



**Nationally Significant Infrastructure Project:
Fosse Green Energy Park**

Response to The Examining Authority's written questions and request for information (ExQ1) issued on 16 January 2026.

Prepared by Lincolnshire County Council

February 2026

Question no.	Question	LCC Response
General and Cross-topic questions (GC)		
GC.1.16	<p>Waste Management</p> <p>Section 5.15 of NPS EN-1 (2023) addresses resource and waste management including identifying requirements for the applicant assessment. That includes, at paragraph 5.15.9, that applicants should include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p> <p>Views are sought on whether this has been adequately addressed in the ES, for example, in Appendix 14- E: Materials and Waste Impact Assessment Methodology and Baseline [APP-174].</p>	<p>The Council notes this application is to be assessed under the 2023 National Policy Statements as per transitional provisions, however, the Council has also reviewed the updates to the NPS (adopted Jan 2026).</p> <p>NPS EN-1 retains the same requirement (now at 5.15.8) which also requires the applicant to <i>'include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development'</i>.</p> <p>Thus the Council would suggest that, to demonstrate compliance with NPS EN-1, the applicant needs to identify how much waste of each type they anticipate producing at each stage of the project, the intended fate (e.g. recycling) of each waste stream, and how they will follow the waste hierarchy.</p> <p>The ES does not provide such information, and Appendix 14-E [APP-174] merely sets out a methodology for calculating the impacts of these unspecified waste streams. Indeed, the Council cannot find such forecasts in any of the applicant's documents (e.g. framework CEMP, OEMP & DEMP) and would request that the applicant either directs us to where the forecasts have been provided or produce them now, albeit we recognise that such figures would be</p>

		indicative at this stage and be based on assumptions – e.g. failure rate of PV panels.
GC.1.18	<p>Minerals safeguarding</p> <p>The Minerals Safeguarding Assessment [APP-162] considers that minerals resources would not be sterilised because the proposed development would be temporary in nature and the land would be restored to a condition that would not inhibit mineral extraction and the Lincolnshire Local Aggregates Assessment demonstrates that there should be sufficient sand and gravel and limestone resources to last beyond the Lincolnshire Minerals and Waste Local Plan period.</p> <p>However, as the proposed development’s operational period could potentially be 60 years that would extend beyond the period covered by the extant Minerals and Waste Local Plan. Advise on:</p> <ul style="list-style-type: none"> a) the current landbank for sand and gravel and limestone; b) the effects of the proposed development on minerals supply in the area; and c) any mitigation required to safeguard mineral resources. 	<p>It is noted that the Mineral Safeguarding Assessment included at APP-162, identifies that the Local Aggregates Assessment (2023 data) demonstrates that, through a combination of permitted reserves and allocated sites, there should be sufficient sand and gravel and crushed rock (limestone) resources to last beyond the Lincolnshire Minerals and Waste Local Plan (LMWLP) period. The current Lincolnshire Minerals and Waste Local Plan period is to 2031, the date at which the Fosse Green Solar is expected to commence construction [APP-028, paragraph 3.4.1] with construction anticipated to take between 24 and 30 months. The County Council is currently updating the LMWLP to 2042, a significantly shorter period than the 60 year Fosse Green DCO which would indicate decommissioning circa 2093.</p> <p>Please note that the LAA references permitted reserves on which the landbank is calculated. Resource is the extent of the mineral and defined in the PPG as ‘Mineral resources are defined as natural concentrations of minerals or, in the case of aggregates, bodies of rock that are, or may become, of potential economic interest due to their inherent properties.’</p> <ul style="list-style-type: none"> a) The NPPF (2024) paragraph 226(f) states Minerals planning authorities should plan for a steady and adequate supply of aggregates by

		<p>maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock. The latest Lincolnshire Local Aggregates Assessment (LAA) (2024 data) calculates the following landbanks for Lincolnshire:</p> <ul style="list-style-type: none">• At the end of 2024, Lincolnshire had sufficient permitted reserves of sand and gravel to meet the 7-year minimum landbank, based on average sales over the period 2015-2024. The landbank for sand and gravel is 8.01 years with the annual production rate remaining closely aligned with the annual provision rate set out in the adopted plan.• At 31 December 2024, it is estimated that permitted reserves of crushed rock aggregate (Limestone) totalled 13.479mt. This provides for 9.06 year landbank based on the average of the last 3 years sales (2022-2024) which is slightly below the 10 year minimum. Sales of limestone crushed rock have increased significantly over the last ten years with the three-year average (2022-2024) being 1.487mt - over twice the provision rate set in the Core Strategy and Development Management Policies (2016) at 0.62mt per annum. This is also 0.308mt higher than the 10-year average (1.179mt), an increase of around 26%. To reflect the higher level of demand, the landbank will continue to be calculated using the last 3-years average
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		<p>sales as opposed to the 10-year sales average (Planning Practice Guidance (Paragraph: 064 Reference ID: 27-064-20140306)).</p> <p>The current landbanks are therefore significantly less than the 60 year operational lifetime of the solar farm.</p> <p>b) There are 2 operational sand and gravel quarries within 400m of the proposed solar farm, namely Swinderby Airfield to the west and Whisby Quarry to the north. Both quarries are identified within the Mineral Safeguarding Assessment [APP-162 paragraph 3.6.1 a. and b.]. The County Council is currently updating the Lincolnshire Minerals and Waste Local plan and is in the process of identifying additional provision to 2042. At the call for sites, a number of sites were submitted for consideration within this area, therefore it must be recognised that this is clearly a location of industry interest. Please see the Site Assessment Report undertaken as part of the Regulation 18 consultation which identifies the ‘preferred’ sites proposed for allocation and those discounted at that stage: https://www.letstalk.lincolnshire.gov.uk/minerals-and-waste-local-plan ¹ Even though some of the nominated sites in this area were discounted at Regulation 18 stage from being</p>
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¹ [Minerals and Waste Local Plan: Preferred approach consultation | Let's Talk Lincolnshire](#)

		<p>taken forward in the current plan, these and other areas could potentially be put forward for consideration in a later plan. Sterilisation of the resource, albeit until the 2090s, could impact on the future extraction of sand and gravel resources within the vicinity. Whilst the Council may have a landbank in the immediate term, and are in the process of assessing sites for allocation in the MWLP update, additional resources will need to be identified for future LMWLPs during the extended 60 year life of the proposed Fosse Green Solar Farm, and given its proximity and industry interest in the wider area, mineral safeguarding and protection of resources needs to be given meaningful consideration in the NSIP.</p> <p>c) The Council suggest contacting the site operators to accurately determine their long term plans to ensure that the proposed Fosse Green Solar Farm does not constrain the extension of existing or delivery of new sand and gravel sites. At this stage, the Council has not seen any evidence that such engagement has been undertaken.</p>
GC.1.21	<p>Revised Energy National Policy Statements (NPS) On 6 January 2026 revised versions of the following NPS published in December 2025 took effect:</p> <ul style="list-style-type: none"> • Overarching National Policy Statement for Energy (EN-1) • National Policy Statement for Renewable Energy Infrastructure (EN-3) • National Policy Statement for Electricity Networks Infrastructure (EN-5) 	<p>LCC considers the revised NPS EN-1, EN-3 and EN-5 fundamentally remain the same in regard to the significant issues raised by LCC.</p>

