



Fosse Green Energy

EN010154

9.2 Written Summaries of Oral
Submissions

Issue Specific Hearing 1

Planning Act 2008 (as amended)

Regulation Rule 8(1)(k)

The Infrastructure Planning (Examination
Procedure) Rules 2010

20 January 2026

VOLUME

9

Planning Act 2008

The Infrastructure Planning (Examination Procedure)

Rule 2010

Fosse Green Energy Development Consent Order 202[]

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Issue Specific Hearing 1

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Author	Fosse Green Energy Limited

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1. About this document

1.1 Introduction

- 1.1.1 This document summarises the case put by the Applicant, Fosse Green Energy Limited (FGEL), at Issue Specific Hearing 1 (ISH1) on Tuesday 6 January 2026 and Wednesday 7 January 2026 for the Fosse Green Energy project (the Proposed Development).
- 1.1.2 The hearing opened at 2:30pm on 6 January 2026 and took place as a blended event, at County Assembly Rooms, 76 Bailgate, Lincoln LN1 3AR and by virtual means using Microsoft Teams. The hearing was adjourned at 17:01 on 6 January 2026 and re-commenced for a second day opening at 10:00 on Wednesday 7 January 2026. ISH1 closed at 17:10 on Wednesday 7 January 2026. The agenda for the hearing [EV2-001] was published on the Planning Inspectorate's website on 19 December 2025 (the Agenda).
- 1.1.3 This note does not purport to summarise the oral submissions of other Interested Parties (IPs), and summaries of submissions made by other IPs are only included where necessary to give context to the Applicant's submissions.
- 1.1.4 The structure of this note broadly follows the order of the items set out in the Agenda. Numbered agenda items referred to are references to numbered items in the Agenda. It should be noted that although the items addressed at ISH1 followed the Agenda, the order in which these were addressed differed.
- 1.1.5 The Applicant's substantive oral submissions commenced at Item 3 of the Agenda. Therefore, this document does not address Items 1 and 2 of the Agenda, as these were procedural and administrative in nature.

1.2 Attendees on behalf of the Applicant

- 1.2.1 Reuben Taylor KC, instructed by Womble Bond Dickinson (UK) LLP appeared on behalf of Fosse Green Energy Limited, the Applicant.
- 1.2.2 The following individuals also made submissions throughout the hearing:
- Emma Harling-Phillips, Womble Bond Dickinson (UK) LLP (Legal);
 - Si Gillett, Humbeat Limited (Need);
 - Neil Titley, AECOM (Environmental Impact Assessment / Agriculture and Soils);
 - Naomi Kretschmer, AECOM (Site Selection / Alternatives)
 - Ewan Sneddon, AECOM (Design / Battery Safety);
 - Mark Watson, AECOM (Traffic and Transport);
 - Neal Gates, AECOM (Biodiversity Net Gain);
 - Rob Sutton, Cotswold Archaeology (Cultural Heritage / Archaeology).
- 1.2.3 The following members of the Applicant's team were also present:

- Jack Douglas, AECOM
- Lloyd Sandles, Fosse Green Energy Limited;
- Mark Sandles, Fosse Green Energy Limited;
- Helen Heward, Fosse Green Energy Limited;
- Keith McKinney, Fosse Green Energy Limited; and
- Phillippa Collins, Womble Bond Dickinson (UK) LLP.

2. The Applicant's Summary of Case on Agenda Item 3

2.1 Agenda Item 3 – Matters for Discussion

Issue Discussed

Summary of Applicant's Oral Case

Prior to addressing the formal agenda points, the ExA indicated that there were some higher level questions for the Applicant, before addressing the formal agenda points.

ExA: The ExA asked whether the Applicant has had confirmation from NESO that it has a grid connection offer and whether that offer has any implications on the assumptions made (e.g. re the commencement of construction and the rolling out of development).

Si Gillett on behalf of the Applicant

On behalf of the Applicant, Mr Gillett confirmed that they have been in correspondence with NESO and been told that the Proposed Development has achieved a Gate 2 connection for the Solar part of the Proposed Development and a Gate 1 connection for the BESS.

That does not change any of the assumptions made upon which the Proposed Development has been assessed.

ExA: The ExA asked the Applicant to explain what is meant by a Gate 1 connection and a Gate 2 connection.

Si Gillett on behalf of the Applicant

Mr Gillett explained that the Gate 2 connection for the solar element provides for connection within a window of 2031 – 2035, which is consistent with the Proposed Development's Grid Connection offer.

The Gate 1 connection offer for the BESS is effectively a 'parking' position whereby the date of the connection has not yet been confirmed.

ExA: The ExA asked whether there is any indication from NESO as to when confirmation will be received in respect of Gate 1 offers.

Si Gillett on behalf of the Applicant

Mr Gillett explained that, from an industry perspective, that is an on-going process involving a number of different forms of communication. There is no specific date yet confirmed for the Proposed Development regarding the Gate 1 offer for the BESS.

ExA: The ExA asked what the implications would be for the delivery of the Proposed Development if it was consented, but the proposed Navenby Substation did not receive permission and/or was not built.

Si Gillett on behalf of the Applicant

Mr Gillett explained that the Applicant's understanding is that National Grid Electricity Transmission (NGET) is preparing a separate application for the Navenby Substation to be submitted under the Town and Country Planning Act 1990 (TCPA 1990) in early 2026. There is no obvious reason as to why that substation should be refused. On behalf of the Applicant, Mr Gillett explained that the reason that NGET is taking forward the application itself, as opposed to the Applicant including it within the Proposed Development, is because the substation will serve a number of applications for low carbon generation schemes, being brought forward by different parties.

Mr Gillett stated that it is important to note that NGET has a commercial obligation under the Grid Connection Agreement to deliver a grid connection to the Applicant. Additionally, under NGET's Licence (standard licence condition D4A) NGET is required to undertake all reasonable steps to obtain the required consents for its substation.

In terms of the implications, therefore, if the Navenby Substation was not consented, NGET would need to find an alternative point of connection for the Proposed Development under the commercial agreement with the Applicant.

ExA: The ExA asked whether any IPs wished to comment.

Si Gillett on behalf of the Applicant

Comments from IPs included that the Applicant has not discussed the Strategic Plan or the

In response to the question regarding the Applicant's obligations to NESO under the commercial agreement, Mr Gillett explained that the contractual form is that Applicant has asked NGET for a connection. At points in time in the Applicant's commitment to that connection change (increase) so

Regional Plan and queries regarding the other side of the Applicant's commercial agreement with NESO i.e. does the Applicant have an obligation to NESO? There was also a comment regarding the billions of pounds NGET are spending on renewable energy resources that do not have a grid connection.

that costs towards the amount of the connection that that the Applicant has to fund change (also increase), but there is no obligation on the Applicant to deliver the Proposed Development. However, there is no commercial sense for the Applicant to spend money on a Proposed Development that it has no prospect of delivering.

Regarding NGET paying money to renewable generators that are not yet connected, he explained that this is not the Applicant's understanding. There is no payment to applicants that are not connected and not in the system.

ExA: The ExA asked the Applicant to produce a technical note to explain what NESO are doing to manage the process regarding generating stations and battery storage and what the implications are for the Proposed Development.

ISH1 Action Point 1: The Applicant has produced the requested technical note, and this is provided at Appendix A to this written summary

In response to an IP comment regarding NESO moratorium on battery storage.

ExA: The ExA stated that, in terms of a project that is dependent on something else – it is not unheard of, particularly for NSIPs, where there are other elements of infrastructure required which other parties are pursuing consent for.

RTKC on behalf of the Applicant

Reuben Taylor KC, on behalf of the Applicant explained that, as the ExA would be well aware from the suite of National Policy Statements (NPSs), that the policy approach for the situation facing the Applicant in this case, is the same as for example an offshore wind project that does not have a secured onshore connection point. It is commonplace for Nationally Significant Infrastructure Projects (NSIPs), such as offshore wind, to be promoted without a connection, and the guidance in the NPSs that relates to solar projects indicates that the same approach should be applied.

In response to an IP comment that there is no way the application can go forward without the Navenby Substation.

He went on to say that what is being done here is not unusual, but par for the course. The Applicant has set out its position on the Navenby Substation application in its application documents.

2.2 Agenda Item 3.1 – Scale of the Proposed Development and Generating Capacity

Issue Discussed

ExA: The ExA asked the Applicant to give a 10-minute overview of its case for the Proposed Development.

Summary of Applicant's Oral Case

Si Gillett on behalf of the Applicant

Mr Gillett, on behalf of the Applicant, indicated that for the requested summary, it would be helpful to provide context around the UK's need to decarbonise with home-grown affordable low-carbon generation. He explained that he would signpost to relevant policy; including the NPSs and the Clean Power 2030 Action Plan. He went on to outline that he would explain how solar technology fits into the Government's plan to deliver a clean power system, and the risks associated with achieving that plan, and that with his colleague Mr Sneddon, would address the specific scale aspects of the ExA's question. This was stated to be relevant both to agenda point 3.1, and also to the following agenda point, 3.2, on alternatives, and Mr Gillett established that by stating this, he hoped to be able to limit or even eliminate any unnecessary repetition when agenda item 3.1 and 3.2 came up.

Mr Gillett added that Mr Sneddon would then conclude that the parameters of the Proposed Development are appropriate for the location and are appropriate in relation to current guidance where it exists.

Outlining the relevant documents he and Mr Sneddon intended to reference, Mr Gillett listed the Applicant's Planning Statement [AS-098] and Statement of Need [APP-184], NPSs for Energy EN-1 and EN-3 (the November 2023 versions, which were designated in January 2024) and the Government's Clean Power 2030 Action Plan of December 2024. He also stated that they would refer to the newly designated Energy NPSs.

Mr Gillett emphasised that it is imperative that the scale of the Proposed Development is considered within the context of a policy framework that requires a rapid and enduring response to climate change. The world is warming and will continue to warm until carbon emissions are sufficiently reduced. He also noted that international relations have become tensioned, and international supplies of energy have been weaponised. Consumer pockets have paid for this and continue to pay the price. Yet society continues to require secure energy supplies for our communications, transport, industrial processes,

heating, cooling, light, entertainment and comfort. But carbon has a cumulative warming effect, so the need to reduce carbon emissions increases the more carbon is emitted into the atmosphere. He reiterated that time is, and always will be, of the essence in relation to bringing forward low-carbon generation schemes.

Government's response to these three energy challenges of decarbonisation, energy security and affordability, is to require the urgent, unprecedented and continuing delivery of low carbon, secure, low-cost UK generated energy.

Mr Gillett detailed that this will be required not only to ensure that the current electricity demand is met from low carbon supplies, but also so that sufficient energy is produced in the UK such that GB electricity can be used to power a growing number of electric vehicles thereby enabling petrol cars to be taken off our roads, and to power homes so gas boilers and cookers can be removed, and also so that other fossil fuels can be removed as an energy source for industrial processes.

In reference to the application documents, he identified that Section 2.3 of the Planning Statement [AS-098] and Chapter 4 of the Statement of Need [APP-184] set out the Applicant's explanation of the National Policy position (regarding NPS EN-1 and NPS EN-3) in favour of low carbon developments. Rather than repeat the important paragraphs verbatim, Mr Gillett opted to focus on the two key aspects of national policy which support the view that the Proposed Development is needed at the scale proposed. These were quoted as:

- Critical National Priority (Section 4.2 of EN-1, there is a presumption in favour of consent – this is discussed in the Planning Statement [AS-098] at Paragraph ES11 and Section 7.4); and
- Substantial Weight (In 3.2.6 – 3.2.8, of EN-1 Government establishes that there is a need for low carbon generation developments, that the need carries a substantial weight, and that the specific contribution of any individual project needs no separate consideration in examination as that need has been established).

Further, Section 4.2 of the Statement of Need [APP-184] was noted to provide an explanation that the Government's Clean Power aim is to achieve Clean Power by 2030, then keep power clean while demand grows into other sectors.

Section 5.3 of the Statement of Need [APP-184] provides information on the range of future electricity demand which is consistent with decarbonising the UK to meet its legally binding targets. Section 5.4 provides an enumeration of the growth required in low-carbon generation capacity required to meet that growth in demand. Broadly electricity demand is expected to double by 2050, and in order to meet that demand, electricity generation capacity will need to increase by between 3 and 4 fold the current c.110GW installed as of today. The need is substantial.

Mr Gillett observed that Government is driving towards a clean power system. The definition of that clean power system is set out in the Clean Power 2030 Action plan and summarised at 5.4.1 of the Statement of Need [APP-184]. These documents also include the Government's capacity ranges for large-scale solar schemes at two fixed points down the road towards decarbonisation. The capacity ranges are currently 45-47GW of large-scale solar by 2030 and 45-69GW by 2035.

He explained that it is not just a growth in solar technology that is needed to achieve a clean power system and that the Clean Power 2030 Action Plan establishes challenging capacity ranges for wind, nuclear, storage and low-carbon flexible schemes, all of which are required to deliver its clean power system on the way to achieving net zero. For example, the Clean Power 2030 Action Plan specifies a capacity range of 24-29GW of batteries by 2035.

Mr Gillett expressed that there are risks with the development of projects of all technologies and Government acknowledges in its Clean Power 2030 Action Plan that not all technologies may deliver in full, meaning that a degree of optionality must be retained (CP2030, p31); this in turn may require additional capacity of one or more Clean Power technologies, including solar and BESS, over and above that provisionally identified in the current established Clean Power Capacity Ranges. Government has foreseen this by stating that it needs to retain a degree of optionality regarding renewable schemes.

Indeed Mr Gillett quoted that in its 2025 consultation response to Planning for New Energy Infrastructure, the Government confirmed that: “Clean Power 2030 is a milestone that reflects the scale of ambition required to meet our Net Zero 2050 target; it is not a fixed ceiling on technology deployment or project approvals”. The Government does not seek to constrain ambitious deployment of clean energy technologies. Bringing forward many schemes, including large-scale schemes, means that there are options and competition between schemes at later stages of project development, such as contract award.

It is against this landscape of significant, urgent and continuing need that the Applicant is bringing forward the Proposed Development.

Agenda Item 3.1(a) the design of the Proposed Development, with a focus on the amount of land identified for the proposed (1) generating station and (2) associated development, and how that relates to the land area (per acre and per hectare equivalent), solar panel numbers and megawatt outputs referred to in paragraph 2.10.17 of NPS EN-3.

Ewan Sneddon on behalf of the Applicant

On behalf of the Applicant, Mr Sneddon explained that the Proposed Development has been designed as proposed to maximise generation from the available land, and through the contracted grid connection capacity, over its anticipated operational life.

The amount of land identified for the proposed generating station (Work No. 1) is 460ha – excluding onsite substations, BESS or the cable corridor but including Field 46 which is proposed to be removed from the Proposed Development as part of the Change Request [AS-103], which is 7ha, which would reduce the total area of Work No. 1 to 453 ha.

The amount of land identified for the proposed associated development is:

- i. 3.7ha for the centralised BESS (Work No. 2); or
- ii. circa 8ha for the distributed BESS, distributed throughout Work No. 3; and
- iii. the cable corridor – Work No. 5a – currently the full extent of the cable corridor is 384ha to enable micro siting at detailed design. Approximately 60ha of that corridor will be required for the construction of the cable route and 24ha will be required for the permanent wayleave width post construction (subject to detailed routing).

Mr Sneddon referred to two indicative layouts which have been provided at [AS-022] and [AS-023] showing Fixed South Facing (FSF) or Single Axis Tracker (SAT) layouts respectively. The Applicant has sought to retain flexibility in design such that at the detailed design stage, potential future available technologies can be incorporated into the design to deliver benefits to the fullest extent possible within the consented parameters. Taking each indicative layout that was considered in the application in turn:

- i. FSF: 383 MWDC equates to 571,000 modules/ panels. This equates to an acres / MW ratio of 3
- ii. SAT: 317 MWDC equates to 473,000 modules panels. This equates to an acres / MW ratio of 3.6

These ratios are comparable with the ratios set out for guidance in NPS EN-3, Para 2.10.17. He explained that the Applicant has based the design on the relevant technology now, which is constantly improving. At the time of detailed design, it is very likely that the technology will have improved and fewer panels will be required to generate the same electricity as panels become more efficient. However, he reaffirmed that the assessments are based on the technology available today.

The Applicant has provided the anticipated generating capacity of the Proposed Development, but notes that these capacities are indicative and are not proposed as a controlling design parameter for the Proposed Development.

The orientation of panels affects overall load factors and these would be subject to detailed design. However, UK industry experience is that FSF schemes achieve load factors of 10.5% - 11% per annum while SAT load factors are generally 20% higher, at 12.5% - 13% load factor equivalent over the year. That information has been gathered based on modelling done for the Proposed Development based on 13 years of historic weather data. These values are consistent with those sourced from desktop site planning software, e.g. the EU's PVGIS, and also verified with operational data for FSF, 13% indicative for SAT.

Quoting NPS EN-3, Mr Sneddon described overplanting as *"the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator's grid connection"*.

The Applicant has a grid connection for 240MWAC at the proposed Navenby Substation. The indicative overplanting ratios are therefore:

- i. FSF: 1.59 overplanting
- ii. SAT: 1.32 overplanting

Mr Sneddon acknowledged that the ExA also asked for a quantification of the anticipated contribution the Proposed Development would make to meeting the United Kingdom's need for electricity generation.

In response, he set out that in terms of the capacity ranges in relation to solar schemes alone:

- to meet the bottom of the 2030 capacity range, the equivalent of two projects the size of the Proposed Development would need to be switched on each and every month between the end of 2024 and 2030; and
- to meet the bottom of the 2035 capacity range, the equivalent of one project the size of the Proposed Development would need to be switched on each and every month between the end of 2024 and 2035.

Mr Sneddon added that clearly, to meet the top of either capacity range, would require an even faster build out. If any of the Government's current ranges are not achieved for any other technologies, that shortfall may be required to be made up for by technologies which are being successfully deployed and the capacity ranges may be adjusted to encourage this. Therefore, there is an urgent, unprecedented and continuing need for new low carbon generation (including via solar power) both up to and beyond 2030. Although NPS EN-1 Para 3.2.8 states that the separate contribution of each project that comes forward does not need to be considered, each project is incredibly valuable in the fight against climate change.

Echoing the points made by Mr Gillett, Mr Sneddon reiterated that the capacity range for solar for 2030 is 45-47GW from large scale solar. Currently circa 21GW of solar is operational, meaning that in 5

years, some 24-26GW of solar needs to come forwards to operation. The Proposed Development therefore represents approximately 1% of the UK's current pathway of generation needs in 2030.

Post-Hearing Note: The Change Request [AS-103] has since been accepted by the ExA as confirmed in Annex B to Rule 8 Letter [PD-010].

ExA: The ExA asked whether any IPs wished to say anything in response to the Applicant's summary.

Brief note of responses from IPs

North Kesteven District Council (NKDC) – NKDC had not seen the slightly revised figures presented as a result of the proposed changes to the Proposed Development. They sought clarification on the figures given and an exploration of the implications for the Proposed Development consented and built. The calculations are largely based on a chosen solar panel output of 670 watts each which is within a range quoted at 3.3.6 of APP-028. The range given is 400-850 watts per panel which has implications for the estimated total output, because if an 850 watt panel is chosen in line with the Applicant's retained flexibility, that could mean the maximum output if the same number of panels and same area of land was used, would be significantly different. This will also have implications for the overplanting ratios quotes, with regard to which NKDC noted that there were inconsistencies in the application documentation.

Regarding the BESS – one of the queries was that it is mentioned as being a 2 hour BESS, but they were less sure about how the BESS will be used. The majority of documents refer to the BESS only being used to store energy from the panels, it refers to only one way and no reference to infrastructure such as rectifiers, but the climate change statement refers to a two-way BESS that would store energy from the Grid.

All of these uncertainties have implications for the Proposed Development in terms of how much land is used, which land is used and consequences for landscape and visual impact, use of BMV etc.

Applicants are often asked to provide a coherent separate document on these issues which would be very helpful to clarify inconsistencies between documents. Two pieces of information which would be helpful in assessing the need and benefits of the Proposed Development are:

- a. *How much a year is the Proposed Development likely to generate surplus electricity in the sense that it would exceed the grid connection?*
- b. *What might be the estimated total generation over a year in excess of the grid connection?*

This information could inform the decision on the relationship of the Proposed Development with the BESS, how much renewable energy generation can be stored by the BESS and subsequently released to the Grid. It would be helpful to understand the difference between the generation and storage of the SAT and FSF options.

Additionally, due to information given by the Applicant regarding the Gate 1 connection for the BESS, there is uncertainty as to whether or not or when the BESS would be connected. In the Statement of Need [APP-184], one of the justifications given for overplanting is that it allows for co-location of the BESS. That benefit is potentially affected by the certainty of the BESS coming forward and the benefits and disadvantages of the Proposed Development as a whole may be affected by that.

The ExA noted that it would be useful to have a technical note dealing with all these technical issues in one place, so that the Applicant can review what has been said regarding the various technologies in the Application documents. That technical note will potentially evolve during the examination as further information is requested.

ISH1 Action Point 2: Due to the extent of research required to address the various points raised, this “Solar Technology Technical Note” will be submitted at Deadline 2 (6 February 2026). In addition to the points identified for inclusion in this technical note during ISH1, the ExA has indicated that the responses to some of its First Written Questions (ExQ1) should also be provided within the technical note. Therefore, the Applicant considers it appropriate to defer the submission of the “Solar Technology Technical Note” to Deadline 2.

An IP asked for clarification that 360ha is solely for the area for solar panels. The Applicant confirmed that 360ha is the solar array area.

