the facts of this particular DCO application. Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the Secretary of State's current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and draft DCO) actually differ in any way from corresponding provisions in the Secretary of State's most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).	The Applicant has submitted updated versions of the **Draft DCO (Document Ref: 3.1)** and **Explanatory Memorandum (Document Ref: 3.2)** at Deadline 2. The updated Explanatory Memorandum incorporates the additional detail requested, as well as accommodating the recent amendments to the Draft DCO. In respect of the list of DCOs that have been used to inform the drafting of the Draft DCO, the Applicant notes that the Explanatory Memorandum makes clear where each provision is precedented.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
		Can the applicant, therefore, please: Update the Explanatory Memorandum (AS-011/012) in order to clearly identify which articles differ from model provisions and why? For those articles where a drafting precedent has been relied upon, check that the final wording is as included in the granted DCO. If it isn't, the applicant is asked to provide justification for the proposed wording. Provide a list of all the previous DCOs that have been used as a precedent for the drafting of this draft DCO or signpost where in the application documentation this can be found.	
DCO.1.2	Applicant	Please supply subsequent versions of the dDCO in both .pdf and Word formats and in two versions, with the first forming the latest consolidated draft and the second showing changes from the previous version in tracked changes, along with comments/explanations outlining the reason for the change. The consolidated draft version in Word is to be supported by a report validating that version of the dDCO as being in the Statutory Instrument (SI) template and with updated revision numbers.	At Deadline 2, the Applicant has submitted: • An updated version of the Draft DCO in clean PDF; • An updated version of the Draft DCO in red line PDF, showing the amendments made since version (AS-008); • An updated version of the Draft DCO in clean word; and • An updated version of the Schedule of Changes to the DCO, which provides an explanation of the reason for each new change to the DCO drafting. The Applicant notes the request for a further validation report in respect of this updated version of the draft DCO; however, would instead request that the production of this is deferred until the final version is submitted to the Examination (currently expected to be Deadline 8). The Applicant does not consider the absence of such a report will impede upon the consideration of the draft DCO during the examination, and would highlight that producing the report is a significant and time-consuming exercise which the Applicant would respectfully rather defer and limit until it was absolutely required, and not in respect of each iterative update that will no doubt be made during the course of the Examination. No DCO validation report has been submitted by the Applicant at Deadline 2 on this basis.
DCO.1.3	Applicant	The applicant states that the proposed development has been designed to maintain flexibility and that design parameters have been set to support this. Can the applicant please provide the ExA with a table listing all those design parameters that the applicant wishes to use, alongside lower and upper limits for each parameter and a brief justification of why the applicant considers those parameters to be appropriate taking into consideration the 'Rochdale Envelope' approach?	The design parameters that have been considered within the assessments are detailed within Table 2.1 Design Parameters within **Chapter 2 Proposed Development (APP-053)** of the Environmental Statement (ES). For the majority of environmental aspects, only the maximum / upper limit design parameter is required in order to assess worst-case impacts as per the Rochdale Envelope approach (i.e. the approach taken). The design parameters (secured via the Outline Design Principles (Appendix 1 to the **Design and Access Approach Document (AS-019)**) under Requirement 5 of Schedule 2 of the **Draft DCO (AS-008)**) included within Table 2.1 are appropriate as they allowed and ensured that all of the technical disciplines considered the worst-case scenario relevant to the environmental aspects under consideration. The incorporation of the design parameters within Table 2.1 Design Parameters of Chapter 2 Proposed Development (APP-053) to present a likely worst-case assessment of the potential environmental effects in accordance with the Rochdale Envelope approach (as per Planning Inspectorate Advice Note 9: Rochdale Envelope (July 2018; Version 3)) is discussed within

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			paragraph 2.3.1 of Chapter 2. It is further expanded upon within Section 4.3 of **Chapter 4 Scope and Methodology (APP-055)** of the ES.
DCO.1.4	Applicant	Article 21 allows the undertaker to survey and investigate land, including bringing equipment onto the land and making trial holes, subject to a number of conditions including a requirement for 14 days' notice to be given and is subject to the payment of compensation. Does the applicant believe that a period of time should be specified for works under article 21 to be carried out?	Article 21 (authority to survey and investigate the land) is a highly precedented article with origins as a model provision. The specific drafting of Article 21 in the **Draft DCO (AS-008)** derives from the Sizewell C (Nuclear Generating Station) Order 2022 (Article 27), the Longfield Solar Farm Order 2023 (Article 17) and the Gate Burton Energy Park Order 2024 (Article 17). None of these precedents include a constraint on the duration of the survey works that the undertaker has the power to exercise under each of these precedent DCOs. The Applicant's drafting of Article 21, consistent with precedent, is justified in excluding a specified period of time for surveys to be carried out for the following reasons. <u>Delivery needs:</u> As the Proposed Development proceeds through detailed design post-consent, it will be necessary to undertake further survey work to ensure that the detailed design is appropriate and the final versions of mitigation plans secured under requirements of the Draft DCO are robust. The nature of surveys required varies and so too does the length of such surveys. Whilst the Applicant can anticipate what surveys might be required, it is impossible to definitively predict this for the following reasons: - There may be unforeseen environmental, archaeological or technical issues which arise at detailed design stage and require additional or prolonged surveys to be undertaken to resolve such issues. - Requirement consultees and the local planning authority may require additional survey work to be carried out before certain requirements can be discharged. - In addition to controls within the DCO itself, there may be updates to separate rules and regulations which, in turn, requires additional or prolonged survey work to be undertaken by the Applicant. Therefore, in order to ensure deliverability of the Proposed Development in the face of these potential unforeseen demands, it is important that the period of time within which surveys are carried out remains unconstrained. <u>Nature of surveys:</u> The power in Article 21 allows the Applicant to: - survey or investigate the land; - make trial holes; - carry out ecological or archaeological investigations; and - place and remove apparatus related to the above activities.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Such activities are of a non-intrusive nature and do not involve permanent works. Accordingly, there is no need to impose a time constraint. <u>Controls and safeguards:</u> As noted within the question, a number of controls and safeguards are already drafted into Article 21 to ensure that landowners are given advance notice of the surveys in question and compensated for any loss or damage arising by reason of the exercise of such survey powers. Additional consent provisions are also in place for the benefit of highway and street authorities. Accordingly, the Applicant considers that, in light of the imperative need to retain flexibility for the delivery of the Proposed Development and the controls already in place to limit the nature of surveys, as well as provide for notification and compensation, a period of time should not be specified for works under article 21 to be carried out. The Applicant's approach is highly precedented and is fundamental to ensuring delivery of the Proposed Development in the most efficient and environmentally sensitive manner.
DCO.1.5	Applicant	Does the applicant believe that article 26 Compulsory acquisition of rights and imposition of restrictive covenants, similarly to article 22 Compulsory acquisition of land, should also be subject to a time limit for the exercise of the authority? If not, please provide further justification in the Explanatory Memorandum (AS-011/012).	Whilst article 26 (compulsory acquisition of rights and imposition of restrictive covenants) does not expressly note that it is subject to article 25 (time limit for exercise of authority to acquire land compulsorily), this restriction does, nonetheless, apply to any notice to treat served under Part 1 of the Compulsory Purchase Act 1965 or any declaration executed under section 4 of the Acquisition of Land Act 1981. Accordingly, the time limit already applies to the mechanisms through which such rights would be acquired or restrictive covenants imposed under Article 26 of the draft DCO.
Biodiversity and Ecology			
BIO.1.1	Applicant	The applicant states in paragraph 2.12.6 of Chapter 2 of the ES Proposed Development (APP-053), that vegetation and hedgerows lost during the construction of the bespoke access road will be re-instated following decommissioning subject to the road being removed. Can the applicant please confirm if the proposed re-instatement will be like for like in relation to the level of maturity of vegetation and hedgerows? And can the applicant please clarify if the biodiversity value of the re-instated vegetation and hedgerows has been quantified? Can the applicant also confirm where this is secured?	The Applicant will reinstate the vegetation and hedgerows at decommissioning with new plants, i.e. these will not be like for like in terms of maturity. To mitigate for this loss the Applicant has committed to replace hedgerows lost during construction in alternative locations where necessary, this is secured within Section 6.68 of the **oCEMP (APP-077)** secured by **Requirement 12 of the Draft Development Consent Order (AS-008)**. These hedgerows, planted around the time of construction will be immature plants but reach their target condition for biodiversity value within around 20 years (in accordance with the BNG Statutory Metric Calculation Tool, Defra 2025), that is, before decommissioning. The location and species mix of the hedgerows planted up will be selected to enhance biodiversity by strengthening ecological connections and providing a greater variety of food plants. This is secured within Section 2.5.4 and 2.5.5 of the **oLEMP (APP-089)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)**. The Bespoke Access Road will avoid hedgerows and valuable habitats, and minimise permanent loss, that is loss for the lifetime of the Proposed Development, using gaps in hedgerows where feasible as stated in Section 2.4 Vegetation Retention, Protection and Removal of the **oLEMP (APP-089)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)**.by **Requirement 7 of the Draft Development Consent Order (AS-008)**.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			The baseline (i.e. pre-construction) biodiversity value for all hedgerows and vegetation within the Bespoke Access Corridor has been calculated within the **Biodiversity Net Gain Strategy (APP-280)**. As the precise route of the Bespoke Access Road has not yet been defined, the **Biodiversity Net Gain Strategy (APP-280)** has assumed a worst case scenario, where the vegetation impacted is the greatest value found in the Bespoke Access Road corridor. The biodiversity value of the vegetation and hedgerows re-instated on the Bespoke Access Road during the decommissioning phase (i.e. approximately 40 years post construction) have not been quantified within the **Biodiversity Net Gain Strategy (APP-280)** and for the purposes of the strategy the hedgerows in those locations are assumed to be lost. This biodiversity value is compensated for during the construction phase elsewhere on site to make sure that the appropriate biodiversity net gain for the Site as a whole is reached.
BIO.1.2	Applicant	The proposed development is located in a site within a Nitrate Vulnerable Zone. Can the applicant please confirm what measures it has put in place in order to mitigate any potential effect of the proposed development on the levels of nitrates in the area?	he change in land use from intensive arable production to low input grassland for the majority of the site will see a significant reduction in the amount of Nitrogen fertiliser used within the Order Limits and therefore will see a significant decrease in the amount of nitrates entering nearby water courses. Measures to avoid elevated levels of nitrates in the area arising from the Proposed Development are intrinsic to the Proposed Development and include the following: • Management of the areas within the Site as meadow and grassland pursuant to the **Biodiversity Net Gain Strategy (APP-280),**. This will ensure reduced surface runoff to watercourse and decreased soil erosion both of which are sources of nitrate pollution. • Soil entering water courses from surface erosion can be a significant source of nitrate pollution. The oSMP (APP-065) includes soil handling measures that will ensure soil erosion is minimal during the construction, operation and decommissioning of the Proposed Development.
BIO.1.3	Applicant	A 3m high post and wire deer fencing is proposed for the solar array area. The applicant also confirms that the movement of other mammals, such as hedgehogs, has also been considered. Can the applicant please confirm how the impact of the fencing on mammals other than deer has been considered?	Mammals, including hares and hedgehogs, have been considered in **Chapter 7 Ecology (APP-058)** of the Environmental Statement (ES). Section 7.6 outlines impacts during construction and which continue into operation, including from the construction of security fences. Where the fences are installed these may prevent mammals including badgers and hedgehogs from commuting through the site, potentially preventing them reaching feeding areas. As these may form a barrier, mitigation in Section 7.7 of the chapter includes provision of access gaps to allow small mammals to pass through (whilst retaining the deer-proof element). This has been secured in **Appendix 2.4 outline Construction Environmental Plan (oCEMP) (APP-077)** secured by Requirement 12 of Schedule 2 of the **Draft Development Consent Order (AS-008).** With the inclusion of access gaps to allow small mammals though the impact on these species is expected to be not significant

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
BIO.1.4	Applicant	Fencing will be required along the boundary of the access road working area during construction and gates will be installed at the entry points to prevent unauthorised access. Can the applicant please also confirm how the effects on biodiversity of this type of fencing has been considered and how any impacts may have been mitigated against?	Any proposed fencing can in theory impact biodiversity through loss or damage of habitats and preventing access to small mammals. Following the mitigation hierarchy the design of the Bespoke Access Road will, where possible avoid the habitats of greater value. Where possible field access points will be used as detailed in Section 2.4 Vegetation Retention, Protection and Removal of the **oLEMP (APP-089)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)**. Prior to construction the Bespoke Access Corridor will be subject to update surveys including for nesting birds, badger, water vole and otter as secured in Section 6.7.6 of the **Appendix 2.4 outline Construction Environmental Plan (oCEMP) (APP-077)** secured by **Requirement 12 of Schedule 2 of the Draft Development Consent Order (AS-008).** Whilst the fence design is not yet specified, below ground installation will be kept to a minimum e.g. though using temporary protective fencing (for example following the specifications of BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations). Trees in relation to design, demolition and construction – Recommendations). Mammals, including hares and hedgehogs, have been considered in **Chapter 7 Ecology (APP-058)** of the Environmental Statement (ES). Section 7.6 outlines impacts during construction, including the construction of security fences. As these may form a barrier, mitigation in Section 7.7 of the chapter includes provision of access gaps when and where appropriate. However is noted in Section 8.1.6 of **Appendix 2.2 Bespoke Access Road Construction Method Statement (APP-075)** fencing may be required to temporarily keep wildlife out of the working area. Consideration will be made as to whether mammals will be temporarily kept out of the construction area for their own safety (e.g. to prevent them falling in excavations). This has been secured in **Appendix 2.4 outline Construction Environmental Plan (oCEMP) (APP-077)** secured by **Requirement 12 of Schedule 2 of the Draft Development Consent Order (AS-008).**
BIO1.15	Applicant	What options has the applicant considered in order to maximise biodiversity in the site, particularly at operational stage?	The Applicant has identified the opportunities to enhance the biodiversity on the Proposed Development throughout the design development of the Project and the EIA process. Based on reviews of the desktop data and initial baseline data, the Solar Array Area, Bespoke Access Corridor and Cable Route Corridor were adapted for the benefit of biodiversity where possible, as elaborated upon below. Within the Solar Array Area, a review of local landscape scale biodiversity targets identified that ecological connectivity would provide significant benefits. Measures including a minimum 5 m buffers around watercourses as detailed in Section 6.7 of the oCEMP (APP-077) secured by **Requirement 12 of the Draft Development Consent Order (AS-008)** and strengthening and planting up approximately 2.78 km hedgerows as detailed in Section 2.3 **oLEMP (APP-089)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)** have been incorporated to make the Proposed Development more permeable to wildlife and join up fragmented habitats such as woodland. In keeping with the landscapes historic fen character (taken from Natural England's National Character Area profiles covering the Proposed Development), new floodplain grassland will be created in the appropriate flood zones in the north-east corner of the Site. The details of the various grassland types' seed mixtures and cutting regimes will be included in the final LEMP. However the