	<p>Under the transitional provisions included in section 1.6 of the revised version of NPS EN-1, for the purposes of the determination of the application for the proposed development, the versions of NPS EN-1, EN-3 and EN-5 that were published in November 2023 and which took effect in January 2024 continue to be in effect under s104(2)(a) of PA2008, with the newly revised versions of those NPS being cable of being considered as important and relevant matters under s104(2)(d). If you consider the revisions made to the national policy included in the 2025 versions of the NPSs listed above have any implications for the case you have made, written submissions should be made explaining how you consider your case has been affected by the revised policy.</p>	
<p>Draft Development Consent Order (dDCO)</p>		
<p>DCO.1.03</p>	<p>Article 2 - interpretation Article 2 of the dDCO [APP-016] includes provisions for “permitted preliminary works”. Section 5.7.21 of Advice Note 15 “Drafting Development Consent Orders” advises that such provisions have been removed by the Secretary of State (SoS) in some decisions, particularly where such advance works were themselves likely to have significant environmental effects, for example, in terms archaeological remains.</p> <p>b) Given that the permitted preliminary works could take place with just the framework plans in place, views are sought on whether the level of detail in these documents would secure adequate control and manage the likely effects arising from the preliminary works?</p>	<p>The Council considers the scope of works within the definition of ‘Permitted Preliminary Works’ is wide. The dDCO Article 2 states;</p> <p>“permitted preliminary works” means all or any of—</p> <ul style="list-style-type: none"> (a) environmental surveys, geotechnical surveys, intrusive archaeological surveys and other investigations for the purpose of assessing ground conditions; (b) removal of plant and machinery; (c) above ground site preparation for temporary facilities for the use of contractors; (d) remedial work in respect of any contamination or other adverse ground conditions; (e) diversion of existing apparatus and laying of temporary apparatus; (f) the provision of temporary means of enclosure and site security for construction; (g) the temporary display of site notices or

		<p>advertisements; or (h) site clearance (including vegetation removal, demolition of existing buildings and structures); or (i) advanced planting to allow for early establishment of protective screening</p> <p>The Council welcomes the clarification within the explanatory memorandum {REP1-010}, which states at paragraph 4.2.2 (d) that the intrusive archaeological surveys require further approval under Requirement 11(3), which the Council considers to be appropriate and necessary.</p> <p>The Council notes the broadness of the definition, due to the vast scale of the proposed development, the preliminary works proposed above could have significant environmental impacts and the Council consider the framework environmental management plans should reference the preliminary works.</p> <p>The Council consider the framework management plans, specifically the CEMP should explicitly cover preliminary works should they be able to commence without the discharge of the finalised documents. This would provide the Council with some level of certainty that a mechanism of control would be in place to control the extent of these works.</p> <p>As the Council has previously highlighted within its LIR [REP1-053], paragraph 8.8 – 8.9. The Council considers that a requirement be imposed</p>
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		<p>to restrict the commencement of the development, including any preliminary works, until such time planning permission has been secured for the Navenby Substation.</p> <p>Ensuring no negative environmental impacts occur from the Fosse</p> <p>Green development commencing without the benefits of generation which would be relied upon for the grant of any consent being secured.</p>
DCO.1.04	<p>Articles 2 and 5 - maintenance</p> <p>Article 2 provides a definition for “maintain” which includes “inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part of the authorised development (but not remove, reconstruct or replace the whole of Work No. 1 at the same time)”. Article 5 describes the power to maintain the authorised development</p> <p>Paragraph 2.3.3 of the FOEMP [APP-190] identifies that every 12 months from the date of final commissioning and before undertaking the maintenance for the year ahead, the applicant would submit a planned maintenance schedule for the year ahead to the relevant planning authorities, excluding unforeseen emergencies that require maintenance throughout the year. Paragraph 2.3.4 sets out what the maintenance schedule must include, with item e being confirmation that any environmental effects that are likely to arise as a result of such maintenance and the environmental controls to be implemented are not to be materially worse than those reported in the ES.</p> <p>a) Would the provisions within Articles 2 and 5 and the commitments in the FOEMP be sufficient to ensure that any environmental effects from maintenance activities would not be materially worse than those reported in the ES. If not, what other measures should be included?</p> <p>b) Should there be a mechanism for the relevant planning authorities to</p>	<p>As stated within the Councils LIR, the definition of ‘maintain’ is considered to be too broad and would potentially allow for wholesale replacement of solar panels. The clause to restrict the removal, reconstruction or replacement the whole of Work No. 1 ‘at the same time’ is noted but this would not appear to prevent this from occurring over the lifetime of the development.</p> <p>In line with comments made within section 18 the LIR a requirement to limit the replacement of panels to the percentages stated in the application documents and an annual reporting requirement would be welcomed.</p> <p>Notwithstanding comments made around the replacement of panels within the Councils LIR [REP1-053], paragraph 19.14. The Council welcomes the measures states within paragraph 2.3.3 within the Framework Operational Environmental Management Plan (fOEMP) [REP1-034] and Article 5(3) of the dDCO which states ‘ This article does not authorise the carrying out of</p>

	<p>determine whether the extent of maintenance would/would not give rise to materially worse environmental effects and if so, what this should comprise?</p>	<p>any works which are likely to give rise to any materially new or materially different effects that have not been assessed in the environmental statement'. The Council does however note that these statements rely wholly upon the developers professional judgement with no consultation with the Council for comment.</p> <p>The Council would expect that the developer would employ competent professionals to review and assess the environmental impacts from maintenance.</p> <p>In light of the above, the Council would welcome further detail to be inputted into the annual maintenance schedule details, paragraph 2.3.4 (a) of the fOEMP as follows; 'The extent and nature of the scheduled maintenance; to include the anticipated amount of waste and the intended destination/fate of each waste stream'.</p>
DCO.1.07	<p>Article 9 - application of the permit scheme Paragraph 4.3.2 of the EM [APP-019] identifies that the applicant will continue discussions with LCC as to the need for this Article. Provide an update on the progress on any such discussions concerning the need for Article 9 to be included in any made DCO for the proposed development.</p>	<p>It is essential that any works in the highway are co-ordinated through LCC's Permitting Scheme.</p> <p>This is in operation to ensure that any statutory undertakers, developers or other parties who need to undertake construction in the public highway are approved and that the location, timing, method and duration of the works are agreed.</p> <p>This prevents any potential conflicts between diversion works and ensures the highway network can operate safely. If a Developer is provided with</p>