Ewan Sneddon on behalf of the Applicant

Regarding the panel numbers raised by NKDC – Mr Sneddon explained that the Applicant used a 670watt peak module for the numbers presented in the summary and acknowledged that the other sections of the documents do mention a wider range. He continued that If one had an 800watt peak module it would be larger in surface area than a 670watt module, therefore the number of panels one could fit within the area of Work No.1 would reduce. The Applicant is not proposing to secure the number of panels but is instead securing design parameters such as the height and size of arrays, clearance from the ground etc as set out in the Proposed Development Parameters [APP-187].

ExA: The ExA asked that in the technical note, the Applicant run a scenario with panels lower and higher in wattage than the 670watt panel, e.g. 500watts and say 700-800watts, whatever may be available on the market, so that the ExA has a better understanding of what changing one of the parameters does in terms of changing land take. The ExA stated that the assumption is that if you use more powerful panels, then the land take decreases.

Ewan Sneddon on behalf of the Applicant

In response, Mr Sneddon explained that the value that would have to change would be the efficiency percentage of the module. Effectively a 23% module made this size [indicated by hand gestures] would require hundreds of thousands of modules to cover the area. If efficiency suddenly jumps to 28%-30% one would have the potential to see a reduced land intake to produce the same installed capacity from the solar modules. The Applicant is seeking to retain flexibility within the Proposed Development Parameters so that if a more efficient panel were to be developed, it would be able to utilise that for the Proposed Development and then potentially reduce the land take.

ExA: The ExA asked what the typical current efficiency rate is.

Ewan Sneddon on behalf of the Applicant

ExA: The ExA noted an additional point for the technical note (ISH1 Action Point 2) – Panel efficiency - what has happened to efficiency to date, where that is going, what might happen if you use different technology or different constituent components – may not always be silicone - and timescales that might apply to that

Speaking on panel efficiency, Mr Sneddon explained that, for a silicone solar panel, the majority type used for a utility scale scheme, one can get up to around 24% efficiency which effectively means 240watts per square metre of module area. In terms of the historic rate of efficiency increase, over the past 12 years, solar module efficiency has gone from 19% to 24%. For a silicone panel there is an effective limit to how much the efficiency can improve, but there is still a lot of development in the industry which may result in improvements in panel efficiency. The Application has been made on the basis of something that is available and commercially viable for a Proposed Development such as this. It is not appropriate to base such applications on hypotheticals.

– how long before we see significant changes in efficiency?

Additionally, the ExA asked that the Applicant refer to both hectares and acres.

ISH1 Action Point 2: Due to the extent of research required to address the various points raised, this “Solar Technology Technical Note” will be submitted at Deadline 2 (6 February 2026). In addition to the points identified for inclusion in this technical note during ISH1, the ExA has indicated that the responses to some of its First Written Questions (ExQ1) should also be provided within the technical note. Therefore, the Applicant considers it appropriate to defer the submission of the “Solar Technology Technical Note” to Deadline 2.

ExA: The ExA confirmed that it would be including some further questions as part of the ExA's First Written Questions, so that responses can be written. The ExA added that the First Written Questions would specify whether each answer would be best placed in the technical note (ISH1 Action Point 2), or in another form.

The Applicant confirmed that it would respond to these questions in writing and ensure the units and figures were clarified in the technical note.

An IP stated that the contribution to the national renewable energy is only required where there is sufficient capacity gap. If other renewable energy has already filled that, then we're trying to power homes twice. The 2050 target is practically met, and we still have a number of years to get to 2050 with plenty of options coming forward with lots of alternatives.

Ewan Sneddon on behalf of the Applicant

Responding to this IP, Mr Sneddon explained that the document referred to (NESO's publication of the results of its first round of reforming the GB connections queue, available at <https://www.neso.energy/industry-information/connections-reform/connections-reform-results>) was published in December 2025. He elaborated that the Proposed Development is included in those results and therefore is included with the total that NESO has prioritised for connection as part of the Connections Reform process.

[referred to a document published by NESO]

The capacities needed in 2050 will be larger than the capacities prioritised for connection in 2030 or earlier, so also include the Proposed Development's contribution to meeting that need in terms of the solar array that has the Gate 2 offer.

Post-Hearing Note: For clarity, this is consistent with the Applicant's earlier submissions in Agenda Item 3.1.

Post-Hearing Note: The Applicant's response to ISH1 Action Point 1 at Appendix A provides more information on the point raised.

2.3 Agenda Item 3.2 – Alternatives to the Proposed Development

Issue Discussed

The ExA asked the Applicant to give a 10-minute overview of its case concerning the consideration of alternatives to the proposed development, including: (a) how the approach taken aligns with the Environmental Impact Assessment Regulations and the provisions of NPS EN-1 and NPS EN-3.

Summary of Oral Case

Naomi Kretschmer on behalf of the Applicant

Mrs Kretschmer, on behalf of the Applicant, explained that she would provide context around the alternatives considered and provide signposting to relevant policy and legislation; including the Overarching National Policy Statement for Energy (NPS EN-1) and the National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) (both designated in January 2024) as well as the Infrastructure Planning Environmental Impact Assessment Regulations 2017 which she would be referring to as the EIA Regulations.

In terms of the EIA Regulations, Mrs Kretschmer explained that there is no general obligation upon an applicant to consider alternatives to the development proposed; rather Regulation 14(2)(d) requires an Environmental Statement to include “*a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment*”. Thus, where an Applicant examines a reasonable alternative as part of its design process, there is an obligation to describe that alternative in the Environmental Statement.

Mrs Kretschmer explained that, in accordance with this, the Applicant has set out the reasonable alternatives it studied in Chapter 4 Alternatives and Design Evolution of the Environmental Statement (ES) [APP-029] which are relevant to the Proposed Development and its characteristics. She set out that the alternatives studied include alternative sites, overhead lines or underground cables, alternative solar infrastructure technologies and alternative storage arrangements, layouts and cable corridors. Chapter 4 Alternatives and Design Evolution of the ES [APP-029] also considers an alternative layout and alternative point of access put forward at statutory consultation. On behalf of the Applicant, Mrs Kretschmer explained that Chapter 4 Alternatives and Design Evolution of the ES [APP-029] sets out the main reasons for the options chosen, taking into account the effects of the Proposed Development on the environment. This approach therefore fulfils the requirements of the EIA Regulations in terms of describing the reasonable alternatives studied by the Applicant.

Moving on to the National policy statements – starting with EN-1, Mrs Kretschmer referred to paragraph 4.3.9 explaining that, the NPS does not contain a general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. She further referenced paragraph 4.3.9 in stating that there are specific requirements in relation to compulsory acquisition and habitats sites. The consideration of alternatives in relation to compulsory acquisition is addressed in the Statement of Reasons [APP-020].

Further referencing EN-1. Mrs Kretschmer explained that, in relation to habitats, paragraph 5.4.42 states that development should aim to avoid significant harm to biodiversity and geological interests through consideration of reasonable alternatives. She submitted that the Site Selection Report at Annex A of the Planning Statement [AS-098] demonstrates that biodiversity and geological interests comprised criteria used in the assessment of potential alternative sites. Furthermore, Chapter 4 Alternatives and Design Evolution of the Environmental Statement [APP-029] demonstrates how biodiversity and other constraints have been taken into account in determining layout design and refinement of the cable corridors to one preferred option. Paragraph 5.8.36 of EN-1 requires applicants to demonstrate that the sequential test has been applied and satisfied as part of site selection. Mrs Kretschmer explained that the Site Selection Report at Annex A of the Planning Statement [AS-098] demonstrates that the sequential test has been applied and satisfied for the Proposed Development.

Mrs Kretschmer stated that, in terms of the Secretary of State's decision making, the following paragraphs of EN-1 are relevant. Paragraph 4.3.23, which states that the Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development. Paragraph 4.3.24, which states that the Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals. Paragraph 4.3.25 of EN-1 states that "Alternatives not among the main alternatives studied by the applicant (as reflected in the

ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision”.

Mrs Kretschmer acknowledged the newly designated NPSs, but stated that the points she noted remain unchanged.

Turning to NPS EN-3, Mrs Kretschmer explained that this considers alternatives in the context of site selection and design. She specifically referred to section 2.3 of EN-3 which sets out factors influencing site selection and design. More specifically, she noted that paragraph 2.3.5 of EN-3 states that “It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure”. Furthermore, paragraph 2.3.9 of EN-3 states 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 (for example, by giving priority to the re-use of previously developed land for renewable technology developments)”.

Placing this into the context of solar, Mrs Kretschmer explained that in terms of site selection, the relevant paragraphs of EN-3 are 2.10.18 to 2.10.48. These paragraphs cover the factors influencing site selection and design and include matters such as irradiance and site topography, proximity of a site to dwellings and agricultural land classification and land type. The points raised in these paragraphs in EN-3 are considered in paragraph 2.1.3 of the Site Selection Report set out in Annex A of the Planning Statement [AS-098].

Moving onto design, Mrs Kretschmer explained that paragraphs 2.10.59 to 2.10.72 of EN-3 set out matters related to site layout design and appearance. Notably paragraph 2.10.60 comments that applicants will consider several factors when considering the design and layout of sites, including proximity to available grid capacity to accommodate the scale of generation, orientation, topography, previous land-use, and ability to mitigate environmental impacts and flood risk. These factors are considered as appropriate in ‘Appendix A: Assessment Indicators and Evaluation Criteria of the Site Selection Report which is set out in Annex A of the Planning Statement [AS-098].

Finally, Mrs Kretschmer noted that section 2.6 of EN-3 sets out that where flexibility is sought, as is the case with the Proposed Development, applicants should assess the worst case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed. As confirmed in Chapter 5 EIA Methodology of the ES [APP-030], the Rochdale Envelope has been applied and the worst case assessed in terms of the flexibility being sought.

Mrs Kretschmer emphasised that the approach taken to the consideration of alternative aligns with the provisions of EN-1 and EN-3 and then handed over to Mr Taylor to address some points on case law.

Reuben Taylor KC on behalf of the Applicant

Mr Taylor, on behalf of the Applicant, referring to paragraph 4.3.9 of EN-1, explained that, as in any planning case, the relevance, or otherwise, to the decision making process of the existence or alleged existence of alternatives to the Proposed Development is, in the first instance, a matter of law, and the legal position in relation to the circumstances when alternatives may become relevant when determining an application for a DCO.

He went on to note that, more generally the law relating to circumstances when alternatives may become relevant when determining an application for a DCO was considered in R. (on the application of Save Stonehenge World Heritage Site Ltd) v Secretary of State for Transport [2021] EWHC 2161 (Admin). Mr Taylor quoted paragraph 269 of the judgment, in which Holgate J summarised the position as follows:

"...First, land may be developed in any way which is acceptable for planning purposes. The fact that other land exists upon which the development proposed would be yet more acceptable for such purposes would not justify the refusal of planning permission for that proposal. But, secondly, where there are clear planning objections to development upon a particular site then "it may well be relevant and indeed necessary" to consider where there is a more appropriate site elsewhere. "This is particularly so where the development is bound to have significant adverse effects and where the major argument advanced in support of the application is that the need for the development outweighs

the planning disadvantages inherent in it.” Examples of this second situation may include infrastructure projects of national importance. The judge added that even in some cases which have these characteristics, it may not be necessary to consider alternatives if the environmental impact is relatively slight and the objections not especially strong.”

The Court of Appeal approved a similar set of principles in R (Mount Cook Land Limited) v Westminster City Council [2017] PTSR 116 at paragraph 30 in particular [30]. Thus, in the absence of conflict with planning policy and/or other planning harm, the relative advantages of alternative uses on the application site or of the same use on alternative sites are normally irrelevant. In those “exceptional circumstances” where alternatives might be relevant, vague or inchoate schemes, or which have no real possibility of coming about, are either irrelevant, or where relevant, should be given little or no weight. That approach was adopted by the Court of Appeal in R (Jones) v North Warwickshire Borough Council [2001] PLCR 31 at [30].

ExA: The ExA stated that there appeared to be a lack of understanding of the process for securing a grid connection and asked for this to be clarified?

Ewan Sneddon on behalf of the Applicant

Mr Sneddon explained that the Applicant sought a line in and line out connection into the nearby 400kV Overhead Line close to Whisby Hall. However, National Grid informed the Applicant that the point of connection was not available and instead offered a point of connection at the proposed National Grid substation near Navenby. Mr Sneddon noted, for the avoidance of doubt, that this point of connection is to the same existing overhead line as the initial enquiry.

Naomi Kretschmer on behalf of the Applicant

Mrs Kretschmer began by explaining that she would provide some context on site selection and walk through the methodology undertaken. To recap, she noted that land was secured at Morton Manor and Housham Grange by the Applicant and following confirmation of the point of connection, further land was secured to the south of the A46.

Mrs Kretschmer added that the site selection process seeks to verify the location of the Proposed Development by considering whether the site is the most suitable taking into account operational requirements, national and local planning policy and environmental constraints.

She explained that the process for site selection was undertaken by way of the following steps:

- First, the site selection report explains that the area of search was based on the point of connection at the proposed National Grid substation near Navenby. The Applicant considered that 15km from the point of connection was a viable maximum distance for a project of this scale. This took into account cost of the infrastructure and construction and the preference to limit the extent of environmental impacts and disruption which increase as the length of the cable corridor does.
- Secondly, planning and environmental constraints were excluded from initial consideration in order to identify unconstrained land, including areas of BMV land, areas of flood risk, ecological sites and heritage assets etc.
- Thirdly, potential alternative sites were identified on this unconstrained basis.
- Fourthly, potential alternative sites were assessed against the following criteria: Land Use, Grid connection, ecological and geological sites, landscape and visual, cultural heritage, access for construction traffic, flood risk, solar array shading, topography and site size.
- Fifthly, constraints were then introduced to enable consideration of further sites identified against the criteria above. Land availability was also considered in order to examine whether a deliverable site could be assembled, since this reduces or potentially avoids the need for compulsory acquisition powers to be used. The Applicant sought to identify a site in as few land ownerships as possible within the area of search to aid with deliverability of the Proposed Development.

Reuben Taylor KC on behalf of the Applicant

Mr Taylor, on behalf of the Applicant, noted that there had been many comments regarding the site selection process, but none of those comments were placed in the context of the relevance of alternatives either by reference to the full suite of policy documents or in terms of the law. He submitted

that the Applicant has explained how it has applied the full suite of relevant policy documents, and this includes the consideration of brownfield land in preference to greenfield land as set out at paragraphs 4.3.3 to 4.3.7 of the Site Selection Report, Annex A to the Planning Statement [AS-098]. In terms of site size, paragraphs 3.4.2 to 3.4.5 of the same explain the rationale for the chosen site size for the Proposed Development.

In terms of the law, Mr Taylor explained that alternatives are only exceptionally relevant. There are three elements which have to be present for a need to consider alternatives to arise as a matter of law:

- The scheme must give rise to significant impacts – the Applicant does not consider that the degree of impact from its proposals reaches that threshold.
- The scheme must be justified by a reference to need – that is the case with regard to the Proposed Development. He noted that, as Mr Gillett had explained on day 1, the number of solar schemes required to meet the capacity would need schemes the same size as the Proposed Development to come onstream at a rate of two a month between 2024 and 2030 and at a rate of one every month between the end of 2024 and 2035. Therefore, even if there were an additional site which could deliver the same amount of electricity on the same timescale it would be needed in addition to the Proposed Development.
- There must be a clearly defined alternative not a vague or inchoate suggestion – vague assertions relating to unidentified brown field land are insufficient. Mr Taylor noted that aside from Mr Wheeler (an IP), no party had identified any defined alternative to the Proposed Development. In relation to this, he explained that the alternative offered by Mr Wheeler was considered by the Applicant, but that it is not feasible for a variety of reasons, one being that access would be directly onto the strategic road network, and National Highways raised safety concerns (see 4.9.5 and 4.9.6 of ES Chapter 4 [APP-029]). Mr Taylor acknowledged that Mr Wheeler would likely put his points in writing, and stated that the Applicant would respond in more detail at that stage.

- Mr Taylor summarised that the Applicant is content that it has undertaken a process which verifies that there is no preferable site to that proposed in the Application. Further, since the Proposed Development is acceptable in planning terms and does not have significant adverse impacts, as a matter of law, there is no obligation to consider alternatives.

In reference to policy context, Mr Taylor noted that paragraph 4.3.23 of NPS EN-1 states, "*the Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (include energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.*" Even if that is rejected, there is no alternative to the Proposed Development which will deliver the same benefits in the same timescale.

ExA: Turning to LCC and NKDC, with regards to the availability of previously developed land, the ExA asked the quantity of that is compared to the Order Limits of the Proposed Development.

LCC to take away and respond in writing. NKDC asked for clarity in terms of scope, as had previously satisfied themselves that there was not sufficient areas in the vicinity.

Naomi Kretschmer on behalf of the Applicant

Mrs Kretschmer clarified that, as part of site selection, the brownfield registers for North Kesteven District Council, South Kesteven District Council, East Lindsey District Council, West Lindsey District Council and the City of Lincoln were consulted as these councils are located within the area of search. The conclusion was that there were no brownfield sites suitable for the purposes of the Proposed Development.

This is set out in paragraphs 4.3.3 to 4.3.7 of the Site Selection Report, Annex A to the Planning Statement [AS-098].

ExA: The ExA asked the Applicant to provide extracts from the various registers consulted as part of the search, so that the Councils could

ISH1 Action Point 4: The Applicant has produced the requested note, and this is provided at Appendix C to this written summary

review these and potentially add a section to their respective SoCGs that deals with the position on previously developed land and brownfield land. **(ISH1 Action Point 4)**

In response to comments from IPs regarding the potential use of smaller sites.

ISH1 Action Point 5: The response to ISH1 Action Point 5 will be incorporated in the “Solar Technology Technical Note” in response to ISH1 Action Point 2 to be submitted at Deadline 2.

ExA: The ExA asked the Applicant to clarify what the minimum site requirement is, as some of the land shown on the works plans shows cable connections and ecological mitigation, and then the cable corridor shows the maximum extent. **(ISH1 Action Point 5)**

2.4 Agenda Item 3.3 – Effects for Agriculture and Land Use

Issue Discussed

ExA: The ExA asked the Applicant to give a 10-minute summary of its case with respect to the effects for agriculture and other land uses, including: (a) agricultural land classification.

Summary of Oral Case

Neil Titley on behalf of the Applicant

On behalf of the Applicant, Neil Titley explained that the assessment of soils is reported in detail in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] and supported by ES Appendix 12-B Agricultural Land Classification Report [APP-161].

The Applicant explained that the use of Best and Most Versatile (BMV) land, which is Grades 1, 2 and 3a, was carefully considered with regard to the Proposed Development, as set out in Appendix A: Site Selection Report of the Planning Statement [AS-098]. In the Proposed Development's infancy, the Applicant team referred to Natural England's Provisional Agricultural Land Classification (ALC) mapping which showed that land north, east and south of the point of connection near Navenby is expected to be Grade 1 BMV land, and the land west of Navenby is likely to be Grade 3 (not distinguishing between 3a and 3b). This verified the choice of site in terms of BMV land.

Following voluntary option agreements with landowners west of Navenby, soil surveys were carried out across the Principal Site (approximately 1,019ha) using hand-auger bore sampling at a ratio of 1 sample per hectare to a depth of 1.2m, in accordance with MAFF/Defra guidelines and Natural England's Technical Information Note on soil monitoring. The soil survey results are illustrated in Figure 12-5 Agricultural Land Classification for the Principal Site [AS-068].

The soil survey for the Principal Site shows 72.2% of the Site is non-BMV land. There is no Grade 1 or Grade 2 agricultural land within the Principal Site, with the BMV land all being Grade 3a. Grade 3a land therefore makes up 27.8% (c 283ha) of the Principal Site.

Of this Grade 3a land, only 43% is proposed to be under panels. 41% will be Retained Arable / Grassland (c116ha) and therefore has the flexibility to be used for arable farming, while the final 12% is allocated as Managed Arable for Bird Mitigation (34.06ha) and therefore will continue in arable use.

The Applicant has sought to deliver a Proposed Development that minimises impacts on BMV land but has not omitted BMV land altogether. The complete avoidance of BMV land would result in a smaller Proposed Development, which would not maximise the renewable energy generation of the connection agreement or deliver the well-documented, much needed renewable energy for the UK.

The Applicant confirmed that in total, when considering both the BMV and the non-BMV land, a total 489ha (or 48%) of the Principal Site can continue to be used for arable farming during operation (181ha Managed Arable for Bird Mitigation and 308 ha of Retained Arable/Grassland).

The Proposed Development is long-term and reversible; all above ground infrastructure will be removed on completion, including for example tracks, battery storage, and the Onsite Substation. The Cable Corridor will be available for arable farming immediately after reinstatement, meaning only a small area of the Cable Corridor – approximately 30-40m working width – is affected for, at worst one, growing season. The overall effect is considered minor adverse and not significant.

ExA: The ExA asked the Applicant to give a 10-minute summary of its case with respect to the effects for agriculture and other land uses, including: (b) effects on farming activities.

Neil Titley on behalf of the Applicant

On behalf of the Applicant, Neil Titley confirmed that in terms of effects on farming activities, paragraph 12.7.52 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016] explains that it has been confirmed by all landowners that no job losses are expected as a result of the change of land use to a solar farm. Furthermore, the Applicant said that landowners have indicated that when the rent revenues from the solar farm start, there will be additional jobs created on their other land holdings, as they diversify their land further with the underlying financial stability of the rental income. This matches a survey of farmers by Solar Energy UK in its Farming Sustainably Report (Solar Energy UK, March 2025).

The Applicant's intent is to also introduce sheep grazing within the solar PV array areas to manage the grass under panels, which would allow some form of farming activity to continue onsite. The design of the PV array (with the base of the panels being a minimum 0.8m above ground level) allows for grazing as an agricultural solution for vegetation management under panels.

The ExA will ask the Applicant to give a 10-minute summary of its case with respect to the effects for agriculture and other land uses, including: (c) the consideration given to the use of non-farming land.

The ExA confirmed that this agenda item had already been covered above.