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			planting and maintenance outlined in the **oLEMP (APP-089)** has been designed to benefit biodiversity. A good diversity of grasses will provide food supplies for invertebrates, birds and small mammals, and the cutting regime of the grassland and hedgerows will provide a longer season where food is available. For example, hedgerows, which will have seeds and berries, will not all be cut at the same time, which will keep those food items available during the coldest months. Management of vegetation is detailed in Section 2.5 of the **oLEMP (APP-089)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)** secured by **Requirement 7 of the Draft Development Consent Order (AS-008)** During the early design stages of the Bespoke Access Road (as detailed in **Appendix 3.2 Bespoke Access Road Appraisal APP-080)** and Cable Route (as detailed in **Appendix 3.1 Cable Route Corridor Appraisal APP-079),** the available biodiversity information (including from data searches and initial site visits) was used to minimise impacts on biodiversity. For example options for the Bespoke Access Road crossed the River Slea (and Environment Agency main River), and these options were discounted in part based on their biodiversity impacts (potentially impacting protected fish) as detailed in Sections 4.7.9 and 4.8.8 of **Appendix 3.2 Bespoke Access Road Appraisal (APP-080).**
BIO.1.6	Applicant	**Shadow Habitats Regulation Assessment (HRA) Report** Can the applicant set out further detail in relation how screening distances were identified for example, any criteria used and how these related to the potential pathways and geographical extent of effect. Can the applicant confirm whether these distances were agreed with relevant statutory nature conservation bodies (SNCBs)?	The Applicant identified European Designated sites in the desk study using the approach outlined in CIEEM 2024 (Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine) to identify the Zones of Influence (ZoI) of the Proposed Development. These ZoI were defined on a precautionary basis, and in response to the comments from Natural England in the Preliminary Environmental Impact Assessment (PEIR). Following CIEEM guidance (2024) the ZoI were identified based on the nature of the impact created by the Proposed Development and the ecological receptors affected. For example the ZoI for air pollutants (e.g. ammonia or sulphur dioxide) would normally be larger than one for particulate matter (i.e. dust). Likewise where species regularly move great distances (e.g. wetland birds and bats) the ZoI is likely to be larger than that of non-migratory species (e.g. great crested newts). The applicant has set out the maximum ZoI for the proposed Development on each type of ecological receptor (noting the Proposed Development could have several types of impact, each with a different ZoI) in table 7.3 of **Chapter 7 Ecology (APP-058)** of the ES. For the Special Areas of Conservation (SAC), Special Protection Areas (SPA), and Ramsar sites this was set as 20 km as the distance qualifying species could travel and extended to 30 km for bats. The Wash SPA and Ramsar and Wash and North Norfolk Coast SAC are the only internationally designated sites within this distance sites within this distance. This approach was agreed with Natural England at the PEIR stage. Natural England have reviewed the **Habitat Regulations Assessment (HRA) (APP-050)** including the screening distances for internationally designated sites and confirmed that they are satisfied that all the relevant sites have been identified in their Relevant Representation (July 2025). Such agreement will also be recorded in the revised draft SoCG with Natural England, which the Applicant hopes to submit at a future deadline.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
BIO.1.7	Applicant	The ExA and NE have noted that whilst information is provided in relation to the species that has been identified as potentially being impacted, no information is provided to justify why other qualifying species of the site would not be impacted and therefore screened out of the likely significant effects assessment. Can the applicant provide information relating to all qualifying species of the sites included in the assessment for each site along with justification and conclusions as to whether LSE are predicted project alone and/or in-combination?	The Applicant has considered the impacts on other qualifying species of the Wash and North Norfolk Coast SAC, and the Wash SPA and Ramsar. This has been done for the Proposed Development in isolation and in-combination with other developments. Impact pathways have been identified within Table 2 of the **HRA (APP-050).** For the Wash and North Norfolk Coast SAC, qualifying features were habitats within the SAC and the harbour seal (*Phoca vitulina*) as well as the otter (*Lutra lutra*). Direct impacts on the habitats and impacts on the harbour seal were discounted due to the distance between the Proposed Development and the SAC (over 14 km in a straight line, further using the watercourses). Whilst the harbour seal was not expected to travel inland due to lack of suitable habitat, the otter was known around the Proposed Development therefore this species was considered further. Furthermore impacts as a result of changes of water quality and hydrological regime were considered on the qualifying habitats of the SAC (and for the Wash SPA and Ramsar habitats). These impacts and the potential effects of the Proposed Development are included in Sections 4.3 and 4.4 of the **HRA (APP-050)**, and respectively. For the Wash SPA and Ramsar the other qualifying features (in addition to the habitats discussed above) were wintering and breeding birds. The qualifying bird species' populations listed in the SPA and Ramsar citations were compared to the number of individuals of those species found in the Site. Where more than 1 % of the SPA or Ramsar bird population of any given species occurred within the Site, the Site was considered to have potential to support a significant proportion of the SPA or Ramsar population. Accordingly, such impacts were screened in for further assessment within the **HRA (APP-050)** as the Proposed Development could have a significant effect on the SPA's or Ramsar's population of that species. Gadwall (Anas strepera) and lapwing (Vanellus vanellus) were the only species where the populations within the Proposed Development were above 1% of the SPA and Ramsar citations' populations. Within the Appropriate Assessment of the **HRA (APP-050)** mitigation measures outlined in the **OCEMP (APP-077)** secured by **Requirement 12 of the Draft Development Consent Order (AS-008)** to avoid these adverse effects have been taken into account. It is therefore considered that the Proposed Development will have no adverse effects on the Wash SPA and Rasmar or the Wash and North Norfolk Coast SAC or the qualifying features of these designated sites. No in-combination effects are anticipated.
BIO.1.8	Applicant	Can the applicant respond to NE's view, expressed in their RR, that NE deem that lapwing should have been considered as part of the Waterbird assemblage qualifying feature for the Wash Special Protection Area (SPA) and Ramsar Functionally Linked Land (FLL)?	The Applicant has noted this and is liaising with Natural England within the Statement of Common Ground (SoCG) process on this element. This has been sent to Natural England and the Applicant hopes to submit a revised draft SoCG with Natural England at a future deadline. In response to NE's view, the Applicant has updated the HRA at Deadline 2 to consider the potential for likely significant effects on Lapwing as a result of disturbance impacts over the winter period. Considering the potential for such LSE, the Applicant proceeded to consider such impacts as part of Stage 2 (the Appropriate Assessment) and identified proposed mitigation equivalent to that used for Gadwall, which was agreed by Natural England as appropriate in their Relevant Representation. Such mitigation involves setting up a no-work buffer during the construction phase around the location where Lapwing were recorded on the Site. The buffer would apply during the winter months (November to February) (as Lapwing are cited for their overwintering

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			population on the Wash SPA and Ramsar). With the application of this mitigation (proposed to be secured in the oCEMP (as updated at this Deadline 2), the Applicant considers the Proposed Development will have no adverse effect alone ,or in-combination, on this species.
BIO.1.10	Applicant	Can the applicant clarify how potential pathways and screening distances were determined and applied, what these were and whether these were agreed with relevant SNCBs?	The Applicant considers this question substantially overlaps with that posed in BIO.1.6 above and cross-refers the ExA to its response to that question. If the Applicant has misunderstood the ExA's additional focus here, then the Applicant would be happy to subsequently further clarify in writing.
BIO.1.11	Applicant	Can the applicant confirm whether it considered in-combination effects at the screening stage for the identification of the likely significant effects (LSE) on any European Sites?	The Applicant confirms it has considered all the in-combination effects at the Screening stage of its **HRA (APP-050)**. All such potential effects are considered in Section 5.3 and Table 5 of the **HRA (APP-050)** and the Applicant notes that only Heckington Fen Solar Park was considered to have the potential to cause in-combination impacts regarding hydrological connection and loss of functionally linked land associated with qualifying winter wetland bird species. No such effects were considered likely following the application of the respective project mitigations. Natural England requested clarity regarding the projects considered within the HRA in-combination assessment in their Relevant Representations (July 2025). Not all of the projects from **Appendix 4.2 Cumulative Assessment Short List (APP-082)** were originally included on Table 5 of the HRA (APP-050) as the Applicant considered there would be no potential in combination effects with these projects. The Applicant has responded and provided additional detail on these projects in the SoCG. The HRA has been updated at Deadline 2 to include these other projects for completeness (with, for the avoidance of doubt, the conclusions remaining unchanged).
BIO.1.12	Applicant	Can the applicant please set out: a. whether it considered lapwing in the assessment for the FLL at the Wash SPA and Ramsar sites as part of the waterbird assemblage. b. If lapwing had not been considered, the applicant is requested to update its HRA. If lapwing has been considered, please provide the justification as to why it was screened out.	The Applicant has responded in question Bio.1.8. above to clarify the revised approach to Lapwing as part of the HRA, including the conclusions reached, and submitted an updated HRA to reflect the same at this Deadline 2. The Applicant hopes to be in a position to submit a revised SoCG with NE recording agreement on this matter at Deadline 3.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
BIO.1.13	Applicant	In relation to the Appropriate Assessment and Adverse Effects on Integrity, can the applicant and NE confirm, for the sites listed in HRA Report Table 1, the conservation status of those sites?	The Applicant has included the conservation objectives for each site in Appendix 3 of the **Habitat Regulations Assessment (HRA) (APP-050)**. The Applicant will discuss the conservation status with Natural England and where further information is available, seek to reflect the same in a future update to the HRA as appropriate.
BIO.1.14	Applicant	The applicant set out the following information in the Shadow HRA Report on mitigation measures in relation to the Wash SPA and Ramsar – Overwintering gadwall Paragraph 5.2.5 sets out that: "where works are required in the vicinity of the reservoir a buffer will be set up during the winter months (November to February). Over distance the noise from the machinery will be reduced, and at a certain distance it will be quiet enough to avoid causing disturbance. At 60 m from the loudest plant the noise will fall below 70 dB and there will be no significant effect on the overwintering gadwall. Therefore, the buffer should be 60 m from the reservoir". The applicant is requested to signpost where this mitigation is secured.	The Applicant has updated Section 6.7 of **Appendix 2.4 oCEMP (Document Ref. 6.3.7)**, to clarify specific measures relied upon within the Shadow HRA and which will be secured as part of the detailed CEMP prior to construction. Shadow HRA and which will be secured as part of the detailed CEMP prior to construction.
BIO.1.15	Applicant NE	In relation to the Wash and North Norfolk Coast Special Area of Conservation (SAC) – Otter HRA report paragraph 5.2.11 sets out that horizontal directional drilling (HDD) is to be adopted at Heckington Eau and South Forty Foot Drain as a mitigation for LSE on otter qualifying species at the Wash and North Norfolk Coast SAC. Can the applicant set out how it has taken into account any potential impacts of the launch sites for the HDD equipment in this mitigation measure? NE are requested to provide a view on the adequacy of this mitigation measure. Specific reference in its response should include, the impact of the launch sites and the security of the mitigation measure as currently drafted in the outline Construction Environmental Management Plan (APP-077).	As set out in Chapter 2, trenchless techniques, such as auger boring, horizontal directional drilling (HDD) or microtunnelling will be undertaken where environmental assessment determines that mitigation for an environmental impact is required or design constraints concludes the need for an alternative to open trenching. The precise location of the launch and receiving pits for the trenchless techniques are subject to detailed design, however, these will be set back from ditch banks to minimise impacts on species using these habitats. detailed design, however, these will be set back from ditch banks to minimise impacts on species using these habitats. will be set back from ditch banks to minimise impacts on species using these habitats. The Applicant has, however, adopted a worst case scenario approach and has assumed there could be an impact on otters where ditches elsewhere on the Site are crossed with open trenches. Otters are a mobile species and could move into the area of the trenches pre-construction.are a mobile species and could move into the area of the trenches pre-construction. To mitigate for this, prior to commencement of works, update surveys (including for otters and water voles) will be undertaken where appropriate. Any further mitigation that is identified at this point (including buffer zones for breeding birds) will be implemented. These surveys are secured in the updated Section 6.7 of **Appendix 2.4 oCEMP (APP-058)**, which clarifies specific measures relied upon within the Shadow HRA and which will be secured as part of the detailed CEMP prior to construction).
Historic Environment			