		<p>powers to undertake works without using the Permitting Scheme, then these could lead to unsafe conditions on the highway network.</p> <p>As such, the Council consider the inclusion of Article 9 within the DCO to be necessary and appropriate.</p>
DCO.1.08	<p>Article 10 - power to alter layout, etc. of streets Paragraph 2 would allow the undertaker, for the purposes of the authorised development, or in connection with the authorised development, to alter the layout of any street within the Order limits in addition to those specifically identified in the tables in Part 1 and Part 2 of Schedule 5.</p> <p>b) LCC - comment on whether you consider the extent of this general power would be necessary and reasonable.</p>	<p>The Council consider that this power is not necessary or reasonable.</p> <p>It is necessary that the technical details of any works in the highway are approved prior to construction. Technical details such as construction depths, drainage, signage, kerbing are not provided at planning stage.</p> <p>These Technical Approvals are usually undertaken post-planning, and prior to construction. Developers would normally submit S184 Applications for Accesses, and S278 Minor Works applications for improvements such as passing places or localised road widenings.</p> <p>Any works in the highway should be approved by LCC prior to construction. Article 10 does not include this provision.</p>
DCO.1.11	<p>Article 16 - traffic regulation measures Paragraph 2 includes a general power that would authorise temporary traffic regulation measures on “any road” in addition to those specifically identified in Parts 1 and 2 of Schedule 8 (traffic regulation measures) and shown on the Traffic Regulation Measures Plans [AS-008].</p>	<p>The Council consider that this power is not necessary or reasonable.</p> <p>Temporary TROs and measures to enable safe working on the public highway can be agreed by the Contractor through the Permitting Scheme</p>

	b) LCC - should comment on whether it considers the extent of the general power in Article 16 would be necessary and reasonable.	operated by LCC.
DCO.1.22	<p>Requirement 17 – permissive paths</p> <p>a) Should this requirement include a provision specifying that the permissive paths would be made available to the public for a specified number of days a year during the operation of the proposed development or would the reference in paragraph 6.1.2 of the FLEMP [AS-101] be sufficient?</p> <p>b) Should the wording in the FLEMP and Requirement 17 be more prescriptive than “up to” 364 days a year as this could be interpreted as being a maximum and therefore allow for less than 364 days? If so, the applicant should provide clearer wording.</p>	It would not be appropriate for the Council to advise in detail with regard to this question. The operation of permitted paths would be down to the operator to decide. LCC can advise that provided that there is sufficient signage to show that use of the route is by permission, there is no need to restrict access for a day. The efficacy and legal impact of a one day closure is not likely to have any impact on a user based claim, unless there is sufficient other actions taken by the landowner to disabuse the public of the notion that they are exercising a public right.
DCO.1.24	<p>Requirement 20 – decommissioning</p> <p>a) For applicant – Having regard to the definition for the “date of final commissioning” stated in paragraph 1 of Schedule 2 (“date of final commissioning” means in respect of each part of the authorised development the date on which each part of the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing.”) and the wording of paragraph (1) of Requirement 20, what does each part of the development mean and how would the commencement of each part of the proposed development on a commercial basis be recorded and be made known to the relevant local planning authority?</p> <p>b) Would Requirement 20 adequately address the situation where the proposed development ceases to be in use/generate electricity before the 60-year period ends (early cessation)? If it is considered that the draft wording of paragraph (1) would inadequately address early cessation, provide wording that is considered to be appropriate, including the triggering for an early cessation procedure.</p>	<p>The Council have provided some commentary previously within our LIR with regard to Requirement 20. LCC suggested that an additional clause is provided for a) how a period of extended outage would be managed (if not dealt with through the management plans) and b) funding for decommissioning both as a result of an extended period of outage and at the end of the lifespan of the development – see Section 21 of the LIR for further detail.</p> <p>B) The wording of Requirement 20(1) states ‘decommissioning works must commence no later than 60 years following the date of final commissioning’ - this wording does not restrict decommissioning occurring earlier should early cessation occur. However, the Council consider that the procedure to be followed if early</p>

	<p>c) Should a timescale for completion of decommissioning works be included?</p>	<p>cessation does occur should be included within the Framework Decommissioning Environmental Management Plan (fDEMP) [REP1-036].</p> <p>C) As stated with paragraph 2.4.2 of the fDEMP, 'decommissioning will take between 12 and 24 months' the fDEMP goes on to state at paragraph 2.4.3 that more details on decommissioning phasing including timescales would be provided within the finalised DEMP prior to decommissioning commencing, this final document would be agreed in advance with the LPA.</p> <p>The commitments stated within paragraphs 2.4.2 and 2.4.3 of the fDEMP would be secured within Requirement 20 of the DCO. Article 20(3) of Schedule 2 states 'The decommissioning environmental management plan submitted and approved under sub-paragraph (2) must be substantially in accordance with the relevant part of the framework decommissioning environmental management plan', in theory, this should include timescales as referenced within paragraph 2.4.3.</p> <p>However, for the avoidance of doubt the Council sees no reason why 20(3) could not state ' The decommissioning environmental management plan submitted and approved under sub-paragraph (2) must be substantially in accordance with the relevant part of the framework decommissioning environmental management</p>
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		<p>plan and must include a timetable for its implementation’.</p> <p>Wording to this effect has been included within the Tillbridge Solar Farm DCO and the Springwell Solar Farm dDCO.</p>
DCO.1.30	<p>References to framework rather than outline management plans</p> <p>At the application stage for nationally significant infrastructure projects, ‘draft’ management plans are normally referred to as being “outline” documents. For this application the draft plans have been referred to as being “framework” plans:</p> <p>a) Applicant – explain the rationale for describing the draft plans as “framework” management plans.</p> <p>b) Applicant, NKDC and LCC – comment on whether you consider it would or would not be more appropriate to describe the draft management plans as outline rather than framework plans. (If the applicant is agreeable to each of the draft management plans being described as outline plans, then each plan would need to be retitled and resubmitted and related changes to the dDCO’s wording would need to be made)</p>	<p>The Council notes that through its involvement in several NSIP examinations draft plans are commonly referred to as outline rather than framework.</p> <p>However, it is acknowledged that the words are interchangeable as they have the same meaning.</p> <p>The Council does not have strong views regarding the use of ‘framework’ over ‘outline’ and would only highlight that the use of ‘outline’ would be more consistent with other NSIP proposals within Lincolnshire.</p>
Ecology and Nature Conservation (ENC)		
ENC.1.08	<p>Mitigation commitments</p> <p>Table 8-13 in ES Chapter 8: Ecology and Nature Conservation [APP-033] sets out the proposed development’s mitigation commitments. Comment on the extent of mitigation measures proposed and whether they would be sufficient to achieve their objectives?</p>	<p>The Council considers that the proposed mitigation measures set out in Table 8-13 of APP-033 are appropriate, proportionate to the potential impacts and adhere to recognised good practice. If the delivery of the proposed mitigation measures is secured in final versions of control documents such as the CEMP, LEMP, OEMP and DEMP the Council considers that they are likely to be effective.</p>
ENC.1.10	<p>Mitigation - Navenby Green Man Road Verges Local Wildlife Site</p> <p>Paragraph 8.12.7 in ES Chapter 8: Ecology and Nature Conservation [APP-033] identifies specific measures to limit the potential impacts to the Local</p>	<p>The Council considers that additional wording and clarification is required in ECO-C1 part b of</p>