ExA: The ExA asked the Applicant to give a 10-minute summary of its case with respect to the effects for agriculture and other land uses, including: (d) the consideration given to effects for food production.

Neil Titley on behalf of the Applicant

Neil Titley, on behalf of the Applicant noted that in respect of effects on food production, the key document on UK food security is the Defra UK Food Security Report 2024. The 2024 Report considers the Government's aspirations for Net Zero, of which ground based solar is a key part, and concludes that food production levels can be maintained or even moderately increased alongside the land use change required to meet our Net Zero targets and commitments.

The Applicant confirmed that Paragraph 12.7.43 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016] notes the Principal Site constitutes 0.09% of the total farmland in the East Midlands and is therefore unlikely to result in an impact on food production. It is estimated in Section 12.10 Cumulative Assessment of this same chapter that all the currently proposed solar NSIPs in Lincolnshire, together with the Proposed Development, account for an estimated 1.4% of the BMV land in Lincolnshire. All these developments are reversible, except perhaps for relatively small areas used for habitat creation.

To reach the Government target of 90GW of solar by 2050, Solar Energy UK estimates we will require 1% of the UK's 9 million hectares utilised agricultural area.

The Applicant summarised that given the aforementioned context, the effect on UK food production is considered to be negligible.

ExA: The ExA asked the Applicant to give a 10-minute summary of its case with respect to the effects for agriculture and other land uses, including: (e) the approach to soil management and restoration.

Neil Titley on behalf of the Applicant

Neil Titley on behalf of the Applicant addressed the approach to soil management and restoration. The Application included many soil management principles to protect the soil quality. The Framework Soil

Management Plan (SMP) [AS-100] is the key document in this respect and sits alongside the Framework Construction Environmental Management Plan (CEMP), Framework Operational Environmental Management Plan (OEMP), and Framework Decommissioning Environmental Management Plan (DEMP) [APP-189, APP-190, and APP-191].

The Applicant referred the ExA to Section 5 of the Framework SMP [AS-100] which deals with soil management during construction and includes commitments such as (at paragraph 5.7.1) soils being handled in accordance best practice with the methods outlined in Defra guidance (The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites) and the Institute of Quarrying's 'Guide to Soil Handling in Mineral Workings' Supplementary Note 4.

Furthermore, a detailed Soil Management Plan will be developed post consent during detailed design, working alongside the host authorities. Requirement 15 of the draft DCO [APP-016] has been updated to include Natural England as a named consultee, and as such Natural England will now also have the opportunity to feed into the detailed SMP.

The Applicant noted that additional reassurance is provided via the Framework CEMP which includes a commitment to return the soil to its current ALC, and the mitigation measures in the Framework SMP are drafted with this in mind. The Applicant confirmed that the soil will therefore be handed back to landowners in its current state or better following removal of infrastructure, and as such the effect on soil quality following restoration is considered to be negligible.

In response to comment from NKDC regarding discrepancy in the figures between the ALC Survey Report and Chapter 12 of the ES, what land within the order limits would be available for grassland and arable, the difference in the level of impact on BMV identified by the Applicant and Natural England (i.e. assigned high impact by Natural England compared to medium impact by the Applicant), and whether

Neil Titley on behalf of the Applicant

The Applicant acknowledged that there is a discrepancy in the area of BMV land reported within Appendix 12-B: ALC Survey Report [APP-161] and Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. The Applicant confirmed that full clarity will be provided in the Applicant's responses to Relevant Representations. It should be noted that, as detailed within the disclaimer included in Appendix 12-B: ALC Survey Report [APP-161], this report was produced in October 2024, based on a previous version of the Site boundary, and therefore figures may illustrate a Site boundary that differs to the Order Limits for which consent is being sought.

the Applicant's intention to restore the land is realistic.

ExA: The ExA asked the Applicant to provide clarity regarding the discrepancy in the figures between the Report and the ES chapter, and explain the reasoning for the different classification. Additionally, the ExA asked how the Applicant would maintain the soils.

The area of BMV land reported (and subsequently assessed) in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (i.e. 282.9ha) is correct, and as such the discrepancy does not affect the findings and conclusions of the report or the Environmental Statement chapters that rely on it. For the avoidance of doubt, it is the area of BMV reported in the ES chapters that is correct.

The Applicant addresses areas of land within the Order Limits which is not proposed to be used for panels, the Applicant confirmed that the Proposed Development has a combination of areas not only for solar infrastructure, but also for bird mitigation which arose as a requirement following the ecological surveys in order to mitigate adverse effects on birds. There is 181 hectares of managed arable for bird mitigation within the Order Limits and there's an additional amount for bird mitigation in grassland. Cumulatively, there is a substantial amount of land within the Order Limits which will be managed for bird mitigation, part of it arable, part of it as grassland. The Applicant said there are also areas described as retained arable / grassland which provides a degree of flexibility so that the land may be used as arable or grassland. The Applicant confirmed that the future use of this land will be discussed with landowners / farmers at the time and that flexibility is retained as these areas would be used for works such as buried cables. Although it may not be apparent from the layout drawings, as these tend to show the above ground infrastructure, this land is required for buried cabling to link up areas.

In response to comments from IPs about the IEMA guidance in terms of the classification of grade 3a land as medium sensitivity rather than high sensitivity.

In response to comments from IPs about the decommissioning point, and how the Applicant would go about actually managing the soils, especially under the BESS. Has the Applicant

Neil Titley on behalf of the Applicant

In respect of Natural England's point in the relevant representations, the Applicant specified that this reference was to the guidance written by IEMA, the Institute of Environmental Management and Assessment. IEMA is now ISEP, Institute of Sustainability and Environmental Professionals. Natural England has noted that the Applicant has deviated slightly from this guidance. The Applicant's approach is to align with the methodology in ES Chapter 5: EIA Methodology [APP-030], which doesn't have a category for very high sensitivity. Sometimes having a very high sensitivity category can skew the effects in that, if the IEMA guidance is taken literally, for example having an area of Grade 2 soil perhaps 1 metre squared which is disturbed for a few minutes, it would result in a significant effect,

got any examples or any evidence that it can draw on to substantiate what it said about that?

which may be excessive given the small scale and duration of the effect. Therefore, the Applicant modified this in the Environmental Statement to align with the general EIA methodology.

The Applicant has considered Natural England's comments and understands that Natural England was referring to the area we call 'permanent loss', which the Applicant has identified as an area of 1.5 hectares of best and most versatile land. This is areas for planting, including the community orchard, which is of course a form of agricultural use. It also includes hedges and trees which are planted, though could, in theory, still be removed by the landowners following the decommissioning of the Proposed Development. As this planting may not be removed by the Applicant during the lifetime of the Proposed Development, we have deemed it a permanent loss. However, as this does not result from solar infrastructure, but instead arises from planting, the ES concluded it is a minor adverse effect on soils. The Applicant put forward that if they applied the IEMA guidance, it would still be classed as a minor adverse effect, with the Grade 3a BMV land being a high sensitivity and the magnitude of change being minor, resulting in an effect that is 'Slight or Moderate'. The threshold in the guidance for a minor magnitude of change is a 5ha loss, and with the permanent loss being only 1.5ha, more than three times below the 5ha threshold, we would consider 'Slight' to be the appropriate level of effect rather than 'Moderate', which in the Applicant's defined terms used in the EIA corresponds with a minor adverse effect.

The Applicant noted that in terms of the general BMV land underneath the panels, the general approach in the solar industry is slightly different to the IEMA guidance, which IEMA designed as a catch all guidance document for all developments. The approach, which has been acceptable to the respective Examining Authority's on Tillbridge, Cottam and West Burton, is that since the soil is still there, is not displaced, and nor is it damaged, it should be assessed differently. There is precedent from the aforementioned DCOs, where soils have been assessed as very high sensitivity (Grade 1 or 2 BMV), but with a negligible magnitude of impact (for the reasons mentioned), that the conclusion is a minor adverse effect in the ES Chapter. Although there may be some short term damage from compaction, which the Applicant will address in relation to monitoring and restoration, this is not an effect in the same way as there would be if it were a building. The Applicant will provide a detailed response in the responses to relevant representations and written questions.

The Applicant then addressed the restoration back to the same soil quality. The Applicant confirmed that there is a commitment to this in the Framework CEMP. There has been research carried out in recent years for a number of solar farms across the UK, looking at whether soil quality improves or is affected negatively by solar farms, which has identified that there can be compaction following construction, and also repowering decommissioning. The key to mitigating this is following good industry practice in terms of soil handling management, and the Applicant has included good industry practices in the Framework CEMP and the Framework SMP.

The Applicant confirmed that they were able to review any further comments on the points raised above in writing. Where applicable, the Applicant will consider if the points should be added to the Framework SMP.

The ExA asked the Applicant if it wished to respond to a number of comments made by IPs including:

- *why BMV land could not be entirely avoided*
- *whether the proposal for using sheep for grazing under panels is realistic*
- *the prospect of restoring the land soil quality*

Neil Titley on behalf of the Applicant

The Applicant addressed the reasoning for being unable to entirely avoid BMV land and referred the ExA to the Environmental Constraints Figure [APP-044] which is an illustration of the various other constraints from different environmental aspects. The Applicant has sought a balance in achieving the 240 megawatt connection whilst considering other issues such as flood risk, the heritage impacts which were discussed earlier, landscape and visual, and the need for bird mitigation land, which can only be delivered on fields which meet certain sizing specifications. The Applicant confirmed that, as previously noted, some BMV land within the Order Limits will be used in order to strike a balance.

In terms of grazing under panels, whether that would be feasible, and where the grazers would come from, the Applicant confirmed it intends to use grazing to manage vegetation under panels, but is unable to commit to it at this point as it is too early to sign contracts with graziers. There are companies now, in the UK, that match graziers with solar farms. It is a niche on its own and different to sheep farming, where the aim is to make a profit from perhaps the wool, milk or meat. The sheep farming in this respect has a sole grazing purpose, so the comparison would be against the cost of mechanical grass cutting. To retain flexibility, the design of the Proposed Development therefore facilitates sheep grazing under the solar PV array, with the panels being a minimum 0.8m above ground level.

The Applicant addressed a comment concerning concrete piles being used. The Applicant noted a preference to pile or ram the metal structures that the solar panels sit on straight into the ground. The concrete bases or feet tend to be used for solar projects where there is buried archaeology and a county archaeologist has requested a different approach to piling to protect local archaeology. There are alternatives to this, for example just building less solar to avoid buried archaeology. There are plenty of examples in the UK where solar farms have some shorter rows of panels or avoid isolated areas to protect archaeology.

In terms of tourism effects, the Applicant referred to details that are located in Chapter 12: Socio-Economics and Land Use of the ES [AS-016].

The Applicant addressed a question concerning greenhouse gas emissions and the calculations presented in Chapter 6: Climate Change [APP-131]. The Applicant said that the calculations take into account change of use from arable to grassland, as well as incorporating the upstream emissions (manufacturing, embedded carbon along with transportation).

If there is a national food security issue and we need to revert to farming, in a worst case situation where the UK needs to revert quickly to farming for emergency reasons, the solar panels can be decommissioned relatively quickly so that in this situation the land can be returned to agricultural use within a few months and the land is available for seeding in the next available growing season.

With regards to the restoration of the soil quality and the studies referred to earlier, the Applicant said that there have been a number of studies which relate to the early round of solar farms in the UK that have been operational for a number of years and were constructed in the early 2000s and 2010s. The Applicant said that the studies consider panels that are more densely packed, creating more of a shadow, and are built closer to the ground, and are therefore not a like-for-like with the Proposed Development. The Welsh Government, along with ADAS, reported on this in 2023 and there was a report looking at 32 solar farms in 2025 by Lancaster University working with the University of York, UK Centre for Ecology & Hydrology, and Lancaster University. The Applicant said these reports identify some issues with compaction due to construction in wet weather and without proper soil management controls, however the Proposed Development's SMP seeks to avoid this, and contains appropriate

controls to mitigate these impacts. Overall, the studies conclude that solar farms can be designed and managed to deliver positive soil outcomes.

In response to a comment about underground infrastructure, the Applicant previously addressed that all infrastructure above ground would be removed after completion of the Proposed Development's lifetime. The Applicant explained that for the underground structures where concrete is used - for example at locations such as the substation - it would be cut below ground and removed in a manner that allows agricultural, arable farming to continue and it won't inhibit seeding and ploughing the land. With regards to buried cables, the application allows the flexibility for this to be removed or left in situ after completion of the Proposed Development, depending on the councils' preferences and legislation or guidance at the time. Presently, the Applicant understands that developers tend to remove cabling where it does not cause significant damage because of a preference not to leave infrastructure and due to the cabling having an economic, recycling value.

2.5 Agenda Item 3.4 – Effects for Cultural Heritage and Archaeology

Issue Discussed

ExA: The ExA asked the Applicant to give a 10-minute overview of its case with respect to the effects for cultural heritage and archaeology including (a) the methodology and evidence used in the assessment of effects on heritage assets and their setting, including the chosen study area and the approach to considering group value and non-designated heritage assets.

Summary of Applicant's Oral Case

Rob Sutton on behalf of the Applicant

The Applicant addressed part A of the agenda item, by saying that the methodological approach to assessing the impacts of the Proposed Development on heritage assets is summarised in the Environmental Statement (ES) Chapter 12 [APP-037] at section 7.4 and in greater detail, within each of the technical appendices supporting that chapter. For instance, the matter of the adopted study areas is explained at paragraphs at 7.4.3 to 7.4.7.

On the matter of the study areas, and it is plural, the Applicant confirmed that they vary in size and purpose, with an area based on experience and professional judgment used to capture data on known buried archaeological sites (data from the HER – extending several kms beyond the boundary of the Site).

The study areas for the setting assessment seek to identify heritage assets (designated or not) within 1km of the Site; which was then extended to 3km for all designated heritage assets; extended again to 5km for the designated heritage assets of the highest significance; and even then again to include particularly iconic assets (those referenced by stakeholders during scoping for instance) such as Lincoln Cathedral at nearly 10km away. The Applicant said this was initiated as a desk-based exercise but then checked with extensive site visits.

Further to this point, the Applicant confirmed the approach taken to understanding the setting of heritage assets is explored in detail within ES Appendix 7-D Detailed Heritage Asset Setting Assessment [APP-127], section 2 of this document re methodology, which notes the adherence of the assessment to industry guidance documents such as GPA3 often known as 'the setting of heritage assets' (Historic England Guidance). The Applicant summarised that this comprises (following the identification of proximate assets just noted):

- An understanding of the assets' heritage significance and experience of this (or these) significances (which includes 'views of', but is not solely concerned with views);
- An understanding of the role the site plays in these significances: i.e. possessing characteristics that form part of the story / significance of the assets and / or as location from where the heritage asset is directly experienced or a location that is experienced alongside the asset from a third point in the landscape);
- An assessment of the change that the development could have on that heritage significance or the experience.

The Applicant noted the point raised about group value, amongst the suite of cultural heritage interests, when considering associated or proximate assets, group value can often be a key consideration, especially for Conservation Areas, or farmstead complexes. And of course, these assessments do not focus on solely designated heritage assets such as listed buildings, but also non-designated assets, such as the aforementioned historic farmstead complexes.

ExA: The ExA asked the Applicant to give a 10-minute overview of its case with respect to the effects for cultural heritage and archaeology including (b) the approach to archaeological investigations, including advising on the latest position with respect to the undertaking of investigations, the timing of any further investigations and whether there is sufficient information available to have confidence that significance is sufficiently understood.

Rob Sutton on behalf of the Applicant

In respect of part B of this agenda item, the Applicant noted it's approach to archaeological investigations.

The completed assessment work comprises a suite of different techniques, from the desk-based research as reported in Appendix 7-B of the ES [APP-125]; the detailed air photo and lidar (light detection and ranging technique used to identify buried archaeological remains) mapping work reported in Appendix 7-F [APP-129]; the geophysical survey reported in Appendix 7-G [APP-130]; and the trial trenching / evaluation reported (in interim) at Appendix 7-I [APP-132]. The strategy, extent and scope, and specific technical details of the assessment adopted across these works has been agreed by Historic England (HE) and Lincolnshire County Council (LCC) at all stages; as can be seen in the most recent Written Scheme of Investigation (WSI) for the trial trenching / evaluation which was undertaken in autumn 2025 [APP-131] was approved by both HE and LCC. HE and LCC have been engaged in discussions with the on-going work, with LCC and HE attending site visits during this trial trenching work. A meeting on the subject of the completed trial trenching work was held in the first week of January 2026, where the positive and collaborative working between all parties continued.

At present, there are two working / draft documents that are not in front of the ExA which are:

- The 'final trial trenching report', which will supersede the Interim Trenching Report [APP-132]. This final report was issued to LCC and HE for comment in early December 2025 (following completion of site work in the autumn) and this matter was discussed in a meeting between the Applicant and both parties on the 5 January 2026, with all parties working on a timely return of comments to allow for an intended submission of the report to the Examination in late January 2026 (at Deadline 1).
- A refined / updated (final) Framework WSI, which will supersede the Draft Framework WSI [AS-001]. This updated version was issued to LCC and HE for comment on 5 January 2026. It is hoped, with a timely return of comments from LCC and HE, that this could be submitted to the Examination in early February 2026 (at Deadline 2).

In terms of the provision of sufficient information, all further archaeological work (as set out in the Framework WSI) is proposed to be undertaken as a Requirement of any consent granted, with no further investigations required in order to have sufficient information to inform the decision. This statement can be made, because, in short, the most recent element of this iterative and complementary suite of investigations (the most recent being the trial trenching) focused in on those areas of greatest archaeological potential / interest (as revealed by earlier investigation, geophysical for example) and, of those discovered remains, their archaeological interest has been appropriately characterised and understood and that through the detailed design process, the suite of mitigation measures available will ensure impacts can be avoided or mitigated. Therefore, future (post-Consent) work will seek to target further trial trenching of potential locations for infrastructure where construction impacts are material such as the cable trench, temporary compounds or ecological mitigation requirements (swales etc...). The work completed to date and the proposed stages of further investigations (as set out in the Framework WSI) accord with current and emerging best practice regarding solar farms and archaeology; and for instance is being successfully adopted on the

consented Mallard Pass scheme. The Applicant understands that HE and LCC are in agreement on this matter.

ExA: The ExA asked the Applicant to give a 10-minute overview of its case with respect to the effects for cultural heritage and archaeology including (c) the proposed embedded mitigation.

With regards to mitigation, the mitigation measures for buried archaeological remains are preservation in situ via the detailed design process and / or archaeological excavations in advance of construction. Micro siting in particular is referred to as a form of mitigation in the NPS (EN-3). The Applicant signposted the draft Framework WSI [AS-001] which sets out this proposed approach.

The Applicant explained that the second part of the 'mitigation' referring to parts embedded within the design, can be noted by the absence of any significant adverse impacts on the setting of heritage assets (such as Grange Cottage). The design has also (already) sought to avoid extensive and important buried archaeological sites discovered during the geophysical survey (excluded from the Proposed Development or solar PV areas).

ExA: Do IPs wish to say anything in response to the Applicant's summary?

Brief note of responses from IPs

North Kesteven District Council (NKDC) – set out early that it was felt that scoping was insufficient and there are potentially effects on heritage assets that had not been sufficiently well considered. However, NKDC noted that, for the most part, the effects on assets that have been included within the assessment have been sufficiently well considered. NKDC has concerns that there is more work to do on specific built heritage assets. The areas of concern will be addressed in detail in the Local Impact Report.

Lincolnshire County Council (LCC) – LCC largely echoed NKDC's view and additionally commented on farmsteads. Farmsteads form a coherent part of the rural heritage across this landscape and, following the Examinations of Springwell and Beacon Fen, the use of a group value assessment has become an established approach. Therefore, LCC requested that this assessment work be carried out. The preference is to avoid the tiered approach to a study area and to utilise a single distance. LCC explained that sufficient field evaluation is an essential part of effective project management since unevaluated areas of unknown archaeological potential leave a high degree of risk to construction project management and budget. At this outline stage, LCC noted that there is missing detail on the

potential intensive ground impacts, including things like drainage, landscape planting, ecology engineering measures and decommissioning proposals. Regarding the adequacy of the proposed embedded mitigation, LCC noted they required further field investigation to be able to develop specific embedded mitigation. LCC remains confident that agreement can be reached with the Applicant and will continue to seek commitment through the process (the Requirements) of an archaeology management plan and an archaeological scheme of works for the lifetime of the Proposed Development, including the decommissioning phase. LCC are waiting for the Applicant to provide site specific information to give the baseline information required, noting that this will materialise post-Consent. The Applicant and LCC are seeking to agree a reasonable agreed level of evaluation to understand the archaeological potential across the Order Limits, not just during construction but also during decommissioning.

Historic England – in terms of the sufficiency of the investigation, Historic England confirmed that they are content that, as described by Mr Sutton, works to date are sufficient to get us to the point of determination of the Application, because there is a framework within which further investigation can inform refinement of the Proposed Development design, and micro siting as appropriate. On matters of setting, Historic England have had ongoing dialogue with the Applicant but aren't requesting further assessment. Discussions to date are set out in the Statement of Common Ground (SoCG). In summary, Historic England have an ongoing positive dialogue with LCC and the Applicant around the results of the fieldwork that has been undertaken to date and the Framework WSI for works post-consent and are confident that the process will allow an appropriate approach which can be done through the detailed design phase.

Applicant responses to IPs comments

Reuben Taylor KC on behalf of the Applicant

The Applicant noted that discussions are progressing well with the IPs. The Applicant understands that the local authorities are going to set out details in their respective Local Impact Reports (LIRs).

Rob Sutton on behalf of the Applicant

Furthermore, the Applicant noted that there are obviously some differences in opinion around the relative weight of some of the component parts of the significance of heritage assets but as stated, the Applicant will respond in their written responses to the LIRs.