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
HEN.1.12	Applicant	Considering that the SoS should give considerable importance and weight to the desirability of preserving all heritage assets from any harm or loss of significance, can the applicant please clarify if it believes that no significant effect is the same as no effect?	In EIA terms a non significant effect acknowledges a magnitude of change that has caused an impact of slight adverse significance. This is not the same as no effect. However, it is clarified that ES **Chapter 8 Cultural Heritage (APP-059)** has adopted a precautionary approach and identified worst case potential effects to designated heritage assets through setting change. It is possible that an alternative and subjective view of the setting change caused by the Proposed Development would be considered not of sufficient magnitude which would trigger an impact at all. Additional information in the form a **Technical Note (Document Ref: 8.17)** is being prepared for Historic England to clarify *the worst-case impact and to confirm that effects through setting change (as considered in the worst case) are not significant*. It is intended that the Historic England Statement of Common Ground (Document RE: 8.15) and the Technical Note will be submitted at Deadline 3. In respect to the non significant effects identified in **Chapter 8 Cultural Heritage (APP-059)**, EN-1 Paragraph 5.9.28 can be applied by the decision maker with reference to insignificant effects identified within the ES and the public benefits that the Proposed Development would provide. These effects are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277).** In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.
HEN.1.3	Applicant	Table 15.2 Summary of matters to be scoped out of the assessment of appendix 1.1. Scoping Report (APP-071) states that direct physical effects on archaeological assets have been scoped out, as physical effects will only occur during construction. Can the applicant please clarify why it believes that no physical effects will occur during decommissioning?	Where physical effects occur during the construction phase, this will be mitigated prior to construction through archaeological recording. During the decommissioning phase archaeological assets have either been avoided or have been previously recorded and removed. Therefore, there will be no impact on archaeological assets during the decommissioning phase. Ground disturbance associated with the decommissioning would be entirely within the footprint of disturbance caused by the construction of the Proposed Development. This is outlined within **Appendix 8.11 Archaeological Mitigation Strategy (APP-153)**, which has detailed where archaeology has been avoided and where archaeological potential will be evaluated and mitigated through record. An updated version of **Appendix 8.11 Archaeological Mitigation Strategy** has been submitted at Deadline 2.
HEN.1.4	Applicant	Can the applicant please clarify its use of *"Operation: Long term but temporary impact to the setting of the asset"* to describe impacts on cultural heritage as set out in Table 8.11 of Chapter 8 of the ES Cultural Heritage (APP-059)?	'Long term' acknowledges the 40-year operational period of the Proposed Development. Upon the end of its operational life the Proposed Development would be decommissioned, and the land returned to its previous condition in line with the latest industry practice and agreed with LCC. Therefore, the effect would be temporary in nature because the land would be restored but will be 'long term' because the temporary operational lifespan of the Proposed Development is 40 years.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
HEN.1.15	Historic England Applicant	Historic England's relevant representation (RR-008) raises some concerns in relation to identified assets (South Kyme Tower, Church of St Mary and All Saints, South Kyme and the Church of St Oswald, Howell) and how the proposed mitigation of impacts, which included deletion of elements of the array, does not appear to be taken forward. Can the applicant please provide clarification of how it has addressed this concern?	The Applicant has responded to Historic England's concerns raised in **Applicant Responses to Relevant Representations (REP1-029)**. Each asset was assessed individually following Historic England guidance 'The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition), 2017' which itself is guided by the NPPF. For each asset a staged approach following the above referenced guidance was taken, of 5 steps. Step 1: Identify which heritage assets and their settings are affected; Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated; Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it; Step 4: Explore ways to maximise enhancement and avoid or minimise harm; and Step 5: Make and document the decision and monitor outcomes. This is outlined in detail within **Appendix 8.2 Heritage Assessment (APP-118).** Potential impact through setting change was addressed during the assessment **Appendix 8.2 Heritage Assessment (APP-118)** which considered that the effect of the Proposed Development was on the wider setting of the assets and would result in less than substantial harm only. This acknowledges that embedded mitigation measures such as the placement of buffer zones between the assets and the proposed development and the infilling (enhancement) of hedge tree line boundaries would soften the impact regarding intervisibility. **Appendix 2.3 Embedded Mitigation (APP-076)** and embedded mitigation is secured by the **Draft DCO (AS-008)**. This includes all recommendations made by Historic England subsequent to the provision of RR-008. South Kyme Tower, the church of St Mary and All Saints, South Kyme have been assessed following the methodology outlined above. The effect from the Proposed Development is on the wider setting and the Proposed Development is separated by a significant buffer and screened by a substantial boundary, which results in limited intervisibility. The harm ais assessed as less than substantial harm. The church of St Oswald's Howell, although close to the Proposed Development, is completely screened by intervening trees, buildings and boundaries. Embedded mitigation with an added buffer and enhancement of existing boundaries would support screening resulting extremely limited or no intervisibility. The harm is assessed as less than substantial. Residual effects are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277)**. In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
HEN.1.6	Applicant	In Table 8.11 Cultural Heritage – Summary Assessment Matrix the applicant states, in relation to Gashes Barn, Unnamed Farmstead in Ewerby and Evedon Non - Designated (HER MLI121913) and Westmorelands (Asgarby Fen Farm) that even though the impacts of the proposal is major adverse, the applicant finds its effects are not significance due to the application of mitigation which is landscaping to be used to create a sense of separation. Can the applicant provide more information or explain further how landscaping and the creation of a sense of separation is sufficient mitigation to reduce an effect on a cultural asset rom major adverse to not significant?	The reference to 'Major adverse' in the 'Impact' column of Table 8.11 is an error. Cross reference to Table 8.9 provides the correct terminology that should have been cited. This should read 'slight adverse' which acknowledges the impact after the implementation of embedded mitigation.
HEN.1.7	Applicant	In Table 8.11 Cultural Heritage – Summary Assessment Matrix the applicant acknowledges, in relation to Car Dyke, the Victorian Pumping Station and other assets, that the construction of the proposed development would result in the permanent irreversible removal of the asset and suggest a preservation by record. In the applicant's assessment this would mean that the effects would be not significant in EIA terms. Can the applicant please explain further how preservation by record is sufficient mitigation to reduce an effect on cultural assets from major adverse to not significant?	In respect to the Victorian Pumping Station the reference to 'Major adverse' in the 'Impact' column of Table 8.11 is an error. Cross reference to Table 8.9 provides the correct terminology that should have been cited. This should state 'Slight Adverse'. Similarly, the reference to 'Major Adverse' in the 'Impact' column of Table 8.11 in respect to the other cited assets should be 'Moderate Adverse' in the majority of cases. For those which are correctly identified as 'Major Adverse'. the classification of this level of impact as not significant refers to consideration of the residual effect post preservation by record. This can be regarded as off-setting the impact in acknowledgement that the release of heritage capital through the knowledge gathered by archaeological recording provides a beneficial counter-weight to the adverse impact and therefore reduces its significance.
HEN.1.8	Applicant	Does the applicant consider that permanent and irreversible removal of an asset can be suitably mitigated by preservation by record and what further measures is the applicant proposing in order to secure the preservation by design of any assets that would be otherwise lost and permanently removed?	Multilayered non-intrusive survey across the Proposed Development has enabled substantial mitigation by design. Where areas of significant archaeological potential have been identified, these areas have been avoided. Areas where archaeological potential is considered low have and will be subject to archaeological recording and investigation. The substantial and staged evaluative process has ensured that archaeological assets will either be avoided and, if not, they will be appropriately managed through the Archaeological Mitigation Strategy. This process has been outlined in detail within the most recent draft of the Archaeological Mitigation Strategy **Appendix 8.11 Archaeological Mitigation Strategy (APP-153)**, which has been prepared in consultation with LCC. Heritage assets conserved by preservation by design have been completely avoided to ensure there will be no impact at all on their significance. The Applicant has followed the accepted archaeological approach to large projects and utilised differing survey data to identify assets where preservation in situ us required; all these assets have been avoided by preservation by design. In areas not already subject to archaeological evaluation, this will be followed up by further trial trenching across the Bespoke Cable Route to further identify archaeological assets, and protocols are in place to ensure any unexpected assets worthy of preservation in situ are also avoided. This is a staged process to ensure very low or low impact on heritage assets. Assets that are removed would be of very low or low value. The recording of these assets would offset their removal in allowing for a greater understanding of the historic environment within this region (**Appendix 8.11 Archaeological Mitigation Strategy (APP-153)**). The AMS is completely comprehensive and all areas of significant potential following the staged evaluative process have

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			been avoided. The remaining areas of archaeological potential within the Bespoke Access Corridor and Cable Route Corridor are considered to be of low significance, nevertheless, these assets will be investigated as preservation by record. A full assessment including a synthesis of data will also enhance our knowledge of the prehistory and historic of this region as set out in section 4.1.14 within **Appendix 8.11 Archaeological Mitigation Strategy (APP-153)**.
HEN.1.9	Applicant Historic England HLAs	Can HLAs confirm if they are in agreement with Historic England's assessment in relation to the effects of the proposed development on the setting of designated heritage assets and on archaeological remains?	This statement has been reviewed and is noted by the Applicant but, as it is addressed to HLAs, no response is made.
HEN.1.11	Applicant	Can the applicant please clarify how it has considered the effects of the proposed development on the setting of the South Kyme Tower, the Church of St Mary and All Saints, South Kyme and the Church of St Oswald, Howell?	All setting assessments have considered the effect of the introduction of change within the setting of the assets as set out in section 8.6 within **Chapter 8 Cultural Heritage (APP-059)** of the Environmental Statement (ES). The effects have been fully considered for these assets, as clarified below. **South Kyme Tower.** The physical attributes of the asset will not be impacted. The immediate setting of the asset will not experience change. The proposed development may have a slight adverse effect on the asset through change within the wider setting of South Kyme Tower. The original use and functionality of the asset is from its intended enclosure and its siting within the bend of a river and with protection from the inaccessible area to the west. This area is enclosed providing seclusion to the asset that was once surrounded by a moat and comprised also of an attached defensive house. The tower was originally built to provide protection to the fortified house and to guard the village and the River Slea to the south and east which may have been an important transportation and trade artery. Any intended interaction with the wider landscape to the west was limited because this would have been inaccessible fenland outside of the functional 'catchment' of the asset.. The key views from the asset are to the east towards the village and the manor house, the north toward the church, all contemporary features associated with the function of the tower. Views west towards the Proposed Development are not important in respect to understanding the historic and architectural interest of the asset. The change in the wider setting is therefore not considered to cause substantial harm to the asset, with any less than substantial harm minimised through embedded mitigation measures. To confirm the change within the wider setting may have an effect which is not significant and under the terms of the NPPF less than substantial. As per the response to HEN 1.2 this is identified in the worst case as a precaution. **The Church of St Mary and All Saints.** The asset's physical attributes will not be impacted. Furthermore, the immediate setting of the asset will not be impacted. The Proposed Development will only cause change within the wider setting of

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			the asset resultant in a possible slight adverse effect on the asset through setting change. As per the response to HEN 1.2 this is identified in the worst case as a precaution To clarify, the Proposed Development is located further to the west of this asset (approx. 1.25km) and the Proposed Development is situated beyond the Midfodder Dike a substantial field boundary. The intervening distance and landscape prevent views from the church towards the Proposed Development. **Appendix 2.3 Embedded Mitigation (APP-076)** and embedded mitigation measures would enhance the structure of Midfodder Dike by infilling, further preventing views towards the Proposed Development. The area in which the Proposed Development would be located was once inaccessible fenland and was not integral to the functional association of the church. The church is approached from the north and the east; it is bounded by the moat and the river Slea to the south, key views to and from the church would be from the south, southeast and east, across the graveyard, towards the manor house, the tower and the access track towards the village high street. .The original use and functionality of the asset is from its intended enclosure and its siting within the bend of a river and with protection from the inaccessible area to the west. The site is enclosed providing seclusion to the asset once surrounded by a moat. The Church of St Mary's and All Saints is located within a moated boundary of the former monastery, which included the house and tower, its further association is with the village of South Kyme to the east and not the once inaccessible fenland to the west which holds limited association. The Solar Array Area that would occupy part of the historically inaccessible fenland is part of the wider setting but with limited assication. **The Church of St Oswald, Howell.** The asset's physical attributes will not be impacted. The immediate setting of the asset will not be impacted. The change within the wider setting of the asset may have a slight adverse effect on setting. As per the response to HEN 1.2 this is identified in the worst case as a precaution. To clarify, the original use and functionality of the asset is from its intended enclosure and seclusion. The historic association of this asset is with the surrounding assets including Howell Hall. The church faces the southeast and is wholly connected within the settlement and comprises part of the immediate setting of Howell cluster of assets. There is very limited intervisibility between the asset and the proposed development resulting in change which may cause a slight adverse effect in the worst case. **T**he potential non significant effects identified in the worst case and in consideration of embedded mitigation are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277)**. In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
Landscape and Visual			
LSV.1.3	Applicant	Can the applicant confirm if it believes that changes in season will have an impact on views of the proposed development and whether winter views have been used or considered as part of a worst case scenario in relation to sensitive receptors?	**T**he Applicant can confirm that seasonal variation will influence the assessment of landscape and visual effects resulting from the Proposed Development and has been considered as a worst case scenario as set out at paragraph 6.3.28 of **Chapter 6 Landscape and Visual (APP-057)** (LVIA) of the ES. Although the vegetation within the LVIA Study Area is predominantly deciduous, the LVIA findings have considered the filtering effects of the dense branch structure of hedgerows which are relatively widespread to the north and north west of the area. Summer and winter views have been used to inform the LVIA. These views are represented in the baseline panoramas which include summer and winter photography and which are illustrated in **Figures 6.8 to 6.2.6 (APP-210 to APP-228).** The photomontages illustrated in **Figures 6.27 to 6.30 (APP-229 to APP-232)** provide visualisations of the Proposed Development during winter and at Year 0 and Year 15 to illustrate the effects of established mitigation planting.
LSV.1.4	Applicant	Can the applicant explain how the height of the proposed substation, the BESS and the solar panel array have been taken into account during the assessment of landscape and visual effects, particularly considering that the maximum height of the solar panels will vary across the site?	As a starting point the Zone of Theoretical Visibility mapping (ZTV) which illustrate theoretical visibility of the Proposed Development have been used to determine the broad extent of influence. The ZTVs are generated using the height of different elements of the Proposed Development (the Onsite Substation and BESS, solar PV arrays and Bicker Fen Substation extension) in relation to a bare earth scenario and when considering the screening effects of intervening vegetation and built development. The ZTVs are illustrated in **Figure 6.1 Bareground Zone of Theoretical Visibility (APP-203)** and **Figure 6.2 Screened Zone of Theoretical Visibility with Viewpoints (APP-204).** The variation in panel height was a consideration during the assessment but was not found to be a key factor because of the relatively small variation in height 0.4m, local variations in topography and because the higher, 3.9m panels are to be located in lower lying areas of the site further reducing perceived variation. The location of the Onsite Substation and BESS has been selected partially to reduce visual prominence, in many views it will be screened or backdropped by the mature Fox Covert Plantation and other areas of woodland plantation. **Figure 6.29 a b c Photomontage 3 View from Halfpenny Toll Lane near Ewerby Thorpe (Farm) (APP-231)** provides a relatively close distance view of the Proposed Development which includes visibility of the proposed Onsite Substation and BESS in the middle distance of the view.
LSV.1.15	Applicant	Can the applicant explain in more detail the mitigation measures considered in relation to adverse effects on landscape and visual receptors, referring separately to the Public Rights of Way (PRoW) network and residential properties? Please detail the answer with reference to the construction, operation and decommissioning phases.	It may also be helpful to consider the response in relation to the measures proposed for the Solar Array Area, the Cable Route Corridor and the Bespoke Access Corridor because there is some variation in the approaches between these three spatial/functional areas. **Figure 1.4 Indicative Site Layout Plan (APP-195)** illustrates the general principles informing the approach to mitigation, identification of constraints and buffer zones. In relation to the Solar Array Area the design of the scheme layout is well developed meaning there is confidence regarding the extent of vegetation removal and retention illustrated in **Figure 6.32 Vegetation Removal Plan (APP-236 to APP-238)**. The Solar Array Area has been designed to maximise retention of existing vegetation meaning that there is a limited requirement for removal. During construction this vegetation will be retained and protected by measures set out in **Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089).** This retained vegetation particularly to the perimeter of the Solar Array Area will