	<p>Wildlife Site and that these would be included in the CEMP. Paragraph 8.12.8 in [APP-033] explains it may be possible to supplement the re-instated areas with seed collected from more diverse sections of the Local Wildlife Site. Table 3.4 of the FCEMP [APP-189] under ECO-C1 part b. identifies measures specific to the Local Wildlife Site.</p> <p>Comment on whether the measures set out in ECO-C1 part b of [APP-189] would adequately cover those identified in paragraphs 8.12.7 and 8.12.8 of [APP-033].</p>	<p>the FCEMP (APP-189) in order to ensure that it aligns with the stated intent of APP-083 Para 8.12.7 and 8.12.8 of APP-033.</p> <p>8.12.7 of APP-033 makes specific reference to the removal, storage and watering of turves from the LWS whereas ECO-C1 part b only refers to soils. The Council is of the opinion that turves should be removed and stored to ensure that re-instatement of impacted areas of the LWS is as effective as possible.</p> <p>8.12.8 of APP-033 refers to the collection of seed from more diverse areas of the LWS whereas ECO-C1 part b simply refers to the use of locally collected seed from nearby higher quality calcareous grassland where practicable. Whilst the Council agrees that it may be appropriate to use locally sourced seed to supplement any collected from the LWS, ECO-C1 part b should still include reference to the collection of seed from with the LWS as well.</p> <p>The Council considers that measures aimed at preventing unnecessary access and pollution / contamination of the LWS set out in ECO-C1 part b are appropriate.</p>
ENC.1.16	<p>Cumulative effects Table 8-16 in ES Chapter 8: Ecology and Nature Conservation [APP-033]</p>	<p>The Council is concerned about the potential for cumulative impacts on ground nesting bird</p>

	<p>identifies the residual effect for ground nesting birds of the proposed development in isolation as minor adverse (not significant). The assessment presented in Table 8-19 of [APP-033] concludes that there would be a negligible cumulative effect assuming appropriate mitigation measures would be included within respective developments to ensure there would be no significant residual effects.</p> <p>However, if several projects are identifying a minor adverse effect due to a loss of land for ground nesting birds, which is not significant in isolation, at what point might the effects for ground nesting birds become significant?</p>	<p>species, particularly skylark, arising from the number of similar developments across the County. The Council believes that each development should ensure that it provides adequate mitigation for its own impacts on ground nesting birds to avoid the potential for cumulative impacts as far as possible.</p> <p>The Council considers that where several developments are all having a minor adverse effect in isolation on an ecological feature which is deemed to be of at least county-level importance there is potential for the cumulative impacts to become significant. Populations of ground-nesting birds are assessed by the Applicant for this proposal as being of county-level importance. A significant effect could therefore occur if the development resulted in the loss or degradation of habitat which impacts the long-term viability of ground nesting bird populations within the county.</p> <p>The Council is of the opinion that measures currently proposed by the Applicant to mitigate impacts on ground nesting birds are adequate and considers that any negative impacts from this proposal are likely to be minor and temporary in nature if the proposed mitigation is secured.</p>
ENC.1.26	<p>BNG Report [APP-194] – strategic significance Paragraph 2.6.2 of the BNG Report sets out that NKDC has yet to produce a Local Nature Recovery Strategy and because of that strategic significance has been assigned to habitats using the alternative methodology in line with guidance set out in</p>	<p>A consultation on the draft Greater Lincolnshire Local Nature Recovery Strategy was launched on 26th January 2026. This will run until the 8th March 2026. Following this, it is anticipated that</p>

	<p>the Statutory Biodiversity Metric User Guide.</p> <p>LCC, in its relevant representation [RR-157], considers that significance has not been applied in accordance with the Statutory Biodiversity Metric User Guide, as NKDC has identified criteria for assessing strategic significance (Central Lincolnshire Biodiversity Opportunity Mapping). NKDC, in its relevant representation [RR-210] also refers to a failure to apply locally adopted strategic significance criteria.</p> <p>a) Comment on what would be the most appropriate approach for assigning strategic significance within the context of the advice stated in the Statutory Biodiversity Metric User Guide.</p> <p>b) NKDC - provide an update on when the council's Local Nature Recovery Strategy is expected to be published.</p>	<p>the final LNRS will be adopted and launched in the summer of 2026. At present, the Applicant should continue to use the currently adopted methodology to define Strategic Significance and not use to the draft LNRS to inform their BNG strategy. However, should the development gain consent, the Council considers that updates to the Applicant's BNG calculations are likely be required following the adoption of the LNRS to inform the final LEMP(s) and BNG Strategy.</p>
ENC.1.27	<p>BNG Report [APP-194] – trading rules Paragraphs 3.3.2 to 3.3.6 in the BNG Report explain the trading rules. Paragraph 3.3.2 confirms that for area habitats, the trading rules within the Statutory Biodiversity Metric currently would not be satisfied for each distinctiveness level. That would be because of the loss of “Lakes – Reservoirs”, “Heathland and shrub – Mixed scrub” and “Cropland – Arable field margins” habitats, which would not be directly mitigated for by the proposed development.</p> <p>a) For the applicant - paragraphs 3.3.3 and 3.3.4 in the BNG Report provide more detail with respect to Lakes – Reservoirs’ and Cropland – Arable field margins. Clarify why a similar explanation is not provided for Heathland and shrub – Mixed scrub.</p> <p>b) Comment on the approach to the trading rules.</p>	<p>b) Lincolnshire County Council and North Kesteven District Council met with the Applicant on 22/01/26 to discuss comments made on biodiversity and ecology in the Local Impact Reports including the Statutory Biodiversity Metric trading rules. The Councils suggested an alternative classification methodology for areas of grassland habitat around arable fields. This may address the failure to meet the trading rules for the ‘Cropland – Arable field margins habitat’ which are responsible for most of the losses ‘medium distinctiveness habitat’ Biodiversity Units. The Applicant agreed to consider this suggestion and make the required changes to the Statutory Biodiversity Metric calculations if appropriate.</p>
ENC.1.29	<p>Ecological Steering Group Councils - explain how it is envisaged that the ecological steering group referred to in NKDC's relevant representation [RR-210] could be secured.</p>	<p>In line with other recent NSIP applications in Lincolnshire, the Council considers that the Ecological Steering Group (ESG) could be secured</p>

		in the LEMP. However, financial contributions relating to the ESG and monitoring of BNG are likely to require a S106 agreement.
Farming and Soils (FS)		
FS.1.11	<p>Framework Soil Management Plan Within the Framework Soil Management Plan [AS-100] mention is made of a number of documents that would need to be referred to for the management of soils, for example, the soil resource survey, DEFRA's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites document, as well as the SMP.</p> <p>a) Applicant - for each element of the proposed development, explain the approach to managing soils during construction, operation and decommissioning. This should include the methods for stripping, storing and replacing soils, including during wet weather, and activities during the aftercare period.</p> <p>b) Comment on other matters which you consider should be included in a final soil management plan to ensure that it provides an appropriate basis for the preparation of a detailed plan for the management of soils during construction, operation and decommissioning.</p>	<p>The Council will defer to NKDCs agricultural consultant on this matter.</p> <p>The detailed Soil Management Plans should be led by the Soil Resources Survey, which is required to be carried out as part of the pre-construction planning (Framework Soil Management Plan REP1-037 section 4.1.1). In particular, soils should not be stripped or otherwise handled when 'plastic', and work should only be done when soils are dry and friable</p>
FS.1.14	<p>Framework Soil Management Plan - restoration Restoration to previous quality appears to be one of the reasons for a finding of minor adverse effect for the land temporarily affected (paragraph 12.7.42 in ES Chapter 12: Socio-Economics and Land Use [AS-016]. It is also referenced in SOC-C3 in the FCEMP [APP-189].</p> <p>Given this context, should there be a stronger commitment in the FSMP to restoring to the predevelopment grade of agricultural land? If not, explain why that is considered to be the case?</p>	<p>The Council will largely defer to NKDCs agricultural consultant on this matter. However, notwithstanding our stated position of objection to development proposals falling on Best and Most Versatile (BMV) land, we would support the ExA's suggestion that there should be explicit reference in the FSMP to state that, when undertaking soil reinstatement, the land must be restored to the pre-development ALC grade,</p>