Comment from an IP as to how the public is to know what has been found, where it is stored, and have confidence that the framework is going to be adequate. How does the public know that the significance is taken into account as part of the planning process.

Rob Sutton on behalf of the Applicant

On behalf of the Applicant, Rob Sutton confirmed that the archaeological work, including that in the recent phase of trial trenching was carried out by Cotswold Archaeology, a Registered Organisation with the Chartered Institute for Archaeologists (i.e. industry quality assured) and a Registered Charity whose sole objective is to communicate the findings of archaeological work with the public. The documents which are currently being finalised will include reference to all findings, with a summary for the non-specialist.

The Applicant identified opportunities for further works, as Requirements of the Consented Development which will allow for opportunities for community engagement, a standard practice within the industry.

The Interim Trial Trenching Report [APP-132] includes an assessment of the significance of the findings to date. The Final Trial Trenching Report will include further narrative and discussion on the significance of those discoveries and will be available both to the public and the Examining Authority.

ExA: The ExA asked, with respect to the effects on buried archaeology, if the Applicant could give any examples of a scheme that has been submitted for approval where there has been a design response ready to address above or below ground archaeology.

Rob Sutton on behalf of the Applicant

The Applicant confirmed affirmatively and explained that, for example this is shown in the way in which the solar panels have been located in and around some of the key assets such as at Aubourn, and indeed Mr Allen (HE) referred to those. The Applicant has identified areas of archaeological remains discovered during the geophysical survey, as noted previously, that lie outside the development areas. As part of the evolving design of the Proposed Development, these areas were set aside to avoid impact.

The draft Framework WSI and the final version (currently in draft) includes provisions to ensure that any discovered buried archaeological remains that will be subject to preservation in situ, are adequately protected during construction (and operations). If useful, the Applicant can provide examples of where micro siting has taken place on other schemes too, where buried archaeological remains have been discovered during post-consent / during construction which would demonstrate the successful adoption of standard practice. There will likely be more examples under the Town and Country Planning Act 1990 regime, but hopefully NSIP developments too.

ExA: The ExA noted that it would be helpful to see examples of where micro siting has taken place and if in relation to the Proposed Development the Applicant could provide some signposting of where this has been addressed for anything as a result of archaeological findings.

Rob Sutton on behalf of the Applicant

There are examples of this already and this is exactly what the Framework WSI is intended to do, as we will be discussing with LCC and HE.

Action Point 3 – Applicant to provide a note signposting:

- a) **Where in the Proposed Development there have been active design responses to address setting issues or buried archaeology; and**
- b) **Other schemes where there have been successful examples of post-consent micro siting to allow for preservation in situ of discovered archaeological remains.**

ISH1 Action Point 3: The Applicant has produced the requested note, and this is provided at Appendix B to this written summary

ExA: In regard to the anticipated effects of decommissioning on buried archaeological remains, the ExA asked for further detail to be provided on the likely methods to be adopted, for instance, the extraction of piles.

Rob Sutton on behalf of the Applicant

On behalf of the Applicant, Rob Sutton noted that this is unknown and the same response will have been provided at other DCO Hearings and during all applications for solar farms. This is an ongoing matter that is being looked into by the 'solar industry', in partnership with the archaeology industry, therefore, at this time the Applicant does not have the requested information. However, the Applicant confirmed that they are working on a realistic worst-case scenario which is that the removal of a pile (footing) for one of the solar panels could disturb a greater area during the removal than that which was disturbed during the insertion.

This is already set out in the ES and is discussed in the framework WSI, but if the Applicant work on the approach that there is a small, tiny displacement of material on insertion, this could potentially be greater on removal as a result of, to use a non-technical term, 'wiggling out'.

Brief note of responses from LCC and HE

LCC – LCC concurred with the Applicant that this is an unknown at this point, but will need to be dealt with at a later stage. There is also the issue of reverting the land to its previous use, as LCC have observed on another scheme which proposed 'ripping' to counter compaction which has occurred during the lifetime of the scheme – ripping can lead to quite serious destruction of buried archaeological remains.

HE – these questions would be common across all large-scale solar schemes and HE is of the opinion that these issues have been well scoped and addressed in a proportionate manner for the Proposed Development.

ExA: The ExA asked if the Applicant wanted to add anything.

Rob Sutton on behalf of the Applicant

In respect of decommissioning, the Applicant noted that the matters raised have been picked up and addressed to the greatest extent possible with the available information. There is a need to recognise that in 60 years' time, there may be new solutions that are not yet developed which provide more adequate protection (to buried archaeological remains) than those which are currently available.

Additionally, buried archaeological remains on site are being actively destroyed by ploughing. The removal of this activity (the cessation of ploughing) is therefore a benefit.

Comment from IP that the removal of ploughing is not a benefit as this is much shallower in the present day compared to historically.

Rob Sutton on behalf of the Applicant

The Applicant responded that, as a result of recent trial trenching works, recent plough damage has been found on specific items. The Applicant noted these findings were localised. The final Trial

Trenching Report includes further details on this matter. While the Applicant notes a general trend towards shallower ploughing, and notes that in some cases (within the site) recent intention may not have been to deep plough, this has occurred nonetheless. Thus it remains that the greatest threat to buried archaeological remains is through ploughing and cultivation (this is an industry wide accepted position, and one held by Historic England). The Applicant has evidenced this within the site and elsewhere that ongoing ploughing over recent seasons has resulted in damage to, or the complete loss of, buried archaeological remains.

2.6 Agenda Item 3.5 – Effects for Traffic and Transport

Issue Discussed

The ExA asked the Applicant to give a 10-minute summary of its case with respect to traffic and transport, including: (a) the approach to the transport assessment (b) predicted traffic generation (construction and operational) (c) construction impacts for the strategic and local road networks and public rights of way and proposed mitigation measures and (d) the potential for cumulative effects

Summary of Oral Case

Mark Watson on behalf of the Applicant

Mr Watson explained that the approach to the transport assessment for the Proposed Development was undertaken in consultation with key stakeholders, including Lincolnshire County Council (LCC), National Highways (NH) and North Kesteven District Council (NKDC). Key stakeholders involvement from the start meant that the Applicant has incorporated and responded to stakeholders' inputs throughout. The approach and suite of documents produced is consistent with the approach taken on other DCOs.

The approach was as follows:

- An Environmental Impact Assessment (EIA) scoping exercise was undertaken in June 2023
- Transport scoping was then undertaken with LCC, NH and NKDC in December 2023
- The Traffic and Transport chapter of the Preliminary Environmental Information Report (PEIR) was produced in October 2024
- The Traffic and Transport chapter of the ES [APP-038] was produced, with associated management plans, including details of proposed mitigation for traffic and transport:
 - Framework Construction Traffic Management Plan (CTMP) [AS-102]
 - Framework Public Rights of Way Management Plan (PRoWMP) [APP-195]
- A Transport Assessment Note [APP-167] was also produced to catch issues not covered by the prior documents and this approach was agreed with LCC/NH

In terms of the predicted traffic generation, firstly for the construction phase, a first-principles approach has been adopted to determine the trip generation of the Proposed Development during construction. This approach is consistent with the approach adopted for similar DCO schemes and has been discussed with stakeholders, including LCC and NH as the two highway authorities, and NKDC, during the scoping and PEIR stages of the project.

A number of assumptions have been made regarding construction traffic generation and these have been adopted to provide a robust assessment of the Proposed Development:

- The assessment of construction traffic volumes has been based on a 2-year construction programme, which is the shortest construction timescale expected. The assessment has then been based on the peak construction activity within this period.
- The core construction working hours will be Monday to Friday (07:00 – 19:00) and Saturday (07:00 – 13:00) with no Sunday or Bank Holiday working. A weekday assessment has been carried out to provide a worst-case assessment of the peak construction phase;
- Following consultation with LCC Highways, a ‘worst case’ scenario for staff movements has been used to provide a robust weekday assessment. Accordingly, rather than adopting 06:00 - 07:00 for staff arrivals and 19:00-20:00 for staff departures (in line with the working hours), construction worker travel patterns have been based on the ‘shoulder’ peaks to the network peak hours. Therefore, staff arrivals have been assumed to take place between 07:00 - 08:00 and staff departures have been assumed to take place between 18:00 – 19:00 (Monday to Friday), which represents a very robust assumption;
- HGV movements have been distributed across an eight-hour window, arriving and departing between 09:00 – 17:00, so as not to travel during the traditional peak hours of 08:00 – 09:00 and 17:00 – 18:00 through the measures summarised in Paragraph 13.6.1 of the ES [APP-038] and detailed further in Section 7 of the Framework CTMP [AS-102]; and
- LGV movements have been distributed across an eight-hour window between 09:00 – 17:00 based on a flat profile.

In terms of staff, there will be a peak of 575 staff expected at the Principal Site and 25 at the Cable corridor. All staff would travel to the Principal Site, with the 25 staff working on the Cable Corridor transported to their work site by minibus / shuttle bus.

The construction staff vehicle split has been based on the same assumptions used for a similar solar DCO, which is of comparable size and was granted consent in July 2024. The mode shares used for assessment of staff travel are:

- 55% of staff (330) will travel using up to eight shuttle buses which will run from hubs close to centres of staff accommodation/residential locations.
- 35% of staff will drive with a further 10% travelling as a passenger, equating to an average car/van occupancy of 1.3 staff per vehicle. These 270 staff will generate a peak demand of 208 cars.

For the purposes of assessment and based on the information provided in support of the application, the peak daily number of HGVs and, LGVs are as follows:

- 50 HGV deliveries (100 movements per day);
- 25 smaller van (LGV) deliveries (50 movements per day).

On the basis of the above, at the peak of construction, it is expected that there will be a total daily traffic generation of 301 arrivals and 301 departures per day, broken down as follows:

- 50 HGVs arriving and departing each day;
- 25 LGVs arriving and departing per day;
- 18 shuttle buses arriving and departing per day; and
- 208 staff cars arriving and departing per day.

Based on these aforementioned robust assumptions, the trip generation at the peak of the construction period has been used as the basis of assessment of the construction period impact. It should be reiterated, that as this is the peak trip generation of the development, for much of the construction period, the traffic generation will be lower.

With regards to the operational phase, during general operation and maintenance, the Proposed Development is expected to generate a very low level of vehicle trips (up to four permanent staff per day) and around two visitors per week. Staff vehicles and those used for maintenance will be four wheeled drive vehicles and vans, with HGVs rarely accessing the site.

During the proposed 60-year operational life of the Proposed Development, site-wide replacement of the solar PV panels, inverters, batteries and other equipment may be required in line with the design life of these components.

Details of this are set out in Chapter 3 of the ES [APP-028]. The replacement work will be planned to occur in stages, which means that replacement activities will be of much lower intensity compared to the construction phase. Site-wide equipment replacement activities are expected to generate in the order of 20 HGVs (or 40 two-way HGV movements) per day and in the order of 20 staff car trips (40 two-way movements) per day. This is much lower than the vehicle trips generated during the peak construction phase. Accordingly, the effects of these trips will have negligible significance for all assessment categories.

In terms of impacts during the construction phase these are assessed in the Traffic & Transport chapter of the ES [APP-038]. The assessment work follows the IEMA (now ISEP) guidance, whereby the significance of effect is determined through the consideration of two elements: the sensitivity of the receptor and the magnitude of the impact.

The A46 (Strategic Road Network) and several local roads form the study area, which was discussed and agreed with LCC, NH and NKDC during the transport scoping meeting held in December 2023. Extensive traffic surveys, in combination with Department for Transport Manual Traffic Counts, were used to develop the baseline traffic flows for the study area and subsequent impact assessment.

For highways, impacts on road links and junctions during construction were assessed and determined for the following categories:

- Severance of communities
- Pedestrian delay (incorporating delay to all non-motorised users)
- Non-motorised user amenity
- Fear and Intimidation on and by road users
- Road vehicle driver and passenger delay
- Road user and pedestrian safety
- Hazardous/large loads

Impacts on PRow receptors during construction were assessed and determined for the following categories:

- Severance
- Pedestrian delay
- Pedestrian and cyclist amenity
- Fear and intimidation

A number of proposed embedded mitigation measures will be implemented for highways, as detailed in the Framework CTMP [AS-102], including:

- Working hours (resulting in staff movements outside peak hours)
- Shuttle buses from local centres and car sharing to minimise staff worker trips on the network
- Defined HGV routings and HGVs avoiding peak hours
- Timed Deliveries

Similarly, a number of proposed embedded mitigation measures to be implemented for PRow are detailed in the Framework PROWMP [APP-195]. These include:

- Safe management of crossing points
- temporary diversions for short term closures
- management of PRow routes and construction traffic

With these embedded mitigation measures in place the assessments in the ES conclude that there is not expected to be the potential for significant effects on any traffic and transport receptors within the study area, for either the Principal Site or the Cable Corridor during the construction phase. Neither LCC or NH in their respective capacities as highway authority for the local road network and strategic road network have raised any objections or concerns with these conclusions.

With regards to the potential for cumulative transport effects, given the nominal number of trips associated with the operational phase of the Proposed Development, cumulative effects during this phase were scoped out of any cumulative assessment.

From a shortlist of schemes and developments, five residential schemes which have the potential to result in cumulative effects with the proposed development during the peak construction phase (2032), were scoped in for assessment; these were:

- ID05 – Witham St Hughs Phase 3
- ID08 – Land to the southwest of Thorpe Lane, South Hykeham
- ID33 – St. Modwen Developments Phases 4 to 7, Network 46 Witham St Hughs
- ID54 – Proposed residential development, Moor Lane, Swinderby
- ID90 – Land at Newark Road, North Hykeham

For each of these schemes that was screened in, submission documents were reviewed and relevant traffic forecasts extracted. These were then assessed against traffic flows during the peak construction phase of the proposed development (2032). In conclusion, the cumulative effects expected on Traffic and Transport receptors within the Study Area are expected to be Slight Adverse or Neutral (and therefore Not Significant).

The ExA asked if the Applicant wished to respond to comments from IPs regarding permissive paths and PRowS. These included a question of where the permissive paths are secured in the documentation, and what the consequences would be for the Applicant with regard to not adhering to the CTMP. There were additional comments about the impact on the 'Stepping Out' walks advertised by NKDC.

Mark Watson on behalf of the Applicant

Due to the level of detail, Mr Watson noted that the Applicant would prefer to deal with these points in writing. This includes comments raised by IPs in relation to potential landscape and visual impacts. A comment was made by an IP regarding the duration of opening of permissive paths – as noted in paragraph 6.1.2 of the Framework LEMP [AS-101], the permissive paths will be made available to the public for up to 364 days a year during operation of the Proposed Development, with the Applicant reserving the right to periodically exclude the public by closing the path, either to ensure that the way does not become a highway or to carry out repair and maintenance, although in practice such closures are likely to be infrequent.

The Applicant asked for clarification from NKDC as to what the policy provenance is for the 'Stepping Out Network' and what policy supports the footpaths in the Stepping Out Network' and gives them a higher level of protection that that afforded to other footpaths.

It should also be noted that the provision of a CTMP, substantially in accordance with the Framework plan, is secured via Requirement 14 of the draft DCO [APP-016]. The breach of any commitments under a DCO amounts to a criminal offence and the provisions and Requirements of a DCO are enforceable by the Local Planning Authority

Post-Hearing Note: The provision of permissive paths is secured in section 6 of the Framework LEMP [AS-101] and PR2 of the Design Commitments in the Design Approach Document, as secured by Requirement 6 of the draft DCO [APP-016].

ISH1 Action Point 6 (for NKDC): NKDC is to submit a plan showing the stepping out network and a note of where the policy support for the stepping out network is provided and why they are protected over and above other footpaths.

2.7 Agenda Item 3.6 – Proposals for Biodiversity Net Gain (BNG)

Issue Discussed

In the published agenda, it was stated that the ExA would ask the Applicant to give a 10-minute summary of its case with regard to BNG, however, due to time constraints the ExA asked the Applicant not to deliver this orally at ISH1 and instead asked for this to be submitted as part of this Written Summary.

Therefore, the Applicant has provided a written summary of its case with regard to BNG: including (a) how the proposed BNG provision has been calculated and clarification about how much land within the proposed Order Limits would be required to deliver the BNG proposals, (b) the rationale for the amount of BNG that is being proposed, given that the statutory minimum requirement, when in force, would be 10%, (c) the relationship between the Framework Landscape and Ecological Management Plan [AS-101] and the BNG Report [APP-194] and where the BNG proposals sit in the mitigation hierarchy, and (d) the assumptions and approach to the BNG assessment.

Summary of Oral Case

The Biodiversity Net Gain assessment [APP-194] involves comparing the biodiversity value of habitats present within the Order Limits before development, i.e. the 'baseline conditions', and the predicted biodiversity value of habitats following the completion of the Proposed Development, i.e. the 'post-development conditions'. The comparison is made in terms of 'biodiversity units', with DEFRA's Statutory Biodiversity Metric (SBM) (Version 1.0.4) providing the mechanism to allow biodiversity values to be calculated and compared. The Statutory Biodiversity Metric calculates the overall loss or gain of biodiversity of development projects by assessing the distinctiveness (i.e. type of habitat and its value), condition, extent, and strategic significance of habitats on site pre- and post-development, including both permanent and temporary land-take areas.

As set out in Section 2.3 of the Biodiversity Net Gain Report [APP-194], Phase 1 Habitat data collected by the Applicant between June and November 2023 and May to July 2024, as detailed within Chapter 8: Ecology and Nature Conservation of the Environmental Statement [APP-033], have been utilised to determine the terrestrial, hedgerow and watercourse habitats present in the Order limits. Arboricultural data collected by the Applicant between March 2024 and March 2025 as detailed within Appendix 10-H: Arboricultural Impact Assessment of the Environmental Statement [APP-155] have been utilised to determine the baseline tree data. This arboricultural data combined with the Phase 1 Habitat data is presented in the 'Baseline Habitat Plan' provided in Appendix A of the Biodiversity Net Gain Report [APP-194]. The baseline habitats were converted from standard Phase 1 Habitat types to UK Habitats Classification categories, as presented in Appendix B of the Biodiversity Net Gain Report [APP-194], before being digitised in GIS to provide area and length measurements of each habitat type. A suitably qualified ecologist assigned a condition to all baseline habitats defined within the Order limits using the condition assessment criteria outlined in DEFRA's 2023 Statutory Biodiversity Metric Technical Annex 1: Condition Assessment Sheets and Methodology. The data was aggregated and entered into the Statutory Biodiversity Metric to calculate the baseline biodiversity units.

To establish the watercourse baseline data, as set out in Section 2.4 of the Biodiversity Net Gain Report [APP-194], a desk study was undertaken to identify all watercourse habitats present within the

Order limits and to assign an initial habitat category as defined in the DEFRA 2023 Statutory Biodiversity Metric User Guide. Following the initial desk study, Site surveys, including relevant condition assessments and Modular River Physical (MoRPh) surveys were undertaken. The habitat category was confirmed during Site surveys and the condition of each watercourse was determined. Information on watercourse and riparian encroachment was also gathered during surveys. Further desk studies were undertaken following Site surveys to determine the Strategic Significance, watercourse encroachment and riparian encroachment. Further details on the watercourse assessment are provided in Appendix C of the Biodiversity Net Gain Report [APP-194].

In assigning Strategic Significance the Applicant has followed the methodology outlined in Table 8 of the Statutory Biodiversity Metric User Guide and set out in the Biodiversity Net Gain Report [APP-194]. These methods of assigning Strategic Significance apply when no published Local Nature Recovery Strategy exists for that area. As no Local Nature Recovery Strategy exists yet, Section 3.1.4. of the Biodiversity Net Gain Report [APP-194] outlines the methodology used, which is further justified in Appendix E. The Central Lincolnshire Local Plan (2023), including its Policies Map and Biodiversity Opportunity mapping, was used to identify local priorities. Additional justification is provided in Appendix E of the Biodiversity Net Gain Report [APP-194], demonstrating clear alignment with local policy and compliance with government guidance for areas without a Local Nature Recovery Strategy.

It has been noted that the baseline assessment contains an automated error message. This automated message in the Metric relates solely to rounding behaviour, as explained in paragraph 2.9.1 of the Biodiversity Net Gain Report [APP-194]. This is a known and often expected outcome in large or complex sites with many habitat parcels. It does not indicate data omissions or inaccuracies, and it has negligible influence on the overall biodiversity unit calculations. This issue is routinely encountered in large Biodiversity Net Gain assessments and does not compromise the validity or robustness of the results. This 'error' is also mentioned in Appendix Table F of the Statutory Biodiversity Metric User Guide and states, *'These rounding errors do not impact the results of the calculation.'*

The Landscape Mitigation Plan, which is presented within Figure 7.15.1 of the Framework Landscape and Ecological Management Plan [AS-101], has been used to determine the extent and type of habitats to be lost, retained and/or created post-development. The predicted biodiversity value of habitats following the completion of the Proposed Development, is set out in Section 2.5 of the

Biodiversity Net Gain Report [APP-194]. The Maximum Vegetation Removal Plan, provided as Figure 3.17 of the Environmental Statement [AS-029], was also used within the Biodiversity Net Gain assessment. This approach represents a robust basis for Biodiversity Net Gain assessment given that the Landscape Mitigation Plan represents the minimum planting and a likely concept layout based on maximum design parameters of the Proposed Development and the Maximum Vegetation Removal Plan represents the maximum areas of habitat removal or management to facilitate the Proposed Development. Habitats were assigned to UK Habitats Classification categories (as set out in Appendix B of the Biodiversity Net Gain Report [APP-194]) before being digitised into GIS to produce the 'Post-Development' Plan (as set out in Appendix D of the Biodiversity Net Gain Report [APP-194]). Target condition scores for the proposed habitats were selected in accordance with DEFRA's 2023 Metric User Guide using professional judgement to ensure the condition scores selected were realistic. The data was utilised to predict the post-development biodiversity units. As set out in paragraph 2.9.2 of the Biodiversity Net Gain Report [APP-194], the Biodiversity Net Gain calculation will be updated as part of the detailed design stage of the Proposed Development to reflect the final design and demonstrate that Biodiversity Net Gain is achieved in line with the DCO commitments.