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			provide screening of views from parts of the PRoW network including the PRoW network adjacent to the River Slea and Bridleway Ewer/1103/1. Existing hedgerows will be managed to a height of up to 3.5m during the Construction phase providing further visual mitigation. Views for many residential receptors will similarly be partially screened by retained vegetation cover although some properties in close proximity to the order limits will have more open views. A landscaped buffer has been introduced to provide an offset for properties adjacent to the Solar Array Area to provide visual mitigation at all phases of the Proposed Development including the construction phase. **Appendix 2.4 Outline Construction Environmental Management (APP-077)** sets out specific measures including the use of temporary hoarding where visual screening is required for residential properties, the PRoW network and recreational areas.for residential properties, the PRoW network and recreational areas.PRoW network and recreational areas.PRoW network and recreational areas. In relation to the Operational phase, the landscape proposals illustrated in **Figure 6.31 Landscape Strategy Plan (APP-233 to APP-235)** have been designed to provide visual mitigation for specific receptors including the introduction of native shrub belts with trees to screen views of energy infrastructure for residential receptors in close proximity to the Solar Array Area. Strengthening the boundary hedgerow to the north and west of the Solar Array Area will aid screening of energy infrastructure for PRoW users in these parts of the path network. The level of activity associated with the Decommissioning phase will be comparable to that of the Construction phase although this activity will be less widely perceived beyond the Order Limits because of the screening effects of the mitigation illustrated in **Figure 6.31 Landscape Strategy Plan (APP-233 to APP-235).** Specifically, in relation to residential receptors the native shrub planting with trees to the edge of the buffer zones will be established and will provide a considerable level of screening. Measures to allow proposed and retained hedgerows to be managed to a height of 3.5m will provide further mitigation in relation to both PRoW users and residential receptors. In relation to the Cable Route Corridor **Figure 6.32 Vegetation Removal Plan (APP-238)** demonstrates the extent of potential vegetation removal generally within the Cable Route Corridor Generally, the plan provides an indication of the extent of 'vegetation to be potentially removed' to provide appropriate design flexibility for this linear element due to the need to accommodate localised ground conditions, avoid heritage features, and accommodate relevant worksites, access, and other temporary land requirements. The details of the assumptions regarding the maximum extent of vegetation removal in these corridors are provided in the **Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089)**. This provides the assurance, that although all of the vegetation within these corridors is identified as being potentially removed to provide flexibility, there is a maximum extent of hedgerow removal. In relation to the Cable Route Corridor this is up to a maximum of 30m for any one length of hedgerow. Within the Cable Route Corridor, existing vegetation will be retained at sensitive sites including; the South Forty Foot Drain, Heckington Eau and the Hodge Dike through the use of trenchless techniques. Trenchless techniques, such as auger boring, horizontal directional drilling (HDD) or microtunnelling will be undertaken where environmental assessment determines that mitigation for an environmental impact is required or design constraints concludes the need for an alternative to open trenching. At operation there is also a commitment to reinstate vegetation within the Cable

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Route Corridor following the construction phase subject to easement restrictions following decommissioning. These commitments will be secured through **Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089).** At decommissioning cabling within the Cable Route Corridor will be left in situ and not removed at the decommissioning phase. Reinstatement planting will have matured and providing a comparable level of vegetation cover to the baseline scenario, The Bicker Fen substation extension will remain in situ and will not be affected by decommissioning activity. During construction of the Bespoke Access Road, mitigation measures will include retention and protection of existing vegetation. The use of hoarding will be considered where visual screening is required for the PRoW network and work compounds within the Bespoke Access Corridor will be located away from sensitive landscape and visual receptors. These measures are set out fully in **Appendix 2.4 Outline Construction Environmental Management (APP-077)**. The indicative alignment of the Bespoke Access Road has been informed by the requirement to minimise landscape and visual impacts by, where possible, routing the road to the edge of field boundaries and away from residential properties from which no significant visual effects have been identified at any development phase. Within the Bespoke Access Corridor a maximum vegetation removal width of 15m in each instance the route crosses vegetation will be required to accommodate the proposed Bespoke Access Road and junction arrangements where the road crosses existing roads (**Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089)**) This will minimise vegetation loss and allow a reasonable proportion of the hedgerow network to be retained to provide an element of visual containment and minimise wider visibility of infrastructure. The Bespoke Access Road is presently assumed to be removed during decommissioning. Within the Bespoke Access Corridor reinstatement planting will be implemented, principally to replace sections of hedgerow removed during the construction phase. Following this reinstatement the landscape will progressively return to a state comparable to the baseline scenario.
LSV.1.6	Applicant	The proposed development includes a 6m wide bespoke carriageway needed to facilitate the construction, maintenance and decommissioning of the proposed development. Considering the level of change a new carriageway will introduce into the landscape, can the applicant please confirm what mitigating measures it has considered and proposes to deploy in order to minimise its visual and landscape impacts?	The indicative alignment of the has been informed by the requirement to minimise landscape impacts by, where possible, routing the road to the edge of field boundaries and utilising existing gaps in hedgerows to minimise disruption to landscape pattern and reduce vegetation loss as illustrated in **Figure 1.4 Figure 1.4 Indicative Site Layout Plan (APP-195)**. The alignment has also been influenced by a requirement to minimise landform change through cut and fill operations meaning that substantial engineered slopes will not be introduced into the gently undulating host landscape. Within the Cable Route Corridor and Bespoke Access Corridor reinstatement planting will be implemented, principally to replace sections of hedgerow removed during the construction phase to install the Cable Route and lay out the Bespoke Access Road respectively as set out in **Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089)**. It is also considered that a reduction of carriage way width would not be widely perceived or notably change the level of assessed effects as described in **Chapter 6 Landscape and Visual (APP-057).**

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
LSV.1.7	Applicant	Further to LSV.1.5 can the applicant please confirm if it has looked at the possibility of reducing the width of the proposed bespoke carriageway in order to minimise its visual and landscape impacts?	The Transport response at TT.1.2 confirms the operational requirement for a 6m carriageway width which is the minimum required to allow two articulated Heavy Goods Vehicles (HGV) to pass one another. Therefore, it is not possible to reduce the width of the carriageway of the Bespoke Access Road in order to further minimise its visual and landscape impacts.
LSV.1.8	Applicant	The applicant states in paragraph 2.12.6 of Chapter 2 of the ES Proposed Development (APP-053), that vegetation and hedgerows lost during the construction of the bespoke access road will be re-instated following decommissioning subject to the road being removed. Can the applicant please confirm if the proposed re-instatement will be like for like in relation to the level of maturity of vegetation and hedgerows offering similar levels of visual impact? Can the applicant please also state where this is secured and how the suitability of the re-instated vegetation will be assessed?	An outline specification for proposed replacement planting is included in **Appendix 6.7 Outline Landscape and Ecological Management Plan (APP-089) (oLEMP)**. The recommended specification for hedgerow reinstatement in this agricultural landscape is for relatively small transplants either 40-60cm or 60-80cm high depending on the species planted in a densely planted double staggered row. This is because establishment is likely to be more successful requiring a less intensive maintenance regime in terms of watering and with no requirements for staking. Ultimately this proposed specification will result in a denser more effective hedge which will become established in the medium term (5-10 years). Paragraphs 2.5.4 o 2.5.8 of the **oLEMP** sets out implementation measures and paragraphs 2.5.9 to 2.5.11 describe the establishment and aftercare specification. The **oLEMP** provides the securing mechanism for these measures (via delivery of the detailed LEMP(s) as secured by a requirement in the **Draft DCO (AS-008)**.
LSV.1.9	Applicant	The applicant recognises in Chapter 6 of the ES Landscape and Visual that some residential receptors will experience significant effects during construction, namely residents of Ewerby Thorpe Farm (R1a) and Ewerby Thorpe Lodge (R1b), Property Group R2, R4, and Property Group R20. In its assessment, the applicant appears to rely on existing screening and on the Outline Landscape and Ecological Management Plan (oLEMP) for mitigation. Considering that the oLEMP is to be developed at design stage, what assurances can the applicant offer that proposed mitigation will be effective?I	Construction phase mitigation for these properties will be provided through a combination of retained vegetation within the Solar Array Area, and the provision of Solar PV exclusion zones to create a buffer in relation to properties R1a, R1b and R20 from energy infrastructure. Property R4 is situated within a land parcel of considerable dimensions (approximately 10.2Ha) which will in itself provide a degree of separation between the dwelling and the Proposed Development (a minimum distance of 160m from proposed solar (pv) arrays. **2.4 Works Plan (APP-010)** identifies the location of the Proposed Development and specific work areas. **Figure 1.4 Indicative Site Layout Plan (APP-195)** provides an overview of mitigation measures, including Solar PV exclusion zones in relation to specific properties, and provides an illustration of how constraints have informed the scheme design evolution. **Figure 6.32 Vegetation Removal Plan (APP 236-238)** illustrates the extent of vegetation removal and retention which helps to identify where areas of retained vegetation can contribute to visual assimilation. Table 6.6 of **Chapter 6 Landscape and Visual (APP-057)** (**LVIA**) sets out specific construction measures with the relevant securing mechanism also specified. In relation to construction phase landscape and visual effects the securing mechanisms are **Appendix 6.7 oLEMP (APP-089)** and **Appendix 2.4 oCEMP (APP-077)** Section 2.4 of the **oLEMP (APP-089)** sets out the approach and outline specification for the management and maintenance of retained and proposed landscape elements, habitats and ecological mitigation measures. The **oLEMP** contains the following objective; *"To protect, retain and enhance existing vegetation cover including, trees, woodland and hedgerows during construction, operation and decommissioning."* It is, therefore, relevant to the mitigation of construction phase effects. A summary of these measures includes:

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			• The establishment of buffer zones and protective measures around retained vegetation to facilitate retention of existing vegetation which will contribute to screening and visual assimilation; • The management of hedgerows to allow growth to 3.5m and at intervals of approximately every 50m; • Allowing individual trees/shrubs to be left uncut to develop into a tree, provided the orientation is such that it will not result in shading of the solar PV arrays. In addition, Section 6, within **Appendix 2.4 oCEMP (APP-077)** also sets out key proposed construction phase mitigation measures although it is recognised that these measures will be further refined during the detailed design stage. Specific measures include the protection of the hedgerows from pollution or from direct damage during the construction and operation phases. Such measures will include designating an appropriate buffer zone from all retained hedgerows, protection fencing and designated storage areas. The oCEMP also sets out further visual mitigation including the use of temporary hoarding, the protection of existing vegetation through the establishment of tree protection zones and the use of fencing to avoid encroachment on root protection areas (RPA). The oLEMP also sets out the requirement for developing detailed LEMP(s) as secured by a requirement in the **Draft DCO (AS-008)**.
LSV.1.10	Applicant	Residents of Gashes Barn will be significantly affected by the proposed development as the residential dwelling is located in the middle of the panel area. Can the applicant please confirm that it believes that the effects of the proposed development will not be such as to amount to overbearing or overwhelming or gone beyond the visual amenity threshold?	**Appendix 6.5 Residential Visual Amenity Assessment (RVAA) (APP-087)** reports that the Residential Visual Amenity Threshold (RVAA) will be reached and that residents of Gashes Barn are likely to experience overwhelming, but not overbearing, effects on the basis that energy infrastructure will be visible in relatively close distance views from all aspects of the property. The most open aspect of the property is the northern elevation with an outlook towards the access road and the northern part of the Solar Array Area will feature prominently in views for residents. Other aspects will be less fundamentally affected. There are a limited number of windows to the eastern and western elevations of the dwelling and some outbuildings/vegetation will provide partial screening. To the southern aspect, vegetation cover within external areas and to the southern boundary together with some landform variation, will partially screen views. Conservatively, it is considered that the Residential Visual Amenity Threshold will be reached for a period of approximately 10 years until a point where the landscape scheme becomes sufficiently mature to partially screen views of energy infrastructure. After which the Residential Visual Amenity Threshold would no longer be reached. This screening will be provided by the mitigation scheme which will comprise native shrubs with trees to the southern, eastern, and western property boundaries, with native hedgerows to the northern elevation and access track.
LSV.1.11	Applicant	The applicant includes open views across the site as part of the description of the visual amenity for properties included in the RVAA, in Appendix 6.5 Residential Visual Amenity Assessment. The applicant also recognises that, through the proposed screening set out in the oLEMP, these open views across the site, will change. Can the applicant therefore please explain how this loss of open views has been taken into consideration and feed into the	It is acknowledged that the landscape of the LVIA Study Area is, in general, characteristically open. However, there are notable differences with the northern/north western parts of the Study Area in which the Solar Array Area and Bespoke Access Corridor is located being more strongly influenced by the presence of vegetation cover. In this area views are usually backdropped or framed by the presence of vegetation cover on the skyline and sometimes as layers of vegetation in the intervening landscape.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
		overall applicant assessment of effects of the proposed development and how the applicant has classified this loss?	In many cases the LVIA **Chapter 6 Landscape and Visual (APP-057)** has found that screening views of energy infrastructure with mitigation planting can contribute to a reduction in the level of visual effect. It is also recognised that introduction of mitigation planting can and will change the characteristics of views and this has been a consideration in the assessment of visual effects. It is acknowledged that the character of views for some receptors will be changed and some properties will experience a loss of openness as perceived from some properties. Typically, in relation to close range views of energy infrastructure for sensitive receptors the assessment has found that there would be significant (adverse) effects. In instances where it is considered that mitigation planting would provide effective screening after a period of establishment but that this planting would reduce the extent of open views the assessment would typically conclude that effects would be adverse but not significant. In most cases the mitigation planting will become assimilated and have an appropriate visual relationship with existing vegetation cover rather than being introduced in isolation. The landscape strategy **(Figure 6.31: Landscape Strategy Plan (APP-233 to APP-235))** has been designed to achieve a balance between integrating the Proposed Development into the existing landscape context and minimising the presence of energy infrastructure, whilst maintaining a sense of openness which is a characteristic of the Fenland landscape. To achieve this objective, linear belts of native shrubs with trees and hedgerows, predominantly aligned with existing field boundaries, are proposed to connect with pockets of existing vegetation. This will provide effective screening of energy infrastructure, while still allowing longer distance views and the characteristic sense of openness to be maintained.
LSV.1.12	Applicant	Following from LSV.1.10, the applicant is also asked to set out clearly how the loss of open views has been assessed in relation to PRoW, particularly those that have been assessed as experiencing significant effects at operational stage, such as: • PRoWs near River Slea Ewer/8/2 Ewer/8/1 Anwi/2/2 • Bridleway Ewer/1103/1 • PRoW network to the west of Asgarby • Views from Black Drove (linking Ewerby Waithe Common with Howell) The ExA also asks if the applicant believes that reference to PRoW network to the west of Asgarby should be included in Table 1.22 of Appendix 6.4 Visual Assessment, which does not appear to be.	Generally, the openness of views experienced by PRoW users will be less notably affected than residential receptors in close proximity to the site where mitigation planting has been strategically introduced to mitigate effects for specific properties. Users of PRoWs near River Slea Ewer/8/2 Ewer/8/1 Anwi/2/2 will experience significant effects at operation because receptors from parts of this network will have close distance views of solar arrays. These views will generally be experienced through gaps in the mature hedge to the northern site boundary of the Solar Array Area and in some instances views may be available slightly above the containment of the hedgerow. Loss of openness is not considered to be a key aspect for these receptors from most of this network because they already experience some visual separation form the site area due to the mature hedgerow. Users of Bridleway Ewer/1103/1, travelling east, will experience slightly elevated views facilitating reasonably widespread visibility towards the Solar Array Area. The presence of energy infrastructure in this context will not foreshorten or generally obscure wider visibility although it will notably change the characteristics of the view. Mitigation planting linking existing areas of woodland will ultimately provide a more cohesive network of green infrastructure within the Solar Array Area although this will be perceived in relation to views of the energy infrastructure. The PRoW network to the west of Asgarby is located in close proximity to and in some cases traverses the Bespoke Access Corridor. Openness is not expected to be notably affected for these PRoW users because the Bespoke Access Road will largely be perceived at 'grade' or ground level and the removal of some hedgerows may open up views for some sections. Soil storage introduced within the Bespoke Access Corridor will be vegetated and may be placed to help screen views of