		<p>particularly where this was originally surveyed as BMV.</p> <p>In support of the suggestion to ensure restoration to pre-development ALC grades, the Council would highlight its disagreement with the applicant on the significance of effects (stemming from the most appropriate ‘Sensitivity’ category that applies to Grade 3a land) (see para 15.22 of LCC’s LIR [REP1-055]), a view shared by Natural England, and LCC will review the applicant’s response to ExQ FS.1.06 in due course on this topic.</p>
FS.1.20	<p>Cumulative Effects</p> <p>The applicant has assessed the cumulative effects for agriculture in section 12.10 of ES Chapter 12 (SocioEconomics and Land Use) [AS-016]. Table 12-29 on page 71 presents the applicant’s estimates of BMV land under solar infrastructure for solar NSIPs in Lincolnshire (including the unitary authority areas), with the applicant estimating in paragraph 12.10.15 in [AS-016] that other solar NSIPs in Lincolnshire, together with the Proposed Development would occupy approximately 1.4% of the BMV land in the County.</p> <p>What are the Councils’ views on the applicant’s consideration of the cumulative effects for agriculture?</p>	<p>The Council, in its LIR [REP1-055] at paragraph 15.24, refer to the applicant’s assessment of percentage BMV land affected by solar developments in Lincolnshire and state that it is broadly comparable with its own calculations. Notwithstanding that position, the Council is continuing to review and analyse the data around the impact of solar developments on BMV land and will update its position during the course of the examination if and when necessary.</p> <p>LCC has identified discrepancies in the applicant’s Table 12-29 of [AS-016] (e.g. Meridian Solar, due to go to examination in 2026, should be included; while other sites – Great North Road Solar and Steeples should be excluded as they lie in Nottinghamshire). The Table also excludes any TCPA solar projects, which our records currently indicate amount to a further 1,583 hectares of</p>

		<p>BMV land. In total, our calculations indicate solar projects (NSIP and TCPA) in Lincolnshire will impact on 5,120 hectares of BMV land. In absolute terms, this constitutes a significant cumulative and incremental loss of high-quality agricultural land in an area of the country that has a disproportionately higher percentage of such resource, and therefore it remains an area of concern to the Council.</p>
Landscape and Visual (LV)		
<p>LV.1.02</p>	<p>Applicant's methodology for assessing landscape and visual effects Advise on whether you agree or disagree with the methodology the applicant has used to assess the proposed development's landscape and visual effects. If you disagree with any aspect of the methodology adopted by the applicant the reason for that should be explained</p>	<p>AAH broadly agrees that the LVIA methodology adopted by the applicant is structured in accordance with current best practice.</p> <p>The LVIA Methodology is presented in section 10.4 of the LVIA and <i>Appendix 10-B: Landscape and Visual Impact Assessment Methodology</i>. Reference is made in section 1.1.4 of <i>Appendix 10-B</i> to best practice and industry guidance, including GVLIA3 and reference to <i>Notes and Clarifications on aspects of GLVIA 3, LI TGN-2024-01, Landscape Institute</i>. It demonstrates compliance with GVLIA3 by assessing both landscape effects and visual effects as interrelated but separate components.</p> <p>While AAH broadly agrees that the LVIA methodology is structured in accordance with GLVIA3, the LVIA relies heavily on professional judgement in the application of sensitivity and magnitude, and it is the outcomes of that</p>

		judgement, rather than the structure of the methodology itself, where AAH raises some areas of disagreement.
LV.1.03	<p>Applicant’s assessment of landscape and visual effects</p> <p>The applicant has summarised the proposed development’s effects for landscape and visual amenity for the fifteenth operational year in Table 10-13 in ES Chapter 10: Landscape and Visual Amenity [APP-035].</p> <p>a) Advise on whether you agree or disagree with the applicant’s classification of significance of effects, for both landscape and visual amenity, for the fifteenth operational year for each receptor summarised in Table 10-13 in [APP-035]?</p> <p>b) For any receptors for which you disagree with the applicant’s classification of significance, state your preferred effect classification and explain why that is the case.</p> <p>c) For any instances of disagreement, you should also explain whether the provision of any additional or different mitigation would address your reasons for disagreeing with the applicant’s assessment.</p>	<p>Landscape effects:</p> <p>a) We agree that by year 15 landscape receptors subject only to temporary and/or indirect effects, notably along the cable corridor where works are below ground and land is reinstated, would not experience significant residual landscape effects, subject to the retention and protection of existing vegetation.</p> <p>However, we do not agree with the applicant’s judgement of significance for a number of landscape receptors that will be subject to direct and permanent effects arising from the principal site.</p> <p>b). Particular disagreement is raised in relation to the following receptors summarised in Table 10-13 of ES Chapter 10 [APP-035]:</p> <ul style="list-style-type: none"> • Principal Site • LLCA 03: Tunman Hill • LLCA 08: Thurlby Fenland • Sub-area 2: Terrace Sandlands • Sub-area 5: Witham & Brant Vales; and • LCT 4a: Unwooded Vales