As set out in Section 2.7 of the Biodiversity Net Gain Report [APP-194], the Biodiversity Net Gain assessment has adhered to the step-by-step process set out in 'Biodiversity Net Gain Good Practice Principles for Development' – a best-practice guide prepared in 2019 by the Chartered Institute of Ecology and Environmental Management, the Institute of Sustainability and Environmental Professionals and the Construction Industry Research and Information Association in order to ensure that industry established good practices are followed. The Guide includes a set of ten principles which "set out good practice for achieving Biodiversity Net Gain and must be applied all together, as one approach". Principle 1 is the application of the Mitigation Hierarchy. A comprehensive breakdown of how the Proposed Development aligns with all these principles, including the application of the Mitigation Hierarchy as per Principle 1, is provided in Appendix F of the BNG Report [APP-194].

With reference to section 2.7.1 and Appendix F of the Biodiversity Net Gain Report [APP-194], the assessment has applied the Mitigation Hierarchy, in that general avoidance measures have either fully avoided or minimised impacts on Important Ecological Features. Where this has not been possible, specific mitigation measures are set out in Chapter 8: Ecology and Nature Conservation of the Environmental Statement [APP-033]. As described in both Chapter 8 of the ES [APP-033] and the Framework Landscape and Ecological Management Plan [AS-101], a range of enhancements for

biodiversity have been incorporated into the indicative design. This has been achieved by the Applicant's Project Team adopting a holistic and iterative approach to design development, whereby the design of the Proposed Development (including layout and landscaping proposals) has evolved in response to initial assessments (such as early Biodiversity Net Gain considerations following the establishment of the baseline conditions at the DCO Site) via collaborative technical and design team workshops.

No specific land is required to deliver Biodiversity Net Gain, but rather Biodiversity Net Gain has been considered and calculated holistically across the entire Order limits, building on maximising the potential in the inherent change from agriculture to grassland with solar arrays and areas required for wider environmental mitigations.

With reference to the Landscape Mitigation Plan (Figure 7.15-1) presented in the Framework Landscape and Ecological Management Plan [AS-101], areas have been identified for potential use as ground-nesting bird mitigation, either through retained arable land or for species-rich grassland habitat creation, if required. These are shown on Figure 7.15-1 as 'Proposed Species Rich Grassland or Retained Arable – outside solar PV areas'. For the purposes of the Biodiversity Net Gain assessment presented in Section 3.2 and 3.3 of the Biodiversity Net Gain Report [APP-194], a precautionary approach has been adopted, and it is assumed that the flexible land will comprise retained arable land, without any additional biodiversity enhancements. Consequently, this land has been retained in the Biodiversity Net Gain assessment as predominantly arable, reflecting its lower biodiversity value and allowing for a robust, worst-case assessment. Section 3.4 of the Biodiversity Net Gain Report [APP-194] then presents a Sensitivity Analysis for context, which explores the potential biodiversity unit uplift should these areas be converted to Other Neutral Grassland.

The assessment has been undertaken fully in accordance with DEFRA's Biodiversity Net Gain Statutory Guidance and the Biodiversity Net Gain Metric User Guide. Assumptions adopted as part of the Biodiversity Net Gain assessment are set out in Section 2.8 of the Biodiversity Net Gain Report [APP-194], and include:

- How flexible land within the DCO Site has been considered within the Biodiversity Net Gain assessment, as above, and why the approach taken comprises a robust worst-case for assessment purposes;

- Assumptions regarding the time delay function within the Biodiversity Net Gain metric. To account for the phased build out of the Proposed Development, the Biodiversity Net Gain assessment presented in the Biodiversity Net Gain Report [APP-194] has assumed a three-year delay for habitat creation works across the site which has been applied within the Metric as a worst-case assumption for assessment.
- Assumptions regarding the habitat loss associated with temporary construction compounds in line with the indicative locations set out on Figure 3-1: Construction Compound and Access Locations of the Environmental Statement [AS-021]. Whilst these locations are indicative, and the final locations may slightly differ, the temporary construction compounds will not be greater than 2 ha in size and will be located on existing Cropland habitat at a minimum distance of 4.5m from hedgerow habitats, as set out in the Framework Construction Environmental Management Plan [APP-189] (ref. measure ECO-C12) and the Design Commitments (Design Approach Document, Appendix A - Design Commitments [APP-186] – ref. ID EC11).

Habitats created as part of the Proposed Development will be subject to appropriate ongoing management, as set out in the Framework Landscape and Ecological Management Plan [AS-101] and Framework Operational Environmental Management Plan [APP-190], and will be monitored to ensure successful establishment. Where habitats do not establish or develop as expected, remedial measures (such as reseeding) will be implemented to achieve the target conditions, in accordance with the requirements of the Statutory Biodiversity Metric, as set out in the Framework Landscape and Ecological Management [AS-101] (ref. paragraph 4.2.7).

As set out in paragraph 2.9.2 of the Biodiversity Net Gain Report [APP-194], given that the Biodiversity Net Gain assessment is based upon the Landscape Mitigation Plan, which represents a likely concept layout based on maximum design parameters of the Proposed Development, the Biodiversity Net Gain calculation will therefore be updated as part of the detailed design stage of the Proposed Development to reflect the final design. This is to demonstrate that Biodiversity Net Gain is achieved in line with the DCO commitments, with aspirations to improve the Biodiversity Net Gain outcome presented in the Biodiversity Net Gain Report [APP-194]. Any additional data collected in pre-construction surveys will also be included within the updated Biodiversity Net Gain calculation.

To conclude, with reference to Section 6.4.43 of the Planning Statement [AS-098], solar farms have the potential to increase the biodiversity value of a site, as explained in paragraph 2.10.89 of NPS EN-3. There is currently no target Biodiversity Net Gain based on national or local policy, instead the requirement is for the achievement of no-net-loss. Although not mandated for Nationally Significant Infrastructure Projects yet, the Applicant considers that, given the importance of, and opportunities to deliver biodiversity net gain, large-scale solar schemes such as the Proposed Development can go well beyond a 10% Biodiversity Net Gain for habitat and hedgerow units, whereby this represents a positive impact of the Proposed Development, as discussed in Section 7.3.6 of the Planning Statement [AS-098]. As such, based upon the findings of the Biodiversity Net Gain Report [APP-194], the Applicant has committed to deliver a minimum of 30% biodiversity net gain in habitat units, 50% biodiversity net gain in hedgerow units and 10% biodiversity net gain in watercourse units using DEFRA's Statutory Biodiversity Metric for the Proposed Development. This commitment is secured in Requirement 8 at Schedule 2 of the Draft DCO [APP-016].

The ExA asked the Applicant if it wished to respond to comments from IPs regarding BNG proposals for the Proposed Development.

Reuben Taylor KC on behalf of the Applicant

Today is the first time that the Applicant has heard some of those very detailed points raised and therefore will not be in a position to deal with them today.

Neal Gates on behalf of the Applicant

The Applicant will continue to work with yourselves [NKDC and LCC] to resolve outstanding queries and provide further clarifications as appropriate. There are areas of relevant detail which will be covered in the Applicant's responses to Relevant Representations, and further points can be taken away for discussion and resolution as appropriate.

ISH1 Action Point 7 – The parties are to arrange a meeting between LCC, NKDC and Neal Gates on behalf of the Applicant (LCC have advised this would be best to occur following receipt of Local Impact Reports).

Post-Hearing Note: A meeting is being arranged between the Applicant, NKDC and LCC to take place following publication of the LIRs by the local authorities.

Neal Gates on behalf of the Applicant

In terms of degradation, the Applicant can confirm that no evidence of purposeful degradation has been identified and to avoid ambiguity, the following sentence will be added into the Biodiversity Net Gain Report [APP-194] at a future examination deadline: “No evidence of purposeful degradation of habitats since 30 January 2020 that has resulted in a loss of on-site biodiversity value was found.” The Applicant hopes that the revised version of the Biodiversity Net Gain Assessment Report will close out some of the identified issues and provide clarification in terms of strategic significance.

The Applicant also notes comments on Local Nature Recovery Strategies, but has not seen drafts in this regard. The Applicant has therefore applied the standard approach set out in the Statutory Biodiversity Metric, and feels that this is contextually appropriate. This has considered local plans and biodiversity opportunity mapping which has been produced for central Lincolnshire.

In terms of the Trading Rules, where the Proposed Development does not comply, the approach and justification is set out in the Biodiversity Net Gain Assessment Report and can be covered in detail in writing.

3. ISH1 Action List

- 3.1.1 This section sets out the Applicant's understanding of the agreed action points arising from ISH1 which are subject to confirmation by the ExA.
- 3.1.2 **ISH1 Action Point 1 – Scale and Need** – the Applicant is to produce a note to explain what NESO are doing to manage the grid connection process re: generating stations and batteries and what the implications are for the Proposed Development.
- 3.1.3 **ISH1 Action Point 2 – Scale and Need** – the Applicant is to produce a technical note addressing all technical issues in one place so the ExA can review what has been said regarding the various technologies in the application documentation. That technical note will potentially evolve during the Examination. At this stage, it is to include:
- a. A scenario with something less than a 670watt panel and something more than a 670watt panel e.g. a 500watt and a 700-800watt (whatever might be available on the market) to give the ExA a better understanding of what changing one of the parameters does with regards to changing the land take. The assumption is that if you use more powerful panels then land take decreases.
 - b. Panel efficiency – what has happened to efficiency to date, where that is going, what might happen if you use different technology or different constituent components – may not always be silicone - and timescales that might apply to that – how long before we see significant changes in efficiency?
 - c. Refer to both hectares and acres.
 - d. What contribution would the Proposed Development make to the predicted demand in the UK at the point that it would be fully operational at 2032/2033 and then at 2050?
 - e. Clarify the figures quoted in the Planning Statement for the lifetime generating output of the solar arrays and BESS (7,985GWh for the battery and 19,5000,000 MW hours in Ch. 6 of the Planning Statement APP-031 para 6.4.76 and 6.4.67) so that they are stated in the same units. Address whether it can be assumed that the BESS would only store and discharge electricity generated by the scheme, which is what is said in the ES, and the output from the BESS would be significantly less than from the solar arrays?
- 3.1.4 **ISH1 Action Point 3 – Cultural Heritage** – the Applicant is to provide a note signposting:
- a. Where in the Proposed Development there have been active design responses to address setting issues or buried archaeology; and

- b. Other schemes where there have been successful examples of post-consent micro siting to allow for preservation in situ of discovered archaeological remains.
- 3.1.5 **ISH1 Action Point 4** – Alternatives – the Applicant is to provide a written note of the registers that were searched by the Applicant to identify brownfield / previously developed land. A section will then be added to the SoCGs with both LCC and NKDC in order to address the availability of brownfield land.
- 3.1.6 **ISH1 Action Point 5** – Alternatives – in the Written Questions, the ExA will ask the Applicant to clarify what the minimum site requirement is, as some of the land shown on the works plans shows cable connections and ecological mitigation, and then the cable corridor shows the maximum extent etc.
- 3.1.7 **ISH1 Action Point 6** – Traffic & Transport – NKDC to submit a plan showing the stepping out network along with a note of where the policy support for the stepping out network is provided and why they are protected over and above other footpaths.
- 3.1.8 **ISH1 Action Point 7** – Biodiversity & Ecology – meeting to be arranged and take place between LCC, NKDC and Neal Gates (on behalf of the Applicant).
- 3.1.9 **ISH1 Action Point 8** – Biodiversity & Ecology – the Applicant is to produce a technical note on the BNG to be delivered as part of the Proposed Development, including:
- a. Whether any of the Proposed Development's BNG land will be available for the trading of BNG units; and
 - b. How the fields provided for bird mitigation are considered within the BNG calculation.

Appendix A – Action Point 1

ISH1 Action Point 1 – Scale and Need – the Applicant is to produce a note to explain what NESO are doing to manage the grid connection process re: generating stations and batteries and what the implications are for the Proposed Development.

NESO's process for the management of the delivery of generating stations and batteries

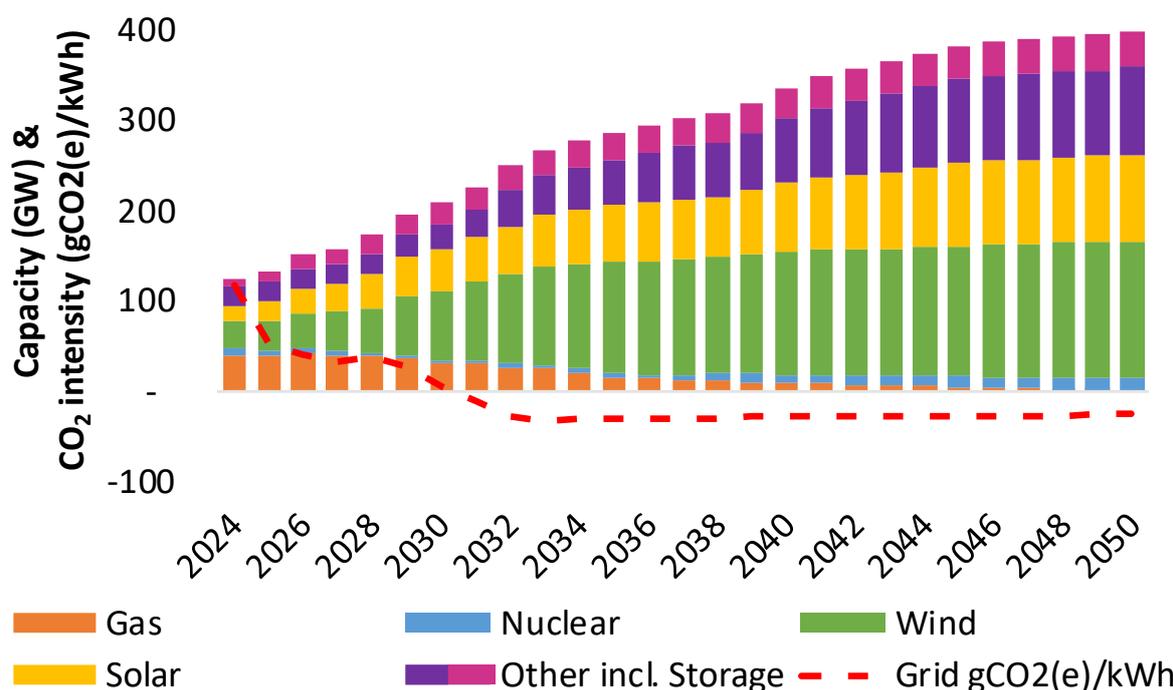
A.1.1 Background: the need for new generation infrastructure

A.1.2 The government published their Clean Power 2030 Action Plan in December 2024 (CP2030, <https://www.gov.uk/government/publications/clean-power-2030-action-plan>). The Action Plan states that delivering Clean Power 2030:

A.1.3 *“Paves the way to decarbonising the wider economy by 2050 as we pursue the electrification of heat in buildings, transport, and industry. By 2050, annual electricity demand is likely to at least double. Clean power by 2030 prepares us for the rapid growth in power demand expected over the 2030s and 40s”* (CP2030, p11).

A.1.4 National Policy Statement (NPS) EN-1 explains that “If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed” (NPS EN-1(2025), 3.3.16).

A.1.5 NESO's Future Energy Scenarios (FES) (<https://www.neso.energy/publications/future-energy-scenarios-fes>) provides an independent view of a range of future pathways for the whole energy system, exploring a range of routes required to meet net zero by 2050. The figure below shows the 'Holistic Transition' pathway to 2050 from the 2025 FES publication. Note that the carbon intensity of electricity generation reduces to zero from the early 2030s and is maintained below zero through to 2050 as generation capacity from renewable sources increases to meet non-traditional demand (e.g. heating, transport and industry which is currently sourced from fossil fuels). The Clean Power 2030 Action Plan seeks to support such a reduction in the carbon intensity of electricity generation and grow low carbon generation capacity.



Projected electricity generation capacity (GW) and carbon intensity (gCO₂(e)/kWh) (FES(2025), Tables F.13 & ES1 – ‘Holistic Transition’ pathway)

Government’s plan to manage grid connections

- A.1.6 Securing a timely grid connection is a critical enabler for low carbon infrastructure to contribute towards a zero-carbon electricity system in the 2030s.
- A.1.7 As of 2024, the capacity of schemes in the connections queue far exceeded the clean generation capacity required by 2030. Further, in February 2023, NESO shared their analysis that “*only 30-40% of projects in the [connections] queue make it to fruition.*” (<https://www.neso.energy/news/eso-leads-way-major-initiative-accelerate-connections-electricity-transmission-grid>).
- A.1.8 The Connections Action Plan, published jointly by DESNZ and Ofgem in November 2023 (<https://www.gov.uk/government/publications/electricity-networks-connections-action-plan>), put in place actions to rationalise the existing connections queue and ensure that existing and future network capacity is allocated efficiently to allow timely connection offers, for low carbon schemes, aligned with net zero objectives.
- A.1.9 NESO, working closely with other partners, introduced the Connections Reform program to remove unviable projects from the connections queue and prioritise those critical to delivering clean power and wider industrial decarbonisation.
- A.1.10 The Clean Power 2030 Action Plan supports the delivery of Connections Reform by establishing a target to deliver a clean power system by 2030, and to keep the power system clean thereafter. The Clean Power 2030 Action Plan also established capacity ranges to set out national pathway figures for the capacity which should be prioritised for all technologies and constitutes an established, public basis through which to provide longer-term certainty on

connections (**CP2030**, Connections Reform Annex, p5). The capacity ranges are included in the table below, with the most relevant rows highlighted.

DESNZ ‘Clean Power Capacity Range’, and current installed capacity (GW) (CP2030, Table 1 & Connections Reform Annex, Table 1)

Technology	Current Installed Capacity* (GW)	DESNZ 2030 ‘Clean Power Capacity Range’ (GW)	2035 FES-derived Capacity Range (GW)
Offshore wind	15	43-50	72-89
Onshore wind	14	27-29	35-37
Solar	17	45-47	45-69
Nuclear	6	3-4	4-6
Low carbon dispatchable power	4	2-7	Up to 25
Unabated gas	36	35	NA
Batteries	5	23-27	24-29
Other flexible assets	15	26-32	51-63

* Government’s view of the publicly available data for GB at the point of publication of the Clean Power 2030 Action Plan

The Connections Reform process

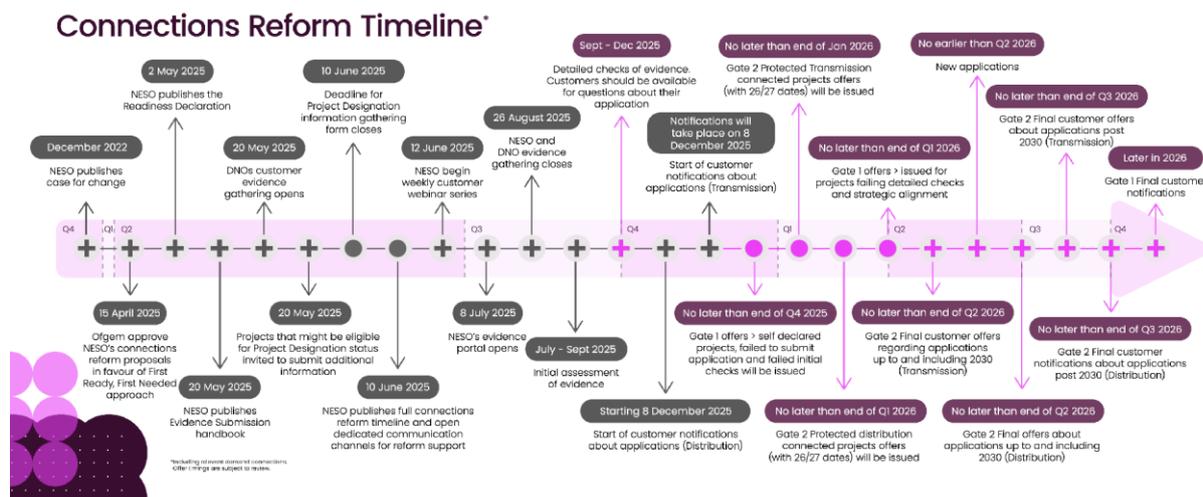
A.1.11 The first step of the Connections Reform program was to reprioritise the current connections queue. Projects were required to submit evidence to confirm their ‘readiness’ (related to land rights and / or planning status) to NESO who then assessed projects against the Clean Power 2030 Capacity Ranges for ‘strategic alignment’ with Government’s current pathway.

A.1.12 Some projects left the connections queue at this point; others have been assigned a priority. NESO re-prioritised the constituent parts of co-located projects separately, therefore single projects consisting of more than one technology could be assigned different priorities:

- a. Gate 2 applies to projects that meet the new requirements for readiness and Strategic alignment. These projects can secure a confirmed connection date, connection point, and queue position.
- b. Gate 1 applies to projects that do not meet the Gate 2 criteria. Gate 1 projects will not be assigned a confirmed connection date but may progress through future windows if readiness is demonstrated.

A.1.13 The high-level results of the first step in the Connections Reform Process (called ‘Gate 2 to Whole Queue’) have been published at <https://www.neso.energy/industry-information/connections-reform/connections-reform-results>. Essentially, NESO have applied a prioritisation framework to schemes to re-order the connections queue to deliver the Government’s 2030 and 2035 capacity ranges while retaining a pipeline of other schemes.

A.1.14 NESO are working through the administrative process of updating connection agreements with all Gate 1 and Gate 2 parties in a priority order. Their timeline, published at <https://www.neso.energy/industry-information/connections-reform/connections-reform-timeline>, has been reproduced in the Figure below.