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			the road from the local PRoW network. It is not anticipated that these will notably impinge on perceptions of openness. will notably impinge on perceptions of openness. The introduction of infrastructure will partially diminish the rural quality of views from short sections of the route in close proximity. More widely perceptions of openness will not be notably affected for these PRoW users. perceptions of openness will not be notably affected for these PRoW users. peceptions of openness will not be notably affected for these PRoW users. Black Drove/Halfpenny Toll Lane is routed around the northern and western perimeter of the Solar Array Area. The route is partially defined by a mature hedgerow and associated drainage channel although there are numerous gaps in the hedge which facilitates the intermittent availability of open views across the Solar Array Area. These gaps will be closed through the introduction of new hedge planting and belts of native shrubs with trees on the boundary of the Solar Array Area. These measures are considered to be helpful in terms of screening views of the Proposed Development but the intermittent availability of open views will progressively reduce as planting matures.
LSV.1.13	Applicant	The applicant recognises in Chapter 6 of the ES Landscape and Visual, as set out in the Landscape and Visual Summary Assessment Matrix, that, at operational stage, there will be major adverse impacts on the landscape character of the site due to the introduction of solar PV arrays and associated infrastructure. The applicant also recognises that the Fenland Sub Area will experience moderate adverse impacts due to the implementation of the proposed development, that Black Drove/Ferry lane/Halfpenny Toll Lane will experience moderate adverse effects, as well as Howell Fen Drove. Can the applicant please set out how it views the overall impact of the proposed development in relation to landscape and visual effects?	The LVIA, as reported in **Chapter 6 Landscape and Visual (APP-057)**, has found that at the operation, phase following cessation of construction activity within the Solar Array Area, Cable Route Corridor and Bespoke Access Road, the Proposed Development would have a relatively limited characterising influence beyond the extent of the Site area. Although significant effects are reported for the Fenland Sub Area at Construction and Operation Phase Year 0 establishment of mitigation planting within the Solar Array Area is anticipated to further reduce effects to non-significant levels. Residual Site level effects associated with the Solar Array Area and the Bespoke Access Road will remain significant because of the fundamental change introduced in predominantly agricultural landscapes. However, it has also been found that effects on landscape elements will be limited because the Solar Array Area has been designed to accommodate and maintain the existing landscape and field pattern allowing the retention of field boundaries and associated drainage channels, hedgerows and other associated vegetation. Significant residual visual effects would be experienced by a limited number of receptors in close proximity to the Solar Array Area and Bespoke Access Road up to a maximum distance of ~500m from the Order Limits and in most cases considerably less than this. This is due to a number of factors, including the perceived scale of change diminishing with distance and in some cases intervening vegetation cover and landform variation. This factor also, to some extent, verifies the findings relating to the limited characterising influence of the Proposed Development beyond the Site. In most cases it has been demonstrated that mitigation measures will be effective in reducing the level of adverse effects The landscape scheme illustrated in **Figure 6.31: Landscape Strategy Plan (APP-233 to APP-235)** has been designed to assimilate the Proposed Development into the landscape context and has been informed by consideration of the prevailing character of the host Fenland landscape. The approach which combines the retention of existing vegetation cover linked by proposed linear belts of planting, hedgerows and strategically placed native shrub belts to mitigate specific visual effects will provide an appropriate landscape setting for the Proposed Development although it is acknowledged that this may also partially diminish perceptions of openness.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Residual effects are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277)**. In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.
Land Use			
LUS.1.1	Applicant	On 15 May 2024 the Secretary of State for Energy Security and Net Zero made a written ministerial statement (WMS) entitled 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land'. Please set out any implications for the consideration of the proposal arising from this WMS and how the applicant has taken it into consideration in order to minimise BMV land take.	The Applicant notes the written ministerial statement (WMS) as published by the Secretary of State for Energy Security and Net Zero on 15 May 2024 entitled 'Solar and protecting our Food Security and Best and Most Versatile (BMV) Land'.. The WMS makes reference to NPS EN-1 which came into force in January 2024 and adds: *"due weight needs to be given to the proposed use of Best and Most Versatile land when considering whether planning consent should be granted for solar developments. For all applicants the highest quality agricultural land is least appropriate for solar development and as the land grade increases, there is a greater onus on developers to show that the use of higher quality land is necessary. Applicants for Nationally Significant Infrastructure Projects should avoid the use of Best and Most Versatile agricultural land where possible."* The **Site Selection Report**, found at Appendix 2 of the **Planning Statement (APP-277)**, outlines that agricultural land quality, and seeking to minimise the impacts of the Proposed Development on BMV land, was a key consideration in the Applicant's site selection process for the Solar Array Area and the required Site access and grid connection requirements. The Applicant identified that land close to the point of connection was typically subject to higher flood risks and/or higher agricultural land classification and sought land that was slightly more distant from the point of connection to minimise the extent of such land being used for solar generation. During the four-stage analysis, all of the alternative sites identified all presented similar or higher quantities of BMV land in comparison to the Proposed Development site. While ALC was an important consideration in site selection, in accordance with national policy, it was one of several factors which were balanced to determine a preferred site. **The embedded mitigations detailed within section 14.6 of Chapter 14 Soils and Agricultural Land (APP-065)** of the ES and the design alternatives listed within section 3.6 of **Chapter 3: Alternatives and Design Evolution (APP–**054) of the ES sets out how the Applicant has sought to avoid and reduce the amount of BMV land used for hard infrastructure (that which involves sealing over the land, such as road or substation subbase) associated with the Proposed Development. Given the context of the quality of land locally and within the Order Limits it has not been practicable to remove all BMV but in line with policy. However, the Proposed Development layout has been designed as to minimise the use of BMV land for hard standing and has been designed as to allow for reinstatement of land for agricultural use following decommissioning. For example, as set out in Table 3.4 **of ES Chapter 3 Alternatives & Design Evolution (APP-054)**, in

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			the siting of the Onsite Substation and BESS the option which resulted in the loss of lower value agricultural land was chosen. This is also evidenced through the Applicant's **Bespoke Access Road Appraisal (APP-080)**, which sets out the extensive options appraisal carried out with respect to the Bespoke Access Road throughout the pre-examination process. Section 4 of this document sets out the appraisal of various different options, including taking account of Soils and Agriculture. As demonstrated in Table 1, Option 2, the Applicant's chosen option, is the only option to be considered green in the 'RAG' assessment, other options were considered to be red. Furthermore, as set out in the **Cable Route Corridor Appraisal (APP-081)**, while there was no clear distinction between the options in terms of soil quality, the shortest and most direct route was chosen, resulting in the least agricultural land potentially being impacted. The WMS also sets out that the cumulative impact on loss of BMV should be considered where several proposals have come forward in the same locality. A cumulative impact assessment was undertaken as part of the assessment for **Chapter 14 Soils and Agricultural Land (APP-065),** and **Chapter 18 Cumulative Effects (ASS-069)**. Within this, inter-cumulative effects for agricultural land have been assessed. The majority of the considered developments are solar developments where most of the land take is considered to be temporary and reversible, with the permanent land take limited to areas of built development. The inter-cumulative impact is deemed to be moderate and therefore is a significant impact, however, it should be noted that this is a temporary and reversible impact and land will retain its agricultural potential post restoration. Potential impacts to the agricultural, energy and construction supply chains were not scoped in during Scoping (see **Appendix 1.1 Scoping Report (APP-071)** and **Appendix 1.2 Scoping Opinion (APP-072))**. The Applicant fully acknowledges the need for the protection of the agricultural supply chain and national food security. The statement made on 15th of May 2024 by the Secretary of State for Energy Security and Net Zero summarises the importance of a balance between protecting B<V land while still pursuing energy security, recently threatened by geopolitical changes. The Applicant is considering the option to utilise the Solar Array Area of the Proposed Development for grazing opportunities. In that way, the Proposed Development could still contribute to the agricultural supply chain, if a local grazier was interested in this opportunity. This opportunity is mentioned in the **OLEMP (APP-089)**, secured via Requirement 7 of Schedule 2 of the **Draft DCO (Document Ref: 3.1)**. In light of the above, it is considered that the Proposed Development accords with the aforementioned WMS. Section 104 of the Planning Act 2008 requires the Secretary of Statement to determine applications for NSIPs in accordance with the relevant NPSs (where these are in place) having regard to any local impact report produced by the relevant local planning authority; any matters prescribed in relation to development of the description to which the application relates; and any other matters which the Secretary of State thinks are both "important and relevant" to their decision. As such, the relevant NPSs (EN-1 and EN-3 for the Proposed Development) form the primary policy that the application must be in accordance with, with the WMS (and other statements of policy) being matters that the Secretary of State may consider to be important and relevant.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
LUS.1.2	Applicant	Has the applicant considered what other uses could be co-located alongside the panel array and has the applicant has had any conversations or entered negotiations with local farmers or organisations in order to discuss the possibility of the site being used for other compatible uses, such as grazing of animals or supporting pollinators?	The Proposed Development includes approximately 486 ha of land currently in arable use which will converted to grassland including approximately 17 ha of greater diversity grassland in the floodplain and fields set aside for residential buffers. In addition there will be over 2.7 km of hedgerow planting and approximately 3 ha of mixed scrub. The introduction of a wider range of food species along with the opportunity for dwellings will encourage pollinating invertebrate species including honey bees to occupy the Site. These habitats are detailed in the **oLEMP (APP-089)** and **BNG Strategy (APP-280)** secured by **Requirements 7 and 8** respectively of the **Draft Development Consent Order (AS-008).** It is standard practice for the Applicant to consider the option of utilising sheep for low intensity conservation grazing as part of its preferred grassland management strategy for the solar and BESS sites that it has both developed and operates. For the Proposed Development specifically, as noted in paragraph 2.5.12 of the **outline Landscape and Ecological Management Plan (APP-089)** ithe option of utilising sheep for low intensity conservation grazing will be explored, however, this will be determined at the detailed design stage. If this option is not implemented, the management of neutral grassland will be in accordance with the requirements of paragraph 1.5.11. Whilst the Proposed Development will remove the Solar Array Site area from food production for the life of the development, the removal will be temporary and the land will be returned to its current use upon decommissioning. During the operational life of the Proposed Development, the possibility of co-utilising the site for grazing (thereby allowing some agricultural use) is being investigated and the viability of this will be determined at a later stage. It should also be noted that the cessation of intensive farm management at the Site for the duration of the life of the Proposed Development will result in beneficial impacts upon the soil resource present. Sheep grazing has not been accounted for as part of the ES assessments (as mitigation or otherwise) given the uncertainty as to whether it will be used. Due to the uncertainty, the possibility of grazing has not been accounted for in the planning balance. The Applicant has installed a number of beehives on several of its operational sites, to facilitate pollinating nearby plants, to support the population of honeybees and, as a bi-product, produce honey which generally goes to schools, parish councils and other organisations within local communities. For the Proposed Development, this is also something that the Applicant is the Applicant is exploring but no weight has been ascribed to this in the planning balance.
LUS.1.3	Applicant	Chapter 14 of the ES Soils and Agricultural Land appears to include two different tables numbered Table 14.15. The applicant is asked to correct this and number one Table 14.15 and another 14.17.	This is a typographical error within **Chapter 14 Soils and Agricultural Land (APP-065**) within the ES. To confirm, the tables should read as follows: Table 14.1 – Summary of Consultation Undertaken Table 14.2 – Receptor Sensitivity (Land) Table 14.3 – Magnitude of Change (Land) Table 14.4 – Receptor Sensitivity (Soil Resources – Structural Damage) Table 14.5 – Receptor Sensitivity (Soil Resources – Loss) Table 14.6 – Magnitude of Change (Soil Resources) Table 14.7 – Level of Effects