		<p>For these receptors, the applicant concludes that effects reduce to Minor Adverse or non-significant by year 15. This conclusion is not agreed.</p> <p>We consider that residual landscape effects for these receptors at operational Year 15 should be classified as Moderate Adverse and Significant.</p> <p>This is because the development results in a fundamental and permanent change to the baseline landscape, through the introduction of large-scale solar infrastructure across an extensive area (approximately 1,368 hectares within the Order Limits). The effects arise from inherent land use change and alteration to landscape character, rather than from short-term construction activity or visual exposure alone.</p> <p>When considered cumulatively with other existing and consented NSIP-scale solar developments in the locality, the proposal contributes to a wider change in regional landscape character and land use. This reinforces the position that residual effects remain significant at year 15.</p> <p>c) We do not consider that any additional or alternative mitigation strategies would materially alter the outcome of the residual landscape effects for these receptors. While mitigation</p>
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		<p>planting may reduce localised visual prominence over time, it does not reinstate the open agricultural character, land-use function, or rural qualities that define the affected landscapes.</p> <p>As such, mitigation may reduce indirect effects but does not reduce the magnitude of direct landscape character change.</p> <p>Visual effects:</p> <p>a) We broadly agree that the number of visual receptors experiencing Significant adverse effects reduces between Year 1 and Year 15, primarily due to the completion of underground cable works and the establishment of mitigation planting</p> <p>We also agree that a number of sensitive visual receptors will continue to experience Significant adverse effects at year 15 including:</p> <ul style="list-style-type: none">• Recreational users of PRow west of Thorpe on the Hill• Recreational users of Aubo/8/1• Selected receptors on the PRow network during winter conditions; and• Residents and recreational receptors in close proximity to the Order Limits where screening is limited or ineffective
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		<p>b) We consider the applicant's judgement of Moderate to Major Adverse and Significant effects at year 15 for the receptors listed above to be appropriate.</p> <p>These residual effects arise from the scale, extent and proximity of the Development, which results in close-range, open and sequential views of solar infrastructure along parts of the public rights of way network and from nearby residential receptors. While mitigation planting reduces visual exposure in some locations, it does not fully screen views in winter, nor does it prevent prolonged views experienced by recreational users moving through the landscape.</p> <p>The extent of reliance on mitigation planting to reduce visual effects must be treated with caution, as poorly sited or excessive planting has the potential to introduce adverse visual effects in its own right, including loss of openness, foreshortening of views and a sense of enclosure within an otherwise open landscape.</p> <p>c) While mitigation planting and the proposed Outline Landscape and Ecological Management Plan (OLEMP) would assist in reducing visual effects for some receptors over time, they would not fully eliminate Significant adverse visual effects for all sensitive receptors.</p>
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		<p>Post-submission design changes discussed with the applicant will introduce additional mitigation, including increased offsets between built development and sensitive residential receptors, the removal of solar development from the field adjacent to 5 Bassingham Road, and increased separation distances for properties in close proximity to Clay Lane, including River Farm]. These measures are welcomed and would likely reduce visual effects at a localised level.</p> <p>The scale and extent of the Development makes it difficult to fully mitigate visual effects for close-range receptors on the PRoW network and nearby residential properties. The proposed permissive paths, while increasing access provision, would not mitigate effects on existing PRoW users, as these routes would remain in close proximity to solar arrays and other above-ground infrastructure and would continue to experience sequential views of the Development.</p> <p>We consider that Significant adverse residual visual effects would remain at year 15 for a number of sensitive receptors, notwithstanding the implementation of mitigation.</p>
LV.1.04	<p>Visual effects for users of public rights of way (PRoW) Paragraph 2.10.43 in NPS EN-3 (2023) states “Applicants are encouraged where possible to minimise the visual impacts of the development for those using existing public rights of way, considering the impacts this may</p>	<p>The detailed LVIA review carried out and appended to the LIR identified concerns regarding PRoW associated with locally promoted walking</p>

	<p>have on any other visual amenities in the surrounding landscape.⁸⁹ ”</p> <p>Most of the proposed Order Limits through which PRowS pass is open in character. To mitigate the visual effects of the proposed development for PRowS users the applicant is proposing to plant hedgerows. Having regard to the above quote from NPS EN-3 (2023), do you consider the planting of the proposed hedgerows would or would not be an appropriate form of mitigation for users of the affected PRowS? If you consider such hedgerow planting would not be appropriate, are there any other forms of mitigation which you consider would be more appropriate?</p>	<p>routes, including the Stepping Out Walks, which have increased recreational value and are promoted for their views and scenic quality.</p> <p>The applicant’s assessment distinguishes between the Viking Way, assessed as having High susceptibility, and other PRowS assessed as having Medium susceptibility. While this distinction is broadly justified for long-distance routes, AAH considers that locally promoted PRowS associated with the Stepping Out Walks should also be assessed as having High susceptibility due to their recreational and scenic purpose.</p> <p>In terms of mitigation, the planting of hedgerows is considered an appropriate form of mitigation for users of affected PRowS in the context of a solar photovoltaic development. The PRowS largely pass through open agricultural landscapes where a sense of openness and separation between land uses forms part of the baseline character and visual experience. Hedgerow planting reflects established landscape patterns, provides visual filtering rather than complete screening, and avoids introducing overly enclosing elements that could alter the open character of the landscape. This approach is consistent with paragraph 2.10.43 of NPS EN-3 (2023), which encourages</p>
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		<p>minimisation of visual effects while having regard to wider visual amenity.</p> <p>For the majority of PRow sections, hedgerows therefore represent a proportionate and landscape-led form of mitigation. However, in specific locations where development elements are taller and more visually prominent, and where sensitive residential receptors are located at medium proximity, additional mitigation may be appropriate. In particular, the residents of Bassingham and in the vicinity of the proposed substation, the introduction of additional tree planting associated with the existing copse, extending part way along its edge, would assist in screening and softening intervisibility over time. This would remain consistent with local landscape character while addressing heightened visual sensitivity at that location.</p>
LV.1.05	<p>Effectiveness of the proposed roadside screen planting</p> <p>The ExA observed while undertaking its unaccompanied site inspection 1 (USI1) that throughout the area of the proposed development all roadside hedgerows appear to be subject to managed pruning, resulting in hedgerows in the winter period being around 1.5m to 2.0m in height above carriageway level.</p> <p>a) Councils - is there local legislation in force (a byelaw or similar) requiring roadside hedgerows to be subject to managed pruning applying to the proposed Order Limits and the nearby area?</p>	<p>a) We are not aware of local legislation or byelaws requiring roadside hedgerows within the proposed Order Limits to be maintained at a specific height. Hedgerow management within the area appears to be influenced primarily by routine agricultural and highway maintenance practices rather than formal height restrictions.</p> <p>b) If the proposed roadside hedgerow planting were managed in the manner observed by the ExA during USI1, typically around 1.5–2.0 metres in</p>

	<p>b) If the proposed roadside hedgerow planting was to be pruned in the manner observed by the ExA during its USI1, would those hedgerows provide effective screening for the proposed development? For example would the proposed array area occupying field 62 on sheet 8 of Figure 7.15-1 in the FLEMP [Appendix A in AS-101], adjoining Clay Lane west of Bassingham and east of Norton Disney be effectively screened by the proposed roadside hedgerow planting?</p>	<p>height, the hedgerows would provide limited screening, particularly during the winter period. At these heights, they would function primarily as low-level visual filtering rather than effective screening of the proposed development.</p> <p>Within the local landscape, there are occasional examples of hedgerows maintained at approximately 3.0–3.5 metres, although this is relatively uncommon. Where feasible, such hedgerow heights, combined with the inclusion of occasional hedgerow trees, could be used strategically to mitigate views along PRowS and roadside receptors. Hedgerows of approximately 4.0 metres should be limited to locations where visual effects would otherwise be moderate to significant and where no alternative mitigation would be appropriate.</p> <p>This is not a criticism of hedgerow mitigation in principle, but of its uniform application without sufficient differentiation between routes whose recreational value is explicitly derived from openness and long views</p>
<p>Population Effects (PE)</p>		