A.1.15 Detailed results will be incrementally published on connection registers once bilateral agreements between network operators (e.g. NESO and the DNOs) and developers are signed for individual schemes. Due to their scale of generation, NSIP schemes are more likely, but not exclusively, to connect to the National Electricity Transmission System (NETS) and would therefore be listed on NESO's own Transmission Entry Capacity Register (**TEC Register**, https://www.neso.energy/data-portal/transmission-entry-capacity-tec-register/tec_register). This is because distribution networks operate at lower voltages and are generally unable to accommodate schemes of NSIP scale. A full and complete list of Gate 2 and Gate 1 schemes (including NETS and other DNO connections) is not expected to be available until 2027 at the earliest.

Current status and implications for the Proposed Development

A.1.16 **The solar component** - The solar component of the Proposed Development has secured a **Gate 2 connection** and has an agreement with NESO to connect to the NETS. The current date for that connection is in May 2033. NESO have confirmed that the connection date will be in the second phase of prioritisation (Phase 2, between 2031 and 2035) but the exact date, which could be the same or may be earlier or later than the current date, has not yet been confirmed. The timeline states that, as a post-2030 transmission scheme, the connection date should be confirmed no later than Q3 2026. See also 'Future prioritisation rounds' following.

A.1.17 **The BESS component** - The BESS component of the Proposed Development has secured a **Gate 1 connection**. This means that the BESS component has a connection agreement with NESO, but the connection date has not yet been confirmed and is 'indicative'. The timeline shows that the BESS component of the Proposed Development should receive its final customer offer 'later in 2026' although at that time, the Applicant will not be assigned a confirmed connection date. Upon receiving consent for the Proposed Development (if

granted) the Applicant would re-submit the BESS component to a future re-prioritisation round.

Future prioritisation rounds

A.1.18 The timeline also shows that new applications to the connections queue will be considered, but currently no earlier than Q2 2026. NESO have signalled that they will provide further clarity on this timeline in 2026.

A.1.19 Future prioritisation rounds will provide opportunities for:

- a. New projects to apply for a connection agreement;
- b. Gate 1 projects to progress to Gate 2; and
- c. Connection dates for Gate 2 projects to be reassessed, including coming forwards earlier.

A.1.20 All assessments will be subject to the Government's capacity ranges, the status of other projects in the connections queue, and any required transmission infrastructure and substation works being capable of supporting earlier connection dates than are currently secured.

A.1.21 Therefore, should the Proposed Development be ready to connect earlier than currently anticipated, the Applicant would be entitled to submit updated evidence of project readiness to NESO as part of a future gated application window. In such circumstances, it would be open to NESO, in accordance with the prevailing connections policy at that time, to consider whether the connection date for the Proposed Development could be re-prioritised.

Relevant policy position

A.1.22 It is not the Government's intention that project approvals should be limited by the Clean Power 2030 capacity ranges or NESO's prioritisation. Indeed, the Government is "*expecting an increase in planning applications with the Clean Power 2030 target*" (CP2030, p55).

A.1.23 Further, the Government confirmed in its 2025 consultation response to Planning for New Energy Infrastructure (<https://assets.publishing.service.gov.uk/media/69121170bda892e068aa6454/nps-revisions-2025-consultation-government-response.pdf>) that: "*Clean Power 2030 is a milestone that reflects the scale of ambition required to meet our Net Zero 2050 target; it is not a fixed ceiling on technology deployment or project approvals*".

A.1.24 Therefore, it would not be correct to infer from the current policy position, current capacity ranges and NESO's prioritisation, that the need established by NPS EN-1 does not apply to any scheme or component of a scheme which currently has a Gate 1 connection agreement.

Appendix B – Action Point 3

ISH1 Action Point 3 – Cultural Heritage – the Applicant is to provide a note signposting:

- a. Where in the Proposed Development there have been active design responses to address setting issues or buried archaeology; and**
- b. Other schemes where there have been successful examples of post-consent micro siting to allow for preservation in situ of discovered archaeological remains.**

FOSSE GREEN SOLAR FARM, LINCOLNSHIRE

ACTION POINT 3(A) FROM ISSUE SPECIFIC HEARING 1 - WHERE IN THE PROPOSED DEVELOPMENT ARE THERE ACTIVE DESIGN RESPONSES TO ADDRESS SETTING ISSUES OR BURIED ARCHAEOLOGY

Introduction

- 1.1. This document summarises the embedded mitigation measures which have been incorporated into the design of the Proposed Development in relation to the cultural heritage resource, including archaeological remains as well as designated heritage assets and built heritage. This document aims to present specific examples in relation to those mitigation measures, but it is not the intention to repeat in full the information presented in ES Chapter 7 Cultural Heritage [APP-032] or detail every single instance the discussed mitigation measures have been employed.
- 1.2. Thus, this note expands on the information provided in ES Chapter 7 Cultural Heritage [APP-032], associated Appendices [APP-124]-[APP-132] and Figures (Revision 2: [AS-036]-[AS041]), and the Proposed Development plans (most pertinently with reference to Figures 3-2A and 3-2B of the ES (Revision 2; [AS-022]-[AS-023]). It should be noted here that the abovementioned figures include a DCO Site Boundary redline that has been since amended (please refer to i.e. Works Plans (revision 3), AS-105), however those changes do not affect the 'embedded' mitigation discussion (as areas now excluded from the DCO Site Boundary had already been excluded from Solar PV infrastructure and comprised retained arable and grassland).

Embedded mitigation measures – archaeological remains

Exclusion from Proposed Development

- 1.3. The suite of assessment and survey work carried out within the DCO Site Boundary [APP129; APP-129; APP-130] have enabled, early on in the process, the definition of areas of particular archaeological interest, which have subsequently been excluded from the Proposed Development. The following examples are illustrated below:

- Late Iron Age/ Roman "Ladder" Settlement (Field 008-AEC14), located to the north of the A46 (Figure 1, below);

- The medieval settlement of Thurlby (MLI85878 and Fields 105, 106 and 108 – AEC005) to the north of Thurlby (Figure 2, below – please note those fields with potential archaeological remains are now in their entirety outside the revised DCO Site Boundary);
- Settlement of Morton (MLI83041), Morton Grange (MLI83164), western part of AEC004 and likely associated field boundaries (Field 038-AEC017) to the east of Morton (Figure 3 below);



Figure 1: Location of AEC14 (left; AS-041 – key area of potential highlighted in yellow) and corresponding exclusion from Solar PV Array (right; AS-022) – the excluded field (coloured tan on the righthand image) is shown edged blue on both images

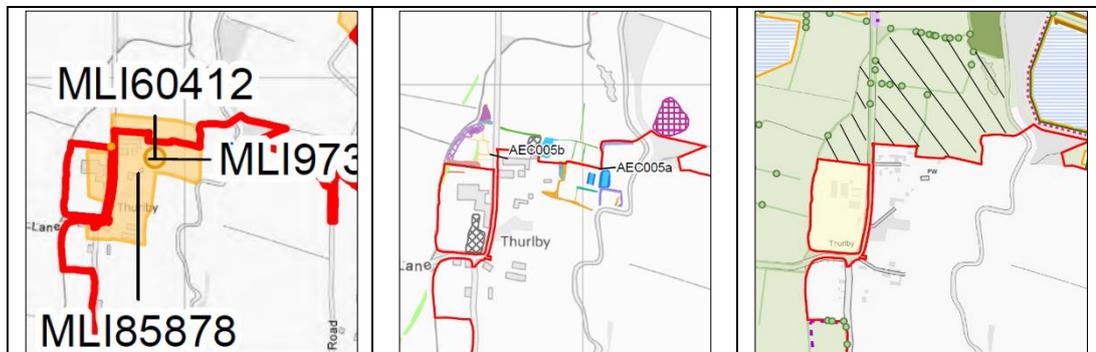
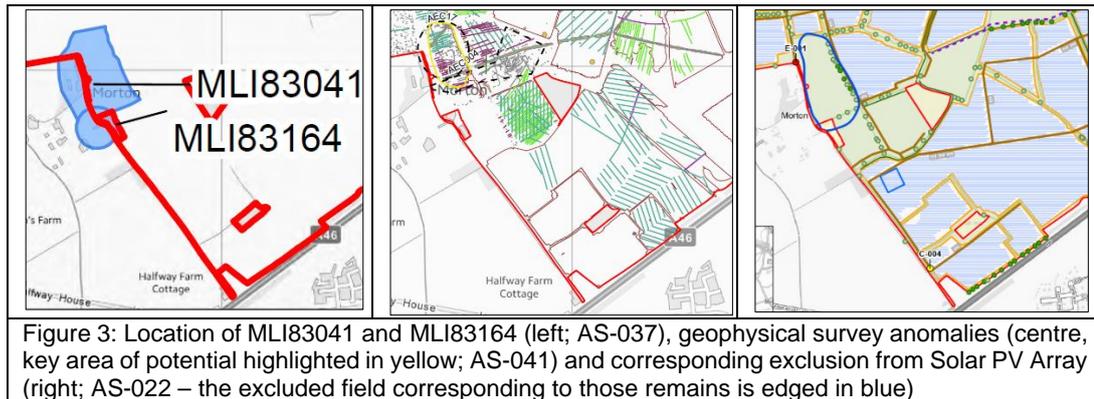


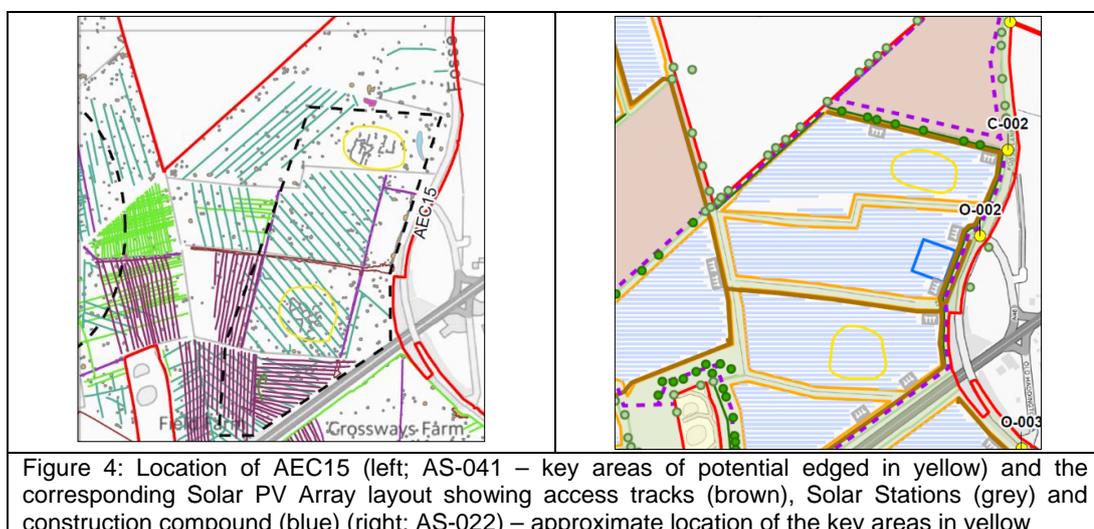
Figure 2: Location of MLI85878 (left; AS-037) and corresponding earthworks AEC005 identified through Lidar survey (centre; AS-041). The area of the postulated remains is not included within Solar PV Array (right; AS-022) – the DCO Site Boundary was moved east to exclude the key area [hatched are in black].

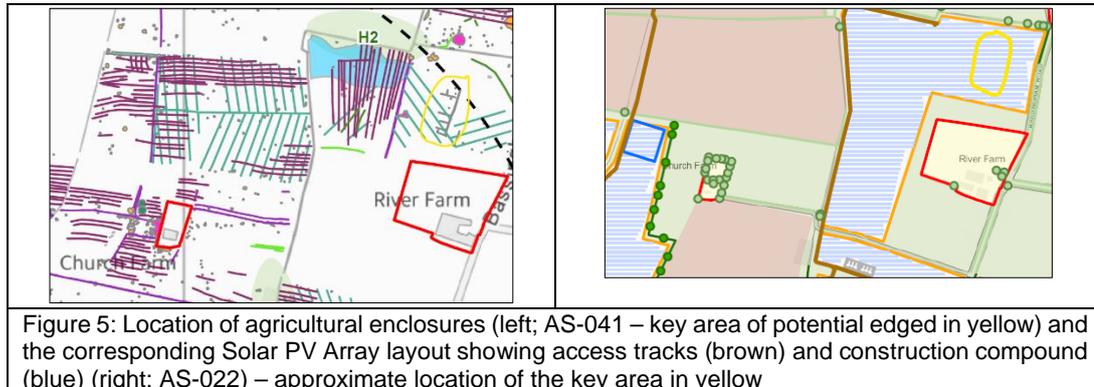


'Micro-sitting' the more impactful types of construction activities

1.4. Within the Solar PV Areas, the identification of the likely archaeological remains has allowed for certain types of construction (including access tracks, Solar Stations, construction compounds) to avoid archaeological remains (especially those of assessed to be of 'Medium value'). This includes the following examples:

- Late Iron Age/ Roman Settlement (AEC15) located to the north of the A46 (Figure 4, below) – two key areas are within Solar PV Arrays, but construction compound, access tracks and Solar Stations have been located to avoid these areas;
- Archaeological activity recorded under AEC22 – for instance, the geophysical survey anomalies to the north of River Farm (north), confirmed through trial trenching, to likely represent enclosures associated with agricultural activity of Roman date have been avoided, i.e. no access tracks and the closest construction compound is positioned to the south-west (Figure 5, below).





Embedded mitigation measures – designated heritage assets and historic buildings

Offsets and screening

- 1.5. The Proposed Development has been designed to maintain a level of separation between designated and non designated heritage assets which could potentially be sensitive to the introduction of the Solar PV Array within their settings. In addition, where deemed appropriate, improvements to the existing vegetation along field boundaries, or indeed proposals to introduce new hedgerows, trees and tree belts have been incorporated into the Proposed Development to provide screening of Solar PV Panels and other infrastructure from these proximate heritage assets.
- 1.6. There are numerous examples of such an approach in relation to heritage assets beyond the DCO Site Boundary which have ensured that any adverse effects on the designated heritage assets are avoided completely or minimised (as reflected in the overall low number of assets which would experience any harm/adverse effects). Examples comprise:
- Grade II Listed Morton Manor (NHLE 1061930) and Morton Grange (NHLE: 1317323), located immediately to the west of the DCO Site Boundary. Fields immediately adjacent to the assets are proposed as retained arable and grassland areas to provide buffer from the Solar PV Array and infill vegetation is proposed where required to help screen the Proposed Development (Figure 6, below).
 - Complex of designated heritage assets in Haddington, including the Hall Close Scheduled Monument (NHLE: 1021080) and Grade II Listed Well House (NHLE: 1360540), Bridge Farmhouse (NHLE: 1061952) and Corner Farmhouse (NHLE: 1061953), located to the east of the DCO Site Boundary.

An area adjoining the Haddington settlement to the east and south has been excluded from Solar PV Array (proposed as permanent grassland/bird mitigation area), with additional planting proposed to screen the solar panels to the south-east (Figure 7, below)

- With regard to the Grade II Listed River Farmhouse (NHLE 1168186; for information this property is sometimes referred to as River Farm south, in contrast to the property with the same name to the north), which is surrounded by the DCO Site Boundary (but not included within it), a set back from the panels and associated infrastructure, was created by the bird mitigation area (managed arable) and retained arable and grassland areas surrounding the Listed Building, and planting of new hedges around the Solar PV Areas is also included as part of the Proposed Development to provide screening (Figure 8, below).

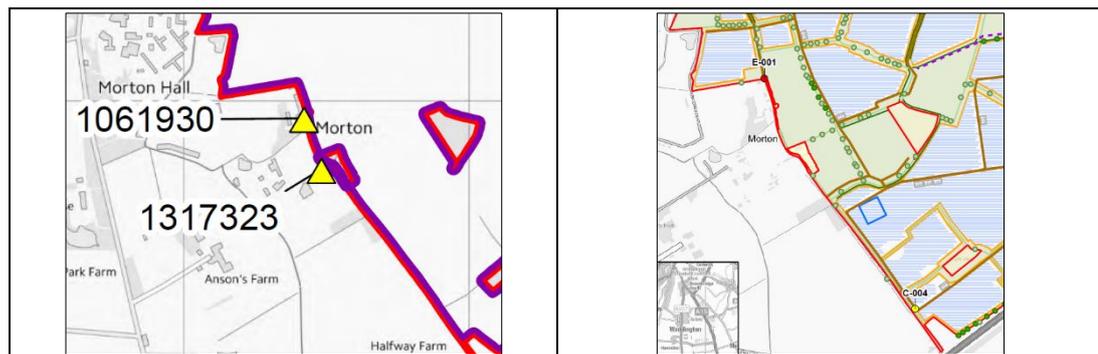


Figure 6: Location of Morton Manor (1061930) and Morton Grange (1317323 (left; AS-036) and the Proposed Development, showing exclusion from Solar PV Array in light green (right; AS-022)

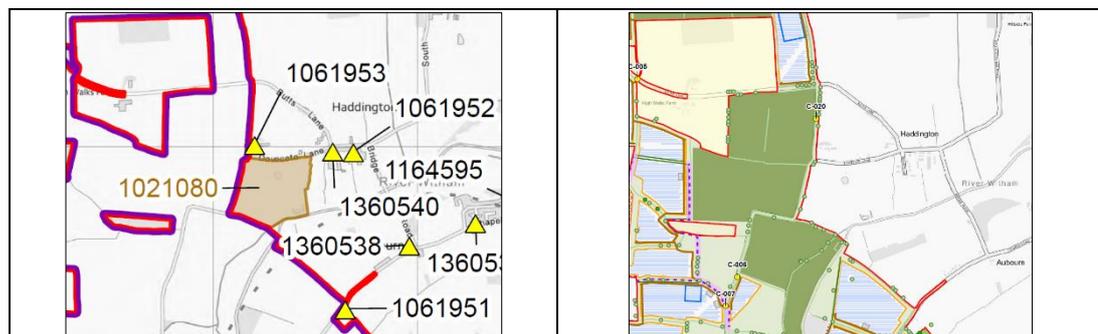
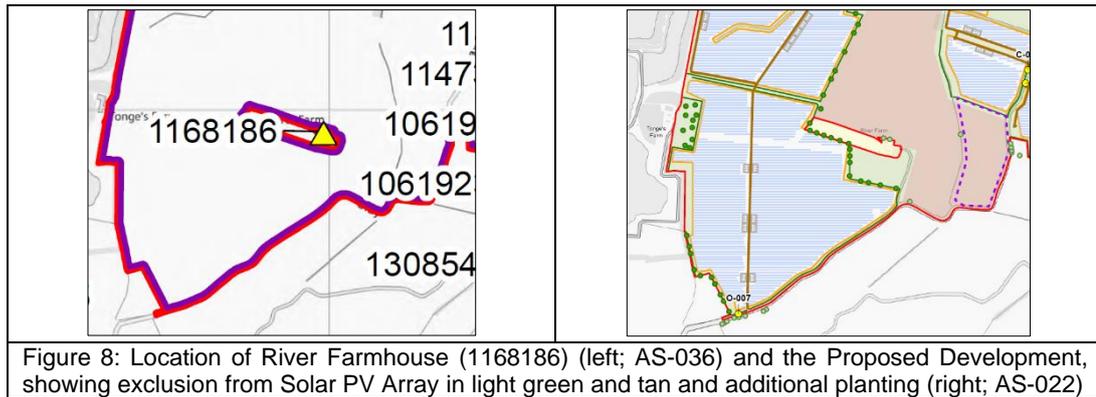
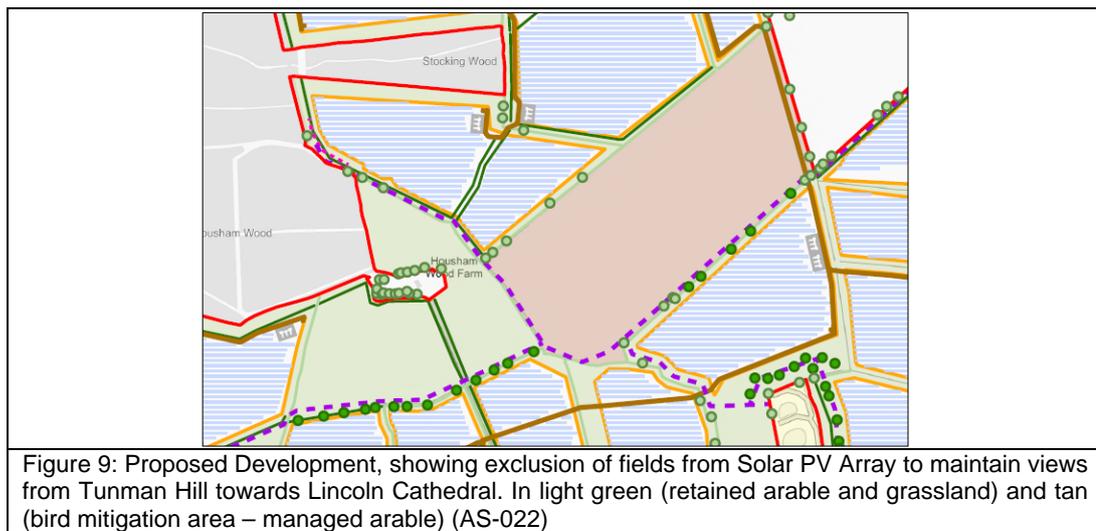


Figure 7: Location of Listed Buildings and Scheduled Monument in Haddington (left; AS-036) and the Proposed Development, showing exclusion from Solar PV Array in dark green and additional planting (right; AS-022)



Retention of views

- 1.7. The Proposed Development has been designed to preserve the views from Tunman Hill to the north of the A46 towards Lincoln Cathedral (NHLE: 1388680), located over 9.2km from the DCO Site Boundary. This includes bird mitigation area (managed arable) as well as retained arable and grassland areas (Figure 9, below).