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Table 14.8 - Summary of detailed ALC survey grades within the Solar Array Are Table 14.9 – Provisional ALC grading and associated soil association for the proposed Cable Route Corridor able 14.10 – Summary of detailed ALC survey grading within the Bespoke Access Corridor Table 14.11 - Provisional ALC Data and Post 1988 Data Combined with Administrative Boundaries Table 14.12 - The Soil Associations found with the Solar Array Area, Cable Route Corridor and Bespoke Access Corridor Area based on the Soil Survey of England and Wales (1984) and LandIS Table 14.13 – Land use breakdown for the proposed development of the site in hectares Table 14.14 - Construction Effects for Solar Array Area Table 14.15 - Cumulative Effects Assessment of Developments Table 14.16 - Summary of Cumulative Developments and Estimated Land take Table 14.17 - Soils and Agricultural Land - Summary Assessment Matrix
LUS.1.4	Applicant	Table 14.17 (sic) of Chapter 14 of the ES Soils and Agricultural Land sets out the applicant's summary assessment matrix of the overall impact of the proposed development. It identified Loss of Agricultural land at Construction Phase as having a Major Adverse impact, and at Operational Phase Minor Adverse. Does the applicant believe that this assessment is correct considering that the effects and loss of agricultural land at the operational phase will extend to a much longer and significant period than at construction phase?	The assessment presented in **Chapter 14 Soils and Agricultural Land (APP-065)** assumes that there will be no further development of built infrastructure and therefore no further loss of agricultural land or soil disturbance during the operational phase. It is assumed the land will not be available for agricultural production over the 40-year operational period. However, most of the soil will remain functional over this period and the agricultural potential of the land will remain intact. The temporary and reversible removal of the Solar Array Area from agricultural production during the operational phase therefore constitutes a Low magnitude of change. To avoid double counting the effects of the Proposed Development, the Major (adverse) impact associated with the permanent land take by built infrastructure during the construction phase is not re-assessed for the operational phase, as the loss and/or disturbance of soil has already occurred by this point. The assessed magnitude of the impact during the construction stage of the Proposed Development accounts for both the area of the land take and permanent duration, therefore it is inherently assessing the impact on the soil resource for the lifetime of the Proposed Development. This therefore did not need to be reassessed to take account of the operational phase. The IEMA (2022) guidance, A New Perspective on Land and Soil in Environmental Impact Assessment, does not specifically cover the assessment of projects that are temporary in nature and include multiple phases with restoration to pre-existing conditions. Therefore, an approach has been taken to assess the effects for each individual phase separately using the assessment criteria detailed within the IEMA (2022) guidance. Professional judgement has been used to assess the impacts as they occur during the life of the development with the duration of their effect considered as part of the magnitude assessment. Permanent impacts that have been assessed during the construction phase are therefore not reassessed during operation. The approach to not "reassess" the loss of agricultural land from development of permanent infrastructure during the operational phase has also been taken in the assessments undertaken for the approved solar DCO for Heckington Fen Solar Park. This assessment concluded there would be a Moderate adverse impact of both loss of BMV and Non-BMV land during construction and then a Negligible impact during the operational phase of that project.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
Socio-economics			
SEC.1.1	Applicant	Several PRoW, as set out in Fig 15.3 (APP-273), will be intersected by the proposed development. Can the applicant please confirm if any of the existing PRoW is proposed to be stopped during the operational stage of the proposed development? And if yes, is there a suitable alternative proposed by the applicant which will be able to connect or direct non-motorised users (NMUs) to similar locations?	The Applicant can confirm that there is not proposed to be any stopping up of the existing PRoW network during the operational stage of the Proposed Development. Article 15 of the **Draft Development Consent Order** provides for the temporary stopping up, prohibition of the use, restriction of use, authorisation of use, alteration or diversion, of PRoW for the purposes of the Proposed Development. Schedule 5 of the Draft DCO then specifies the PRoW which are to be temporarily closed; the PRoW over which the use of motor vehicles will be either temporarily or permanently permitted; and the PRoW that will be managed temporarily. An **Outline Public Rights of Way Management Plan** (Document Ref: 9.5) to be submitted at Deadline 2) has been prepared, defining mitigation and mangement measures for PRoWs during construction and operations.
SEC.1.3	Applicant	The applicant states, in paragraph 15.6.64, which deals with PRoW LL|Ewer|12/1, that an undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses will be required. Can the applicant please specify how these will be agreed and what are the criteria that will preside to its determination?	The final location, number and design of these crossings will be determined as part of the detailed design phase (as secured by Requirement 5 of the **Draft Development Consent Order**. Ground Investigations to inform the detailed design will be required to inform the micrositing process. The Outline Design Principles (see Appendix 1 of the **Design and Access Approach Document (AS-019**) specifies that *"The crossing of ditches will be similar to Illustrative Permanent bridge designs for Bridges over Watercourses (Document Ref: 2.18) and Illustrative Details for Fence on Perimeter of Solar Array Site (Document Ref: 2.30)."* The watercourse crossings must be constructed in accordance with Paragraphs 6.11.22 and 6.11.23 of **Appendix 2.4 Outline Construction Environmental Management Plan (oCEMP)** (**APP-077**), which provides information regarding the principals and core components of the water quality monitoring that would be undertaken during the construction phase. The Detailed CEMP(s) (secured by Requirement 12 of the **Draft DCO**) will further expand upon the monitoring outlines in the oCEMP, and will also include any construction phase water monitoring requirements from water licences and permits. Ahead of the construction of the watercourse crossings, the relevant consents will be sought from the relevant consenting bodies as is detailed in Table 2.1: Other Consents and Licences (No. 10 Environmental Permit for works near main rivers (known as Flood Risk Activity Permit) and no. 12 Ordinary Watercourse Consent (known as Land Drainage Consent)) of the **Other Consents and Licences Statement** (**APP-276)**. Flood Risk Activity Permit from the EA or an Ordinary Watercourse (Land Drainage Consent) from Black Sluice IDB, depending on the nature of the watercourse in question. As stated in section 2.3 of the **Other Consents and Licences Statement (APP-276)** *"The Applicant has agreed with both the EA and the Black Sluice IDB that the relevant permits will be sought at the detailed design stage, prior to commencement of the Proposed Development. This is so further survey and design work can be undertaken to determine the most appropriate locations for the works required. The Works Plan (Document Ref: 2.4) and Outline Design Principles (contained within the Design and Access Approach Document (Document Ref: 5.6)) allow for this flexibility."*
SEC.1.4	Applicant EA	The ExA noted on its Unaccompanied Site Inspection, and the applicant has confirmed at ISH1, that PRoW LL|Ewer|12/1 is currently not accessible nor used. The applicant also states, in paragraph 15.6.64 that as part of embedded design enhancements, PRoW LL|Ewer|12/1 is being extended. It is assumed that the current barriers to access and use by NMUs will be lifted, however confirmation of this is being sought from the EA and the applicant if this is to be considered a benefit of the proposal. Can therefore the applicant	Overall, it is considered that the improvement of PRoW LL|Ewer|12/1 (by extending it significantly as a permissive path for the duration of the operation of the Proposed Development) will be of benefit to current and future PRoW users. The extension as a permissive path of this PRoW will extend to the south east, along Car Dyke, then heading south west on the north side of Hodge Dike and will create a new circular walking loop that will provide an alternative pedestrian route terminating in the vicinity of Ewerby Thorpe. Its route will be determined via discharge of Requirement 15 in Schedule 2 of the **Draft DCO** but approximately running in a south easterly

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
		and EA please confirm that it their intention to open PRoW LL|Ewer|12/1 for NMUs and how this will be secured?	direction along Car Dyke then heading south west on the north side of Hodge Dike. An undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses, will be required. The permissive path is illustrated in **Figure 6.31 Landscape Strategy Plan (APP-233)**. The Outline Design Principles (Appendix 1 of the **5.6 Design and Access Approach Document**) **(APP-278)** secure mitigations for PRoW during operation, such as an interpretation signboard along the permissive path if it passes in the vicinity of the BESS to explain the function of the infrastructure. Requirement 15 of the **Draft DCO** provides that a permissive path which runs between points PP 1/01 and PP 4/01 on the **Streets, Rights of Way and Access Plans (AS-007)** must be provided and open to the public one year following the date of final commissioning of Work No. 1.
SEC.1.5	Applicant	The applicant is asked to confirm how it has considered the effects of the proposed development and consequential severance of access to existing recreational routes, facilities and visitor destinations, as set in Fig. 6.6 (APP-208) on the local communities and users at all stages of the proposed development (construction, operational and decommissioning)?	**Construction and decommissioning:** Direct impacts on visitor attractions have been reviewed in paragraphs 15.6.47 - 15.6.50, and paragraphs 15.6.53 - 15.6.56 of **Chapter 15 Socio-economics (APP-066)** and main touristic attractions have been found to be the Heckington Windmill, the Heckington Village Show and the Swaton Vintage Show. There will be negligible impact from construction traffic on the Heckington Village Show and Swaton Vintage Show, as presented in paragraph 15.6.47 of **Chapter 15 Socio-economics (APP-066)**. Impact on non-motorised road users such as cyclists and horse-riders was also assessed in paragraph 15.6.20 of **Chapter 15 Socio-economics (APP-066)**. The Applicant found no significant effect on the safety or amenity of cyclists and equestrians. Paragraph 15.6.22 of **Chapter 15 Socio-economics (APP-066)** concludes that there will be no significant effects on the PRoW network during construction, taking into account the possibility of temporary closures. Temporary closures lasting for up to one week are planned for four footpaths and will be carried out in stages, meaning that only one footpath will be closed or diverted at a time. The temporary closure of footpaths Heck/14/1 and Heck/2/4, and any temporary closure of footpaths crossing the Cable Route, will be managed through: • sharing information in advance with relevant authorities and PRoW users; • introducing signage approaching the construction site(s) and the PRoW, on site speed limits for construction traffic, driver training, physically defined boundaries to Cable Route works and nominated look out people, and restoration of ground conditions along the PRoW following construction. Further detail and mitigation measures are provided in the **Outline Public Rights of Way Management Plan** (Document Ref: 9.5) to be submitted at Deadline 2) and Paragraph 3.6.5 of the **oCEMP) (APP-077).** **Operation:** Paragraph 15.6.55 of **Chapter 15 Socio-economics (APP-066)** assesses the effect of the Proposal Development during its operation on identified recreational facilities and visitor destinations. The operational phase of the Proposed Development will have a Negligible effect on traffic, accommodation and recreation. The three biggest tourist and recreational attractions are the Heckington Windmill, the Heckington Village Show and the Swaton