<p>PE.1.05</p>	<p>Socio-economic assessment of decommissioning effects – temporary workforce</p> <p>Paragraph 12.7.74 in ES Chapter 12: Socio-Economics and Land Use [AS-016] states that it is assumed that the same number of jobs required for constructing the proposed development would be needed to carry out the activities required to remove the infrastructure from the site. However, no assessment of effects on local accommodation facilities or the effects of an influx of workers is presented.</p> <p>Comment on the need for any effect during the construction phase to be covered in the assessment.</p>	<p>While it will undoubtedly be difficult to predict the effects of decommissioning, and thus assess them, given this is a date sometime into the future, no attempt has been made beyond expected additional employment numbers for this phase.</p> <p>An assessment of the socio-economic effects of the decommissioning process should be undertaken, utilising the best information available. It is possible to note where these effects are likely to occur, even if the scale of such are not known.</p> <p>This is particularly the case for the impact on local accommodation facilities and the effects of an influx of temporary workers. For completeness, an assessment structure that mirrors that of the construction phase should be included.</p>
Transport and Traffic (TT)		
<p>TT.1.01</p>	<p>NPS EN-1 (2023)</p> <p>Paragraph 5.14.21 of NPS EN-1 states that the Secretary of State should only consider refusing development on highways grounds in the absence of a demonstration of how consideration has been given to the provision of adequate active public or shared transport access and provision. Paragraphs 5.14.7, 5.14.9 and 5.14.11 of NPS EN-1 identify measures to be considered in that regard.</p> <p>The measures proposed to promote sustainable modes of transport are set out in the Framework Construction Traffic Management Plan (FCTMP) [AS-102]. Paragraph 1.2.1 of [AS-102] refers to the preparation of a combined FCTMP and Travel Plan.</p>	<ul style="list-style-type: none"> a) LCC consider the FCTMP provides appropriate measures to provide active travel and shared transport access. b) The outline measures are suggested in the FCTMP submitted. The detail will need to be approved (Requirement 14 of DCO)

	<p>a) Would the identified measures in the FCTMP go far enough?</p> <p>b) Is sufficient detail provided in the FCTMP to provide a context for securing a detailed travel plan? If not, what other matters should be included?</p>	
TT.1.02	<p>Impact assessment methodology Paragraph 13.4.22 in ES Chapter 13: Traffic and Transport [APP-038] explains that an initial screening process of links and junctions has been conducted to identify receptors which record hourly traffic flow increases of less than 30 vehicles per hour as a result of the proposed development. Receptors that would be below that threshold have been screened out of the assessment.</p> <p>a) Paragraph 13.4.19 in [APP-038] advises that the assessment methodology has been informed by the 2023 IEMA guidelines: Environmental Assessment of Traffic and Movement. Explain how the threshold identified in paragraph 13.4.22 as described above relates to the IEMA guidance, which appears to recommend, as a starting point, that a 30% increase in traffic flows represents a reasonable threshold for including a highway link within an environmental assessment, other than for road safety and driver delay reasons.</p> <p>b) Applicant - signpost which part of the transport scoping presentation (Appendix 13-B) in [APP-164] identifies that the approach described in paragraph 13.4.22 has been agreed and LCC - confirm whether you agree with the approach taken by the applicant and if not what the reason for that is.</p>	<p>LCC agree with the approach taken. Less than 30 vehicles on a link will not affect the capacity or cause “severe” impact.</p> <p>Safety on single carriageway links could be affected by less than 30 vehicles, but the construction routings have been reviewed with the applicant to ensure safe routes are being proposed [APP-038] paragraph 13.4.27.</p>
TT.1.03	<p>Impact assessment methodology Paragraph 13.4.23 in ES Chapter 13: Traffic and Transport [APP-038] explains that a movement rule has been applied to the magnitude of impact assigned to receptors to avoid potentially misleading percentage impacts being identified as a result of very low baseline flows.</p>	<p>LCC agree this is a reasonable approach.</p>

	Confirm whether you agree with that approach with and if not explain why that is the case.	
TT.1.06	<p>Future baseline Paragraph 13.5.42 in ES Chapter: Traffic and Transport [APP-038] explains the future baseline year as being 2032.</p> <p>a) Applicant - clarify whether it is traffic growth only that has been projected, with no consideration built in about future road improvements which may be in place.</p> <p>b) LCC - comment on whether the data and assumptions to establish the 2032 baseline used in the assessment are reasonable and if not explain why that is the case.</p>	LCC agree with the growth factor methodology used in the assessment.
TT.1.11	<p>Assessment of likely impacts and effects – construction traffic Table 13-26 in ES Chapter 13: Traffic and Transport [APP-038] identifies the forecasted construction traffic movements on each link within the study area, which has formed the basis of the assessment of effects. To ensure that effects do not arise that have not been assessed in the ES, comment on whether the movement figures stated in Table 13-26 should be secured by including a requirement within the dDCO.</p>	It would not be normal to secure the movement figures included in an ES. However, the approval of the CTMP (Requirement 14 of DCO) should enable control of the construction vehicles, routing and durations to be as per the assessed impact.
TT.1.12	<p>Assessment of likely impacts and effects – construction traffic Figures 13-4 [AS-072] and 13-5 [AS-073] show HGV and abnormal indivisible load routing as passing through Harmston. In relevant representation [RR-037] reference is made to there being a weight limit in Harmston coming into effect in 2025.</p> <p>a) LCC – provide further detail about the weight restriction referred to in [RR-037].</p> <p>b) If a weight restriction is confirmed, what would be the implications for the routing of HGVs and abnormal indivisible loads?</p>	There are no new weight restrictions planned in Harmston by LCC.

TT.1.14	<p>Assessment of likely impacts and effects – decommissioning Are the assumptions/statements about decommissioning set out in ES Chapter 13: Traffic and Transport [APP-038] considered to be reasonable? If not, explain why that is considered to be the case.</p>	These assumptions are considered reasonable.
TT.1.15	<p>Construction traffic routes The proposed HGV and abnormal indivisible load routings are shown on Figures 13-4 and 13-5 [AS-072] [AS-073].</p> <p>a) LCC – would the proposed routes be acceptable, if not explain why that is considered to be the case? b) To ensure that effects would not arise that have not been assessed in the ES, should the HGV and abnormal indivisible load routings be secured via a requirement within the dDCO?</p>	<p>The proposed routes are acceptable.</p> <p>Requirement 14 of the dDCO should enable the routings to be secured.</p>
TT.1.16	<p>Abnormal Indivisible Loads a) Councils and National Highways - is there sufficient detail on the abnormal indivisible loads in the application documents, such as ES Chapter 13: Traffic and Transport [APP-038], the FCTMP [AS-102] and the FCEMP [APP-189] to understand what would be required and the effects? If not, what other information do you consider would be necessary? b) Are there any implications arising from the fact that only a preliminary vehicle swept path assessment has been undertaken for the routes to the Principal Site and the Cable Corridor access points so far (paragraph 5.7.3 in [AS-102])?</p>	<p>A) The detail provided is adequate for planning. B) No</p>
TT.1.17	<p>Framework CTMP – conditions surveys Paragraphs 7.3.2 to 7.3.4 in the Framework CTMP [AS-102] set out that a road condition survey would be carried out pre-construction, during construction and post-construction, to identify any defects that arise to highways assets/verges during the construction phase for the proposed development and during decommissioning.</p> <p>How would the undertaking of any necessary repairs be secured?</p>	<p>Usually it is agreed in discussions between Highway Authority and Developer which impacts have resulted from the development and agreement is reached on mitigations.</p> <p>Perhaps the CTMP should explicitly say that impacts caused by the development will be</p>