FOSSE GREEN SOLAR FARM, LINCOLNSHIRE

ACTION POINT 3(B) FROM ISSUE SPECIFIC HEARING 1: OTHER SCHEMES

WHERE THERE HAVE BEEN SUCCESSFUL EXAMPLES OF POST-CONSENT MICRO-SITING TO ALLOW FOR PRESERVATION IN SITU OF DISCOVERED ARCHAEOLOGICAL REMAINS

Introduction

- 1.1. This document has been prepared to provide a summary of sites and projects, similar in nature to the proposed Fosse Green Solar Farm, that have had design changes (micro-siting) or additional work (archaeological mitigation) informed by post-consent trial trenching. These examples aim to provide evidence that the suite of post-consent mitigation options (as set out within the Framework Written Scheme of Investigation) have been successfully adopted elsewhere. Measures applicable to each example project are presented below, with a summary list of those schemes provided in Appendix 1. Although the examples provided are all under the Town and Country Planning Act 1990 regime, the scheme effects, mitigation options and mechanisms to manage them are fundamentally the same, irrespective of the scale of the solar development (and the consenting regime).

Cotmoore Lane, Nottinghamshire

- 1.2. Cotmoore Lane is an 85ha solar scheme in Nottinghamshire. Following a suite of pre-determination works, supplementary post-determination trenching was also carried out. Following the completion of the post-determination evaluation (Cotswold Archaeology 2022), the archaeological advisor commented that relevant planning conditions (21, 22 and 23) could be discharged, subject to the full implementation of the Archaeological Working Methods Statement which was prepared for the site. This Statement included provision for the protection of buried archaeological remains in situ within and around the PV arrays.

Cowbridge Road, Bicker Fen – Solar Array, Lincolnshire

- 1.3. Cowbridge Road is a 97ha solar scheme in Lincolnshire. Following a pre-determination geophysical survey, post-determination archaeological trial trenching was carried out, in line with a Written Scheme of Investigation (WSI) agreed with the

Local Planning Authority (LPA) (Boston Borough Council 2023). Following the completion of the trenching, a WSI for archaeological mitigation (including strip map and sample excavation and archaeological monitoring, under the supervision of an Archaeological Clerk of Works) was agreed to ensure archaeological remains which would be affected are adequately recorded (AOC Archaeology 2025).

Winkburn Estate Solar Farm, Nottinghamshire

- 1.4. Winkburn Estate Solar Farm is a 70ha solar scheme in Nottinghamshire. Following a desk-based assessment to inform the application, a WS I for post-determination trial trenching was agreed, as well as an Archaeological Mitigation Strategy (Landgag Heritage 2025), developed in consultation with the archaeological advisor to the LPA. Carried out as a condition to the approved scheme, the work described in the Archaeological Mitigation Strategy comprised industry standard and appropriate mitigation measures (archaeological monitoring for the cable trench excavations), and the document also confirmed areas where no further measures are necessary (i.e. the substation).

Part Parcel 5847, Gloucestershire

- 1.5. Part Parcel 5847 is a 45ha solar scheme in Gloucestershire. As a condition of the planning consent, archaeological evaluation (trial trenching) was undertaken post consent, followed by a mitigation strategy detailing the excavation / preservation strategy agreed with the LPA (Tewkesbury Borough Council 2024 – condition 3).

Bypass Solar Farm, Lincolnshire

- 1.6. Bypass Solar Farm is an 85ha solar scheme in Lincolnshire. Following post-determination trial trenching, an archaeological mitigation strategy was devised in consultation with the LPA. This set out the mitigation measures to include: an archaeological watching brief during excavations for the cable trench; and the exclusion of an area including the discovered remains of an Iron Age/Roman period settlement (preservation in-situ), with the remains protected during construction too (HCUK Group 2024).

Tuxford Road Solar Farm, Nottinghamshire

- 1.7. Tuxford Road Solar Farm is a 120ha solar scheme in Nottinghamshire. The planning consent required completion of post-determination evaluation by trial trenching and

agreement of an Archaeological Mitigation Strategy (Bassetlaw District Council 2021). Following the completion of the evaluation (Cotswold Archaeology 2022b), an Archaeological Mitigation Strategy was agreed with the archaeological advisor to the LPA, including mitigation through design measures (exclusion of the main area of Romano-British settlement from ground disturbing activities and the utilisation of non-intrusive foundations) and management during construction (including protection of archaeologically sensitive areas from impacts from construction and archaeological monitoring for the battery compound) (Pegasus Group 2023).

Lains Farm Solar, Hampshire

- 1.8. Lains Farm Solar is a 24ha solar scheme in Hampshire. Following completion of a desk-based assessment, further archaeological works were undertaken to address a planning condition attached to the consent and included a targeted trial trenching evaluation focused on an area of cropmarks (Cotswold Archaeology 2025). As the results confirmed the presence of two ring ditches, a small exclusion zone and an Archaeological Management Plan were agreed to ensure those remains are protected from construction impacts.

Forest Gate Solar Farm, Wiltshire

- 1.9. Forest Gate is an 82ha solar scheme in Wiltshire. Whilst the planning application was informed by desk-based assessment, geophysical survey and (some limited) trial trenching, parts of the site were not accessible before the determination, and a subsequent phase of post-determination trenching was carried out as a condition of the consent. During these additional post-determination evaluations, a cremation burial was encountered. This has informed the introduction of an area of archaeological mitigation (recording), with the area of the cremation burial to be subject to a small area of excavation (strip, map and record) (For information, this example is based on personal communications with the Applicant (ie this information has been provided by the Applicant)).

Conclusion

- 1.10. This small sample of examples provide direct evidence of the successful deployment of post-determination / post-consent conditions and requirements that seek to mitigate potential impacts on buried archaeological remains. The examples given are directly comparable to the types of buried archaeological remains already

encountered (and foreseeable discoveries) in and around the Fosse Green Solar site. The execution of post-consent trial trenching is an industry standard approach to further exploring the potential for buried archaeological remains within solar developments. The results of these post-consent investigations can be seen to influence the detailed design (through micro-sitting of infrastructure) and to inform any further archaeological works.

- 1.11. The authors of this note know of no examples of where the adoption of a mitigation strategy, similar to that set out in the Fosse Green Solar Framework Written Scheme of Investigation [AS-001], resulted in the discovery of important buried archaeological remains that could not be easily accommodated within the parameters of any consented scheme.
- 1.12. This corresponds with the approach detailed within the emerging guidance document 'Archaeology and Solar Farms: Good Practice Guide' (2025) and, based on the above examples, is considered to allow for appropriate management of archaeological remains on solar sites.

References

- AOO Archaeology 2025 *Land At Bicker Fen, Boston/South Holland, Lincolnshire: Written Scheme Of Investigation For Archaeological Mitigation*
- Archaeology and Solar Farms: Good Practice Guide 2025* (draft for consultation)
- Bassetlaw District Council 2021 *Notice of Decision*
- Boston Borough Council 2023 *Planning Committee – Tuesday 18th July 2023*
- ClfA 2025 *Archaeology and Solar Farms: Good Practice Guide (Draft)*
- Cotswold Archaeology 2022 *Cotmoor Solar Farm, Halloughton, Nottinghamshire: Archaeological Evaluation*
- Cotswold Archaeology 2022b *Land north and south of Tuxford Road Skegby Nottinghamshire: Archaeological Evaluation*
- Cotswold Archaeology 2025 *Land at Lains Farm, Cholderton Road, Quarley Hampshire: Archaeological Evaluation*
- HCUK 2024 *Bypass Solar Farm, Archaeological Mitigation Strategy*
- Landgage Heritage 2025 *Land at Winkburn Substation Archaeological Mitigation Strategy*

Lanpro Services 2023 *Comparison of Archaeological Evaluation Investigations on Solar Schemes*

Pegasus Group 2023 *Archaeological Mitigation and Management Plan Land North and South of Tuxford Road, Skegby*

Tewkesbury Borough Council 2024 *Permission for Development*

APPENDIX 1 – SUMMARY OF EXAMPLE SCHEMES

Solar Farm Name	Planning Authority	Planning Reference	Pre-Determination Geophysics (Y/N)	Pre-Determination Trenching (Y/N)	Post-Determination Trenching (Y/N)	Post-Determination Design Measures	Post-Determination Mitigation
Cotmoore Lane	Newark and Sherwood District Council	20/01242/FULM	Y	Y	Y	Y	Y
Cowbridge Road, Bicker Fen - Solar Array	Boston Borough Council	B/22/0356	Y	N	Y	N	Y
Winkburn Estate Solar Farm	Newark and Sherwood District Council	22/01782/FULM	Y	Y	Y	N	Y
Part Parcel 5847, Main Street, Wormington, Broadway, Gloucestershire	Tewkesbury Borough Council	23/01085/FUL	Y	N	Y	Y- TBD	Y- TBD
Bypass Solar Farm	South Kesteven District Council	S20/1433 and S21/2461	Y	N	Y	Y	Y
Tuxford Road Solar Farm	Bassetlaw District Council	21/01147/FUL	Y	N	Y	Y	Y
Lains Farm Solar	Test Valley Borough Council	24/01288/FULLN	N	N	Y	Y	N
Forest Gate Solar Farm	Wiltshire Council	22/04/231647	Y	Y	Y	N	Y

Appendix C – Action Point 4

ISH1 Action Point 4 – Alternatives – the Applicant is to provide a written note of the registers that were searched by the Applicant to identify brownfield / previously developed land. A section will then be added to the SoCGs with both LCC and NKDC in order to address the availability of brownfield land.

- C.1.1 For the purposes of site selection, the review of brownfield land registers was undertaken using publicly available information published on the web sites of the relevant local planning authorities. It should be noted that brownfield land registers quote site size in hectares, therefore, as a result the area in acres has not been shown in the tables below.
- C.1.2 Figure 1 shows the boundaries of the local planning authorities that lie within the area of search. Almost the entirety of the City of Lincoln and the vast majority of North Kesteven District Council's administrative area are included in the area of search. Smaller areas of South Kesteven District Council's, West Lindsey District Council's and Newark and Sherwood District Council's administrative areas are included in the area of search. East Lindsey District Council's administrative area is located just outside the area of search, and the brownfield land register was consulted on a precautionary basis for completeness. However, all of the sites identified on East Lindsey District Council's brownfield land register were located outside of the area of search.
- C.1.3 Set out below are extracts of the brownfield land registers for the following local authorities:
- a. North Kesteven District Council
 - b. South Kesteven District Council
 - c. City of Lincoln
 - d. West Lindsey District Council
 - e. Newark and Sherwood District Council

North Kesteven District Council Brownfield Land Register (December 2025)

Site Reference	Site Address	Site Size (hectares)	Comment
BLR/0001	The Hoplands Depot, Boston Road, Sleaford	1.84	Part of the site lies outside of the area of search, however, the site is pending a decision for full planning permission for residential and an extra care building comprising 40 apartments (Planning Reference 23/0318/FUL) and is therefore unavailable for the purposes of the Proposed Development.
BLR/0002	Land off Moor Lane, Swinderby	8.29	The site has full planning permission for residential use (Planning Reference: 22/1376/FUL) and is therefore unavailable for the purposes of the Proposed Development.
BLR/0003	Land at West Street, Billingham	1.4	The site is located outside of the area of search.
BLR/0004	Land at Former Lafford School, Fen Road, Billingham	0.98	The site is located outside of the area of search.
BLR/0005	Land to the Rear and South of 27-45 High Street, Billingham	0.36	The site is located outside of the area of search.
BLR/0006	Land at Former Orchard House, Rauceby Hospital, Greylees	1.95	The site is located outside of the area of search.
BLR/0007	Land at Former Rauceby Hospital, Greylees	3.6	The site is located outside of the area of search.
BLR/0008	Land at St John's Hospital, Bracebridge Heath	6.9	The site has reserved matters approval for residential use (Planning Reference 17/1081/FUL) and is therefore unavailable for the purposes of the Proposed Development.
BLR/0009	Former Lawnmower Service Centre (Land Adjacent to The Mill), Cliff Road, Wellingore	1.08	The site has full planning permission for residential use (Planning Reference: 21/1427/FUL) and is

Site Reference	Site Address	Site Size (hectares)	Comment
			therefore unavailable for the purposes of the Proposed Development.
BLR/0010	The Limes Nursing Home, Main Street, Scopwick	0.38	The site does not meet the minimum size criteria.
BLR/0011	The Old Clover Warehouse, Station Road, Sleaford	0.03	The site does not meet the minimum size criteria.

South Kesteven District Council Brownfield Land Register

Site Reference	Site Address	Site Size (hectares)	Comment
SKBFR-2	The Old Quarry, Station Road	6.9	The site is located outside of the area of search.
SKBFR-3	Former Grimers Transport site, Station Road (Part1)	1.1	The site is located outside of the area of search.
SKBFR-4	Former Grimers Transport site, Station Road (Part2)	0.8	The site is located outside of the area of search.
SKBFR-8	Former Aveland High School	1.6	The site is located outside of the area of search.
SKBFR-10	Former Peugeot Garage, Uffington Road	0.45	The site is located outside of the area of search.
SKBFR-22	Land at Uffington Road, Stamford	4.9	The site is located outside of the area of search.
SKBFR-26	Former site of St Wulframs school, Queensway Grantham	1.3	The site is located outside of the area of search.
SKBFR-36	Land north of Uffington Road, Stamford	4.1	The site is located outside of the area of search.
SKBFR-52	Blenheim Court, Scotgate, Stamford	0.14	The site is located outside of the area of search.
SKBFR-57	Old Tannery, Earlsfield Lane	0.4	The site is located outside of the area of search.
SKBFR-69	Garage Court, Kesteven Road	0.1	The site is located outside of the area of search.
SKBFR-119	Land at 8 Stamford Street, Colsterworth	0.25	The site is located outside of the area of search.

City of Lincoln Brownfield Land Register

Site Reference	Site Address	Site Size (hectares)	Comment
CL724	Land adjacent to Environment Agency, Waterside North	0.28	The site does not meet the minimum size criteria.
CL754	Car park to west of St. Anne's Road	0.38	The site does not meet the minimum size criteria.
CL528	Land south of YMCA, Waterside North	0.39	The site does not meet the minimum size criteria.
CL723	Surface car park, Waterside North	0.47	The site does not meet the minimum size criteria.
CL525	Former CEGB power station, Spa Road	5.71	<p>The former CEGB power station is allocated as a 'Regeneration and Opportunity Area' (ROA2) in the Central Lincolnshire Local Plan (April 2023).</p> <p>Policy NS72 'Lincoln Regeneration and Opportunity Areas' states the following: <i>"ROA2 – Waterside North/Spa Road Within the area identified on the Polices Map as ROA2 proposals for major development will preferably be progressed through a masterplan prior to, or alongside a planning application. Particular support will be given to residential redevelopment either solely or as part of a mixed use scheme with E Class Uses or other uses that are appropriate in this edge of centre location. Any major development proposal shall take full advantage of the opportunities afforded by the riverside frontage and provide or contribute proportionately to the upgrading of Waterside North to incorporate footway/ cycleway provision to and from the City Centre".</i></p>

Site Reference	Site Address	Site Size (hectares)	Comment
			Given the above, site CL525 is not available for the purposes of the Proposed Development.

West Lindsey District Council Brownfield Land Register (24 December 2025)

Site Reference	Site Address	Site Size (hectares)	Comment
1	Tesco Car Park, Gainsborough	0.36	The site is located outside of the area of search.
2	Site between Wembley/Hickman Street, Gainsborough	0.81	The site is located outside of the area of search.
3	West of Primrose Street, Gainsborough	2.25	The site is located outside of the area of search.
4	Land enclosed by Thornton Street, Bridge Sreet, King Street and Bridge Road, Gainsborough	0.58	The site is located outside of the area of search.
5	Middlefield School of Technology, Middlefield Lane, Gainsborough	1.77	The site is located outside of the area of search.
6	Sinclairs, Ropery Road, Gainsborough	3.04	The site is located outside of the area of search.
7	Land north of Northholme, Gainsborough	0.94	The site is located outside of the area of search.
8	Land between North Street and Church Street, Gainsborough	0.19	The site is located outside of the area of search.
9	Land at Spring Gardens (Marshalls Rise), Gainsborough	0.32	The site is located outside of the area of search.
10	Neighbourhood Plan Allocation D - All Saints Lane (Linelands), Nettleham	0.38	The site is located outside of the area of search.
11	Gateway Riverside Housing Zone, Gainsborough	3.85	The site is located outside of the area of search.
12	Town Centre Riverside Housing Zone A, Gainsborough	1.74	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
13	Town Centre Riverside Housing Zone B, Gainsborough	1.6	The site is located outside of the area of search.
14	Amp Rose Housing Zone, Gainsborough	2.28	The site is located outside of the area of search.
15	The Old Scrapyrd, Stow Lane, Ingham	1.69	The site is located outside of the area of search.
16	Land between 27 and 31 Union Street, Market Rasen	0.08	The site is located outside of the area of search.
17	A Grice & Son Ltd, 40 Lincoln Road, Fenton	0.7	The site is located outside of the area of search.
18	Tradelights, 19 Oxford Street, Market Rasen	0.09	The site is located outside of the area of search.
19	22 North Marsh Road, Gainsborough	0.19	The site is located outside of the area of search.
20	The Mill, Whitegate Hill, Caistor	0.66	The site is located outside of the area of search.
21	Red Lion, 1 Marton Road, Sturton by Stow	0.2	The site is located outside of the area of search.
22	Officers Mess, Brookenby Business Park, Binbrook, Brookenby	2.09	The site is located outside of the area of search.
23	Gleadells Wharf, Bridge Street, Gainsborough	0.16	The site is located outside of the area of search.
24	Peacock Hotel, Corringham Road, Gainsborough	0.32	The site is located outside of the area of search.
25	George Hotel, 15 Main Road, Langworth	0.72	The site is located outside of the area of search.
26	Land At Sunnyside, Caenby Road, Glentham	0.37	The site is located outside of the area of search.
27	The Beckett School, Whites Wood Lane, Gainsborough	0.37	The site is located outside of the area of search.
28	19 Oxford Street, Market Rasen	0.12	The site is located outside of the area of search.
29	Land off, Hersey Road, Caistor	0.25	The site is located outside of the area of search.
30	Queensway, Sturton by Stow	0.14	The site is located outside of the area of search.
31	Land to the rear of Marquis Of Granby, High Street, Waddingham	0.42	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
32	The Filling Station, 3 Lincoln Road, Saxilby	0.13	The site is located outside of the area of search.
33	Riverside North Housing Zone (Japan Road / Bowling Green Road), Gainsborough	1.45	The site is located outside of the area of search.
34	8a Chapel Street, Caistor	0.13	The site is located outside of the area of search.
35	Ropery Inn, 202 Ropery Road, Gainsborough	0.11	The site is located outside of the area of search.
36	Butlerbus Technik Ltd, Tillbridge Road, Sturton By Stow	0.4	The site is located outside of the area of search.
37	The Cedars Residential Home, Morton Terrace, Gainsborough	0.37	The site is located outside of the area of search.
39	Cotgarth Farm, Cotgarth Lane, Willingham By Stow	0.43	The site is located outside of the area of search.
40	1 Oxford Street, Market Rasen	0.06	The site is located outside of the area of search.
41	The Maltings, 2b Lea Road, Gainsborough	0.16	The site is located outside of the area of search.
42	4 Silver Street, Gainsborough	0.02	The site is located outside of the area of search.
43	9 and 10 Market Place, Market Rasen	0.05	The site is located outside of the area of search.
44	Brunel House, Deepdale Enterprise Park, Nettleham	0.15	The site is located outside of the area of search.
45	Land adjacent to Little London Farm, Little London, North Kelsey	0.39	The site is located outside of the area of search.
46	The Forge, Padmoor Lane, Upton	0.15	The site is located outside of the area of search.
47	35 Queen Street, Market Rasen	0.03	The site is located outside of the area of search.
48	Land adjacent James Court, Gainsborough	0.06	The site is located outside of the area of search.
49	Land at Chez Nous, Gainsborough Road, Middle Rasen	0.29	The site is located outside of the area of search.
50	Land North of Acland Street, Gainsborough	0.06	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
51	Land at 75 Church Lane, Saxilby	0.51	The site is located outside of the area of search.
52	Former Environment Agency Office, Corringham Road, Gainsborough	0.77	The site is located outside of the area of search.
53	Land at High Street, south of School Lane, Sturton By Stow	1.56	The site is located outside of the area of search.
54	10 Silver Street, Gainsborough	0.06	The site is located outside of the area of search.
55	7 Lord Street, Gainsborough	0.02	The site is located outside of the area of search.
56	Former Friendship Hotel, 60 Church Street, Gainsborough	0.03	The site is located outside of the area of search.
57	Former Bus Depot, Station Road, Bardney	0.24	The site is located outside of the area of search.
58	Former Lea Road School, Lea Road, Gainsborough	0.26	The site is located outside of the area of search.
59	Gainsborough Park, Glenthams Road, Gainsborough	0.62	The site is located outside of the area of search.
60	Market Rasen Day Centre, Gordon Field, Market Rasen	0.1	The site is located outside of the area of search.
61	Hill House Nursing Home, Sand Lane, Osgodby	0.4	The site is located outside of the area of search.
62	Willows Garden Centre Ltd, Gainsborough Road, Glenthams	0.22	The site is located outside of the area of search.
63	Poolside Leisure, Mansgate Hill, Nettleton	0.35	The site is located outside of the area of search.