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			Vintage Show. Both shows take place over 2km from the Solar Array Area boundary. There will be no material impact from the Proposed Development on the three biggest attractions during operations Severance of access on identified PRoW along the Cable Route will not persist into operation, as all current PRoW will remain open post construction. Additionally, the proposed extension of PRoW LL|Ewer|12/1, will be accessible throughout the operation of the Proposed Development, improving severance through the creation of a new circular walking loop. As noted in the response to ExQ1 SEC 1.4 above, Requirement 15 of the **Draft DCO** provides that a permissive path which runs between points PP 1/01 and PP 4/01 on the **Streets, Rights of Way and Access Plans (AS-007)** must be provided and open to the public one year following the date of final commissioning of Work No. 1.
Traffic and Transport			
TT.1.1	Applicant	The applicant confirms that the 6m wide bespoke access corridor would be in place during the operational phase to facilitate maintenance of the proposed development. Considering that traffic and use of the road is expected to be greatly reduced during the operational phase, can the applicant please confirm what their intentions are for the bespoke access corridor?	By way of initial minor clarification, the Bespoke Access Road is the access road that will be situated within the Bespoke Access Corridor that forms part of the Applicant's application. The carriageway of the Bespoke Access Road will be approximately 6m wide (and approximately 8m on bends). The Bespoke Access Road is required to be retained during operation so that it can be used during this period for: • facilitating Abnormal Indivisible Loads (AILs) if a high voltage (HV) transformer fails and requires replacement; • facilitating more intense periods of replacement of other equipment, without impacting the existing local highway network; and • ensuring that a route is available for decommissioning, without the additional impacts of removing the road for operation and then reconstructing it prior to decommissioning. In relation to facilitating AILs, there is the potential for transformer failure during the life of the Proposed Development. This includes the HV transformers which would require AILs to transport them to the site due to their size and weight. Alternatives for (and to) the Bespoke Access Road are reported in the Environmental Statement in section 3.5 of **Chapter 3 – Alternatives and Design Evolution of the Environmental Statement Volume 1 (APP-054)**. Assessment of AIL access to the Solar Array Area, reported in Appendix A of **Appendix 9.3: Outline Construction Traffic Management Plan (oCTMP) (APP-159)**, identified that the only potentially feasible alternative route between the A17 and the Solar Array Area is B1359, Littleworth Drove, and Heckington Road. Further analysis of this route was subsequently undertaken and it was identified that significant mitigation measures would be required to facilitate its use for access, and particularly for AILs. This would include, but would not be limited to, provision of overrun areas within highway land and third-party land, significant vegetation removal, and improvement works at the Littleworth Drove/Howell Fen Road junction. limited to, provision of overrun areas within highway land and third-party land, significant vegetation removal, and improvement works at the Littleworth Drove/Howell Fen Road junction.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			As set out in **Appendix 3.2: Bespoke Access Road Appraisal (APP-080),** AIL access, and the deliverability of access for the lifetime of the Proposed Development, is a particularly important consideration when assessing the viability of access routes. This is because where routes are identified as suitable for AILs with mitigation, that mitigation must remain in place for the lifetime of the project in case the access is required to facilitate the replacement of failed equipment. There is no mechanism for controlling changes to the public highway network in future, and therefore AIL routes should utilise roads that have a reasonable likelihood of still being useable for the lifetime of the project. Use of unclassified roads that require significant mitigation during construction for the purposes of AIL movements presents a risk to the servicing of the critical infrastructure comprised in the Proposed Development. Additionally, temporary traffic management is difficult to implement on single track roads. Therefore, the implementation of mitigation works would likely require temporary closure of Littleworth Drove to the detriment of local traffic. Furthermore, the potential of damage to unclassified roads by abnormal loads was raised as a concern by LCC at non-statutory consultation, as set out in ES Chapter 9 Access and Traffic (App-060) Table 9.1. Temporary damage to the road surface and subsequent repair are detrimental to existing users of these routes. Therefore, constructing and retaining the Bespoke Access Road during operation is preferable to relying on an alternative route. With the Bespoke Access Road in situ, it can also be utilised by HGVs for other equipment replacement, allowing for more intense periods of replacement that are not constrained by existing highway capacity. Furthermore, the Bespoke Access Road is likely to be required to mitigate significant traffic impacts at decommissioning stage, and would therefore need reinstatement, if not retained for the life of the project. As confirmed in the **Planning Statement (APP-277**), the Bespoke Access Road will likely be the last component of the Proposed Development to be removed as it will be used to facilitate decommissioning of the Solar Array Area. Whilst it is assumed for the EIA assessment that the road will be removed, it is possible that engagement with the landowners at that time will establish a preference for it to be retained. Optionality has been deliberately retained in the Application to facilitate such a scenario.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
TT.1.2	Applicant	Further to TT.1.1, can the applicant please confirm if it has looked at the possibility of reducing the width of the proposed bespoke carriageway and considered its impact on transport?	The Bespoke Access Road design details are outlined in Appendix 2.2 Bespoke Access Road Construction Method Statement (APP-075), which describes that a 6m wide carriageway is proposed (refer Section 3, Paragraph 3.1.2 of the document). The Manual for Streets (DfT and DCLG, 2007) indicates that 5.5m is the absolute minimum carriageway width required to allow 2 HGVs to pass, albeit at very low speed. HSE stipulates in Technical Measures Document: 'Roadways / site traffic control / immobilisation of vehicles' a minimum of 6.1m for standard roadways accessing a single building. However, this HSE figure relates to permanent kerbed access roads adjacent to other infrastructure such as footways that limit the useable width of the carriageway. Therefore, as there will be no adjacent footway and no kerbing for the Bespoke Access Road, a small reduction on that permanent road standard is considered suitable in this case. A 6m carriageway width is the minimum required to allow two articulated HGVs to pass one another safely in each direction, whilst maintaining sufficient speed to make route functional. Alternatives to this width would be functionally unacceptable, and would include: •Reducing the carriageway to 5.5m which would only allow vehicles to pass at very low speeds, and increase risk of collision. •Reducing the carriageway to single track, a which would require frequent passing places in order to allow HGVs to pass. Both of the above options would reduce the functionality of the carriageway to cope with traffic demand during more intense periods of construction, leading to potential for operational and safety issues. On some parts of the carriageway, additional width is required for AIL movements. The swept path of AILs determines the carriageway width on bends, which is approximately 8m. This figure has been derived through swept path analysis (vehicle tracking) using AILs and articulated HGVs passing in opposite directions as the design vehicles.
TT.1.3	Applicant	For the construction of the bespoke access corridor, the applicant states that it will require a working width of 30m. Considering the proposed location of the access corridor and the current use of the land, can the applicant please clarify what work it has done in order to minimise land take and why a 30m corridor is necessary?	The Applicant can confirm that the required working width for the Bespoke Access Road during construction is up to 50m, as set out in **Chapter 2 Proposed Development (APP-053)** (Table 2.1) and **Appendix 2.2 Bespoke Access Road Construction Method Statement (APP-075)** (para. 2.1.1). The working width has been defined based on an indicative alignment and consultation with affected landowners, with the intention of following field boundaries to minimise impact on agricultural land. Analysis of the indicative alignment identifies that there are features such as drainage ditches, hedgerows (with associated protection buffers) and field accesses that all impact how the road can be constructed. In some locations plant will have to access the works from both sides of the road in order to connect road drainage with existing drainage, and this needs to be accounted for in the working width.Further, the working width must encompass sufficient flexibility to form stockpile material, move and store plant, move welfare facilities to locations where work is taking place, form temporary compounds and erect temporary fencing.The working width also needs to avoid ecology buffers and still retain enough area to move heavy plant. Given the above considerations, a working width of 50m has been concluded as necessary and justified..

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
Water environment and flood risk			
WRF.1.1	Applicant	Earlier this year MHCLG has updated its planning guidance in relation to flood risk. The Applicant is asked to confirm if the current proposal is in line with the latest update?	The Applicant acknowledges that MHCLG most recently updated their Flood Risk and Coastal Change Planning Practice Guidance on 17 September 2025. The update prior to this was August 2022. The September 2025 update included the following: • Update to Paragraph 23 – 'What is the aim of the sequential approach? • Update to Paragraph 27 – 'How should the sequential test be applied to planning applications?' • Addition of Paragraph 27a – 'How should the area of search for the sequential test be identified?' • Update to Paragraph 28 – 'What is a 'reasonably available' site?' The following statement was removed from Paragraph 23 of the PPG in the September 2025 update: *"Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied."* The Applicant confirms that the removal of this statement from Paragraph 23 of the PPG does not affect the current proposal. The Sequential Test was carried out in line with NPPF and is set out in the Site Selection Report, at Appendix 2 of the **Planning Statement (APP-277)** and **ES Appendix 11.1 Flood Risk Assessment (APP-162)**. Paragraph 27 was updated to include specific cross-references to paragraphs 173 to 176, and paragraph 180 of the NPPF. Furthermore, paragraph 27 was refined and updated to include the following statement: *"In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied."* The Applicant confirms that the current proposal is in line with this update. **ES Appendix 11.1 Flood Risk Assessment (APP-162)** demonstrates that the proposed layout, design, and mitigation measures ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development and, on this basis, the Sequential Test need not be applied (with respect to surface water flood risk). Paragraph 27a was a new addition to the PPG in the September 2025 update. Some statements and policy guidance previously included in paragraph 27 (pre-September 2025) were moved to the new paragraph 27a. In addition, increased emphasis was placed on 'development need' in applying the Sequential Test. Paragraph 27a continues with: *"The sequential test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development need."*

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			With regards to infrastructure proposals of regional or national importance, paragraph 27a states that *"It may also, in some cases, be relevant to consider whether large scale development could be split across a number of alternative sites at lower risk of flooding, but only where those alternative sites would be capable of accommodating the development in a way which would still serve its intended market(s) as effectively."* This echoes paragraph 28 of the August 2022 version of the PPG, which stated that a 'reasonably available' site *"could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development."* As set out in the Site Selection Report, at Appendix 2 of the **Planning Statement (APP-277**), to consider alternatives, the Applicant sought continuous sites that were comparable to the Proposed Site. Continuous collections of non-continuous sites which when taken together cover an area greater than 300 ha were not considered as there would be likely increased costs in surveying, designing, screening, connecting and legally securing (with reference to land ownership) multiple separate sites which would impact viability and make them incomparable to the continuous Proposed Site. As non-continuous sites would be unable to serve the intended market of the Proposed Development as effectively, the Proposed Development is in accordance with the updated Planning Practice Guidance. Furthermore, this is in accordance with EN-1 at paras. 4.3.22 – 4.3.23, only alternatives that meet the objectives of the proposed development need be considered. Paragraph 28 'What is a 'reasonably available' site?' was updated to include consideration of whether a site is able to "meet the same 'development needs". The core consideration throughout the Site Selection Report, at Appendix 2 of the **Planning Statement (APP-277**), was whether alternatives would be able to meet the same development needs as the Proposed Development. In defining the Search Area the assessment considered whether sites could make use of the existing substation capacity, in identifying unconstrained land the assessment considered whether sites would be constrained from development by environmental and policy constraints and in the identification of alternatives the assessment considered whether a site was large enough to support the availability grid capacity. No more suitable Potential Alternative Sites were identified. In light of the above, the sequential test is considered to be in accordance with the updated Planning Practice Guidance.
WFR.1.2	Applicant EA NE IPs	In relation to the Wash SPA and Ramsar and the Wash and North Norfolk Coast SAC, paragraph 4.3.2 sets out that "Measures to contain pollutants and avoid them entering the water courses have been set out in the OCEMP (Document ref 6.3 ES vol 2, 6.3.7) in particular Section 4.5. A minimum 5 m buffer will be maintained from all water courses. The hydrological regime has been considered in the OCEMP section 6.11, and water levels are maintained by the Internal Drainage Board."	**Appendix 2.4 oCEMP (APP-077)** provides information regarding the principles and core components of the water quality monitoring that would be undertaken during the construction phase. The CEMP (secured by Requirement 12 of the **Draft DCO (AS-008)**) will further expand upon the oCEMP monitoring, which will, as noted in Section 6.11, also include any construction phase water monitoring requirements from water licences and permits. The CEMP will also include measures to ensure compliance with any water licences and permits limits and reporting requirements. The Applicant considers that the Draft DCO includes adequate provisions to allow the local planning authorities ('LPA's) to enforce against the requirement and ensure agreed measures are adhered

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
		The ExA seeks views from the EA, NE and other IPs as to whether the information provided in the oCEMP in relation to monitoring provides sufficient detail and therefore security to be relied upon to inform the final CEMP.	to. The LPA would be able consult with the EA, NE, etc. at its own discretion during the determination of the requirement should it determine that their input is required.
Cumulative effects			
CU.1.1	Applicant	The applicant states in Chapter 18 of the ES Cumulative Effects (APP-069), even with appropriate mitigation measures in place, the associated inter-cumulative effect in terms of the loss of agricultural BMV land would be moderate (Significant). Can the applicant please explain what further consideration it has given to the cumulative effects of the proposal in relation to BMV and how it has taken into consideration the cumulative effects of the proposed development on those whose agricultural land will be lost?	The cumulative impact assessment undertaken as part of the assessment for **Chapter 14 Soils and Agricultural Land (APP-065),** and **Chapter 18 Cumulative Effects (ASS-069)** assessed the considered developments (listed within Table 14.14) across the Lincolnshire County Council administrative area. From this 2% (11,962.85ha) of all the agricultural land is impacted of which 0.82% is (4,927 ha) BMV land. The majority of the considered developments are solar developments where most of the land take may be considered temporary and reversible, with the permanent land take limited to areas of built development. The inter-cumulative impact is deemed to be moderate and therefore is a significant impact, however, it should be noted that this is a temporary and reversible impact and land will retain its agricultural potential post restoration. This approach to assessing cumulative effects on BMV land is in accordance with the IEMA (2022) A New Perspective on Land and Soil in Environmental Impact Assessment guidance and there was no further consideration on BMV land that is required as part of the cumulative impact assessment. The areas of permanent land take for the Proposed Development totals 29.99 ha across the Solar Array Area, Cable Route Corridor and Bespoke Access Road. This puts it above the 20 ha threshold for a high magnitude of impact. The estimates for the permanent land take are conservative worst case and include the access road at a width that is likely to be reduced, construction compounds that will be removed during the operational phase and access tracks that will be removed during operation or are already in place as part of the existing farm infrastructure. The values also include part of the substation extension area that has already been consented by Heckington Fen (2.4 ha). Accounting for this, only an additional 0.3 ha will be required for Beacon fen's generation bay. The removal of these temporary design elements from the permanent land take values and the reduction in land for the substation extension could see the total land take of BMV land fall below the 20 ha threshold for high magnitude of impact. Impact coming from economic displacement (loss of jobs and income) of landowners affected by land take for the Proposed Development will be Not Significant thanks to a high level of progress with landowners to secure the necessary land interests, and which address any economic displacement (loss of income) as a consequence **(Chapter 15** Socio-economics APP-066). This is a standard process and will protect landowners affected by other developments, therefore cumulative impact on landowners was not considered in the assessment.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
CU.1.2	Applicant	Can the applicant please set out its approach to assessment of cumulative effects on residential receptors, particularly those close or adjacent to the panel array area, namely R1 Group Receptor, R2 Group Receptor, R4 Gashes Barn and R20 Group Receptor?	The approach to the assessment of cumulative landscape and visual effects is described in Section 6.9 of **Chapter 6 Landscape and Visual (APP-057)** and within Section 1.17 of **Appendix 6.2 Landscape and Visual Methodology (APP-084)**. Specifically in relation to cumulative visual effects for residential receptors the assessment has considered the visual influence of relevant cumulative developments at different phases. In relation to the Cable Route Corridor the LVIA has found that a number of residential properties within an area of up to a maximum distance of approximately 500m of the Order Limits would experience short term Significant effects because of relatively close distance views of construction activity. In terms of cumulative visual effects the potential for the combined visual influence of the cable connection works for Heckington Fen and Vicarage Drove Solar Farm in association with the Proposed Development was considered. Whilst there is the potential for short term periods where there may be increased visual prominence overall it was found that this change would be experienced over short time periods and would not, therefore, result in significant cumulative visual effects for these residential receptors. The residential properties adjacent to the Solar Array Area, specifically, in relation to; R1 Group Receptor, R2 Group Receptor, R4 Gashes Barn and R20 Group Receptor were primarily considered in relation to the potential for cumulative visual effects in association with Heckington Fen Solar Park. The respective ZTVs for Heckington Fen (EN010123-000225-6.2.6 - Figure 6.5a Screened Zone of Theoretical Visibility) and the Solar Array Area of the Proposed Development (**Figure 6.2 Screened Zone of Theoretical Visibility with Viewpoints (APP-204)**) illustrates some potential intervisibility. The cumulative visual assessment therefore considered a range of viewpoints, for both the Heckington Fen Solar Park and the Proposed Development, which are located in the area between the respective developments. The Heckington Fen Viewpoints 18 and 21 are located approximately .75-1.4km to the south east and east of Group Receptor R2. These viewpoints most closely represent the visual experience of this residential receptor group and represent the most open views from areas adjacent to the Solar Array Area towards Heckington Fen. The Heckington Fen Visual Assessment (**Appendix 6.9: Detailed Visual Assessment (APP-211)**) has found that significant effects would not be experienced at these viewpoints, in relation to viewpoint 21 which most closely represents views from R2 Group Receptor, visual effects were assessed as Negligible at all phases with No Cumulative effects predicted. This confirms the findings in **Chapter 6 Landscape and Visual (APP-057)** which has found that there will be limited intervisibility between the respective developments and that significant cumulative visual effects will not be experienced by residential receptors adjacent to the Solar Array Area. It has been found that there is no or very limited intervisibility in relation to Group Receptors R1, R4 and R20 because of intervening areas and linear belts of vegetation cover at Howell and in the wider landscape. Residual effects are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277)**. In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.
CU.1.3	Applicant	Can the applicant please clarify what additional mitigation it has considered and why it has been dismissed?	Mitigation in relation to R1 Group Receptor, R2 Group Receptor, R4 Gashes Barn and R20 Group Receptor will include an offset between the properties and proposed energy infrastructure within the Solar Array Area. This offset area will be reinforced by a linear belt of native shrubs with trees to provide aid screening of views from the Solar Array Area. These measures are illustrated in **Figure 1.4 Indicative Site Layout Plan (APP-195)** and **Figure 6.31 Landscape Strategy Plan (APP-233 to 235)**. In relation to R1 and R4 Group Receptors these planting belts will also partially screen views to the south and further reduce the potential for cumulative visual effects to be experienced. Measures relating to the Cable Route Corridor include: restricting the extent of hedgerow removal to a maximum of 30m for any one length and the requirement to reinstate any hedgerows removed as part of works within the Order Limits. These measures are set out in **Appendix 2.4 Outline Construction Environmental Management (APP-077)** and will progressively provide assimilation and screen views towards cable routing works at Bicker Fen Substation for the respective cumulative developments. Additional mitigation in relation to cumulative visual effects further to the measures identified and illustrated in Figure has not been identified because of the limited intervisibility and potential for cumulative visual effects to occur. Residual effects are considered to be outweighed by the public benefits of the Proposed Development, as set out in Section 7 the **Planning Statement (APP-277)**. In summary, urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation and battery storage are a critical part of the UK's strategy to achieve net zero by 2050, a key step towards which is the government's national mission for 'Clean Power by 2030'. The Proposed Development is capable of connecting to the grid before 2030. These benefits are considered to provide a clear and convincing justification and as such, paragraph 5.9.28 of EN-1 is considered to be complied with.
CU.1.4	Applicant	Can the applicant please also confirm how it has assessed the cumulative effects of the proposed development on identified residential receptors, particularly considering those that might be potentially affected by any visual and landscape impacts as well as an additional effect such as noise and/or traffic, during construction and also during operational and decommissioning stages.	With regard to the assessment of cumulative effects of the Proposed Development on identified residential receptors the Applicant refers the ExA to its response to CU.1.3 above, which explains the process in relation to inter cumulative effects. In relation to intra cumulative effects section 6.9 of the **Chapter 6 Landscape and Visual (APP-057)** sets out considerations in relation to Ecology and Glint and Glare. With regard to ecology the LVIA reports that residual ecological effects on the Site area range from Low beneficial to Medium beneficial. Therefore, although a limited number of residential receptors will experience adverse visual effects the beneficial ecological effects would not adversely contribute to this cumulative scenario at any development phase **Chapter 7 Ecology**