		mitigated.
TT.1.19	<p>Framework Public Rights of Way Management Plan</p> <p>Is there sufficient clarity in the Framework Public Rights of Way Management Plan (FPRoWMP) [APP-195] to provide an understanding of what is proposed for the affected PRowS? If not, what other details would be necessary?</p>	<p>With regard to the FPRoWMP, the detail seems adequate here, However, LCC would suggest that a commitment is included wherein the applicant would repair the surface, and to keep in repair, any surface of public rights of way that they are using by vehicles. It should also make clear that any crossing point will stop the construction/operation traffic and not the public; the public should not have additional gates to negotiate for these crossing points and the public use will take priority over the applicant's vehicle use. This should also involve training and site wide speed limits.</p>
TT.1.26	<p>Cumulative effects</p> <p>a) National Highways - The A46 Newark Bypass has been excluded from further consideration in Appendix 15-A [APP-177] (Long list of cumulative developments) because it is due to be complete in 2028. Is the timescale for the A46 Newark Bypass reasonable given the statement in paragraph 1.2 (b) of [RR-201] that National Highways will be working with the Department for Transport to identify delivery timescales over the coming months?</p> <p>b) LCC - The A46 Hykeham relief road has been excluded from the applicant's cumulative assessment in [APP-038] on the basis that its construction period would be prior to the peak construction period for the proposed development (operational from 2026 – point l, page 114 in [APP-038]). Does the applicant's assumption about the time of the A46 Hykeham relief road remain correct?</p> <p>c) Applicant - If there were to be changes to the timescales concerning the</p>	<p>The NHRR is expected to start construction in Spring 2026 and be complete by Summer 2029.</p> <p>AS referred to in the Councils LIR [REP1-] paragraph 19.17 Cumulative amenity impacts to local residents due to consecutive/successional construction periods, not necessarily those that overlap. The Council would wish to see this scenario to be assessed within the applicants documentation.</p>

	<p>delivery of the A46 highway schemes, how do you consider the regular reviews of and updates to the CTMP suggested by National Highways could be accommodated to manage the cumulative construction traffic effects?</p>	
<p>TT.1.27</p>	<p>Highways alterations Would the dDCO, the FCTMP [AS-102] and the FCEMP [APP-189] adequately secure a mechanism for the approval of the details for the proposed accesses and the other proposed highway alterations identified in the Streets, Rights of Way and Access Plans [AS-007]? If not, what amendments to the dDCO, FCTMP and the FCEMP would be necessary to establish an adequate approval mechanism?</p>	<p>LCC consider that all Articles in the DCO relating to Streetworks should require the Approval of the relevant Highway Authority.</p> <p>The CTMP should reference the need for future technical approvals. LCC would wish to see specific wording included in the framework CTMP, along the lines of that agreed to be included in the CTMP for the Tillbridge Solar DCO and the Springwell DCO, as follows:</p> <p><i>“5.4. Delivery of Road Modifications</i></p> <p><i>5.4.1. Prior to any construction works being undertaken within the limits of highway adoption, the detailed design of these works must be submitted to the Lincolnshire County Council for approval. These submissions will include:</i></p> <ul style="list-style-type: none"> <i>• A programme for the works, details of the construction method and traffic management requirements;</i> <i>• A detailed design pack of drawings and specifications detailing the works and any service / utility works that may need to be accommodated;</i> <i>• The necessary health and safety</i>

		<p><i>information required under the Construction, (Design & Maintenance) Regulations, or their equivalent at the point of submission;</i></p> <p><i>Details of the proposed contractor, including their insurance provisions;</i></p> <ul style="list-style-type: none"> • <i>If required by the local road authorities, a Road Safety Audit (RSA) to a combined Stage 1 and Stage 2 standard;</i> • <i>Details of any necessary road signage and road markings; and</i> • <i>Details of any proposed remediation proposals should the works not be permanent.</i> <p><i>5.4.2. The Applicant will reimburse the highway authorities for the technical approval process at the time the applications are made, in line with costs for similar Section 278 or Section 184 applications made under the Highways Act. “</i></p> <p><i>5.4.3. The finalised CTMP will detail the exact process for these technical approvals.”</i></p>
TT.1.28	<p>Permissive paths</p> <p>a) Applicant - Explain the reason behind the proposal to provide 9.5km of additional permissive paths rather than permanent additional paths.</p> <p>b) Councils – Provide comments about the applicant’s proposals for providing permissive paths.</p>	<p>LCC consider the routes suggested by the applicant for permitted paths seem sensible. However, it would be a better solution and mitigation for the public if these permitted paths were permanent rights of way. Permitted paths can be withdrawn at any time and even if they were included as a requirement within the DCO,</p>

		once the energy park was constructed it is highly unlikely that planning enforcement action would be taken should the operator choose to withdraw permission. There would be no powers to intervene as the Highway Authority.
Water Environment, including Hydrology and Flood Risk (WE)		
WE.1.01	<p>Compliance with the Water Framework Directive (WFD) NPS EN-1 (2023) states at paragraph 5.16.14 “The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent [ExA emphasis] where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.”</p> <p>a) Comment on the relationship of the proposed development to any relevant River Basin Management Plan and the requirements of the WFD.</p> <p>b) Comment on whether there would likely be any deterioration of a water body or that any water body would not achieve a “good status” or “good potential” as a consequence of the proposed development, and whether Regulation 19 of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 would be met?</p>	LCC has no comments and would defer to the Environment Agency and their expertise.
WE.1.02	<p>Drilling fluids The FCEMP [APP-189] under WAT-C6 identifies mitigation measures for</p>	LCC has no comments and would defer to the Environment Agency and their expertise.

	<p>managing drilling muds and wastewater.</p> <p>a) Has sufficient detail been provided in the FCEMP [APP-189] to understand what action would be taken in the event of there being a drilling fluid leak? If not, what additional details should be submitted by the applicant?</p> <p>b) Notwithstanding the identified mitigation measures, would it be possible that in the event of a substantial breakout, for some drilling fluid not be contained? In such a scenario, what would be the residual impact for the environment?</p>	
WE.1.05	<p>Assessment of effects - water run-off, operational phase</p> <p>Paragraph 9.7.74 in ES Chapter 9: Water Environment [APP-34] states that in order to limit the potential for channelisation from rainfall dripping off the end of the solar panels, the areas between, under and surrounding the solar panels would be planted with native grassland and wildflower mix. That planting would intercept and absorb rainfall running off the solar panels, preventing it from concentrating and potentially forming channels in the ground.</p> <p>a) What evidence is there demonstrating that this approach would adequately manage run-off from the proposed solar panels?</p> <p>b) Should monitoring of water run-off from the solar panels take place during the operational phase, with the potential for mitigation to be provided in the event that it was required? If so, how could any such mitigation be secured through any made DCO for the proposed development?</p>	<p>a) This has been the approach of most of the solar farm NSIPs which have been submitted and approved. Vegetation under the panels will ensure that the ground conditions remain similar to existing and surface water flood risk would not be adversely affected.</p> <p>b) This is not considered necessary.</p>