Newark and Sherwood Brownfield Land Register (2025)

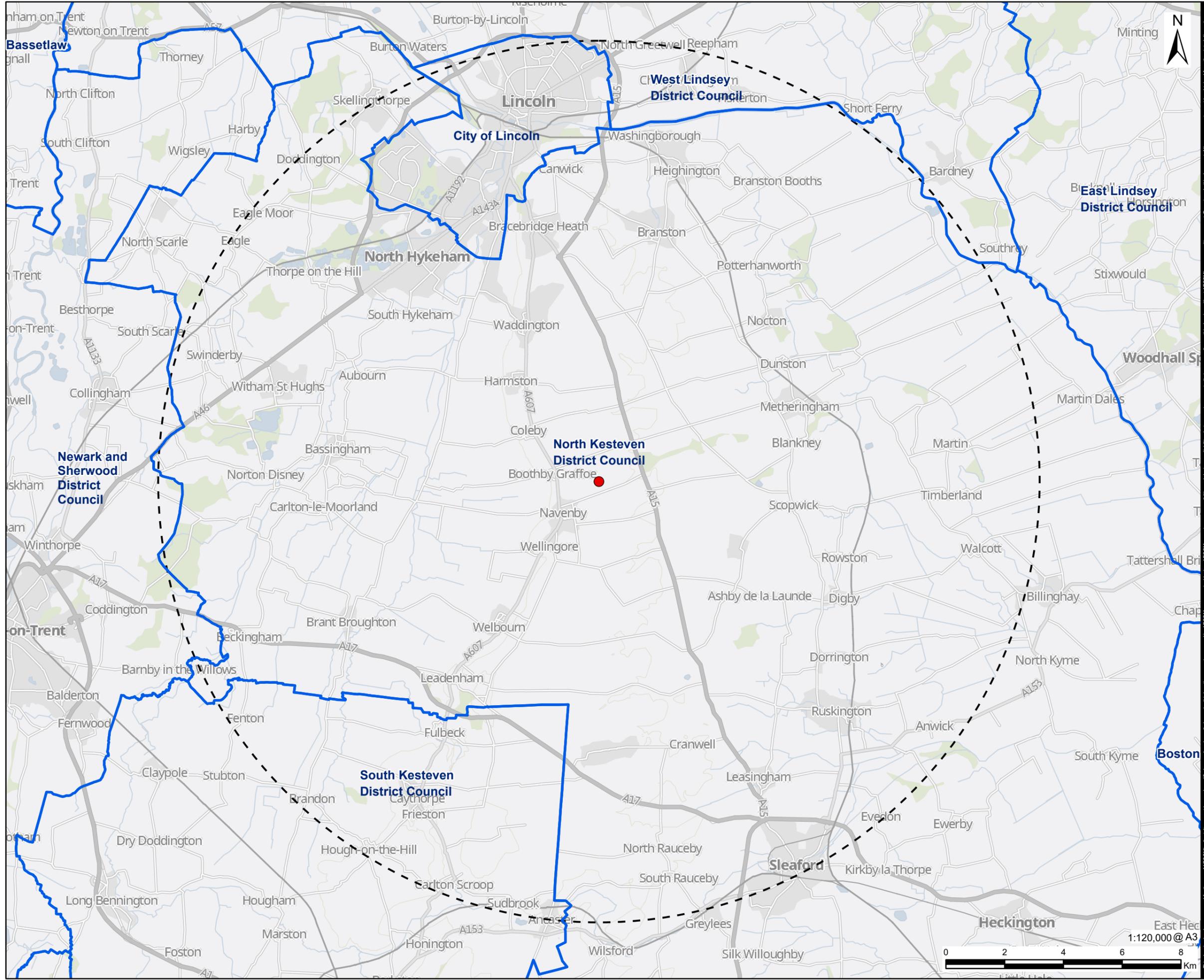
Site Reference	Site Address	Site Size (hectares)	Comment
BF0001	Balderton, Hawton Lane (Flowserve)	12.57	The site is located outside of the area of search.
BF0002	Bilthorpe, North of Kirklington Road, Bilthorpe	5.45	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
BF0003	Bilsthorpe, North of Kirklington Road (Noble Foods Ltd)		The site is located outside of the area of search.
BF0004	Clipstone, Mansfield Road (Former Squinting Cat)	0.19	The site is located outside of the area of search.
BF0005	Edwinstowe, Abbey Road (Garage Court)	0.47	The site is located outside of the area of search.
BF0006	Edwinstowe, Fourth Avenue	0.53	The site is located outside of the area of search.
BF0007	Edwinstowe, High Street (Edwinstowe House)	3.56	The site is located outside of the area of search.
BF0008	Newark, Hawton Lane (Tarmac Site)	8.59	The site is located outside of the area of search.
BF0009	Newark, Bowbridge Road (The Bearings)	1.6	The site is located outside of the area of search.
BF0010	Newark, Howes Court, William Street	0.97	The site is located outside of the area of search.
BF0011	Newark, Land at Beacon Hill Road	0.4	The site is located outside of the area of search.
BF0012	Newark, Castle Gate (The Gap Site)	0.11	The site is located outside of the area of search.
BF0014	Newark, Lincoln Road (96)	0.18	The site is located outside of the area of search.
BF0016	Newark, Garage Court, Queen's Court	0.41	The site is located outside of the area of search.
BF0017	Newark, Former Piano School, Mount Lane	0.06	The site is located outside of the area of search.
BF0018	Newark, Northgate House, 14 North Gate	0.06	The site is located outside of the area of search.
BF0019	Newark, 17 North Gate	0.06	The site is located outside of the area of search.
BF0020	Newark, Land South of Quibells Lane	2.33	The site is located outside of the area of search.
BF0021	Newark, Land between 55 and 65 Mill Gate	0.14	The site is located outside of the area of search.
BF0022	Newark, Land adjacent to Newark Marina, Mill Gate	0.69	The site is located outside of the area of search.
BF0023	Newark, Land on Bowbridge Road	2.49	The site is located outside of the area of search.
BF0024	Newark, Land on Bowbridge Road	4.25	The site is located outside of the area of search.
BF0025	Newark, Land at NSK, Northern Road	10.11	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
BF0027	Ollerton, Maid Marion Way	0.28	The site is located outside of the area of search.
BF0028	Rainworth, Land at Kirklington Road	0.62	The site is located outside of the area of search.
BF0029	South Scarle, Red May Industrial Estate, Church Lane	0.43	The site is located outside of the area of search.
BF0030	Southwell, Southwell Depot	0.38	The site is located outside of the area of search.
BF0032	Thurgarton, The Red Lion Public House, Southwell Road	0.4	The site is located outside of the area of search.
BF0033	Fernwood, Goldstraw Lane (The Water Tower)	0.17	The site is located outside of the area of search.
BF0034	Newark, Beacon Hill Road (Newark Working Men's Club)	0.24	The site is located outside of the area of search.
BF0035	Collingham, Windsor Close (Garage Site)	0.26	The site is located outside of the area of search.
BF0036	East Stoke, School Lane (Hall Farm)	0.34	The site is located outside of the area of search.
BF0037	Newark, Appleton Gate (11, National Probation Service)	0.02	The site is located outside of the area of search.
BF0038	Newark, Appleton Gate (35, Whites Wine Merchant)	0.02	The site is located outside of the area of search.
BF0039	Blidworth, Dale Lane (Sherwood House)	0.11	The site is located outside of the area of search.
BF0040	Eakring, Main Street (Land adj Fish Pond Farm)	0.45	The site is located outside of the area of search.
BF0041	Edwinstowe, Mansfield Road (Manvers Arms Public House)	0.21	The site is located outside of the area of search.
BF0042	Lowdham, Land at Epperstone Road	0.14	The site is located outside of the area of search.
BF0043	Newark, Albert Street (29a, Kirkby House, Renaissance)	0.03	The site is located outside of the area of search.
BF0044	Newark, Balderton Gate (Newark Municipal Building)	0.14	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
BF0045	Newark, Beacon Hill Road (160, Now 1, 2 & 3 Mulberry Close)	0.45	The site is located outside of the area of search.
BF0046	Newark, Castlegate (19, Ye Olde Market)	0.09	The site is located outside of the area of search.
BF0047	Newark, George Street (Unit 3, The Old Maltings)	0.03	The site is located outside of the area of search.
BF0048	Newark, Land at Northgate (Former Northgate Brewery)	1.6	The site is located outside of the area of search.
BF0049	Newark, Lindsay Avenue (land at)	0.24	The site is located outside of the area of search.
BF0050	Newark, London Road (65a)	0.09	The site is located outside of the area of search.
BF0051	Newark, Millgate (Land off)	2.07	The site is located outside of the area of search.
BF0052	Newark, Navigation Yard (Thorpe's Warehouse)	0.08	The site is located outside of the area of search.
BF0053	Newark, North Gate	0.64	The site is located outside of the area of search.
BF0054	Newark, Former Robin Hood Hotel	0.28	The site is located outside of the area of search.
BF0055	Newark, St Marys Gardens (Land at)	0.29	The site is located outside of the area of search.
BF0056	Bilsthorpe, Farnsfield Road (Rose Cottage)	0.40	The site is located outside of the area of search.
BF0057	Newark, Jubilee Street (2)	0.35	The site is located outside of the area of search.
BF0058	Newark, Boundary Road (Former Newark Fire Station)	0.17	The site is located outside of the area of search.
BF0059	Rainworth, Top Street (Land off)	0.20	The site is located outside of the area of search.
BF0060	Ollerton, Land at Latimer Way	0.64	The site is located outside of the area of search.
BF0061	Hoveringham, Boat Lane (Ferry Farm Park & Restaurant)	0.30	The site is located outside of the area of search.
BF0062	Lowdham, Station Road (13)	0.08	The site is located outside of the area of search.
BF0063	Newark, Appleton Gate (83)	0.18	The site is located outside of the area of search.

Site Reference	Site Address	Site Size (hectares)	Comment
BF0064	Newark, Devon Road (Land at)	0.75	The site is located outside of the area of search.
BF0065	Newark, George Street (Newcastle Arms Public House)	0.02	The site is located outside of the area of search.
BF0066	Newark, Kings Road (Staythorpe Electricity Sports and Social Club)	0.07	The site is located outside of the area of search.
BF0067	Newark, St Marks Place (Unit 8,9,10 and 11)	0.12	The site is located outside of the area of search.
BF0068	Newark, Victoria Street (10)	0.20	The site is located outside of the area of search.
BF0069	Newark, Albert Street (22)	0.10	The site is located outside of the area of search.
BF0070	Newark, Mills Drive (WB Stubbs)	0.43	The site is located outside of the area of search.
BF0071	Newark, Mill Gate (61, Workshop)	0.16	The site is located outside of the area of search.
BF0072	Newark, North Gate (94)	0.12	The site is located outside of the area of search.
BF0073	Newark, Eton Avenue (77C)	0.20	The site is located outside of the area of search.
BF0074	Collingham, Horseshoe Cottages (Land adj to 9)	0.31	The site is located outside of the area of search.
BF0075	Ollerton, Main Street (Ollerton Hall)	0.80	The site is located outside of the area of search.
BF0076	Newark, Carter Gate (White Hind Bar)	0.03	The site is located outside of the area of search.
BF0077	Ollerton, Darwin Drive (E-Centre)	0.63	The site is located outside of the area of search.
BF0078	Newark, Queens Head Court (Queens Head Chambers)	0.02	The site is located outside of the area of search.
BF0079	Newark, Land at Bowbridge Road	0.34	The site is located outside of the area of search.
BF0080	Collingham, Woodhill Road (27, Tector Ltd)	1.10	The site is located outside of the area of search.



PROJECT
Fosse Green Energy

CLIENT
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- LEGEND**
- Proposed National Grid substation at Navenby (Approximate Location)
 - - - 15km Area of Search From the Point of Connection at the Proposed National Grid substation at Navenby
 - ▭ Local Planning Authority Boundary

NOTES

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 Contains data from OS Zoomstack
 Local Planning Authority Boundary: Office for National Statistics © Natural England copyright. Contains Ordnance Survey data © Crown copyright and database right [2025].

ISSUE PURPOSE
FOR INFORMATION

PROJECT NUMBER
60700987

FIGURE TITLE
Point of Connection at the Proposed National Grid Substation near Navenby and Area of Search - Local Planning Authority Boundaries

FIGURE NUMBER
Figure 1



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Appendix D – Action Point 8

ISH1 Action Point 8 – Biodiversity & Ecology – the Applicant is to produce a technical note on the BNG to be delivered as part of the Proposed Development, including:

- a. **Whether any of the Proposed Development's BNG land will be available for the trading of BNG units; and**
- b. **How the fields provided for bird mitigation are considered within the BNG calculation.**

D.1.2 This technical note was requested by the Examining Authority during Issue Specific Hearing 1 on Wednesday 7 January 2026, requiring the Applicant to collate its responses on matters relating to Biodiversity Net Gain (BNG) for the Fosse Green Energy project (the Proposed Development).

D.1.3 In response to the request this technical note covers:

- a. whether there is any land within the Order limits included specifically for the purposes of BNG;
- b. the minimum land required for the Proposed Development to achieve 10% BNG;
- c. in the context of there being multiple functions on land within the Proposed Development, i.e. the rotation of arable and grassland across the site, how those areas of land are considered in the BNG calculation.

Whether there is any land within the Order limits included specifically for the purposes of BNG

D.1.4 In terms of whether there is any land within the Order limits specifically for BNG, the Applicant confirms that no specific land is included to deliver BNG alone.

D.1.5 For context, the BNG assessment, presented in the BNG Report [APP-194], involves comparing the biodiversity value of habitats present within the Order limits before development (i.e. the 'baseline') and the predicted biodiversity value of habitats following the completion of the Proposed Development (i.e. 'post-development'). The comparison is made in terms of 'biodiversity units', with Defra's Statutory Biodiversity Metric (SBM) (Version 1.0.4) providing the mechanism to allow biodiversity values to be calculated and compared. The SBM calculates the overall loss or gain of biodiversity of development projects by assessing the distinctiveness (i.e. type of habitat and its value), condition, extent, and strategic significance of habitats on site pre- and post-development, including both permanent and temporary land-take areas.

D.1.6 As set out in the Planning Statement [AS-098] (ref. paragraph 6.3.43), solar farms have the potential to increase the biodiversity value of a site, as explained in paragraph 2.10.89 of NPS EN-3. There is currently no target

BNG based on national or local policy, instead the requirement is for the achievement of no-net-loss (i.e. $\geq 0\%$ BNG). Although not mandated for Nationally Significant Infrastructure Projects (NSIP) yet, the Applicant considers that, given the importance of, and opportunities to deliver BNG, large-scale solar schemes such as the Proposed Development can go well beyond a 10% uplift for habitat and hedgerow units, representing a benefit of the Proposed Development, as discussed in the Planning Statement [AS-098] (ref. paragraph 7.3.6). As such, based upon the findings of the BNG Report [APP-194], the Applicant has committed to deliver a minimum of 30% BNG in habitat units, 50% BNG in hedgerow units and 10% BNG in watercourse units using Defra's Statutory Biodiversity Metric (SBM) (Version 1.0.4) for the Proposed Development. This commitment is secured in Requirement 8 of Schedule 2 of the Draft DCO [APP-016].

- D.1.7 The reason for the BNG being delivered by the Proposed Development exceeding the 0% target (or even the 10% target not yet in force for NSIPs) is due primarily to the conversion of intensively farmed arable land to grassland under solar PV, and also due to the landscape planting (hedges and trees) required to screen the Proposed Development in order to mitigate potential significant effects from other topics such as landscape and visual, heritage setting, and glint and glare.
- D.1.8 The Applicant acknowledges there is land within the Order limits not designated for above ground solar infrastructure, which contributes to the BNG score. Specifically, there is land designed in the illustrative layouts [AS-022 and AS-023] for:
- a. Bird Mitigation Area - Permanent Grassland
 - b. Bird Mitigation Area - Managed Arable
 - c. Retained Arable and Grassland.
- D.1.9 None of the above has been included for the delivery of BNG alone, but is instead provided to mitigate the potential environmental effects of the Proposed Development.
- D.1.10 The 'Bird Mitigation Area – Permanent Grassland' will contribute to the BNG score as these areas are being converted from intensive arable farmland to grassland, however the inclusion of these areas in the Order limits is driven by the need to provide mitigation to avoid likely significant effects on ground nesting birds. The Applicant has sought to maximise the potential of these grassland areas to benefit wider biodiversity, including an enhanced contribution to BNG units, beyond the mitigation requirements solely for ground-nesting birds. However, the measures to maximise the potential of these areas has not increased the land take necessary to provide the required mitigation and to reduce the Bird Mitigation Area would introduce a new likely significant effect on birds.
- D.1.11 As the areas of land marked as 'Bird Mitigation Area - Managed Arable' have been retained in the post-development calculations as arable farmland to be sensitively managed to mitigate impacts on ground nesting birds, this has a negligible impact on the overall BNG score, as current land use will continue, but with measures such as small unsown areas within the crop (Skylark

'plots') incorporated. As with the Permanent Grassland described above, no additional land has been incorporated in this area to provide for BNG and to reduce these Bird Mitigation Areas would introduce a new likely significant effect on birds, specifically skylark and lapwing, which are of district importance, and other ground nesting birds.

D.1.12 Finally, the 'Retained Arable and Grassland' area may provide further contributions to BNG if it is seeded as grassland rather than arable, but the BNG Report has conservatively assumed it will be retained as arable farmland to avoid overstating any beneficial effect relating to BNG. This land is required in the application to deliver buried cabling connecting fields of solar PV with one another and the solar PV to the Onsite Substation and BESS. Without this land, the Proposed Development is not deliverable.

Minimum land required to achieve 10% BNG

D.1.13 As mentioned above, there is no land within the Order limits specifically for BNG, and therefore it is not feasible to reduce the footprint of the Proposed Development to achieve only 10% as this would impact on the mitigation that is required to be delivered as part of the Proposed Development and land required to ensure that the Proposed Development can be installed and delivered.

D.1.14 Reducing the Order limits would not lower the BNG to 10%, due to the change in arable use to grassland under solar PV panels inherently generating over 10% BNG. Instead there would need to be a change in land use or surfacing relative to what the Applicant has proposed (e.g. gravelling the ground under panels or laying reflective plastic sheeting – neither of which are proposed by the Applicant).

D.1.15 As mentioned above, solar farms inherently have the potential to increase the biodiversity value of a site, as noted in NPS EN-3. Converting intensive arable farmland to grassland will typically deliver well in excess of 10% BNG. Therefore, it is not necessary to calculate the area required to deliver 10% across unit types, because as set out above, the enhancements contributing to the BNG score reported in the BNG Report are a result of good design practices and not the need to specifically identify land to deliver BNG. Reducing the Order limits therefore would have wider implications for delivering the required environmental mitigations whilst also reducing the objectives of the Application to maximise the renewable energy generation for the grid connection offer, but not necessarily on the ability to achieve BNG.

D.1.16 There are two other BNG measures aside from area habitats: hedgerow and watercourses. It is not possible to deliver the Proposed Development with only a 10% hedgerow gain without introducing more significant effects on landscape and visual amenity, heritage and glint and glare. With regards to watercourse habitat, the Applicant is only proposing to achieve 10% BNG for watercourses.

D.1.17 In line with paragraph 2.10.89 of NPS EN-3, the Applicant has sought to maximise the level of biodiversity gain, where feasible, but without the need

to identify discrete areas to deliver this or the inclusion of land within the Order limits solely for the purpose of delivering BNG.

In the context of there being multiple functions on land within the Proposed Development i.e. the rotation of arable and grassland across the site, how those areas of land are considered in the BNG calculation

D.1.18 This is largely covered above.

D.1.19 To reiterate, as per the Landscape Mitigation Plan (Figure 7.15-1) presented in the Framework LEMP [AS-101], a total of 156.34 hectares has been identified for potential use as either retained arable land or for species-rich grassland habitat creation (shown on Figure 7.15-1 as 'Proposed Species Rich Grassland or Retained Arable – outside solar PV areas'). For the purposes of the BNG assessment presented in Section 3.2 and 3.3 of the BNG Report [APP-194], a precautionary approach has been adopted, assuming this land will be retained as arable and would therefore not offer any BNG. Section 3.4 of the BNG Report [APP-194] then presents a Sensitivity Analysis for context, which explores the potential biodiversity unit uplift should these areas be converted to Other Neutral Grassland.

D.1.20 The flexibility for Grassland or Retained Arable is included at the request of landowners, who would prefer to decide after consent whether the land used for buried cabling would continue to be farmed for crops or if it is reverted to grassland. They may also wish to rotate between farmland and fallow land to rest the soils during the 60 year lifetime of the Proposed Development. It is worth noting that the landowners and farmers can choose to revert their fields to grassland currently without planning permission.

D.1.21 In addition to this, a minimum 181ha of managed arable for bird mitigation will be delivered as indicatively shown within the 'Bird Mitigation Area – Managed Arable', as set out in Chapter 8: Ecology and Nature Conservation of the ES [APP-033] and illustrated on Figure 8-5 Bird Mitigation Land Allocation of the ES [AS-046], and secured in the Framework LEMP [AS-101]. The managed arable for bird mitigation may be rotated within the areas of the DCO Site where there is no solar PV infrastructure (shown as either 'Bird Mitigation Area – Managed Arable' or 'Retained Arable or Grassland' on Figure 8-5 Bird Mitigation Land Allocation of the ES [AS-046]), providing the principles in paragraph 5.2.19 and 5.2.20 of the Framework LEMP are met. Similar to above, this flexibility is in response to a request from landowners to maintain flexibility to rotate between managed arable for birds and seeding the land as grassland for some years, should the farmers decide this is beneficial to allow the soil to rest and recover. This helps balance the delivery of the Bird Mitigation Land with the ability to continue to successfully farm these areas, without impacting the successful delivery of the mitigation being provided.

D.1.22 As set out in paragraph 2.9.2 of the BNG Report [APP-194], the BNG calculation will be updated as part of the detailed design stage of the Proposed Development to reflect the final design and demonstrate that BNG is achieved in line with the DCO commitments.