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			(APP-058). In relation to Glint and Glare, section 13.9 of **Chapter 13 Glint and Glare (APP-064)** reports that, *"Other intra-cumulative effects would theoretically be possible in an unmitigated design but, assuming the proposed Solar Array Area of the Beacon Fen Energy Park is appropriately screened, and the other environmental effects are also adequately mitigated, there would be little risk of intra-cumulative effects occurring"*reports that, *"Other intra-cumulative effects would theoretically be possible in an unmitigated design but, assuming the proposed Solar Array Area of the Beacon Fen Energy Park is appropriately screened, and the other environmental effects are also adequately mitigated, there would be little risk of intra-cumulative effects occurring"* Noise was considered in association with landscape and visual impacts within Table 18.5 of **Chapter 18 Cumulative Effects (APP-069)**. The Applicant also refers the ExA to its response to CU.1.6 which concludes that, *"The cumulative addition of noise will not change the concluded significance of effect for visual impact reported in Chapter 6 Visual and Landscape (APP-057) or the final determination of significant impacts with secondary mitigation proposed."*
CU.1.5	Applicant	How has the applicant taken into consideration, in relation to need, the impact of other generating facilities located or proposed to be located within the vicinity of the proposed development?	The Applicant refers the ExA to its response to ExQ1 NED.1.5 above, which explains that there is an urgent and sustained need for new large-scale solar schemes to come forward at an unprecedented scale to go towards meeting the national need to reduce net carbon emissions to zero. Yet, the Climate Change Committee stated in their 2025 Progress Report to Parliament, that "solar capacity is judged to be off track" and the need for solar schemes is not satisfied. Therefore, other generating facilities located or proposed to be located within the vicinity of the Proposed Development do not impact on the need for the Proposed Development.
CU.1.6	Applicant	Considering the proximity of some residential units to the proposed development, can the applicant please provide further justification for why it believes that no cumulative effects exists particularly when noise and visual effects are taken into consideration?	**Chapter 4 Scope and Methodology (APP-055)** sets out the methodology for the assessment of intra-cumulative effects. As stated within **Chapter 18 Cumulative Effects (APP-069)**, as there are no specific guidelines on how the assessment of effect interactions should be undertaken, the assessment was undertaken on a qualitative basis using the results of the individual assessments and informed by professional judgement. Residential receptors were identified as a receptor group which could experience intra-cumulative effects, as presented within Tables 18.4 and 18.5. Intra-cumulative effects between Noise and LVIA have also been considered within **Section 10.8 of Chapter 10 Noise and Vibration (APP-061)** During construction and decommissioning, noise effects will be up to Negligible-Minor Adverse and Not Significant, further to the implementation of the **Outline Construction Environmental Management Plan (APP-077)** and **Outline Decommissioning Environmental Management Plan (APP-078)** (secured by Requirements 12 and 18 respectively of the **Draft Development Consent Order (AS-008)**), In accorance with the methodology outlined within Chapter 4, it is not considered that such low effects are likely to contribute to significant intra-cumulative effects. During operation, noise effects will be up to Moderate Adverse and Not Significant. **Chapter 6 Visual and Landscape (APP-057)** concluded that there will be Moderate to Major (Significant) visual effects on residential properties at Year 0 of operation. At Year 15, significant visual effects on residential receptors will be limited to Gashes Barn. The potential intra-cumulative effects on Residential Receptors is considered within **Table 18.5 of Chapter 18 Cumulative Effects (APP-**

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			069), which concludes that, with the proposed mitigation in place, no significant intra-cumulative effects are anticipated. . The magnitude of effects were considered for both the residual noise and visual impacts. It is not considered that the noise effects will be of a sufficient level to result in significant intra-cumulative effects on residential recopters, beyond the significant visual effects already reported within Chapter 6. The impact from noise is below the adopted threshold for Significant Observed Adverse Effect SOAEL during night-time daylight (04:00-07:00), daytime daylight (07:00-22:00), daytime darkness (22:00-23:00) and night-time darkness (23:00-04:00) periods. Whilst there is potential for noise to be perceptible the resultant specific noise from the Proposed Development is not expected to result in impacts to physical and mental health, general wellbeing or effect the quality of life of the persons living at the receptor locations. Embedded mitigation to ensure this includes the implementation of sound reduction equipment on targeted equipment to reduce and minimise sound levels to a minimum along with layout and separation distances. This is secured through Requirements 5 and 14 of the **Draft Development Consent Order (AS-008).**
CU.1.7	Applicant	The applicant is requested to set out how plans and projects were identified for inclusions in the in-combination effects assessment. Reference should be made to (APP-081) and (APP-082) in response. A figure should also be provided showing the locations of these projects.	The following is a summary of the staged approach that is detailed within **Chapter 4 Scope and Methodology (APP-055)** of the ES in relation to the identification and 'scoping in' of the other developments considered within **Chapter 18 Cumulative Effects (APP-069)**. In order to identify the other developments for inclusion within the assessment of inter-cumulative effects, the following four-stage approach was adopted in line with the NSIP guidance on Cumulative Effects Assessment (2024) (and as stated within paragraph 4.6.3 of **Chapter 4**): 1. Establishing the Long List. Utilising feedback provided within **Appendix 1.2 Scoping Opinion (APP-072)** and additional engagement with LCC, NKDC, BBC and South Holland District Council (SHDC), the long list includes other developments within two ZoI. The first ZoI is the county of Lincolnshire for any Nationally Significant Infrastructure Projects (NSIP) that meet the criteria listed within paragraph 4.6.6 of Chapter 4. The second ZoI is up to 5 km from the Site for any other developments that meet the criteria listed within paragraph 4.6.7 of Chapter 4. The long list provided in full within **Appendix 4.1 Cumulative Assessment Long List (APP-081)**. 2. Establishing the Short List. Appendix 4.1 was then reviewed against the criteria listed within paragraph 4.6.9 of Chapter 4 to ensure that the cumulative assessment was proportionate and that only other developments that would be likely to result in significant inter-cumulative effects were considered. The short list, which was confirmed by the HLAs, LCC, NKDC, and BBC (as identified in the consultation tables in section 2 of each of the submitted HLA draft SoCGs (APP-281 to APP-283), and SHDC, is provided in full within **Appendix 4.2 Cumulative Assessment Short List (APP-082)**. The locations of the shortlist schemes are illustrated on **Figure 4.1 Cumulative Development Nationally Significant Infrastructure Projects (APP-201)** and **Figure 4.2 Cumulative Development Local (APP-202)**.

FEXQ1	QUESTION TO:	QUESTION:	APPLICANT RESPONSE:
			3. Information Gathering. Following the establishment of Appendix 4.2, information pertaining to each of the other developments included on the short list was collected to inform the assessments. This included: the proposed design and location; the proposed programme of demolition, construction, operation and (where appropriate) decommissioning; the environmental assessments that set out baseline data and effects arising from 'other development'; and any other information of relevance. 4. Assessment. The details of each environmental aspect's cumulative assessment are discussed within the respective technical chapters (i.e. Chapters 6 to 17 (APP-057 to APP 069)) of the ES and summarised within **Chapter 18 Cumulative Effects (APP-069)**. The assessments are proportionate with regards to the certainty of information available on the other developments. Where significant cumulative effects are only likely to arise in relation to one environmental aspect area, the assessment focuses on that issue, only. Determining the significance of any cumulative effects is based upon the criteria listed within paragraph 4.6.13 of Chapter 4. Overall, it is considered that a proportionate and robust approach has been adopted in terms of identifying and refining the other developments (in agreement the host local authorities) for consideration within the ES. In respect of the request for a plan illustrating the locations of the short list developments considered within the inter-cumulative assessment, as per above, this was provided as part of the ES in the form of **Figure 4.1 Cumulative Development Nationally Significant Infrastructure Projects (APP-201)** and **Figure 4.2 Cumulative Development Local (APP-202).**

Appendix 1: Applicant's Response to Examining Authority's request for further information under Rule 17

Following from the above, the ExA then asks the applicant to please confirm, in light of the above, that its approach is to generate renewable energy via the solar panel array, store it in the proposed BESS, and export it to the grid later when demand is higher?

The Applicant confirms that the Proposed Development would, at times, "generate renewable energy via the solar panel array, store it in the proposed BESS, and export it to the grid later when demand is higher" however for the avoidance of doubt, the Applicant does not consider that this would be the only way the Proposed Development would operate.

The Applicant's response to Action Point 7 arising from ISH1 [REP1-030] describes the need for flexibility in the UK's future energy system as set out in the Clean Power 2030 Action Plan.

The Applicant's response to ExQ1 NED.1.9 reiterates the strong UK policy support in place for flexible assets including those which are co-located with solar schemes. Those points have not been repeated here.

The Applicant's approach is to generate a substantial amount of energy from the Proposed Development. BESS is included as associated development to support the operation of the main solar array and to help to mitigate its impacts.

The Applicant's response to Action Point 7 arising from ISH1 [REP1-030] also states that: "It is therefore very likely that the full capacity of the proposed BESS will regularly be used (i.e. filled with) with energy from the proposed solar array. When, how often and at what times this occurs will depend on many factors including national demand, the weather, and the evolving composition of the future GB generation fleet."

The Proposed Development will operate in different ways (called 'modes') at different times through its operational life. How it will operate at any particular time will depend upon the prevailing operational conditions at the main solar array, of the BESS, of the GB electricity system (including future capacities of wind, solar and other generation technologies) and of the weather. Therefore, any analysis of 'how much' and 'when' the Proposed Development would operate in each of the modes listed below over its lifetime would be heavily reliant on detailed assumptions of market conditions at each point of its operational life and as such there would be a significant range in the possible outcomes of such an analysis.

Operational modes for the Proposed Development include:

1. Energy generated by the main solar PV array will be sent directly to the grid
2. Energy generated by the main solar PV array will be stored in the BESS
3. Energy from the grid will be stored in the BESS

4. Energy stored in the BESS will be exported to the grid
5. The BESS will provide Ancillary Services to NESO which will require a proportion of the BESS capacity (both energy and power) to be dedicated, for a prescribed period of time, to that Ancillary Service. The delivery of this service may result in the flow of energy between the grid and the BESS to meet NESO's requirements

The BESS may be operating in one, more than one, or none of these modes at any one time, subject to:

1. At any moment in time, the Proposed Development will either be importing, or exporting (not both).
2. In either case the flows between the Proposed Development and the grid are not permitted to be larger than 600MW

The operational modes listed here are clearly supported by NPS policy as evidenced in the Applicant's response to ExQ1 NED.1.9, as is policy support for the co-location of storage facilities with solar arrays.